

EXTERNAL

AI Index: EUR 11/04/96

11 March 1996

Further information (1) on UA 50/96 (EUR 11/03/96, 28 February 1996) -
Possible Prisoners of Conscience

ALBANIA Sulejman Rrahman Mekollari, Dilaver Ibrahim Dauti,
 Lirim Sevet Veliu,
 Gani Korro

and (in a new case): Sami Meta, Kristaq Mosko, Timoshenko Pekmexi and Tare Isufi;

and (in a third case): Elvira Shaplllo(f), Vladimir Qiriaqi, Jani Bardho and Thoma Ngjelo.

Further arrests of possible prisoners of conscience on charges of "anti-constitutional activity".

It has been reported that on 1 March 1996 four men, Sami Meta, Kristaq Mosko, Timoshenko Pekmezi and Tare Isufi, were arrested in Tirana on charges under Article 224 of the Criminal Code, dealing with "Creating anti-constitutional parties and associations". This is an offence punishable by one to five years' imprisonment. The four are accused of "recreating" the Albanian Communist Party (which has been illegal since 1992). Their arrest followed reports that communist tracts had been scattered in Tirana. On 4 March at a preliminary hearing before a court in Tirana, the accused reportedly claimed that they intended to found a new party, which did not advocate the use of violence, and for which they planned to seek legal registration. However, the official Albanian newsagency, ATA, reported that the court concluded, on the basis of "lists, documents and various materials" that they had gathered illegal and anti-constitutional materials to recreate the communist party. The court therefore ruled that they were dangerous to society, and confirmed their detention in prison, with the exception of Tare Isufi, who was placed under house arrest because of his age (he is 73 years old).

Amnesty International has also learned that Elvira Shaplllo, a historian, Vladimir Qiriaqi, an archeologist, Jani Bardho, an artist and Thoma Ngjelo, a businessman, went on trial in February 1996 in Gjirokastër on charges of "distributing anti-constitutional writings", an offence punishable by up to three years' imprisonment. They are the authors of a guide book to Gjirokastër which apparently contained a photograph of Enver Hoxha, the former communist ruler of Albania, a native of the town. On 13 February, the president of the court sent a request to the Ministry of Justice to inquire whether any political party or organization which had filed a request with the Ministry regarded Enver Hoxha as its symbol. The court is due to reconvene later in March. It appears that the four defendants are not currently in detention.

The trial of Sulejman Mekollari and his co-defendants has reportedly not yet ended.

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 outlawing the former communist party.

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

- expressing concern about the reported arrests of Sami Meta and three other men in Tirana on 1 March 1996 on charges of "anti-constitutional" activity;
- stating that you are further concerned about the current trials of Sulejman Mekollari and three co-defendants in Saranda, and of Elvira Shapllo and three co-defendants in Gironkaster, all accused of "anti-constitutional activity";
- stating that Amnesty International is well aware of the extremely severe human rights violations committed in Albania under past communist rule;
- noting, however, that in 1991 Albania ratified the International Covenant on Civil and Political Rights, which guarantees freedom of expression and association;
- noting that the limited available information suggests that these persons, whatever their political beliefs, did not advocate violence and urging that, if this is the case, charges against them be dropped and those in detention released;

If possible, also:

- urging changes to Articles 224 and 225 so as to ensure that they apply only to those activities which clearly involve the use or advocacy of violence.

APPEALS TO:

President of Albania

Dr Sali Berisha
President i Republikës
se Shqipërisë
Tirana, Albania

Faxes: +355 42 33761 or +355 42 28 8420

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

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 22 April 1996.