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ALBANIA

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In advance of Albania's first contested elections under Communist rule on March 31, Helsinki Watch took part in a fact-finding mission from March 7 to March 12 as part of the first team of independent human rights investigators to have officially visited the country. The delegation, sponsored by the Vienna-based International Helsinki Federation for Human Rights (IHF), met with senior government officials, including President Ramiz Alla; toured several prison and labor camps; conducted confidential interviews with current and former prisoners convicted of both political and common crimes; spoke extensively with members of opposition political parties and other newly founded independent organizations; and investigated several recent killings by Albanian security forces.

Helsinki Watch released a newsletter based on the findings of the mission to members of the press immediately prior to the elections. It found that despite the dramatic opening that has occurred in Albania since the December 1990 decree authorizing multiparty elections, substantial progress still needs to be made on a number of fronts to secure basic human rights. The newsletter stressed that some ongoing shortcomings -- particularly in the area of press freedom -- would affect the fairness of the forthcoming elections, with the ruling Albanian Party of Labor (APL) enjoying considerable advantages. Other human rights problems would confront whatever government emerged from the balloting.

This updated version of the newsletter contains much of the material included in the earlier report. It also discusses events immediately preceding those elections; assesses opposition allegations of fraud and technical irregularities during the polling; examines the role and findings of international election observers; details the violence which immediately followed the elections; and analyzes the issues facing the new parliament, including the draft constitution which will dominate the first sessions.

Background: Accelerating Reform

The revolutions in Eastern Europe and increasingly dire economic conditions within Albania have led to a gradual loosening of the tight grip on independent activity maintained during the 46 years of Communist rule. Pressure for reform mounted during 1989 with demonstrations in May, October and December involving students and young workers protesting living and working conditions. In February 1990, the government appeared to respond to this growing discontent by announcing a series of tentative steps toward economic reform.

This economic liberalization was followed by a gradual reversal of Albania's long-standing foreign policy of self-imposed isolation. In April 1990, President Ramiz Alia gave a speech opening the way to the reestablishment of diplomatic relations with the United States, Britain, the USSR and the European Community. U.N. Secretary General Perez de Cuellar visited Albania in May 1990, and President Alia addressed the United Nations in September. The Balkan foreign ministers met for the first time in Tirana in October. Diplomatic ties with the U.S. were resumed on March 15, 1991, after a break of more than 50 years.

In his April 1990 speech, President Alia also expressed interest in joining the Conference on Security and Cooperation in Europe (CSCE) to participate in the Helsinki process. Indicative of its reclusive foreign policy until 1990, Albania is the only European nation which is not a member of the CSCE. Albania was granted observer status in June 1990 -- when it announced its commitment to all CSCE human rights documents -- but its application for full membership is on hold pending further political reform and demonstrated respect for human rights.

These international steps were accompanied by a slow relaxation of political controls at home. In May 1990, the government rescinded several criminal laws that had been used for political persecution. The crime of unauthorized flight from Albania was downgraded from treason to "illegal border trespassing," and by late 1990 passports for foreign travel were being made available to ordinary citizens for the first time. The penal provision banning "agitation and propaganda against the state" was limited to proscribe only acts aimed at "overthrowing the social and state order." The crime of religious propaganda was rescinded. The number of crimes punishable by the death penalty was reduced from 34 to 11, and the death penalty was abolished for women and for juveniles under age 18.

Some Albanians responded to this atmosphere of greater freedom by seizing the opportunity to flee the country. In July 1990, some 5,000 Albanians took refuge in the handful of foreign embassies established in Tirana. All were eventually allowed to leave the country. The refugee flight confronted the Labor Party with what many consider to have been the most serious crisis it had faced since taking power.

In a speech on November 9, 1990, President Alia said that the officially atheistic state would recognize religion for the first time. (Albania's population is estimated to be 70% Muslim, 17% Orthodox and 10% Roman Catholic.) While the constitution continued to contain a ban on religion, it came to be ignored in practice and a new draft constitution, discussed below, included an affirmation of religious freedom. The first Roman Catholic mass was celebrated two days later, in Shkoder, before an estimated 40,000.

Also in November 1990, the government authorized the practice of law, thus creating the possibility for defense counsel at criminal trials. The practice of law had been prohibited since 1967. The Ministry of Justice, which had also been abolished over two decades earlier, was authorized to reopen in May 1990.

Not placated by these initial reforms, students at Tirana's university launched large-scale demonstrations on December 9, 1990. Two days later, the first independent political party, the Democratic Party, announced its formation. Violent clashes in Elbasan, Shkoder, Kavaje and Durres led to the arrest of 157, of whom, according to the government, 26 were sentenced to prison terms of up to 20 years.

The government responded to the unrest with a series of further concessions. On December 18, it authorized multiparty elections for the first time under the ruling Labor Party. The next day the government formally recognized the Democratic Party. Elections were initially set for February 10, but when the Democratic Party threatened to boycott the balloting because of insufficient time to campaign, the government agreed to a compromise date of March 31.

On December 20, Nexhmije Hoxha resigned her post as head of the Democratic Front, a mass organization of the Labor Party. She is the widow of Enver Hoxha, the founder of the Communist state whose repressive rule ended only with his death in 1985. President Alia was Enver Hoxha's hand-picked successor. On December 21, workmen quietly removed a large bronze statue of Stalin from a central square in Tirana; Hoxha had continued to worship Stalin throughout his reign.

On December 31, the government published a new draft constitution incorporating safeguards for many basic liberties, including freedom of religion, press, conscience and association, the presumption of innocence, and the right to travel abroad and to move about the country freely. (Foreign travel had been barred for all but a privileged few, and internal exile as a form of punishment had been widespread.) On April 10, an amended version of the draft was published in the Party daily newspaper *Zeri i Popullit*. The revised draft drops the word socialist from the country's title, thus meeting a Democratic Party demand. It also contains a more explicit statement of certain rights than the earlier one, including a legal guarantee that all Albanians can have private property and engage in free enterprise "on condition that it does not harm social interests." The draft constitution will be taken up during the first session of the new parliament. In the meantime, the limitations on basic rights contained in the existing constitution were increasingly ignored in practice.

According to government figures, some 191 political prisoners were released in 1990 and another 202 were released in January 1991. As further described below, the government announced that an additional 123 prisoners were released on March 17, and that 258 were awarded amnesties on March 30.

The turmoil accompanying these rapid changes set off a further exodus of refugees in late December 1990 and early January 1991. Over 11,000 Albanians, including many ethnic Greeks, crossed the

mountainous border into Greece, encountering little resistance from border guards. Another 3,600 fled to Greece in February.

