

The criminal offence of torture in the context of criminal-law protection of human person in the Western Balkans

MSc Etlon Peppo

*Law firm "Loloci & Associates",
University of Tirana, Albania*

Abstract

With the transition of the countries from a social system to another, it is understood that major changes have happened in all the areas of life, affecting even the field of the illegal criminal offences including the criminal offences directed against the human person. The human rights movements have played an important role in different time periods of the human history. The human rights and their further development represent one of the ways of the realization of the social changes. The states themselves have undertaken long-term social changes through the protection of the human rights. Due to the commitments of the civil movements for the human rights, nowadays we have laws that protect, respect and guarantee the human rights and fundamental freedoms, among which: the prohibition of torture. As a consequence of the efforts of such movements, international documents or acts have been ratified and national laws have been implemented by the state authorities resulting in providing a complete and wide protection for the citizens. In this context, the prohibition of torture and inhuman or degrading treatments or punishments constitutes a guarantee for the citizens against any kind of abuse and it represents an incontestable norm.

Keywords: torture, prohibition of torture, criminal-law protection of the human person, Western Balkans.

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