

ALBANIA ASSESSMENT

October 2000

Country Information and Policy Unit

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1. SCOPE OF DOCUMENT

1.1 This assessment has been produced by the Country Information & Policy Unit, Immigration & Nationality Directorate, Home Office, from information obtained from a variety of sources.

1.2 The assessment has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on the issues most commonly raised in asylum claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain

1.4 It is intended to revise the assessment on a 6-monthly basis while the country remains amongst the main asylum producing countries in the United Kingdom.

1.5 The assessment will be placed at http://www.homeoffice.gov.uk/ind/asylum/asylum_contents02.html on the Internet. An electronic copy of the assessment has been made available to the following organisations:

Amnesty International UK
Immigration Advisory Service
Immigration Appellate Authority
Immigration Law Practitioners' Association
Joint Council for the Welfare of Immigrants
JUSTICE
Medical Foundation for the Care of Victims of Torture
Refugee Council Refugee Legal Centre
UN High Commissioner for Refugees

2. GEOGRAPHY

2.1 The Republic of Albania (formerly the People's Socialist Republic of Albania) is situated in south-eastern Europe, on the Balkan Peninsula. It is bordered to the south by Greece, to the east by Macedonia, to the north-east by Kosovo, and to the north by the Federal Republic of Yugoslavia (Montenegro). Albania covers an area of 11,100 sq. miles (28,748 sq. km), and the total population was (according to official estimates) 3.73 million in mid-1997. (1)

3. HISTORY

3.1. In November 1912, after more than 400 years under Ottoman (Turkish) rule, Albania declared its independence. International recognition followed at the London Conference of July 1913. After occupation by foreign armies in World War I, Albanian independence was re-established in 1920. In 1928 a monarchy was established when President Zogu proclaimed himself King Zog I. Italian troops invaded Albania in April 1939, and King Zog was forced into exile. In 1943 Albania was invaded by Nazi German forces. The Germans withdrew a year later, allowing the Communist-led National Liberation Front to take power. In December 1945 elections took place, with a single list of candidates, all sponsored by the Communists, and in January 1946 the People's Republic of Albania was proclaimed. (1)

3.2 From 1945 until his death in 1985, Albania was dominated by the personality of Enver Hoxha (pronounced Hodja), the chief ideologist of Albanian-style socialism. Hoxha emulated Stalin in developing his dictatorship, using widespread purges to eliminate any opposition to the Communists. The leadership transformed the economy and social system, eliminating private ownership of industry and commerce, and forcibly effecting the collectivisation of agriculture. From 1948 to 1961 Albania's main international ally was the USSR; in 1961 the USSR severed relations with Albania, and from then until 1978 China was Albania's main ally. In 1978 China suspended all economic and military co-operation with Albania, and from then until 1985 Albania's isolationist policies reached their most extreme. The internal security police, the Sigurimi, prevented the development of any opposition movements within Albania. Meanwhile, volume after volume of Hoxha's collected works consolidated his "cult of personality". (1)

3.3 Under Hoxha's successor, Ramiz Alia, Albania began to distance itself gradually from the Hoxha legacy. There were cautious attempts at liberalisation and decentralisation, and a far more flexible foreign policy led to improved relations with a number of Western European countries. Following the collapse of the Communist regimes in Eastern Europe in 1989, and student demonstrations in Albania, the pace of reform quickened, and it was announced that the practice of religion was no longer an offence. In December 1990 it was agreed to legalise independent political parties, and opposition activists formed and registered the Democratic Party of Albania (DPA). Thousands of Albanian would-be emigrants, mostly unemployed young men, commandeered ships in the port of Durrës and sailed to the Italian port of Brindisi; some of them subsequently returned to Albania. (1)

3.4 On 31 March 1991 Albania's first multi-party election since the 1920s took place, and the Communists won over 60% of the votes cast. Most independent Western observers attested to the overall fairness of the election. The continuing unrest and the deteriorating economic and political situation, however, forced the resignation of the Communist Government, and in June 1991 a new "Government of National Stability" was formed. This had a total of 12 non-Communist ministers, and thus ended nearly 50 years of exclusive Communist rule in Albania. (1)

3.5 In March 1992 elections to the new Assembly were won by the DPA, which gained 62% of all votes cast in the first round. Support for the Communists (which had been renamed the Socialist Party of Albania (SPA)) fell to 26%; their defeat finally ended five decades of Communist rule. Sali Berisha of the DPA was elected

President of the Republic, and he appointed the new Government, led by Aleksander Meksi, also of the DPA. The new, youthful and inexperienced cabinet faced a huge range of problems. Industrial and agricultural production had fallen disastrously, and there were high levels of unemployment. In addition, the rapid dismantling of the one-party state had led to erosion of state authority, resulting in a sharp increase in serious crime, which acted as a major deterrent to foreign investment. Relations with Greece deteriorated rapidly during 1992 and 1993, owing to the alleged mistreatment of the Greek minority in southern Albania, and the influx of Albanian refugees into Greece.

(1)

(Please see also Section 5. N on the Greek minority)

3.6 The DPA devised a number of new and radical laws, which it hoped would guarantee the party victory at the next general election. The so-called “Genocide Law” prohibited the appointment of any person who held office during the Communist period to the executive, the legislature or the judiciary. In May 1996, elections to the People’s Assembly, the conduct of which was widely condemned by international observers, were partially boycotted by the main opposition parties; the DPA therefore won 122 out of a total of 140 parliamentary seats. **(1)**

3.7 The collapse of several popular “pyramid” investment schemes, resulting in huge losses of individual savings, prompted violent anti-government demonstrations in January 1997. President Berisha declared a state of emergency on 1 March 1997, as anti-government protests escalated into insurgency and opposition groups gained control of several towns. The OSCE set up a special advisory mission headed by Chancellor Franz Vranitzky, which helped to alleviate the political crisis, especially by initiating dialogue between the Government and the Opposition. With the evacuation of foreign nationals and the flight of many Albanians, Berisha appointed Bashkim Fino, a former SPA mayor, to lead an interim Government of National Reconciliation, which included representatives of eight opposition parties. In April 1997 a UN-sanctioned Multinational Protection Force, established to facilitate the distribution of humanitarian assistance, was deployed, principally in government-controlled areas of northern and central Albania. In September 2000, the trial began against the former boos of the “Gjallica” pyramid firm, accused of embezzlement of great amounts through fraud in complicity, in the form of a criminal organisation. **(1) (10i)**

3.8 In April 1997 Leka Zogu, the exiled pretender to the Albanian throne and son of King Zog, returned to Albania and called for a referendum on the restoration of the monarchy. All the main political parties had agreed in principle to the holding of a referendum on the issue. Some 2,000 supporters greeted Leka on arrival at Tirana airport. His visit was organised by the pro-monarchy Legality Movement. The referendum, which was found to be free and fair by the OSCE, took place on the same day as the first round of the general elections. 66.7% of the participating electorate were in favour of retaining the Republic. Following the referendum, Leka Zog left Albania of his own accord. The Prosecutor General’s Office proceeded with legal moves to impose a life sentence on Zog. He was sentenced, in absentia, to three years for being an “organiser and participant in the armed uprising to overthrow constitutional order in Albania” and for inciting violence. **(1) (9b) (9c) (22c)**

(Please see also Section 4.B on the 1997 General Election)

3.9 On February 5 1999, Leka Zog was arrested in Johannesburg for the illegal possession of a large quantity of firearms, ammunition, grenades and landmines. He was released on bail 10 days later. A Parliamentary decision on 25 July 2000 ruled that an amnesty would not be granted to Leka Zog to allow him to come to Albania. Sali Berisha of the Democratic Party, whilst maintaining that he would always vote for a republic, criticised the decision as a violation of a human right. **(9a) (9b) (9c) (22c)**

3.10 After a campaign disrupted by a number of violent incidents, the first and second rounds of voting in the general election took place on 29 June and 6 July 1997 respectively. The SPA secured 101 of the seats in the enlarged People's Assembly, and the DPA 29 seats. The electoral process was declared satisfactory by observers. Rexhep Mejdani, hitherto the Secretary-General of the SPA, was elected President. A new Council of Ministers was appointed, comprising representatives of the SPA and its allied parties, with Fatos Nano as the head of government. The new Government submitted a programme for the restoration of civil order and economic reconstruction. Increased tension in Kosovo once again threatened to destabilise the Balkans. In November 1997, following a meeting in Crete between Fatos Nano and the Yugoslav President Slobodan Milošević, the latter announced that relations between the two countries were to be normalised. **(1)**