Demonstrations and strikes continued throughout January and February 1991. Demonstrations in Tirana on January 15 and in Burrel and Fier on February 3 were violently broken up by the authorities.

Tensions climaxed in mid-February. On February 18, some 720 students and faculty members at Tirana University went on a hunger strike to press for further reforms. They were backed by the newly recognized miners' union and thousands of demonstrators. On February 20, several of the hunger strikers collapsed and were brought to the hospital. Some 80,000 enraged protesters descended on Tirana's central Skanderbeg Square, named after the 15th century national hero who united the feuding Albanian tribes against the Ottoman Turks. The demonstrators proceeded to topple the huge bronze statue of Enver Hoxha, dragging it around the square and thoroughly destroying it.

The desecration of this official icon set off a wave of reaction. Meetings of Hoxha supporters -- dubbed the "Guardians of Hoxha" -- were organized around the country, and independent political activists were reported beaten in several places. As described in greater detail below, a February 22 meeting in Tirana at the Military Academy led to the killing of four demonstrators and one police officer. Alia reacted to the crisis by dismissing all but two of the 18 members of former Prime Minister Adil Carcani's Cabinet. A caretaker government led by the reform-minded Communist economist Fatos Nano was appointed to oversee the elections.

The government also moved to stop the popular protests. On March 1, all demonstrations not related to the elections were banned. On March 2, Tirana University was closed and students were sent home to continue their studies by correspondence. Finally, to avert further strife, the government and the opposition agreed on March 5 to postpone discussion of the official status of Hoxha until after the March 31 elections.

Despite this temporary agreement to disagree, fear of civil war coupled with the still desperate economic situation sparked a further exodus of refugees in late February and early March. Some 20,000 Albanians hijacked every available boat in Durrës, Vlorë and Shengjin harbors and took flight to Italy. Thousands of others besieged Embassy Row in Tirana, but security forces prevented them from entering the diplomatic premises. In the aftermath of the Communist election victory, the embassies and harbors remain heavily guarded in an effort to stop another rush of would-be emigres.

As detailed below, sporadic violence continued throughout the months of March and April.

Election Conditions

The explosion of independent activity that followed the December announcement of elections was accompanied by continuing restrictions on civil society that significantly curtailed the ability of the opposition to transmit its message to Albania's 3.2 million people. At the time of the Helsinki Watch visit, four opposition political parties were actively participating in the campaign, with the largest, the

Democratic Party, claiming 93,000 dues-paying members. Both the Democratic Party and the substantially smaller Republican Party had, with government permission, begun to publish independent newspapers. The Democratic Party had also been given a small office building in downtown Tirana to serve as a headquarters. Also officially recognized were a small Ecological Party, an Agrarian Party, and an organization for the Greek minority, the Democratic Union of the Greek Minority (Omonia). A Greek minority party, Concord, was still awaiting registration at the time of the Helsinki Watch visit, and now appears to have disappeared from the mainstream political scene.

The opposition parties faced a monumental task in attempting to overcome 46 years of Labor Party domination. Because of the limited availability of newsprint, the Democratic Party was allowed to print only 60,000 six-page copies of its semi-weekly newspaper *Rilindja Demokratike* (*Democratic Awakening*). With private cars outlawed until late February 1991, the government allocated a mere handful of vehicles to the Democratic Party. No material had been made available for posters and campaign literature.

With these restrictions, the government-controlled television and radio became the most effective medium for communicating with the general public. Each party was allotted a series of prime-time slots: one hour each to answer questions from the press; one hour to debate other parties (which was forfeited in light of the Labor Party's refusal to debate); one hour to present the party's platform; and five minutes for a "last word." For these purposes, the Labor Party was treated the same as the opposition parties.

However, several opposition politicians complained to Helsinki Watch that the television and radio news coverage was skewed in favor of the Labor Party. They cited as an example that the state television had broadcast President Alia's speeches so that his own voice could be heard but speeches by opposition leaders were only shown visually while an announcer purported to summarize what had been said. During an interview with Helsinki Watch, the director of television, Virgil Kule, conceded that this had occurred but justified the treatment by stating that the President, though First Secretary of the Labor Party, was entitled to special coverage because of his position as head of state.

Part of the distrust that the opposition expressed toward the national media during the electoral campaign stemmed from the resignation in February of the General Director of Radio and Television, Sefedin Gela. He was a respected journalist who had served in that position for eight years and reportedly had managed on occasion to rebuff Labor Party dictates. Gela was replaced by Fatmer Kumbo, a man with a long history of Labor Party posts. The substitution took place on February 20, the day of the toppling of Tirana's Hoxha monument. Kule insisted that the resignation was for family reasons and had been in the offing for some time. He admitted, however, that there had been heated discussions about how to portray the events in Skanderbeg Square, and that Gela "couldn't resist the pressure."

In the end, Kule said, the Labor Party's intervention came too late to prevent the national television from showing the toppling of the statue and the crowd's reaction, including soldiers embracing students and flashing the V-for-victory sign. The station omitted only the scenes showing the destruction of the statue. Nonetheless, opposition leaders complained about the appointment of a man with strong Labor Party ties in the midst of an election campaign.

These charges aside, it is clear that the national television under current circumstances is not going to explore independently various pressing issues now facing Albania. When asked, for example,

about the possibility of the national television station examining such sensitive issues as prison conditions, Kule stated: "Our practice is not to investigate; we are not used to that kind of journalism." Instead, it simply takes news dispatches from ATA, the government news agency. On the other hand, he added, since "Italian television is seen in every house, you can't hide things."

During the closing days of the election campaign issues of Communist domination of the media and of intimidation of voters in rural areas came to the fore. The Democratic Party lodged a formal complaint with the Presidential Council that it had been prevented from campaigning in many rural parts of the country, and on March 26, some 5,000 attended an opposition rally in Tirana to protest the unfair election conditions. The Democratic Party's final pre-election rally was held on March 30 in Tirana, and an estimated 30,000 turned out to hear its chairman, Sali Berisha, outline its platform: legalization of private property, economic shock therapy and respect for human rights.

