

**EXTERNAL**  
**11/23/96**

**AI Index no: EUR**

**EERAN: 20/96**  
**18 October 1996**

**ALBANIA:**  
**IMPRISONMENT OF PRISONER OF CONSCIENCE, NYSRET REÇICA**

According to reports in the Albanian press, Nysret Reçica, an ethnic Albanian from Kosovo province in the Federal Republic of Yugoslavia, was on 17 October 1996 sentenced to 10 months' imprisonment by the district court of Tirana on charges of "disseminating anti-constitutional writings" (under Article 225 of the Albanian Criminal Code). He was found guilty of selling the works of Albania's former communist ruler, Enver Hoxha, and other communist leaders. This offence is punishable by up to three years' imprisonment. He has been detained since his arrest in Tirana on 19 May 1996 and he therefore has still five months of his sentence to serve.

Nysret Reçica was reportedly living temporarily in Albania at the time of his arrest, working as a street trader, selling books. At his trial Nysret Reçica reportedly admitted he had sold the books but claimed that he did so to make profit, not to disseminate propaganda.

In 1992 the Albanian Party of Labour (the former communist party) was banned. Albanian constitutional provisions guarantee freedom of expression: "*Everyone enjoys the right to freely express his opinions by speaking, writing or any other means of dissemination*". They also explicitly state that: "*Political pluralism is one of the fundamental conditions of democracy in the Albanian state*", while stipulating that "*political parties and other organizations are created and exercise their activity in accordance with the law*". There are no constitutional provisions explicitly outlawing the former communist party.

Albania ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms on 1 August 1996. Article 10 of this Convention states: "Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers."

Amnesty International considers Nysret Reçica to be a prisoner of conscience, imprisoned for his non-violent exercise of his right to freedom of expression; the organization calls for his immediate and unconditional release.