3.11 The Democratic Party refused to participate in virtually all government functions at national level for most of 1998 and up until July 1999. Top DP officials, including former President Sali Berisha, refused to testify in the investigation into the 12 September 1998 assassination of DPA Deputy MP and chairman of the Defence Parliamentary Commission, Azem Hajdari. The DPA stated that the investigation was politically motivated. Violent demonstrations broke out in central Tirana following the killing. At one point it looked as though ex-President Berisha might launch a coup. However, after 72 hours the Government restored order and reclaimed tanks and APCs seized by DPA supporters. Prime Minister Nano resigned on 28 September 1998. He gave lack of support within his Socialist Party coalition as the reason. Pandeli Majko (former Secretary-General of the Socialist Party) was chosen to succeed Nano. The DPA, led by Berisha, returned to Parliament in July 1999 after the Government committed itself to investigate Hajdari's murder fully and fairly. **(1) (5a) (9a)**

3.12 In October 1999 Majko lost the Party leadership post to former Prime Minister Nano. This severely weakened his position. After several weeks of deliberation, Majko concluded that his position was untenable, and he resigned on 26 October. Deputy Prime Minister Ilir Meta was nominated by the Socialist Party to be his successor, and was sworn in on 27 October. **(11)**

3.13 Some 480,000 Kosovar refugees entered Albania during the Kosovo crisis. Most have now returned, and only an estimated 20,000 remain. Albania was a staunch supporter of NATO military action, and some 9,000 troops were deployed in Albania before crossing into Kosovo. A residual NATO force, around 1,000 strong, has remained in Albania to safeguard supply lines between Kosovo and the port of Durres. **(9a)**

3.14 The Kosovo crisis had an ameliorating effect on the highly polarised political scene. The two main parties were less antagonistic in 1999 and politically motivated abuses were less common than in previous years. The OSCE mission states that whilst the Democratic Party refused to participate in the parliamentary and legislative process during much of 1997 – 1999, the government has managed well the transition from crisis back to normality during the first half of 2000. **(2) (20)**

3.15 Albania's response to the Kosovo crisis won widespread admiration. The European Union has been and continues to be strongly supportive of Albania's reform programme. From 1991 – 1999 the EU provided 895.3 million in total to Albania. 20 million has also been provided in the form of balance of payments support to help the IMF designed stabilisation and adjustment programme. **(8)**

3.16 The World Trade Organisation accepted Albania as a member on 17 July 2000 and joined on 8 September 2000 as the 138th member of the global trade body. Ermelinda Meksi, the Minister of Trade and Co-operation, affirmed that this was an important step towards the accession of Albania into the European Union. Albania had presented its request for acceptance in 1992, but talks were suspended due to the political and economic crisis of the 1996-1997 period. Mrs. Meksi pointed out that Albania is now able to increase Albania's exports in other WTO countries without paying customs fees or according to the fees established by the bilateral agreements. **(10c) (22a)**

3.17 Three individuals were arrested for the illegal possession of weapons at the commemorating rally held on 12 September 2000 to mark the occasion of the second anniversary of deputy Azem Hajdari's murder. Attending the rally were leaders, members and supporters of the Democratic Party. The rally was carried out normally and no incidents occurred. **(10h)**

3.18 Police arrested a former bodyguard of ex-president Sali Berisha also a witness to the murder of Hajdari on 30 September 2000. The Public Order Ministry made public a list of dangerous persons suspected of plotting to disrupt the local elections on 1st October 2000. According to the prosecution information, the bodyguard was proved to be an organiser of the violence in 1998. He was filmed firing a Khalashnikov at government offices and he also took part in the seizure of tanks. **(10k)**

3.19 In May 2000 an electoral code was introduced, and a computerised national voters register was introduced in the summer of 2000. In addition, an ambitious programme of decentralisation began with the intention of giving representatives of municipalities and communes enhanced powers. These new instruments made substantial progress towards improving State structures and meeting international standards for democratic elections formulated in the 1990 OSCE Copenhagen Document. Leaders of both parties have used these reforms as electoral campaign issues, and the legal foundation and main instruments of the State remain highly disputed by the DPA. **(18)**

3.20 Local government elections were held on 1 October 2000 and marked significant progress towards meeting the standards for democratic elections, the

OSCE reported. The OSCE deployed around 200 observers at polling stations around the country. These elections took place in a tense but remarkably peaceful atmosphere, with only a few isolated incidents of violence reported during the campaign and on election day. This was a reflection of restraint exercised by political parties and important measures undertaken by the Government to improve public order. **(18) (16c)**

3.21 Local government elections were viewed by both parties as a test for next year's parliamentary elections. The vote, the first political test since the anarchy of 1997, passed off in an orderly fashion. **(12e) (18)**

3.22 The Socialist Party, led by former prime minister, Fatos Nano, made big gains in the first round, seizing control of several local authorities held by the Democratic Party since 1996. They won 27 out of the 65 mayoral races; the DPA triumphed in just nine. Following his defeat the leader of the Democratic Party, Sali Berisha, is facing intensified calls to resign and allow the DPA to reform. Some party officials criticised his stance as inappropriate and liable to engender 'dangerous tensions' in the country. **(19)**

3.23 The DPA staged a partial boycott of the second round of the local elections held on 15 October 2000. It was less transparent than the first, but the OSCE ruled out any impact on the overall result. The Socialists did well again, winning a further 21 mayorships, and the DPA only a further 3. Berisha has now instructed DPA elected councillors to boycott council elections. **(12e) (16d) (12f)**

3.24 The election was marred by "nationalistic rhetoric" in the Himara area of southwest Albania, where there is a sizeable Greek speaking minority. Despite their bitter rivalry, the Socialist and Democratic Party joined forces to defeat a candidate from an ethnic Greek party campaigning on the platform of establishing a minority zone in Himara for the benefit of the Greek-speaking minority. The Albanian Socialist Party claimed an overwhelming majority in the town. Athens said ethnic Greeks had been prevented from voting including six hundred Albanians employed in Greece who, it says, were barred from returning home to cast their votes. **(12e) (16d) (12f)**
(Please see also Section 5.N. on the Greek Minority)

4. INSTRUMENTS OF THE STATE

A. Political system

4.1 Albania is a republic with a democratically elected multi-party Parliament, a Prime Minister, and a President elected by the Parliament. The Prime Minister heads the government. **(5a)**

B. The 1997 General Election

4.2 The new Constitution states that "Governance is based on a system of elections that are free, equal, general and periodic." The Assembly of the Republic of Albania comprises at least 140 deputies, and is elected for a term of four years. One hundred deputies are elected directly in single-member constituencies, while parties

receiving more than 3% of the votes cast nationally are allocated further deputies in proportion to the number of votes won. (1)

4.3 Citizens elected a government in July 1997 in what international observers considered to be a satisfactory process, given the preceding months of chaos and anarchy. (5a)

4.4 The 1997 Election Results:

Party		% of vote	Number of seats
Socialist Party of Albania	PSSH	52.8	101
Democratic Party of Albania	PDSH	25.7	29
Social Democratic Party of Albania	SDP	2.5	8
Union for Human Rights Party	PBDNj		4
National Front Party	BK	2.3	3
Democratic Alliance Party	DAP		2
Legality Movement Party	PLL		2
Albanian Republican Party	PRS		1
Party of National Unity	PUK		1
Agrarian Party	PAS		1
Independents			3

(see Annex B for a full list of political organisations in Albania)

(Please see also Section 3 on History for information on the October 2000 local elections)

C. Right of citizens to change their government

4.5 In the by-election in Vlorë in June 1998 for mayor, one polling station was closed due to ballot stuffing. As in other elections in the past two years, local election commissions permitted family members to vote on behalf of relatives who were not present. Similar infractions occurred in the referendum held in November 1998 on the new Constitution, but international observers judged that they had no impact on the result. (5a)

4.6 The new Constitution prohibits the formation of any party or organisation which is based on totalitarian methods, which incites and supports racial, religious or ethnic hatred, which uses violence to take power or influence state policies, as well as those with a secret character. In October 1998 Parliament amended the law on referendums to require only a simple majority, rather than a majority of all registered voters, for the vote on the new Constitution. (5a)

4.7 No legal impediments hinder the full participation of women and minorities in government. The major political parties have women's organisations and have women serving on their central committees. However women continue to be under-represented in both politics and government. (5a)

(Please see also Section 5. J on Women)

D. The Constitution

4.8 On 22 November 1998 the Albanian electorate approved a new Constitution, which came into force six days later. The improved and more detailed version of the 1993 Law of Human Rights became an integral part of the Constitution. It provides for the office of an ombudsman, working for more effective implementation of human rights. The Constitution makes clear the distinction between the roles of the President, national government, regional government, and the judiciary. **(4a) (9)**