Alia made his concluding election appeal to 4,000 chosen party faithful in the marble-floored Tirana convention center. In a piece of last-minute electioneering, he announced the release of what the Albanian Party of Labor (APL) claimed were the last 258 political prisoners in Albania. The authorities have since stated that 27 people remain in prison for anti-state crimes, but according to the independent Forum for the Defense of Human Rights and Fundamental Freedoms, they have not produced a list of those in detention and the charges against them, as requested by the Forum. (The Forum maintains that many relatives of former prisoners who were sent into internal exile are still banished in remote regions.) Acknowledging that the APL "made mistakes," Alia pledged to steer Albania away from rigid central planning toward a market economy, and to forge stronger links with the West. At least on paper, the two main contenders in Albania's first modern multi-party elections differed largely in the extent and pace of the transition they advocated.

Election Mechanics

The country is divided into 250 electoral constituencies, one for each seat in the unicameral parliament. A first-past-the-post electoral system was used, as opposed to the system of proportional representation favored by the opposition. Anyone who collected 300 signatures was entitled to present his or her candidacy, even without a party affiliation. Up to 13 candidates were reported to have been listed on the ballot in each constituency. Voters aged 18 and older were entitled to cast their votes from 6 a.m. to 8 p.m. on March 31 by crossing off all but one name on their ballots. In the constituencies where no candidate received an absolute majority on March 31, a runoff was held on April 7 between the two candidates who received the largest number of votes in the first ballot. In the event that two candidates did not each receive at least 25 percent of the votes cast on March 31, provision was made for a new first round of voting on April 14.

Eleven parties and a total of 1,074 candidates competed for seats in the first round of the elections. The Party of Labor fielded candidates in 243 constituencies, choosing not to present candidates at all in several races where leading figures of the Democratic Party were running. The Democratic Party fielded candidates in all 250 constituencies, the Republican Party in 160, and the Greek party, Omonia, in just six. Numerous independents, some aligned with smaller parties or causes, made up the rest of the 1,074 total.

Vote counting was done at the polling place by a committee which could include observers representing the parties and individual candidates. However, all committee members were required to live in the polling district -- a stipulation which was difficult to meet in many places for some of the smaller parties. The Democratic Party claimed on the eve of the elections to have designated a representative for each of the 6,800 voting-center commissions in the country. However, the Republican Party was able to man only 50 percent of the polling places.

Opposition representatives also expressed concern during the campaign about their ability to monitor the balloting on army bases, where soldiers stationed more than three kilometers from a civilian center were to vote. In the event, a more serious problem relating to the military vote turned out to be the truckloads of soldiers who were driven to cast votes in the Tirana district where Alia was a candidate. Such a deployment of soldiers was legal under Albanian law, which allows up to six percent of the vote in each precinct to come from voters registered elsewhere.

The government invited more than 250 election observers from Europe and the United States to monitor the balloting on March 31, and also admitted a limited number of foreign journalists. Citing lack of hotel space, however, the government refused to grant visas to all those who wished to witness the elections. Given the logistical difficulties of covering ground quickly in Albania, Helsinki Watch urged at the time that free access be given to all journalists and election observers as the best method of ensuring that international observers were present throughout the country.

Election Results

When the polls closed at 8 p.m. on March 31, 96.91 percent of Albania's 1.9 million registered voters had cast a ballot, the highest turn-out in any multi-party election in Eastern Europe. The Communist victory was not officially announced until two days after the Sunday election, but by early Monday it was already clear that the balloting had registered a massive split between the still Communist-dominated countryside and the urban centers which had almost all elected Democratic Party opposition candidates. The Albanian electorate is about 62 percent rural, and the APL won just under two-thirds of the seats in the first round of the elections (162); the Democratic Party won 65 seats, Omonia 3, and the Communist-linked Veteran's Committee 1. Nineteen seats remained unfilled and therefore had to be contested in the second round of voting, 17 in constituencies where no candidate had won a clear majority, and two where ballots had not been prepared in time.

The Communists suffered some significant and somewhat embarrassing defeats in several urban constituencies. Ramiz Alia won only 36.25 percent of the vote in his Tirana district, losing to a young Democratic Party candidate, the geologist Franko Krroqi. Foreign Minister Muhamet Kapllani lost his seat to another Democrat, physical-education teacher Albert Karriqi, and reformist Central Committee Secretary Spiro Dede was also defeated. Prime Minister Fatos Nano was forced into a second- round run-off against Democratic Party candidate Sokrat Nesturi which the reform-minded Communist narrowly won.

However, while moderate Communists were thrashed in races in the cities, a number of recently purged hardliners and military officers won easy victories in rural districts. APL number two, Xhehil Gjoni, and ex-Prime Minister Adil Carcani both retained their seats, leading some to speculate that the hardliners

who surround Enver Hoxha's widow, Nexhmije, would gain ascendancy in the new parliament. Alia has continued to call for a national unity government in the aftermath of the Communist victory, but the Democratic Party has refused all such suggestions, preferring to exercise its influence in parliament as a "constructive opposition."

The implications of Alia's defeat were not immediately clear. Although the position of the presidency was not at issue in these elections, under Albania's constitution his failure to reach parliament precludes him from being selected president. A proposed new constitution, to be taken up by the incoming parliament, would eliminate that requirement while adding provisions securing a range of fundamental freedoms. The draft constitution also allows ministers to be appointed from outside parliament, in a move apparently to ensure that reformists who lost seats in pro-Democrat urban strongholds can stay in government.

The legitimacy of the new parliament which will vote on the proposed constitution was called into question when the Democratic Party boycotted its first session, on April 15, because of the government's failure to name those responsible for the post-election killings in Shkoder, described below. The Democrats ended the boycott after two days, but Alia remains in the embarrassing position of needing a constitutional amendment simply to stay in office. However, the swift adoption of the new constitution was blocked at the session on April 17, when a number of APL deputies joined the Democratic Party and Omonia in refusing to approve the draft without a full discussion.

The marked urban-rural split in the Albanian voting immediately led to comparisons with Bulgaria's elections of 1990. A similar result there had produced a parliament which collapsed only months later, as the Communists lost support in the face of drastic economic deterioration. Speaking to 3,000 disappointed supporters of the Democratic Party gathered outside the Tirana headquarters on the day after the elections, leaders Sali Berisha and Gramoz Pashko urged people to remain calm and predicted fresh elections within 6 months: "Politically we win the elections. How can there exist a democratic head with a Bolshevik body? It's not possible."

The APL needed to win five of the 19 seats at stake in the second round of the elections on April 7 to hold the two-thirds of the seats in the parliament necessary to amend the constitution. In the event they took 6 of the seats, the Democratic Party won 10 (six of which, significantly, were in the countryside), and Omonia 2. The last undecided seat went to the Communists in a final round of voting on April 14, giving the APL a total of 169 seats, the Democratic Party 75, Omonia 5, and the Veteran's Committee 1. The solid APL majority may be jeopardized, however, if a rumored split within the ruling party breaks to the surface.

