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OSCE HUMAN DIMENSION IMPLEMENTATION MEETING 2006 STATEMENT IN WORKING SESSION 6: ACCESS TO JUSTICE

The forced disappearance of Remzi Hoxha

Amnesty International is concerned at the failure of Albania to take measures to end impunity for past human rights violations.

Remzi Hoxha, an ethnic Albanian born in Macedonia in 1955, moved to Tirana, Albania with his family in 1992. On 21 October 1995 he was driven away from his place of work by men in civilian clothes, in a vehicle which was reportedly later identified as belonging to the Albanian Intelligence Service, the National Information Service (ShIK).

Remzi Hoxha's family swiftly reported his "disappearance" to the authorities. However, to this day, eleven years later, they still have received no explanation of his fate and whereabouts, although a judicial investigation concluded in 2004 that at least four men, ShIK employees in 1995, were involved in his "disappearance".

In December 2005, Bashkim Gazidede, director of the ShIK at the time of Remzi Hoxha's "disappearance" returned to Albania, having lived abroad for some years. He currently holds the post of Deputy Director General of the Office for the Registration of Immovable Property. In Amnesty International's view, his return to Albania creates an opportunity to re-open the investigation into Remzi Hoxha's disappearance.

Amnesty International calls on Albania to honour its commitments under international law and urges President Berisha (who was Prime Minister of Albania at the time of Remzi Hoxha's "disappearance") to take every step to ensure that the fate of Remzi Hoxha is clarified and that those responsible for his "disappearance" are brought to justice.

Background

An official investigation into Remzi Hoxha's "disappearance" was reportedly suspended in 1996. In 2003 the investigation was re-opened, on the recommendation of the Albanian

Ombudsman, and in May 2003 arrest warrants were issued for four former ShIK employees. Three were remanded in custody (the fourth had left Albania in 1997). Within a year all three defendants had been released even though the investigation had concluded that two of them had committed the offences of “abuse of office” and “torture”. They benefited by the provisions of an amnesty law adopted in April 1997 which included these two offences. (The Albanian Criminal Code does not include the crime of forced disappearance, and the Prosecutor had concluded that charges of murder - not covered by the amnesty law - could not be brought in view of the fact that Remzi Hoxha’s body had not been found and his fate remained unknown.)