E. Police and Human Rights

4.9 Local police units reporting to the Minister of Public Order are principally responsible for internal security. One of the most serious problems involving public order and internal security is the fact that police officers are largely untrained and often unreliable. The international community established training programmes to improve the quality of the police forces; the programmes have trained a large number of police officers. The Ministry also has a small force of well-trained and effective police officers organised into special duty units. **(5a)**

4.10 During the year the Government re-established law and order in areas of the country that had been almost totally beyond central government control since 1997. Police waged major operations in the districts of Tropojë, Vlorë, Shkodër, Burrel, Fier and Gjirokastër, where criminal gangs were active. The Ministry claims that it broke up at least 32 criminal gangs. Serious problems in the area of policing nonetheless remain. The police are affected by, and are sometimes a part of, the country's endemic corruption. In November 1999, ShIK was renamed the State Intelligence Service (SHISH). **(5a)**

4.11 The National Intelligence Service (ShIK) is responsible for both internal and external intelligence gathering and counterintelligence. The armed forces did not have a role in domestic security until 1998, when a special 120-man "commando" unit was authorised. The new unit operates in an anti-terrorist role under the Minister of Defence, but during times of domestic crisis the Minister of Public Order can request command authority over the unit. **(5a)**

4.12 Extrajudicial executions were reported, but were difficult to document. In January 1998, for example, police in Fier allegedly took Agron Pasha from hospital and killed him in a village outside the town. **(3)**

4.13 During the first five months of 2000, over 950 police officials implicated in illegal activities were dismissed from service. Between June 1999 and May 2000, some 4,170 police officers faced charges based on their implication in illegal activities. According to Mr. Spartak Poci, The Minister for Public Order, cases will be judged regardless of post or rank of the police official and measures have been taken not only against local police chiefs, but the heads of sectors in the Ministry of Public Order. **(12a)**

F. The judiciary

4.14 The judicial structure comprises District Courts, Appeal Courts, the Supreme Court and the Constitutional Court. Military tribunals are held at the Supreme Court and at District and Appeal Courts. The officials of the District Courts and the Appeal Courts are nominated by a Higher Judicial Council, which is presided over by the President of the Republic. **(1)**

4.15 The Supreme Court has jurisdiction over both the Appeal Courts and District Courts. The Chairman and other members of the Supreme Court are elected by the People's Assembly. The Constitutional Court arbitrates on constitutional issues. **(1)**

4.16 The Constitution provides for an independent judiciary; however, continued political instability, limited resources, political pressure, and endemic corruption weaken the judiciary's ability to function independently and efficiently. Corruption remains a serious problem, especially with the growth of organised crime, and judges are subjected to both bribery attempts and intimidation. **(5a)**

4.17 Many court buildings were destroyed in 1997's civil unrest, and, although all have been reopened, important records and legal materials were permanently lost. Serious case backlogs are typical. The removal of court budgets from the control of the Ministry of Justice to a separate, independent body, the Judicial budget Office, and the establishment of a school for magistrates were useful steps towards strengthening the independence of the judiciary. A board chaired by the Chief Justice of the Supreme Court runs the Judicial Budget Office. All other board members are judges. **(5a)**

4.18 Courts operate with very limited material resources. As a result, in many instances the court system was unable to process cases in a timely fashion. Public opinion holds the judiciary, in particular, responsible for government failure to stop criminal activity. **(5a)**

4.19 A tense atmosphere exists between the police and the judiciary. Each side cites the failures of the other as the reason that many criminals avoid imprisonment. The courts accuse the police of failing to provide the solid investigation and evidence necessary to prosecute successfully, and the police allege that corruption and bribery taint the courts. **(5a)**

4.20 The Constitution provides that all citizens enjoy the right to a fair, speedy, and public trial, except in cases where the necessities of public order, national security, or the interests of minors or other private parties require restrictions. Defendants, witnesses, and others who do not speak Albanian are entitled to the services of a translator. If convicted, the accused has the right to appeal within five days to the Court of Appeal. **(5a)**

4.21 The continued high levels of corruption in public administration and the judiciary together with organised crime have considerably undermined the efforts of the government. The European Union has helped Albania to develop a modern judiciary compatible with EU standards. Legal and regulatory frameworks have been

put in place, assistance has been provided to the Ministry of Justice and other judiciary institutions and training programmes have been organised in the School of Magistrates. (8)

G. Legal rights / Detention

4.22 Police at times arbitrarily arrested and detained persons. The 1995 Penal Procedures Code sets out the rights of detained and arrested persons. By law a police officer or prosecutor may order a suspect into custody. Detained persons must be informed immediately of the charges against them and of their rights. A prosecutor must be notified immediately after a suspect is detained by the police. Within 48 hours of the arrest or detention a court must decide, in the presence of the prosecutor, the suspect, and the suspect's lawyer, the type of detention to be imposed. Legal counsel must be provided free of charge if the defendant cannot afford a private attorney. (5a)

4.23 The Penal Procedures Code requires completion of pre-trial investigations within 3 months. The prosecutor may extend this period by 3-month intervals in especially difficult cases. The accused and the injured party have the right to appeal these extensions to the district court. In practice lengthy pre-trial detention is a problem. Delayed investigations are also a serious problem, and the cases of many detained persons exceed the time limits set by law. In September 1999 a Democratic Party paper alleged that three persons from the northern city of Kukes were held in police custody for more than 16 months without trial. (5a)

4.24 There were allegations of ill treatment by the police in 1998. Gjergj Deda, a former police chief in Shkodër, was reportedly beaten severely after he was detained in February. In some cases the victims were active supporters of opposition parties, most frequently the DPA. In February Fran Voci, reportedly a DPA supporter, was detained by special police forces in Shkodër on suspicion of involvement in an armed attack on the town's main police station. About four days later, his family visited him in the Tirana prison hospital and found that he had been beaten severely. Voci subsequently stated that during police interrogation he had been hit continuously about the face and had his head knocked against a wall to make him sign a confession. (3)

4.25 There were no clear cases of detainees being held for strictly political reasons, but several notable arrests appeared to be motivated by politics as well as by law enforcement interests. In September 1998, the police arrested a number of persons associated with the Democratic Party who participated in the events of September 14, 1998, and prosecutors charged them with taking part in an "armed rebellion" and in "a failed coup d'etat." (5a)

4.26 The Constitution stipulates that "no one can be subject to torture, or cruel and brutal treatment;" however, the police often beat suspects in the process of arresting them, and the Albanian Helsinki Committee reported that the police beat or otherwise mistreated prisoners. The Penal Code makes the use of torture a crime punishable by up to 10 years' imprisonment. According to the Albanian Helsinki Committee, major police stations were the sites of the worst abuse of detainees. There were at least two

deaths of suspects in police custody. **(5a)**

H. Prisons

4.27 Prison conditions remained poor, although they improved during the year with the construction of new prisons and the repair of old ones. While the Government financed much of this work, it has also received international assistance, particularly from European Union countries. Assistance has included important training for prison officials and staff. All prisons were destroyed or severely damaged in 1997 when armed gangs stormed them and released the prisoners. The Government reopened 8 prisons in 1999, but the existing facilities are inadequate to house properly all current prisoners. Overcrowding created very difficult living conditions. **(5a)**

5. ACTUAL PRACTICE WITH REGARD TO HUMAN RIGHTS

A. Freedom of speech and press

5.1 The Law on Fundamental Human Rights and Freedoms provides for freedom of speech and of the press, and the Government generally respects these rights; however, police at times beat journalists. The media are active and unrestrained, but have developed little sense of journalistic responsibility or professional integrity. Sensationalism is the norm in the newspapers, and the political party-oriented newspapers in particular print gossip, unsubstantiated accusations and outright fabrications. Some publications appear to be making efforts to improve professional standards and to provide more balanced and accurate reporting. **(5a)**

5.2 Political parties, trade unions, and various societies and groups publish their own newspapers or magazines, and competition with commercial publications is very keen. Newspaper and magazine publishers considered 1999 a very bad year for circulation and readership. The opening of many new private radio and television stations, as well as an increase in the price of newspapers and magazines, are the main reasons for this sharp fall in circulation. **(5a)**

5.3 In May 1999 state-run radio and television were converted into a public entity. This entity is no longer financed by the State, and has no direct connection with the Government. Rather, it is run by the Leading Council of Radio and Television, a body elected by Parliament. **(5a)**

5.4 Fifty private television channels and 30 private radio channels operate, unregulated, all over the country. The wide availability of satellite dishes provides citizens with easy access to international programming. The Government established new licensing procedures during 1999 to promote a more stable broadcasting environment. Parliament created the National Council of Radio and Television, which is responsible for issuing private radio and television licences. The Council consists of seven members: three members appointed by the ruling parties, three members from the opposition parties, and one member appointed by the President. The chairman serves a 6-year term, while other council members are elected to 5-year terms. As of September, the opposition has not yet proposed its members for both councils. A National Radio and TV Council is, as of June 2000, functioning and issuing licences.