Foreign monitors were mostly quick to approve the Albanian elections as generally "fair and free." Certainly, despite the primitive polling technology, instances of technical irregularities were surprisingly limited. According to reports, only one voting center in Tirana had to be shut when officials found 27 unstamped ballot papers in a pile being given to voters. However, few of the foreign observers had monitored the pre-election campaigns, and most left almost immediately after the first results were issued. Those who remained longer in Tirana were rather more circumspect in awarding the Albanian vote a clean bill of health.

Perhaps the most serious complaint raised by the Democratic Party in the immediate aftermath of

the elections has been the charge that there was a massive discrepancy in the relative size of voting districts across the country. With urban districts containing two to three times as many voters as those in rural areas, the Democratic Party certainly lost out in terms of the number of seats it won in parliament. However the constituency boundaries pre-date the recent political liberalization (they were drawn more than 45 years ago). Whether the decision to maintain these districts for the March elections was politically motivated is not known.

While the leaders of the Democratic Party acknowledged that there was not enough evidence of fraud to challenge the results of the poll, nevertheless they stressed that the four-month campaign had been conducted in an atmosphere of fear. American election observers said that they had seen scattered but convincing evidence to support some opposition complaints. A letter threatening the family of an opposition party polling monitor in the mountain town of Burreli was given to National Democratic Institute observer Gerald Mitchell. The handwritten letter, which the woman claimed to have received from supporters of the APL, threatened her and her family with death and the destruction of their house if she did not publicly renounce the opposition. There were also reports that some rural voters received hand-delivered "voting numbers" from leaders of the local Communist cell. This was likely to have frightened and confused voters into believing that the APL could still monitor their vote, as they had done in the past. However, in much of the isolated and mountainous Albanian countryside, the ruling APL needed to do little more than sit back and allow fear of the consequences of change to campaign for them; with limited access to the media the opposition party could make little headway against such entrenched caution.

The U.S. Response

In a post-election statement on April 3, the U.S. State Department announced that "the electoral process fell short in several key areas of CSCE standards for free and fair elections." The limited communications outlets available to the opposition during the campaign and the "overwhelming" use of state resources enjoyed by the Labor Party were singled out for reproach. The statement was important for maintaining pressure on the Albanian government to continue the process of political reform.

Unfortunately, the State Department was less critical of the same electoral conditions in advance of the balloting. On March 15, during his speech at the ceremony for the signing of a memorandum reestablishing diplomatic relations between the United States and Albania, Assistant Secretary of State for European and Canadian Affairs Raymond G.H. Seitz noted that the renewed relations reflected the fact that the "United States supports and encourages the process of political and economic reform which has begun in Albania." However, without mentioning any of the limitations on the opposition campaign that were then fully apparent, he went on to express the importance that the international community attaches to "these elections [being] both free and fair." The suggestion was that a technically correct balloting would suffice in this regard, at a time when the more fundamental flaws in the campaign process not cited by Assistant Secretary Seitz were already set to mar the elections' fairness.

Post-Election Violence

Opposition rallies to protest alleged fraud during the elections occurred spontaneously in many of

Albania's larger towns during the first days of April: unrest was reported in Tirana, Kavaje, Vaqarr, Durrës and in Elbasan where a bomb was discovered and defused at the Democratic Party headquarters. The most serious post-election violence erupted in the northern city of Shkoder, birthplace of Ramiz Alia, which had overwhelmingly elected the entire slate of opposition Democratic candidates.

An estimated 30,000 demonstrators surrounded the APL headquarters on the evening of April 1, chanting "get out of town" to the Communist occupants. The stand-off between the crowd and security forces stationed outside the building intensified during the night, and on April 2 shootings left four dead and almost 60 wounded. Those killed included 24-year-old local Democratic Party leader Arben Broxi, whom the police shot in the back while he was trying to calm the demonstrators. The enraged mob ransacked and burned the Party offices, also setting on fire two armored personnel carriers stationed in front of the building.

The Government announced an inquiry into the Shkoder violence on April 5, and the local APL leaders were dismissed, but the Democratic Party nevertheless boycotted the first session of the new parliament on April 15 because the authorities had not named those responsible for the four deaths. The boycott ended after two days, and parliament appointed a special commission to investigate the Shkoder shootings before adjourning for a week for it to conduct its inquiry. Government investigators maintain that their investigation is stalled because people will not come forward to give evidence, but the Democratic Party claims that the Communist authorities are deliberately hindering the questioning.

Independent Associations

Since December, for the first time under Labor Party rule, several independent organizations have been permitted to register. In addition to the political parties, official recognition has been extended to a miners' union (together with a limited right to strike) and an independent human rights organization, the Forum for the Defense of Human Rights and Fundamental Freedoms, headed by Professor Arben Puto. Churches and mosques have also begun to function openly.

Freedom of association and assembly remain severely curtailed, however. Students, who since December have been at the forefront of efforts to press for further democratic change, have suffered the greatest restrictions. The Minister of Education has denied students the right to organize their own union and, as noted, has closed Tirana University.

Similarly, efforts to create a national trade union federation have been stifled by the government's refusal to accord recognition. The lack of legal status has left most workers afraid to join the federation. An independent journalists' union was also awaiting recognition at the time of the Helsinki Watch visit.

Shootings

Since mid-February, Albania has experienced a series of shootings by security forces, most recently in the post-election clashes in Shkoder described above. In March, Helsinki Watch had the opportunity to investigate several such incidents, and found a disturbing willingness on the part of the

authorities to resort to lethal force in the face of peaceful dissent. In at least two cases Helsinki Watch received informal reports that perpetrators had been arrested. However, the government is not known to have made any formal announcements of arrests in these cases. Given the political context, Albanians interviewed by Helsinki Watch expressed little confidence that justice would take its course, and indeed the Democratic Party subsequently resorted to a two day boycott of parliament in an effort to call those responsible for the Shkoder shootings to account.

Durres Port

Beginning at about 11:30 p.m. on March 8, troops stormed some 1000 refugees perched on the ship the Partizan in Durres harbor, Albania's principal port. According to a broadcast heard on Radio Tirana at noon on March 9 but apparently not repeated in subsequent broadcasts, two died and ten were wounded in the attack. The Democratic Party reported that three had been killed, including at least one who was asphyxiated by tear gas. Helsinki Watch's independent investigation confirmed at least two dead and eight wounded.

