

EXTERNAL

AI Index: EUR 11/03/96

This is a limited action. Please restrict appeals to 10 per Section.

UA 50/96

Possible prisoners of conscience

28 February 1996

ALBANIASulejman Rrahman Mekollari
Dilaver Ibrahim Dauti
Lirim Servet Veliu
Gani Korro (possibly Kolla)

In a case which may have serious ramifications for freedom of expression in Albania, four men from the town of Saranda are currently on trial before the district court of Saranda. It appears that they are charged under Article 225 of the Criminal Code with "distributing anti-constitutional writings", an offence punishable with up to three years' imprisonment.

To Amnesty International's knowledge this is the first time since the new Criminal Code came into force in June 1995 that people have gone on trial under this article. The organization believes that the four may be prisoners of conscience, detained for the non-violent exercise of their right to freedom of expression.

On 24 September 1995 the Albanian press reported that the four, named above, had been arrested on charges of having distributed leaflets on 10 September 1995 in Saranda district. According to the authorities, the contents of the leaflets were "anti-American", "anti-nationalist" and "anti-constitutional". The leaflets, according to the local press, read "Down with the USA" and were distributed at a time when President Sali Berisha was on an official visit to the USA. Official sources said that the men were supporters of the former communist system in Albania and members of the Socialist Party of Albania (the SP), many of whose members were formerly members of the Albanian communist party (which is now banned). The SP, however, denied the men were members and expressed itself in favour of good relations with the USA.

Since September 1995 there have been a number of other reports of people being detained in connection with anti-government writings or slogans. Amnesty International fears that in the run-up to national elections (these take place later this year), the authorities may increasingly seek to restrict freedom of expression, and in particular the expression of views opposing the ruling party (the Democratic Party). Furthermore, the organization fears that the provisions of Article 255 might be used to imprison people for the non-violent exercise of their right to freedom of expression.

BACKGROUND INFORMATION

It appears that at least one other person was arrested in connection with the distribution of the leaflets allegedly distributed by Sulejman Mekollari and his co-defendants. It was reported that Xhemal Hysi, a warehouse watchman, was on 11 September 1995 detained for 16 hours and severely beaten by police in Saranda who suspected him of having distributed the leaflets.

In September 1995 Vladimir Qirjaqi and three others were briefly detained on charges of "anti-constitutional" activity: they had apparently published a tourist guide of Gjirokastër town which included a photograph of Enver Hoxha, the former communist ruler of Albania, a native of the town. There have also been a number of reports of people being arrested for writing or shouting anti-government slogans. In most cases those arrested appear to have been

accused of "slandering the President" [of Albania]. For instance, in October 1995 three men were reportedly arrested in Durrës after shouting "Down with the President" at an SP meeting, but were released within 48 hours.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Italian, English or French or your own language:

- expressing concern about the reported arrest and trial by the district court of Saranda of the above men on charges of "distributing anti-constitutional writings";
- urging that they be granted a fair trial in accordance with international standards;
- noting that Albania has ratified the International Covenant on Civil and Political Rights, which under Article 19 guarantees freedom of expression;
- noting that the limited available information indicates that the leaflets which form the basis of the charges did not advocate the use of violence;
- urging that if this is the case the four men be immediately and unconditionally released and charges against them dropped.

APPEALS TO:

(President of Albania)

Dr Sali Berisha
President i Republikës
së Shqiperisë
Tirana, Albania

Faxes: +355 42 33761

Telegrams: President Berisha, Tirana, Albania

Salutation: Dear President

(Minister of Justice)

Mr Hektor Frasheri
Ministria e Drejtësisë
Tirana, Albania

Telegrams: Mr Frasheri, Ministria e Drejtësisë, Tirana, Albania

Faxes: +355 42 28 359

Salutation: Dear Minister

(Procurator General)

Mr Alesh Dragoshi
Prokuror i Përgjithëshëm
Tirana, Albania

Telegrams: Prokuror i Përgjithëshëm, Tirana, Albania

Faxes: +355 42 22950

Salutation: Dear Procurator General

COPIES TO:

(Minister of Foreign Affairs)

Dr Alfred Serreqi
Minister i Punëve të Jashtme
Tiranë, Albania

Faxes: +355 42 32971

The Albanian Helsinki Committee

Komiteti Shqiptar i Helsinkit
Qendra Nderkombetare e kultures, Dhoma no.35

Bulevardi "Deshmoret e kombit"
Tirana, Albania

and to diplomatic representatives of Albania accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office if sending appeals after 15 April 1996.