(5a)

5.5 Attacks on journalists continued – both beatings by the police and assaults by unknown assailants. According to human rights non-governmental organisations, two persons attacked and maltreated a "Kohe Jonë" journalist in Vlorë in September 1999. Unidentified gunmen seriously injured journalist Vjollca Karanxha while she was filming in Pogradec in November 1999. Karanxha is a reporter for the local radio and television station, and has often written about the role of local officials in smuggling and corruption. **(5a)**

5.6 In April 2000, following the attack on Petrit Xhaferri, a TV Klan cameraman, Albanian Premier Ilir Meta affirmed that people should be safe in their country, especially journalists, who will have the state guarantee in carrying out their mission to inform the public. Xhaferri was seriously injured by four persons, two of who were the Guard's non-commissioned officers. **(10e)**

5.7 Political allegiance is still seen to sometimes have restricting influence on academic freedom. University professors complain that some faculty members are hired or fired for political reasons and that students who have the right political connections get preferential treatment regardless of their personal qualifications. The Government maintains that changes in university staffing are made on the basis of merit. **(5a)**

B. Freedom of assembly and association

5.8 The Law on Fundamental Human Rights and Freedoms provides for the right of peaceful assembly, and the Government generally respects this right in practice. According to the law, organisers must obtain permits for gatherings in public places, and the police may refuse to issue them for reasons such as security and traffic. In practice rallies and demonstrations were very common. The Government made no concerted efforts to prevent them, and the police generally maintained order with due respect for citizens' rights. However in some cases individuals claimed that the police or secret agents of the ShIK intimidated them because of their participation in opposition rallies, while others claimed that they were fired from their jobs because they participated in opposition rallies. **(5a)**

5.9 The Law on Fundamental Human Rights and Freedoms provides for the right of association, and the Government generally respects this right in practice. A political party must apply to the Ministry of Justice for official certification. It must declare an aim or purpose that is not anti-constitutional or otherwise contrary to law, and it must describe its organisational structure and account for all public and private funds it receives. **(5a)**

C. Freedom of religion

5.10 The Constitution provides for freedom of religion, and the Government respects this right in practice. According to the 1998 Constitution, the state has no official religion, and all religions are equal. However, the predominant religious communities (Muslim, Orthodox, and Roman Catholic) enjoy de facto recognition by

the authorities that gives them the legal right to hold bank accounts, to own property and buildings, and to function as juridical persons based on their historical presence in the country. Religious movements - with the exception of the three de facto recognised religions - can acquire the official status of a juridical person only by registering under the Law on associations, which recognises the status of a non-profit association irrespective of whether the organisation has a cultural, recreational, religious, or humanitarian character. **(5b)**

5.11 The majority of citizens are secular in orientation after decades of rigidly enforced atheism. Muslims, who make up the largest traditional religious group, adhere to a moderate form of Sunni Islam. The Albanian Orthodox and Roman Catholic Churches are the other large denominations. Approximately 70 percent of the population are Muslim, 20 percent are Albanian Orthodox and 10 percent are Roman Catholic. The Albanian Orthodox Church split from the Greek Orthodox Church early in the century, and adherents strongly identify with the Autocephalous National Church as distinct from the Greek Church. Even though the Albanian Orthodox Church's 1929 statute states that all its archbishops must be of Albanian heritage, the current archbishop is a Greek citizen because there are no Albanian clerics qualified for this position. Bektashis (Muslim believers who adhere to a very loose form of Islam) form another large denomination in the country. However, they do not have the right to their own representative in the State Secretariat of Religions; all their activities are placed under the supervision of the Sunni Community. **(5b)**

5.12 Foreign clergy, including Muslim clerics, Christian and Baha'i missionaries, Jehovah's Witnesses, Mormons, and many others freely carry out religious activities. The Religious Council of the State Secretariat, an office that functions under the Prime Minister's authority, but that has no clear mandate or decision-making power, was renamed "The State Committee on Cults" in September 1999. The Committee chairman is to have the status of a deputy minister, and this office is to co-ordinate all issues connected with religion and the State. This office estimates that there are 12 different Muslim societies and groups with approximately 324 representatives in Albania, and more than 79 Christian societies and sects with 344 missionaries representing Christian or Baha'i organisations. **(5b)**

5.13 In 1967 the Communists banned all religious practices and expropriated the property of the established Islamic, Orthodox and Catholic churches. The Government has not yet returned all the properties and religious objects under its control that were confiscated under the Communist regime. In cases where religious buildings were returned, the Government often failed to return the land that surrounds the buildings. The Government also is unable to compensate the churches adequately for the extensive damage that many religious properties suffered. The Orthodox Church has complained that it has had difficulty in recovering some religious icons for restoration and safekeeping. **(5b)**

5.14 The Albanian Evangelical Alliance, an association of Protestant churches, has complained that it has encountered administrative obstacles to building churches and to accessing the media. The growing evangelical community continues to seek official recognition and participation in the religious affairs section of the Council of Ministers. **(5b)**

5.15 There were no reports of religious detainees or prisoners during 1999. **(5b)**

5.16 In June 2000, five Roman Catholic priests were ordained in the Shkodra cathedral. It is the first time since 1991 that Roman Catholic priests have been ordained in Albania. Archbishop Angelo Massafa believes it is a sign of hope that shows how the Albanian church is growing rapidly after so many years of state atheism. The Vatican has shown a keen interest in reviving Roman Catholicism in Albania, which Pope John Paul II has visited. **(13a)**

D. Workers' rights

5.17 Workers obtained the right to form independent trade unions in 1990. The 1993 Labour Code established procedures for the protection of workers' rights through collective bargaining agreements. Two federations act as umbrella organisations for most of the country's unions: the Independent Confederation of Trade Unions of Albania (127,000 members), and the Confederation of Trade Unions (80,000 members). Both organisations experienced a drop in membership during 1999. Some unions have chosen not to join either of these federations. No union has an official political affiliation, and the Government does not provide any financial support for unions. **(5a)**

5.18 The Law on Major Constitutional Provisions and other legislation provide that all workers except the uniformed military, the police, and some court officials have the right to strike. The law forbids strikes that are openly declared to be political or that are judged by the courts to be political. The two unions organised a number of national and local strikes during 1999. Major strikes were carried out by the teachers', drivers', health workers', and miners' unions. **(5a)**

5.19 The official unemployment rate was 18% during 1999. Unions are free to join and maintain ties with international organisations, and many do. **(5a)**

5.20 Citizens in all fields of employment, except uniformed members of the armed forces, police officers, and some court employees, have the right to organise and bargain collectively. In practice, unions representing public sector employees negotiate directly with the Government. **(5a)**

5.21 Labour unions do not operate from a position of strength, given the country's current conditions. Effective collective bargaining in these circumstances is very difficult, and agreements are hard to enforce. **(5a)**

5.22 The Law on Major Constitutional Provisions and the Labour Code prohibit forced or compulsory labour, and generally it is not known to occur. However,

traffickers kidnap women for prostitution, and family members sell daughters, sisters and wives to traffickers against their will. The law also forbids forced or bonded labour by children, and the Government generally enforces these prohibitions; there are however reports that children are trafficked and forced to work abroad as prostitutes or beggars. **(5a)**

(Please see also Section 6. C. on Human Trafficking)

5.23 The Labour Code sets the minimum age for employment at 16 years, and limits the amount and type of labour that can be performed by persons under the age of 18. Children between the ages of 14 and 16 may legally work in part-time jobs during the summer holiday. The Ministry of Labour may enforce the minimum age requirements through the courts, but no recent cases of this actually occurring are known. In Tirana and other cities it is common to see children selling cigarettes and sweets on the street. **(5a)**

5.24 The legal minimum wage for all workers over age 16 is about £30 (6750 lekë) per month. This is not sufficient to provide a decent standard of living for a worker and family. The law provides for social assistance (income support) and unemployment compensation, but these are very limited, in terms of both the amounts received and the number of persons actually covered. **(5a)**