The March 8 assault was the culmination of a week-long flight of some 20,000 refugees to Italy. As noted, the refugees had hijacked every available vessel in Durres, Vlore and Shengjin harbors. Although the Partizan proved not to be seaworthy, the refugees refused to leave the ship. Albanian authorities insisted that they vacate the ship.

By March 8, the third day of this tense standoff, several thousand would-be refugees stood in Durres harbor. Soldiers ringed the port, making token efforts to prevent food and water from reaching the refugees, while occasionally firing their rifles into the air. By their actions, it appeared that the soldiers were under orders not to fire at the refugees.

Just before midnight, however, the attack on the ship was launched. According to eyewitnesses interviewed by Helsinki Watch, including some of those injured in the assault, the attack began with a final set of warnings to leave the ship, followed by a barrage of tear gas and a hail of automatic-weapon fire into the air. By some accounts, including one eyewitness interviewed by Helsinki Watch, a two-year-old child aboard the boat was asphyxiated by the tear gas and died. When the refugees still refused to leave the ship, soldiers boarded and started beating people with batons and forcibly removing them. At some stage, some soldiers began firing single shots at the refugees.

According to doctors interviewed on March 9 in Durres hospital, nine wounded had been brought to the hospital beginning at 2 a.m. that morning. One, an 18-year-old woman whose name was not known, was in a comatose state with a bullet in her head and had been moved to Tirana; she presumably soon died. An unidentified 19-year-old man with a bullet in the thorax had also been transferred to Tirana. Others injured were: 19-year-old Xhevair Ymeri, with a bullet in the back (he had undergone an immediate operation and was listed in "grave" condition); 23-year-old Eduard Hoja, with a bullet wound in the thigh (he stated that it had been a plastic bullet); 23-year-old Nasmi Hidari, hit in the eye by a rock (possibly thrown by the crowd, by his account); 16-year-old Leonard Alamoni, hit by a bullet in the eye; 22-year-old Agim Prenia, hit in the head by a rock; 39-year-old Jakup Yura, who had been beaten in the head with a baton; and

another unidentified person who was briefly treated in the hospital and released.

The Military Academy Shootings

As noted, on February 22, two days after the toppling of the Hoxha statue, a meeting of conservative officials took place at the Military Academy in Tirana. As word of possible coup preparations spread, a crowd of pro-democracy demonstrators gathered outside, some throwing rocks. Tensions mounted and soldiers on the roof began shooting into the crowd below, killing four, according to the government. One police officer was also reported killed.

According to one eyewitness interviewed by Helsinki Watch, soldiers stationed on the roof fired at the crowd in almost a "casual" manner. The witness was present when 18-year-old Edvin Shanku was wounded by a bullet. That night, soldiers reportedly walked through the streets of Tirana firing randomly at houses. Several witnesses reported that a 2-year-old boy had been injured in his home near the Military Academy by random fire.

Artan Lenja

In a separate incident also on February 22, 20-year-old Artan Lenja was shot and killed outside an apartment complex in western Tirana. Lenja had intervened at the request of two 18-year-old youths who were being detained by a policeman and two soldiers, according to one of the youths interviewed by Helsinki Watch. Lenja himself was a soldier, although that day he was dressed in civilian clothes. He knew the two boys personally, so they appealed to him to protest their detention. Lenja told the security officers that the two boys lived in the area and that they posed no problem. One of the soldiers responded by placing his automatic rifle against Lenja. The other soldier fired into the air, and then the first soldier pulled the trigger on his rifle. The soldiers dragged Lenja's body to their jeep, removed the license plate, and sped off with the two 18-year-olds. At the military hospital, according to one of the youths, the soldiers pressed them to say that Lenja had tried to take their weapons and thus that they had fired in self-defense. One of the youths had since fled to Italy. The other was interviewed by Helsinki Watch at a makeshift memorial that had been erected at the site of the killing. A petition seeking a more permanent monument had been signed by 1,863 people. According to an unconfirmed report, the soldiers involved in the shooting were arrested. There has been no known government pronouncement on the case.

Spartak Deliu

On March 6, security forces clashed with rock-throwing youths near Skanderbeg Street, where most of Tirana's handful of foreign embassies are located. As noted, in July 1990, some 5,000 people had taken refuge in these embassies and were soon permitted to leave the country. Since then, security forces strictly control access to the embassies. At least some of the youths on March 6 had gathered in response to persistent rumors from unknown sources that one or another embassy would be reopened to accept asylum seekers.

Among the three demonstrators reported killed that day was Spartak Deliu, a 14-year-old boy who at the time of the shooting was hiding behind a wall on a side street near Skanderbeg Street. When he

peeped out, a soldier standing in front of the former International Hotel fired at the youth, hitting him in the forehead and in the leg. He died immediately, and was buried in Shtishtufine Cemetery on March 7. (According to unconfirmed reports, one of the other two killed that day was run over by a tank and the other was shot.)

The Shooting at the Villa of Haxhi Lleshi

Haxhi Lleshi, who served as president of Albania during part of Enver Hoxha's rule as First Secretary of the Labor Party, is currently a member of the Presidential Council. According to eyewitness accounts received by the Democratic Party, on March 11 an 18-year-old boy whose first name was Taulant was shot and wounded at Lleshi's Tirana villa by an armed man described as Lleshi's gardener. The incident illustrates the tense atmosphere that prevails in Tirana. By this account, two workmen asked the youth to get them some water to drink from a source in front of the Lleshi villa. A soldier on guard in front of the house did not object. However, the gardener, whose last name was said to be Ramadan, took offense. An argument ensued and the gardener took out a pistol and shot the boy in the hip, leaving him partially paralyzed. The gardener fired three more shots, but the youth was able to grab his arm and direct the shots into the air. The gardener was said to have been arrested, but the Democratic Party expressed skepticism that justice would take its course against a man with such powerful connections. There was no known government statement on the case.

Political Prisoners

Helsinki Watch conducted numerous interviews with current and former prisoners who had been imprisoned arbitrarily or for their peaceful expression and association. Repeatedly they recounted beatings during interrogation, lengthy prison sentences with regular mistreatment, and arduous work conditions. The human tragedy visible on the faces of these worn, broken men spoke to the cruelty of the Hoxha regime. The following are examples of their testimonies. While Helsinki Watch has been unable to verify these accounts, all of these victims spoke openly and publicly of their plights.