5.25 The difference between the monthly average wage of persons who live in the rural and urban areas is considerable: persons who work and live in urban areas earn almost 50% more than those who live and work in rural areas. Data from the National Institute of Statistics indicate that in rural areas more than 20% of persons live under the official poverty line, while in urban areas the figure is 11%. Nation-wide, over 17% of the population live under the official poverty line. **(5a)**

5.26 The legal maximum workweek is 48 hours, although in practice hours are typically set by individual or collective agreement. Many workers work 6 days a week. **(5a)**

5.27 The Government sets occupational health and safety standards, but it has limited funds to make improvements in the remaining state-owned enterprises, and limited ability to enforce standards on the private sector. Actual conditions in the workplace are generally very poor and often dangerous. The Labour Code lists the safety obligations of employers and employees, but does not provide specific protection for workers who choose to leave a workplace because of hazardous conditions. **(5a)**

E. Military service

5.28 Military service in Albania is mandatory for men aged 18 – 27 years. Women are not included. Exemptions are granted only on medical grounds, and are relatively difficult to obtain. Military service is 12 months long (having recently been reduced from 15 months) and can be served in the police force. Those who do not go to university usually have to do their military service at 18 years. University students do their service after their studies. Those who complete their military service receive a certificate, which enables them to obtain a passport. Many Albanians have left

Albania illegally (i.e. without a passport) because they have dodged their military service. **(1b) (6a)**

F. The Death Penalty

5.29 In December 1999 Albania's Constitutional Court decided to abolish capital punishment. The decision was taken on the basis of the principles set forward by the Council of Europe, as well as on the basis of the Albanian Constitution. The Court's Chairman stated that henceforth the penalty could be imposed only for crimes committed during wartime or when the country was on the brink of war. **(10b)**

G. Freedom of movement

5.30 The Law on Fundamental Human Rights and Freedoms provides for freedom of movement within Albania, and for freedom to travel abroad and return. The Government respects these rights in practice. **(5a)**

5.31 A pressing problem that arose as a result of uncontrolled internal migration is the problem of local registration and status. A survey conducted by the Society for Democratic Culture in 1999 highlighted the fact that many families (the numbers vary from hundreds to thousands) moved from the poor North-east to more prosperous areas, and are no longer registered at all. The survey found that during election campaigns these citizens are registered as inhabitants of these areas, and are thus permitted to vote; however, in the period between elections these citizens are not considered inhabitants of these areas and are denied even basic education. In many educational institutions, students must have, among other documents, an official document from the district that acknowledges that they are inhabitants of the district. The lack of such documents prevents many students from these areas from attending school. **(5a)**

5.32 Citizens who fled the country during or after the Communist regime are welcomed back, and if they lost their citizenship they may have it restored. Albanian-born citizens who emigrate may hold dual citizenship. **(5a)**

5.33 The Constitution gives foreigners the right of refuge in Albania, and an asylum law passed in 1996 includes provisions for granting refugee or asylum status. The Government accepts the entrance of refugees, does not expel those with valid claims to refugee status, and works with the international community to provide housing and support for them. It also provides first asylum. Over 450,000 Kosovar Albanians were afforded refuge in Albania during the Kosovo crisis, finding shelter with extended family or in facilities operated by the United Nations High Commissioner for Refugees (UNHCR) or other international entities. The Government co-operated with the UNHCR and others to provide support to the refugees. **(5a)**

H. Specific minority groups

5.34 The Law on Major Constitutional Provisions prohibits discrimination based on sex, race, ethnicity, language, or religion. However, women and some minority

groups complain that discrimination continues in practice. (5a)

I. Women

5.35 Violence against women and spouse abuse still occurs in this traditionally male-dominated society. Cultural acceptance and lax police response result in most abuse going unreported. No government-sponsored programme protects the rights of women. A non-governmental organisation maintains a shelter in Tirana for abused women, but the facility can hold only a few victims at a time. That organisation also operates a hot line which women and girls can call for advice and counselling. The line received thousands of calls during 1999. The concepts of marital rape and sexual harassment are not well established, and most such acts would not be considered crimes. (5a)

5.36 Many men, especially those from the north-eastern part of the country, still follow the old traditions known as the "kanun", in which women are considered chattel and may be treated as such. It is acceptable under the kanun to kidnap young women for brides; this practice continues in some areas of the north-east. (5a)

5.37 Women are not excluded, by law or in practice, from any occupation; however, they are not well represented at the highest levels of their fields. The Labour Code makes mandatory equal pay for equal work, but no data are available on how well this is implemented in practice. Women enjoy equal access to higher education, but they are not accorded full and equal opportunity in their careers, and it is common for well-educated women to be under-employed or to work outside the field of their training. An increasing number of women are beginning to venture out on their own, opening shops and small businesses. Many are migrating along with men to Greece and Italy to seek employment. (5a)

J. Children

5.38 The Government's commitment to children's rights and welfare is codified in domestic law and through international agreements. The law provides for the right to at least 8 years of free education, and also authorises private schools. School attendance is mandatory up to the eighth grade (or age 18, whichever comes first). In practice, many children leave school earlier than allowed by law in order to work with their families, especially in rural areas. (5a)

5.39 Child abuse is a little-reported problem, but the authorities and non-governmental organisations believe that it exists. Trafficking in children is a problem. Criminals may kidnap children from families or orphanages to be sold to prostitution or pederasty rings abroad. The law forbids forced or bonded labour by children, but there are some reports of such practices. Within the country, Romani children are often used as beggars, and the police generally ignore the practice. (5a)

K. Disabled people

5.40 Widespread poverty, unregulated occupational hazards, and poor medical care pose significant problems for many disabled people. The disabled are eligible for

various forms of public assistance, but budgetary constraints mean that the amounts they receive are very low. No law makes compulsory accessibility for people with disabilities to public buildings, and little has been done in that regard. **(5a)**

L. Ethnic Minority Groups / General

5.41 The Government plays a constructive role in maintaining the nation's generally positive record on the treatment of minorities. While no recent official statistics exist regarding the size of the various ethnic communities, ethnic Greeks are the most organised and receive the most attention and assistance from abroad. There are also substantial groups of Macedonians, Vlachs, and Roma. **(5a)**

5.42 There is a small group of ethnic Montenegrins and ethnic Serbs in the north. No discrimination was reported against the Vlachs, who speak Romanian as well as Albanian, or against the Çams, non-Orthodox ethnic Albanians who were exiled from Greece in 1944. Both groups live mainly in the south. **(5a)**

5.43 The Albanian Parliament has ratified the European Convention for the Protection of the Minorities, which was entered into force on 1st January 2000. **(23)**

M. Greek Minority

5.44 Up to the beginning of the 1990s, the Greek minority numbered between 60,000 and 70,000. Following the opening of the borders, the inherited backwardness and the numerous economic difficulties of the period of transition, a considerable part of the population have succeeded in temporarily living and being employed in Greece. In this aspect, the Greek minority has been the most privileged. **(4b)**

5.45 Greek-language public elementary schools are now common in much of the southern part of Albania, where almost all of the ethnic Greek minority lives. However, there are no Greek-language high schools. There is a Greek chair and a department for Greek language and literature at the University of Gjirokastrë. The Greek minority association, known as Omonia (Democratic Union for the Greek Minority), continued to press the authorities for more measures to protect the rights of the Greek minority, including the creation of additional Greek-language classes in some parts of southern Albania. **(4b) (5a)**

5.46 Omonia also complained in 1999 that a number of Orthodox churches in the south (mainly in areas inhabited by the Greek minority) were burned in acts of ethnic violence. The organisation reported that during 1998 more than 14 people, mainly from the Greek ethnic minority, were kidnapped and held to ransom. The organisation appealed to the Government to take measures to stop what it called "attacks against the ethnic Greek minority". The Albanian Helsinki Committee found in 2000 that many Orthodox churches have either been constructed or renovated. There are villages along the border with Greece, like Leshnice, where six churches function. **(4b) (5a)**

5.47 Members of the Greek minority are considerably represented in the structures of local power. In the District Council of Sarandë, 8 of the 24 members come from the

Greek minority, including the Chairman and his deputy. Following the year 1997, there were periods when members in minority areas experienced insecurity and tension, because of criminality, thefts and kidnapping. Criminal activity was relatively stronger in minority areas not only because the state structures did not function, but also because opinion spread among criminal circles that minority persons were richer and had greater incomes. However, the efficiency of the fight against criminality in 1999 has bought back confidence to law, order and peace among the Greek minority.

(4b)

(Please see also Section 3 on History)

5.48 The Çams are the ethnic Albanian, and predominantly Muslim, population of the region of north-eastern Greece known as Chameria. In an attempt, in 1944, to establish an ethnically pure border region, the Greek government unleashed a campaign resulting in around 28,000 Chami fleeing to Albania and Turkey. A Greek law was approved, which is still in force today, sanctioning the expropriation of Cham property, citing the collaboration of their community with the occupying forces as a main reason for the decision. The forced movement of the entire population has left a lingering sense of injustice amongst Albanians in general, which has contributed to continuing poor bilateral relations with Greece. **(15a)**

5.49 Since the end of the Kosovo conflict, support for the Chams has grown. The Chameria Association (dedicated to the return of their expropriated lands in Greece) is working on legal procedures to sue the Greek government at the European Court of Human Rights. On a tour of southern Albania in early 2000, DPA leader Sali Berisha threatened to put relations with Greece on hold if it did not comply with the demand for the resolution of the property issue of the Cham population. **(15a)**

5.50 The issue of the Greek minority rights came to the fore in the election for the commune of Himara in October 2000 when the Socialist party supported by all other Albanian parties, left and right, secured a heavy victory over the human rights party candidate who advocated the creation of a Greek language minority zone in the commune. **(12f)**

N. Macedonian Minority

5.51 The Macedonian minority is concentrated in the region of Prespe, on the border with Macedonia and Greece. There are no problems regarding law and order, and minority subjects are found in the local police. **(4b)**

5.52 In most of the villages Orthodox churches have been built or renovated and the local radio broadcasts news bulletins in Macedonian three times a week. Classes in the Macedonian language are available to students in the districts of Pogradec and Devolli, bordering Macedonia. The Macedonian Government provides texts for these classes. **(4b) (5a)**

O. Montenegrin Minority

5.53 Members of this group live mainly in small villages north of Shkoder. They are divided into two groups. The pure Montenegrin minority of the Orthodox belief

have succeeded in preserving their traditions and culture as a minority. The podgorians, who, because of their Muslim religion, might have been expelled from Montenegro in the second half of the 19th century, have already been assimilated. There are no specific problems of order and stability. Nevertheless, the problem of paying greater attention to the state investment or infrastructure is not specifically a minority problem but characterises the whole of Albania. **(4b)**

P. Roma

5.54 Two distinct groups of Roma, the Jevg and the Arrixhi (Gabel) are established in the country. The Jevg tend to be settled in urban areas and are generally more integrated into the economy than are the Arrixhi. Roma are clearly the most neglected minority group. Broadly speaking, they suffer from high illiteracy, poor public health conditions, and marked economic disadvantages. Roma encounter much social discrimination, but generally neither the police nor individuals target the Roma for violence. **(5a)**

5.55 Regarding the status of Roma, there exists an atmosphere of tolerance. They are not subject to any discriminatory treatment as a separate community, though, here and there, one can notice expressions of racial prejudice towards them. From a legal point of view, the Albanian State considers this community equal to the others, recognising them all the rights found in the Constitution and in its legal acts. Lately, the Assembly approved a special status to minorities. Roma were included in this. **(17)**

5.56 After 1990, three NGOs were established to represent Roma at national level: The Democratic Union of Roma in Albania, Amaro Dives, Rromani Baxt and Amaro Drom. Amaro Drom's main goal is the integration of the Roma people into Albanian civil society through various developmental and cultural initiatives, the raising of public awareness for the traditions of Roma and the promotion of education for Roma. According to the President of Amaro Dives, Guraliu Mejdani, the government does not discriminate against Roma. Roma leaders are afraid that the present indifference of the authorities towards Roma could transform into a violent rejection, if they stress Romani rights too much. Their strategy is first to empower the Roma with a strong identity and raise their consciousness. **(17)**

Q. Gorani

5.57 There is a small community of Gorani in the remote villages in the north-east of Albania near Kukes, close to the border with Kosovo. They are a distinct group of Muslim Slavs who speak a language akin to Macedonian and originate from the Gora region in Kosovo. Despite their shared religion, their relationship has not always been easy because of their ethnic and linguistic links with Serbs. **(6b) (15b)**

5.58 Whilst Gorani in Kosovo may have been accused of being allies with the Serbs and been the targets of revenge killings, there is no indication of any persecution of Gorani in Albania, officially or otherwise. One of the Deputy Speakers of the Albanian Parliament is Gorani. **(6b) (15b)**

R. Homosexuals

5.59 The penal code which came into force on 1 June 1995 does not contain an article criminalising homosexuality. **(5a)**

6. OTHER ISSUES

6.1 Albania is one of Europe's two poorest countries (the other being Moldova). Albania's 1998 gross national product per head was US \$810. **(1)**

A. Crime and safety

6.2 Crime figures dropped in 1999, compared with 1998. According to data provided by the Public Order Ministry (reported on 7 October 1999), some 3,629 crimes had taken place in the first nine months of 1999. In relation to the same period in 1998, the number of crimes in 1999 had reduced by 592. In the first nine months of 1999, there were 110 crimes per 100,000 inhabitants. Crimes against the person made up 32.6%, of total crimes, crimes against property 35%, drugs crimes 6%, in the financial field 10%, terrorist acts 1.4%, and other crimes 15%. The number of crimes against the person had reduced by 21% as compared with a year before, and thefts through violence or which resulted in death had decreased by 21%. **(10a)**

6.3 The Albanian Parliament has approved a law under which the deadline for the collection of weapons looted in the spring of 1997 will be postponed for two more years. The decision was made to provide time for the implementation of disarmament projects. The memorandum to be signed will be for the destruction of 100,000 weapons, as an initiative of the Albanian government and the Defence Ministry together with the US, German and Norwegian governments. **(10j)**

A. Corruption

6.4 In April 2000, The Prime Minister Ilir Meta re-affirmed that the police belong to the state not political parties. He stated that it is the duty of the Albanian government, the governing coalition and the opposition, and of all society to support the police so that they are more successful in their fight against crime in any form it appears. The Minister for Public Order, Mr. Spartak Poci, said that clearing the police and other structures of the Public Order Ministry from the corrupted and incriminated elements remains one of the priority directions of the work to realize the government programme. The Public Order Ministry has drafted a concrete strategy to uncover and send to court such elements. **(12b) (12c)**

6.5 In a meeting with the Friends of Albania group in November 1999, Mr. Meta referred to the problem of public order and security as a condition for the realisation of all objectives of the government. He explained that the main priorities in the future would be the increased efficiency of police work against crime, the completion of legislative police reform, the co-operation and integration of the police into the main international police organisations, and an increase of the professional level of the police. He described the collection of weapons and ammunition as a special task. He emphasised the fight against corruption as a long, continuous process. At a meeting in

Vienna on 28 February 2000 the Friends of Albania acknowledged that some progress had been made, but that there was still much to be done. **(14a)**

6.6 The government is committed to the implementation of the Stability Pact Anti-Corruption Initiative, agreed in June 2000, as set out by the Stability Pact partners, stipulated in the Cologne Declaration of June 1999 between states of South Eastern Europe and the European Union. Its objective is to help and support countries of the region to adopt within two years; effective legislation, build up the right institutions and develop practices in the civil society for a sustained fight against corruption. The implementation will be monitored by the Anti-Corruption Steering Group composed of representatives from the Council of Europe, the OECD, the European Commission and the World Bank. **(20)(21)**

6.7 The Albanian government has fulfilled all the recommendations of the international community included in the anti-corruption plan. Albania had taken all measures to increase the security in all part of the country, has recognised the judicial system and the police, and is fighting against organised crime and corruption. This message was contained in a recently approved resolution of the Parliamentary Assembly of the Council of Europe on Albania in September 2000. Albania ratified the Council of Europe's Civil Law Convention on Corruption on 21 September 2000. **(10g) (23)**

A. Human Trafficking

6.8 Organised criminal gangs in Albania have made the smuggling of illegal immigrants (Albanians, Kurds, Pakistanis, Chinese, Turks, and others from the Middle East and Asia) into a lucrative business. Italy is the most common destination. The Albanian Government claims that it has taken steps to combat the problem, but that a lack of resources hinders its efforts. Italian military and border patrol squads operate in various coastal zones in an effort to stop the flow of illegal immigrants. Individuals who become stranded in Albania while trying to use this illegal pipeline are eligible for a "care and maintenance" programme run by the UNHCR and the Albanian Red Cross and can have their case evaluated by UNHCR officials. There were no reports of the forced return of persons to a country where they feared persecution. **(5a)**