- o** **Eduard Ybi, an economist and poet, was sentenced in 1980 to 20 years' imprisonment for "agitation and propaganda against the state" because he had publicly voiced anti-government opinions. He was released in 1988, having spent 11 months under interrogation at Burrel prison, sporadic periods in Tirana prison working as a member of a prison-based translation group (he speaks English and French) and the remainder of the time in the Spac labor camp, including one year working in the copper mines. He complained: "We are all tired, we all are tired from the terrible conditions and treatment." He told Helsinki Watch that the number of political prisoners in Spac during his incarceration ranged from approximately 1280 in 1980 to some 320 in 1988.**

- o** **Seid Vorpsi, a 58-year-old mechanic, was convicted in 1976 of "agitation and propaganda" and served seven years in Spac labor camp. Upon arriving in Spac on the 32nd anniversary of the birth of the Communist nation, he encountered some prisoners who had been in custody for 34 years, that is, partisans who had committed crimes before liberation. Vorpsi told Helsinki Watch of two journalists and a mechanic in Spac – Fadil Komani, Xhelal Koprencka and Vengjel Lezha – who wrote a critical letter to Hoxha in 1981; all three were executed within two weeks.**

- o **Kujtim Preni, 30, was convicted in 1977 of "agitation and propaganda" for, in his words, "speaking ill of Enver Hoxha." He was released in July 1989, having spent the entire time working in the mines of Spac (1977-83) and Qafe-Bari (1983-89).**
- o **Napoleon Koleshi, 52, was imprisoned in 1964 for "agitation and propaganda" for having complained about economic conditions. He was interrogated for a year in Korce, where he was beaten on the legs and some of his teeth were broken. He spent 12-1/2 years in Spac, from 1967 to 1979, and was released from custody in December 1990.**
- o **Zyhdi Morava, a poet, was one of a group of young writers who were imprisoned for, in his words, "writing with too free a hand," without conforming to the precepts of socialist realism. The oldest of this group was named Bedri Myftare. Morava was convicted in 1971 to three years in prison, which he served in Ballsh work camp. He was then confined in internal exile ("deported" is the terminology used in Albania) in Yrshek, a small village near Tirana, where the authorities telephoned him two to three times a day to keep tabs on him. After two years, he was arrested, interrogated for four months during which he was not beaten, and sentenced for "agitation and propaganda" to eight years in custody. He spent five years in the mines of Spac and was then released as part of an amnesty in 1982. In Spac, where he was barred from "writing, whistling, speaking loudly or learning a foreign language," he nonetheless wrote a 400-page book on the "suffering and life of the camp, and the relations among prisoners." As far as he knows, the manuscript is still where he buried it on the grounds of Spac. Though today he is a laborer on a state farm, he gained the right to publish in September 1990 and has issued two books, one of poems entitled "Self-Portrait" and one of stories entitled "Hungry Souls."**
- o **Rama Astrit, 40, had lived in France from 1970 to 1975, where he obtained a masters degree in French literature. He fell in love with a French woman and they decided to marry. Wanting to proceed with the consent of the Albanian authorities, however, he returned to Albania in 1976 and sought permission for the marriage, even writing at one point to the French President. When his fiance inquired at the Albanian Embassy in Paris, she was told, falsely, that Astrit no longer wanted to marry. He was accused initially of espionage and sentenced to eight years in prison for "agitation and propaganda." He spent six and a half years in Spac, and was then assigned to an agricultural cooperative for five years of internal exile. All of his personal possessions were seized. He has a serious heart problem and wants to travel abroad for an operation but lacks the means. The French woman married someone else four years ago and has two children.**
- o **Franj Gega, 46, was sentenced in 1967 to 15 years' imprisonment for trying to flee to Yugoslavia. He was in Elbasan from 1967 to 1968, Spac from 1968 to 1975, and Ballsh from 1975 to 1982.**

Two political prisoners were interviewed in Tirana Prison (Reparti 313). Petraq Xhacka, 59, and Enriko Veizi, 52, both geologists, were director and vice director of the Albanian Institute for Geology and Oil. Xhacka had twice received the "Laureate of Albania" for his "devotion to scientific work and his country." They were arrested in February 1986 and sentenced in January 1987 for alleged espionage for the Soviet Union. Both attributed their arrest to their perceived failure to discover sufficient oil reserves in Albania to meet the government's need for hard currency. As Veizi explained: "Our [Albanian] products

didn't sell, but oil sold very easily." The two were threatened with charges of sabotage -- which they perceived as a more serious offense -- and with internal exile for their families. They were also beaten. They ultimately agreed to admit to the espionage charge. Xhacka was sentenced to 25 years in prison and Veizi to 23 years. Their judgment explicitly denies them the right of appeal. Others imprisoned in the same case were Mynyr Arapi, 58, sentenced to 22 years in prison; Petrit Sadushi, 53, sentenced to 23 years in prison; and Luan Kellisi, aged about 40, sentenced to 18 years in prison. The five engineers were among the 258 political prisoners released on the eve of the March 31 elections.

The two prisoners were in Tirana Prison -- normally a facility for prisoners in transit and those under investigation -- to translate documents for the government. Veizi was working on a project that he had been asked to complete following the flight of refugees to Greece in late December and early January -- the translation of *The Refugee in International Law*, by Guy S. Goodwin-Gill, Clarendon Press, Oxford, 1983.

The Interior Ministry released to Helsinki Watch and the IHF delegation a list of some 200 prisoners still in custody at the time of the visit whom the government classified as having committed political offenses. The list did not include, for example, the 26 who had been sentenced for their role in the December rioting. The government justified this omission by claiming that the 26 had engaged in acts of violence, but the severity of the punishments -- up to 20 years for rioting in which no one was reported killed -- led several opposition figures to suggest that political motivations were involved. The government tacitly acknowledged this when it included those imprisoned after the December rioting in the 258 political prisoners released on March 30.

On March 12, during the Helsinki Watch visit, President Alia reportedly promised Italian Deputy Prime Minister Claudio Martelli that all of these prisoners would be released. This was reiterated on March 12 and 13 by Radio Tirana, which broadcast that freedom for "the last political prisoners" had been approved.

On March 17, some 126 prisoners were reported freed, and some 49 received reductions in their sentences. Those released included, according to the latest information available, 60 out of 86 political prisoners in the detention facility in Burrel; the remaining 26 reportedly had begun a hunger strike to protest their continued detention. Of 30 political prisoners in the detention facility in Ljushnja, 14 had been released. As noted above, another 258 prisoners were reported freed on the eve of the March 31 elections, and the authorities stated that 27 detainees charged with anti-state crimes remain in prison. The Forum for the Defense of Human Rights and Fundamental Freedoms has requested a full list of those still imprisoned, but has not been given any such details. While Helsinki Watch has not been able to conduct its own investigation into the number of political prisoners who remain in detention, it urges that all prisoners detained because of their peaceful expression or association be released immediately.