6.9 In the first six months of 2000, the border police of port of Durres in co-operation with the mission "Guardia di Finanza" detained 332 dinghies, while it turned back 9,030 persons found aboard aiming to reach the Italian coast. It is estimated that in the past year over 200 people have died trying to reach Italy. Following the death of a migrant and two Italian border guards in August 2000 when their boat was rammed by an Albanian speedboat, the Albanian government has sent to Parliament a package against illegal emigration that aims to impose stricter controls on speedboat smuggling. Police Chief Veli Myftari said the package empowers the Naval Police to sequester speedboats on the spot. **(10d) (22b)**

6.10 Trafficking in women for the purpose of prostitution is a significant problem. The former Italian MP, Carol Bebbe Tarantelli, says that the passports of the girls are destroyed and they are moved around from place to place so that they don't know

where they are. Most prostitutes are controlled by the Albanian Mafia. **(5a) (16a) (16b)**

6.11 A meeting among the countries of the Ionian and Adriatic region discussing the problems of the fight against organised crime and illegal trafficking took place in Rome in August 2000. A regional concrete plan will be created. They have demanded multipartite co-operation to identify new roads in the fight against crime and trafficking. The Deputy Minister of Foreign Affairs, Pellumb Xhufi, and Minister of Public Order, stressed that the Albanian police during the last months has been very successful in this field thanks to the aid of Albania's partners, especially Italy. They repeated the necessity to sign an agreement of the repatriation of illegals with the origin and transit countries, as a fundamental condition for solving the problem. **(10f)**

B. Blood Feuds

6.12 The centuries old tradition of blood feuds in Albania, the practice under which members of one family were permitted to take revenge against another family who were responsible for the death of one of their number, and the rules under which such matters were settled, were laid down in the Canon of Lek Dukajini. Blood feuds were suppressed under Communist rule, but have re-emerged since the return of democracy. **(20)**

6.13 In 1996 the Albanian government initiated a series of national and local activities mainly in the country's northern and north-eastern zones where the problem of blood feuds is more acute than elsewhere. The Prime Minister called on all the political forces to engage in the fast elimination of blood feuds, in co-operation with the government. The National Blood Feud Reconciliation Committee was established and the then Prime Minister, Aleksander Meksi, was confident that it had produced positive results as regards blood feud reconciliation. **(12d)**

6.14 It would be difficult to separate the issue of blood feuds from the larger problem of lawlessness in Albania, especially in the mountainous north of Albania and in remote areas. However, the OSCE notes that whilst much needs to be done to root out the networks of criminality, the most significant change is that random violence is no longer tolerated or considered to be normal. The public increasingly expects order and proper policing. **(20)**

6.15 Many killings occurred throughout Albania in 1999 as the result of individual or clan vigilante actions sometimes connected to traditional "blood feuds," or in conflicts involving various criminal gangs. Public order remains a serious problem. Much of the mountainous north and parts of the south were not under the government's control, and crime was endemic. **(5a)**

6.16 A survey carried out by the Ministry of Education in April 2000 found that at least 112 boys throughout Albania shun school out of fear of blood feuds. All cases reported were in Northern Albania. Sixty-eight were in Shkodra alone, and another five in Lezha. There were also numerous cases in mountainous and remote areas. Seventeen boys shunned school in the Tropoja area. There were sixteen cases in the town of Mirdita, and five in both Malesia and Madhe. **(13b)**

6.17 Figures published in August 2000 by the National Mission for Blood Feud Reconciliation stated that 756 blood feuds have been reconciled, allowing the people involved to return to put an end to self-confinement at home. However, 2,200 families continue to be engaged in blood feuds, forcing 1,200 to 1,300 males to remain indoors in fear of their lives. The missionaries explained that the roots of this problem lie in the ill-intentioned interpretation of the Canon and in the reluctance of citizens to obey the laws of the state. **(14b)**

ANNEX A

CHRONOLOGY

1946: The People's Republic of Albania was proclaimed

1948: The Albanian Communist Party was renamed the Party of Labour of Albania (PLA).

1961: The USSR denounced Albania and severed diplomatic relations after Enver Hoxha, Albania's leader, announced his support for the Chinese Communist leader, Mao Zedong, in his ideological conflict with the USSR.

1967: Religious worship was outlawed and all mosques and churches were closed.

1978: China suspended all military and economic ties with Albania.

1985: Death of Enver Hoxha. He was succeeded as First Secretary of the Party of Labour of Albania by Ramiz Alia.

December 1989: There were reports of anti-government demonstrations in the northern town of Shkodër, and such activity increased throughout 1990.

July 1990: Some 5,000 Albanians were eventually allowed to leave the country after seeking asylum in the embassies of foreign countries.

December 1990: Opposition activists formed, and registered, the Democratic Party of Albania (DPA).

March 1991: The Italian navy was ordered to prevent any more vessels landing at the Italian port of Brindisi, after some 20,000 Albanians had arrived on ships seized in Albanian ports.

31 March 1991: The PLA (Communists) won over 60% of the votes cast in Albania's first multi-party elections since the 1920s.

June 1991: With continuing protests throughout the country and after a general strike, Ylli Bufi became head of government; he formed a Government which included the first non- Communist ministers since the second World War. The PLA changed its name to the Socialist Party of Albania (SPA) and elected Fatos Nano as its leader.

March 1992: Elections to the new assembly were won by the DPA (Democratic Party of Albania), which gained 62% of the votes cast in the first round.

April 1992: Sali Berisha of the DPA was elected President of the Republic. Berisha appointed Aleksander Meksi to lead a new coalition Government

September 1992: Former President Alia was arrested and charged with corruption, joining several other prominent members of the old Communist regime in detention.

September 1995: The "Genocide Law" prohibited the appointment of any person who held office during the Communist period to the executive, the legislature, or the judiciary.

January 1997: The collapse of several popular "pyramid" investment schemes, resulting in huge losses of individual savings, prompted violent anti-government demonstrations.

March 1997: President Berisha declared a state of emergency, as anti-government protests escalated into insurgency and, often supported by rebel troops, opposition groups gained control of several towns.

April 1997: A UN-sanctioned Multinational Protection Force, established to facilitate the distribution of humanitarian assistance, was deployed, principally in government-controlled areas of northern and central Albania.

July 1997: In the general election the SPA secured 101 of the 155 in the enlarged People's Assembly, with the DPA winning 29 seats. Rexhep Mejdani, hitherto the Secretary-General of the SPA, was elected President by the People's Assembly. Fatos Nano became head of the government.

July 1998: The People's Assembly approved the final report of the civil unrest of early 1997; it recommended the prosecution of several leading DPA officials, including former President Berisha, for the violation of constitutional provisions and the unlawful use of force against protestors. The DPA announced an indefinite boycott of Parliament.

September 1998: Prominent DPA politician Azem Hajdari was assassinated by an unknown gunman. Prime Minister Nano resigned, claiming that a lack of support for him had contributed to the Government's weakness and the collapse of public order. The SPA nominated its Secretary General, Pandeli Majko, to succeed Nano.

24 November 1998: The Albanian electorate adopted the new constitution, in a referendum. It was adopted by the National Assembly.

March 1999: NATO began daily air attacks on military targets within the Federal Republic of Yugoslavia, and a flood of ethnic Albanian refugees from Kosovo into Albania and Macedonia began.

March to June 1999: Over 450,000 refugees flooded into Albania from Kosovo. Many subsequently returned to Kosovo.

October 1999: Prime Minister Majko resigned, and was replaced by Ilir Meta.

December 1999: The Constitutional Court approved a ruling on the abolition of the capital punishment.

January 2000: The Albanian Parliament ratified the European Convention for the Protection of Minorities.

May 2000: An electoral code was introduced, in preparation for the local elections in the autumn of 2000.

June 2000: Five Roman Catholic Priests became the first Priests since 1991 to be ordained.

June 2000: Albania signed up to the implementation of the Stability Pact Anti-Corruption Initiative.

August 2000: A computerised national register was introduced as a measure to ensure free and fair elections in October 2000.

September 2000: Albania became the 138th member of the World Trade Organisation.

September 2000: The Albanian Parliament ratified the Council of Europe's Civil Law Convention on Corruption.

October 2000: Local government elections took place throughout Albania. The vote marked significant progress towards meeting the standards for democratic elections. Whilst the second round was less transparent, irregularities are not thought to have influenced the outcome. The Socialist made heavy gains across Albania.

ANNEX B

POLITICAL ORGANISATIONS

Agrarian Party (AP) (Partia Agrar Shqiptare – PAS). Founded 1991. Chair: Luftër Xhuvëli.