The mere release of political prisoners, however, will not bring an end to the injustice they continue to suffer. Many of these victims have been returned to liberty without jobs, housing, or even documents to verify their whereabouts during their years in detention. There has been no compensation, no formal process of rehabilitation, and no official acknowledgement of the wrongfulness of their detention. In the view of Helsinki Watch, these deficiencies must be corrected before this bleak chapter in Albanian history can be closed. It should be noted that the draft constitution which will be debated by the newly- elected parliament contains a clause stating the right of Albanians imprisoned unjustly to

rehabilitation and compensation.

In several cases reported to Helsinki Watch, children and even grandchildren of perceived dissidents have been penalized -- despite a speech reportedly made by President Alia in which he stressed that the government should not look at the political biographies of people.

- o One example investigated by Helsinki Watch involved the descendants of Hasbi Refat Puto, an Albanian who left for the United States in the 1920s, became a naturalized U.S. citizen and returned to Albania in the 1930s. He married and had two daughters and a son. According to the son, Arian Puto, who was interviewed by Helsinki Watch, Hasbi Puto remained in Albania during the Second World War and then, because of his English skills, worked distributing food for UNRRA, the U.N. relief organization. He was arrested in April 1946, accused of espionage for the United States and the United Kingdom, and executed in June 1947. Arian Puto, the son, who was 12 at the time of his father's death, was denied permission to complete his studies. His sister, Luiza Kapeshtica, has two children, Nina and Leka -- the grandchildren of Arian -- who have been denied the right to attend university. His other sister, Kanerine Qyteti, whose husband served ten years in prison in Korce for agitation and propaganda, also has two children, Gladiola and Krenar, who were denied the right even to go to secondary school. Arian Puto insisted that all of these children had excellent academic records which ordinarily would have warranted a continuation of their education. He attributed the denial of educational opportunities to their family background.

- o Ilda and Genci Xhacka, the children of Petraq Xhacka (above), have suffered similar politically motivated retaliation, according to their mother, Zhaneta Xhacka, who was interviewed by Helsinki Watch. Ilda, who had received a certificate of excellence as a student, had been selected in January 1986 to become a professor the following year. When her father was arrested in February 1986, she was expelled from the university in the middle of her fourth year. Genci, also said to have been an excellent student, particularly in mathematics, was not allowed to continue his studies at the university. Both Ilda and Genci have fled to the United States.

The Death Penalty

President Alia told Helsinki Watch and the IHF delegation that the death penalty had not been used in political cases since he assumed the presidency, not even in espionage cases. He said that its use was restricted to "very ugly crimes, such as brutal killings." The delegation was not able to verify this assertion.

Prisoners Convicted of Common Crimes

According to the director of prisons, Edmond Cajor, there were some 2500 prisoners convicted of common crimes at the time of the Helsinki Watch visit. Random interviews with some of the 183 prisoners held in Tirana work camp (Camp 325) revealed that they uniformly had been denied basic due process rights. Since lawyers were outlawed until November 1990, none had received the benefit of independent counsel, and very few had received any legal assistance at all. Because there is no independent judiciary, none had received the benefit of a trial before an impartial tribunal. Many of them also complained of

having been coerced to confess to their alleged crimes. Many of these prisoners had also received extraordinarily lengthy sentences. Under the circumstances, it is a clear violation of international standards for any of these prisoners to remain in custody without being granted a new trial in accordance with the minimal requirements of due process.

Prison Conditions

To examine prison conditions, Helsinki Watch and the IHF delegation were permitted to meet with prisoners in Tirana work camp, Burrel and Sarranda prisons, and to conduct a limited inspection without speaking to common criminal prisoners in Tirana prison. In addition, Helsinki Watch and the delegation were given an extensive briefing about prison rules and conditions by prison director Cajor. There was not sufficient opportunity to verify Cajor's various assertions, but they are reported below since in themselves they provide some insight into the conditions faced by prisoners.

According to Cajor, Albania's 2500 common-crime prisoners and 200 political prisoners in custody in early March were held in Albania's two prisons and six work camps, which have a total capacity of 3500. The two prisons are in Tirana and Kosov. Burrel had been a prison but was converted to a work camp, although the prisoners were not working at the time of our visit. Work camps vary from Tirana's, where prisoners work principally in construction and conditions are said to be the best, to the camp in Spac, where prisoners work mining copper and conditions have traditionally been harsh. Cajor reported that some of these facilities were in the process of being closed as prisoners were released.

Of the total of 2,700 prisoners, 51 were women, all of whom Cajor said were in the work camp in Tirana and had been convicted of common crimes, since the last woman political prisoner had been amnestied in June 1990. The 2700 included 16 juveniles, all boys, in Tirana work camp; it was unclear whether it also included 145 juveniles held in a reeducation school at Lezhe. Cajor explained that the sentencing judge decides whether juveniles are sent to work camp -- where, the Helsinki Watch saw, they were housed in a tiny courtyard next to the men prisoners with no educational or recreational facilities -- or to reeducation school, where Cajor said they receive schooling and vocational training and they have "more personal liberty."

Cajor explained that the Albanian prison system has been ripe for abuse because there has been no law on prisoners, only administrative regulations that were easily ignored. "Therefore, there was arbitrariness and subjectiveness in the treatment of prisoners," he explained, adding that a law on the treatment of prisoners is being drafted for submission to the new parliament. This arbitrariness was highlighted when the administrators of Tirana's work camp, upon being questioned about the rules governing prisoners, could not contain their laughter as they responded.

Pressure on camp directors to meet high production quotas contributed to the abuse, Cajor explained. Forced labor in the mines persisted, he said, until two years ago.

Prison privileges, such as the frequency of family visits beyond the minimum 15 minutes twice a month, or the opportunity to have conjugal visits that in some cases can last a night, depends on a prison council made up of prisoners which, as Cajor explains, makes its decisions after receiving "suggestions"

from the prison administration. In Cajor's words, the council distinguishes between prisoners who show "positive" and "negative" attitudes. The council is chosen, Cajor explained, at an annual plenary meeting of the prisoners, with those who have committed "serious crimes" excluded from membership.