Albanian Civil Party. Founded 1998. Chair: Roland Velko.

Albanian Communist Party. Founded 1991, granted legal recognition 1998. Chair: Hysni Millosi.

Albanian Conservative Party (Partia Konservatore Shqiptare). Chair: Armando Ruco.

Albanian Ecological Party (Partia Ekologjike Shqiptare). Environmental political party. Chair: Dr Namik Vehbi Fadile Hoti.

Albanian Green Party (Partia e Blertë Shqiptare). Founded 1991. Campaigns on environmental issues. Chair: Nevruz Maluka.

Albanian Liberal Party (Partia Liberale Shqiptare). Founded 1991. Chair: Valter File.

Albanian National Democratic Party (Partia Nacional Demokratike). Founded 1991. Chair: Fatmir Çekani.

Albanian Nationalist Party. Founded 1993.

Albanian New Socialist Party. Founded 1996 by former members of the SPA.

Albanian Republican Party (ARP) (Partia Republikane Shqiptare – PRS). Founded 1991. Chair: Sabri Godo. Vice-Chair: Fatmir Mediu.

Alternative Republican Party. Founded 1993.

Çamëria Political and Patriotic Association (Shoqata Politike- Patriotike Çamëria). Supports the rights of the Çam minority (an Albanian people) in northern Greece. Founded 1991. Chair: Dr Abaz Dojaka.

Christian Democratic Party of Albania (CDPA). Founded 1991. Pres: Zef Bushati.

Democratic Alliance Party (DAP). Founded 1992 by former members of the DPA. Chair: Neritan Çeka.

Democratic Alternative. Founded 1999 by breakaway faction of reformist members of the Democratic Party of Albania. Leader: Genc Pollo.

Democratic Movement of the Unification of Albanians. Founded 1993.

Democratic Party of Albania (DPA) (Partia Demokratike të Shqipërisë – PDS). Founded 1990. Committed to liberal-democratic ideals and market economics. Chair: Dr Sali Berisha.

Democratic Prosperity Party (Partia e Prosperitetit Demokratik). Founded 1991. Chair: Yzeir Fetahu.

Democratic Party of the Right. Leader: Petrit Kalakula.

Democratic Union of the Greek Minority (OMONIA – Bashkimia Demokratik i Minoritet Grek). Founded 1991. Electoral regulations of 1992 forbade it participating in elections, as the party of an ethnic minority. Chair: Jorgo Labovitjadhi.

Democratic Unity Party (Partia e Bashkimit Demokratik). Chair: Xhevdet Libohova.

Independent Party (Partia Indipendente). Founded 1991. Chair: Edmond Gjokrusha.

Legality Movement Party (Partia Lëvizja e Legalitetit - PLL). Founded 1992. Monarchist. Chair: Guri Durollari.

Movement for Democracy (Levizja për Democraci). Founded 1997 by former members of the DPA. Leader: Dashamir Shehi.

National Front (Balli Kombëtar - BK). Chair: Abaz Ermenji.

National Progress Party (Partia e Perparimit Kombëtar). Founded 1991. Chair: Myrto Xhaferri.

National Unity Party (Partia e Unitetit Kombëtar). Founded 1991. Chair of Steering Cttee: Idajet Beqiri.

New Party of Labour. Founded 1998. Left-wing. Defined itself as successor to the former communist Party of labour of Albania.

People's Party (Partia Popullore). Founded 1991. Aims to eradicate Communism. Chair: Bashkim Driza.

Republican Party. Chair: Fatmir Mediu.

Right National Party. Founded 1998 by a breakaway faction of the National Front. Leader: Hysen Selfo.

Social Democratic Party of Albania (SDP) (Partia Social Demokratike e Shqipërisë – PSDS). Founded 1991. Advocates gradual economic reforms and social justice. 100 member National Managing Council. Chair: Gramoz Pashko.

Social Justice Party (Partia e Drejtësisë Shqiptare).

Social Labour Party of Albania (Partia Socialpërdorë Shqiptare). Founded 1992. Pres: Ramadan Ndreka.

Socialist Party of Albania (SPA) (Partia Socialiste e Shqipërisë – PSS). Founded 1941 as Albanian Communist Party, renamed Party of Labour of Albania (PLA) in 1948, adopted present name in 1991. Until 1990 the only permitted political party in Albania. Now rejects Marxism- Leninism and claims commitment to democratic socialism and a market economy. Managing Cttee of 81 members, headed by Presidency of 15 members. 110,000 members. Chair: Fatos Nano. Sec: Namik Dokle.

Union for Human Rights Party (UHRP) (Partia për Mbrojtjen e të Drejtave të Njeriut PBDNJ). Founded 1992. Represents the Greek and Macedonian minorities. Chair: Vasil Melo.

Union of Social Democrats (USD). Founded 1995. Breakaway faction from the SDP. Leader: Teodor Laco.

NON-GOVERNMENTAL ORGANISATIONS

Albanian Helsinki Forum (Forum Shqiptar i Helsinkit). Founded 1990. Mem. International Federation of Helsinki. Chair: Prof. Arben Puto.

Albanian Women's Federation (Forum i Grus Shqiptare). Founded 1991. Independent organisation uniting women from various religious and cultural backgrounds. Chair: Diana Çuli.

National Committee of the War Veterans of the Anti-Fascist National Liberation War of the Albanian People (Komiteti Kombëtar i Veteranëve të Luftës Antifashiste Nacional Çlirimtare të Popullit Shqiptar). Founded 1957. Chair: Pirro Dodbiba.

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“Albania – the EU Contribution.” 27.7.00
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 - a) April 1997, October 1998 and April, June, July and November 1999.
 - b) “Arrest of claimant to Albanian Throne.” February 1999
 - c) “Demand for life sentence for throne pretender.” November 1999
10. **Albanian Telegraph Agency, Tirana:**
 - a) “Albania reports drop in crime rate this year.” 7.10.99.
 - b) “Constitutional Court abolishes Capital punishment.” 10.12.99.
 - c) “Albania accepted in World Trade Organization.” 17.7.00
 - d) “For 6 months- 332 dinghies and 9030 persons turned back.” 6.7.00
 - e) “Albanian Premier says journalists should be protected by the state.” 4.6.00
 - f) “A regional plan against organised crime, soon.” 8.10.00
 - g) “Council of Europe assembly applauds Albania’s anti-corruption campaign.” 16.9.00
 - h) “Three arrested at rally to mark deputy’s murder.” 13.9.00
 - i) “Trial of Pyramid scheme boss starts in Tirana court.” 20.9.00

- j) "Parliament postpones deadline for handing in looted weapons." 4.9.00
- k) "Police arrest former bodyguard of opposition leader." 30.9.00
- 11. **Albanian TV, Tirana:**
"Premier designate Meta says there will be continuity in new government." 27.10.99. As reported in BBC Monitoring 'Summary of World Broadcasts'
- 12. **Reuters:**
 - a) "Nearly 1,000 Albanian policemen dismissed for unlawful activities." 19.6.00
 - b) "Minister says ridding the police of corrupt elements remains priority." 19.6.00
 - c) "Meta says the police belong to the state, not political parties." 26.4.00
 - d) "Premier urges stricter laws against blood feuds." 19.2.96
 - e) "Second round of Albania Poll less Transparent." 17.10.00
 - f) "Albanian opposition boycotts second round of Vote." 16.10.00
- 13. **Radio Free Europe/ Radio Liberty. Balkan Report:**
 - a) "Priests ordained in Albania for First time in a decade." 5.7.00
 - b) "Albanian blood feuds trigger illiteracy." 26.5.00
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 - a) "Premier sets out priorities for government's work." 16.11.99. As reported in BBC Monitoring 'Summary of World Broadcasts'
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 - a) "Albania: State of the Nation." 1.3.00
 - b) "Violence in Kosovo – Who's Killing Whom?" 2.11.99
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 - a) "Italy's sexual slave trade." 2.8.00
 - b) "Albanian Mafia steps up people smuggling." 3.8.00
 - c) "Observers approve Albania local polls." 1.10.00
 - d) "Albania accuses Greeks of 'interference.'" 16.10.00
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"Republic of Albania: Local Government Elections of 1st October 2000." 2.10.00.
- 19. **Institute for War and Peace Reporting:**

- “Berisha poll disappointment.” 9.10.00
20. **Centre for Strategic and International Studies, USA:**
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Current Activities: Report. Regional Table. 8.6.00
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a) “Albania to become 138th member of WTO in September.” 22.8.00
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c) “Opposition protests at decision not to pardon Leka.” 26.7.00
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