Cajor noted that prisoners are permitted to correspond without limit with members of their immediate family and with state institutions, but not with others. He said that prisoners were also permitted to subscribe to newspapers -- including recently, he said, the opposition newspapers -- and that there was a television and a radio which received only the government stations in a common room. He said that families are permitted to bring or send food parcels whenever they want. Time spent in punishment cells is limited by regulation, he said, to ten days.

Prisoners are eligible for release on parole after serving one half of their sentences. It appeared, based on interviews with prisoners, that periodic reductions of sentences declared by the government as part of general amnesties were treated for the purpose of parole eligibility as if the time had actually been served, not simply as a reduction in the total sentence.

Prisoners are paid for their work, Cajor explained, but in relatively small amounts. The base pay is the average salary of 700 leks per month, which can be increased slightly for making or exceeding one's work quota. A prisoner who produces 70% of his quota receives no supplement; one who produces between 70 and 100% of his quota receives a 15% supplement; and those who exceed their quota receive a 1% supplement for every 5% that they exceed their quota, up to a total 22% supplement for exceeding one's quota by 35%. But prisoners actually receive only 22% of their base pay, plus all of any supplement, for a minimum of 154 leks per month and a maximum of 308 leks per month, both far below the average salary.

Ongoing Due Process Problems

Helsinki Watch interviewed several members of the College of Lawyers in Tirana, who described past and ongoing due process problems.

While legal practice had been outlawed since 1967, certain legal functions continued to be fulfilled by a Bureau of Legal Assistance. In criminal cases, the Bureau's function was largely restricted to providing defenders for minors and the incapacitated. In 1987, its functions were expanded slightly to include providing defense for political crimes, major thefts and serious crimes against the person -- when called upon by the court to do so. According to the lawyers interviewed, however, the Bureau was asked to provide a defense in only about 50% of these cases. Even in the case of juveniles, the use of defenders appears to have been occasional at best, since none of the 16 juveniles interviewed in Tirana work camp, including two convicted of murder, had received legal assistance from the Bureau. The Bureau was a state office, and thus those working in it were not independent.

When asked about the possibility of arguing the innocence of a client, the lawyers interviewed candidly conceded that this had not been possible. As an exception to prove the rule, they cited several women who had been tried in June 1990 for planning a demonstration in a public place. Three defenders were named -- Liliana Ruli, Luyeta Konpoli and Gyltere Pustina -- and they argued the women's innocence. This unusual act made a big impression in the legal community, winning considerable approval from the

defender's peers. However, the three received an immediate telephone call from the Labor Party Central Committee chastising them for their conduct.

With the legalization of the practice of law in November 1990, lawyers were organized into "colleges" which, while regulated by the Ministry of Justice, have some independence since they support themselves on the basis of client fees. (Poor criminal defendants can have their legal fees paid by the state.) However, the Ministry of Justice remains involved in the collection and distribution of fees -- an intrusion about which several of the lawyers interviewed complained. The Ministry has also issued regulations governing legal practice.

Disciplinary proceedings, while not yet used, appear to permit a degree of independence from the government. Although three of the seats on the committee responsible for disciplinary matters are reserved for the Minister of Justice, the Deputy Minister of Justice and the director of lawyers at the Ministry, four other positions are filled by lawyers elected by their peers.

The lawyers identified several ongoing problems. For example, they acknowledged that convicted prisoners still do not receive a copy of their judgment of conviction and sentence; lawyers may ask to see the judgment, but they are barred from showing it to their client without permission of the court. Similarly, an amendment to the Code of Criminal Procedure which took effect in November 1990 was said to include an unqualified right of an attorney to meet with a criminal client; this was countermanded by a telegram sent by the former Minister of Justice. According to the telegram, neither the defense attorney nor the investigating judge can see a defendant under investigation without the presence of the other. Once an investigative dossier is completed and forwarded to the tribunal, the defense attorney still cannot see his or her client without permission of the judge.

The lawyers also complained about a lack of basic legal documents, and inadequate legal education. One lawyer added: "We simply lack experience after this long interruption."

Minister of Justice Dashamir Kore told Helsinki Watch and the IHF delegation that he would accept international observers at criminal trials except in cases involving state secrets or matters of personal privacy.

Alex Luarisi, secretary general of the Council of Ministers, told Helsinki Watch and the IHF delegation that there continued to be no legal mechanism to challenge violations of human rights. Currently, challenges can be made only through an administrative mechanism, that is, by challenging an administrative decision to a superior administrative level. "I think this isn't the best," he stated. "In other countries you can go to administrative courts to challenge these decisions. I think that is the best route, but we are studying this."

Recommendations

Helsinki Watch commends the Alia government for the rapid and dramatic progress it has made toward elected government and respect for human rights in the past few months. Several important steps remain to be taken, however, before this process is completed.

- o **The government should fulfill its vows to release all political prisoners. An investigation should be conducted into the cases of the 27 prisoners who the authorities state are detained for anti-state crimes, leading to their release or to a public justification, consistent with international standards, for why they should remain in custody.**
- o **For those convicted of politically motivated common crimes, the government should reexamine the length of the sentences imposed to ensure that the prisoners were not punished excessively because of their political beliefs.**
- o **Prisoners convicted of common crimes should either be released or retried in proceedings that meet all basic requirements of due process, including the right to be represented by counsel before an independent tribunal.**
- o **The government should rehabilitate released political prisoners and acknowledge on an individual basis that an injustice has been done.**
- o **All use of lethal force by security forces should be vigorously scrutinized, and those who have used such force without justification should be prosecuted and punished.**
- o **The government should extend official recognition to all independent associations requesting it, including independent trade unions and labor federations, and the proposed independent student union. Registration should be granted on a pro forma basis.**
- o **The government should also freely permit independent publications, and make necessary resources available on the same basis as Labor Party publications.**
- o **Further steps should be taken to ensure the independence of lawyers to present vigorous defenses in criminal cases. Measures should also be implemented to establish an independent judiciary.**

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This report was written by Kenneth Roth, deputy director of Human Rights Watch, and Jemima Stratford, an intern with Helsinki Watch.

News From Helsinki Watch is a publication of Helsinki Watch, an independent organization created in 1979 to monitor domestic and international compliance with the human rights provisions of the 1975 Helsinki Accords. The Chairman is Robert L. Bernstein; Vice Chair, Jonathan Fanton and Alice Henkin; Executive Director, Jeri Laber; Deputy Director, Lois Whitman; Washington Representative, Catherine Cosman; Staff Counsel, Holly Cartner and Theodore Zang, Jr.; Orville Schell Intern, Robert Kushen; Intern, Jemima Stratford; Associates, Sarai Brachman and Elisabeth Socolow.

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