

<p style="text-align: center;">COUNTRY ASSESSMENT: ALBANIA</p> <p style="text-align: center;">April 2000</p> <p style="text-align: center;">Country Information and Policy Unit</p>

CONTENTS

1. Scope of document	1.1 - 1.5
2. Geography	2.1
3. History	3.1 - 3.12
4. Instruments of the State	
Political System	4.1
Right of citizens to change their government	4.2 - 4.5
The Constitution	4.6
Police and Human Rights	4.7 - 4.9
The judiciary	4.10 - 4.14
Prisons	4.15 - 4.16
5. Human Rights	
A. Actual practice with human rights	
Freedom of speech and press	5.1 - 5.6
Freedom of assembly and association	5.7 - 5.8
Freedom of religion	5.9 - 5.13
Workers' rights	5.14 - 5.25
Military service	5.26
The death penalty	5.27
Freedom of movement	5.28 - 5.32
B. Human rights - specific groups	5.33
Women	5.34 - 5.37
Children	5.38 - 5.39
Disabled people	5.40
National/ racial/ ethnic minorities	5.41 - 5.44
Homosexuals	5.45
6. Other issues	6.1
Crime and safety	6.2 - 6.4
Annex A. Chronology	
Annex B. Political organisations	
Bibliography	

I. 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.office.gov.uk/ind/cipu1.htm> 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) 3.67 million in mid-1996. **(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 an 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)
- 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. 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. **(1)**
- 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. Leka was greeted by some 2000 supporters on arrival at Tirana airport. His visit was organised by the pro-monarchy Legality Movement. **(9)**
- 3.9 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)**
- 3.10 The DPA boycotted Parliament from October 1997 to March 1998, charging unfair practices by the ruling Socialists and their coalition partners. **(5)**. After the killing in September 1998 of one of its MPs, Azem Hajdari, by an unknown gunman, the DPA launched another boycott of Parliament. This boycott lasted until July 1999. **(9)**
- 3.11 Following Hajdari's assassination, violent demonstrations broke out in central Tirana. 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. (1)

- 3.12 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 1000 strong, has remained in Albania to safeguard supply lines between Kosovo and the port of Durres.(9)
- 3.13 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)

4. INSTRUMENTS OF THE STATE

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. (5)

Right of citizens to change their government

- 4.2 The new Constitution states that "Governance is based on a system of elections that are free, equal, general and periodic." Citizens elected a government in 1997 in what international observers considered to be a satisfactory process, given the preceding months of chaos and anarchy. However, 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. (5)
- 4.3 The Democratic Party boycotted Parliament for most of 1998 and up until July 1999. It refused to participate in virtually all government functions at national level. Top DP officials, including former President Sali Berisha, refused to testify in the investigation into the September 1998 killing of a DP parliamentarian Azem Hajdari, stating that the investigation was politically motivated. The DP, led by Berisha, returned to Parliament in July 1999 after the Government committed itself to investigate Hajdari's murder fully and fairly. (5)
- 4.4 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. (5)

- 4.5 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. (5)

The Constitution

- 4.6 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. (4). The Constitution makes clear the distinction between the roles of the President, national government, regional government, and the judiciary. (9).

Police and Human Rights

- 4.7 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. 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 Gjirokastrë, 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. 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. (5)
- 4.8 There were allegations of ill-treatment by the police in 1998. For example, 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. Fran 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)**

- 4.9 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)**

The judiciary

- 4.10 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)**
- 4.11 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)**
- 4.12 The Constitution provides for an independent judiciary; however, continued political instability, limited resources, political pressure, and endemic corruption all 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. **(5)**
- 4.13 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. **(5)**
- 4.14 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. In July 1999 police in Shkodër, the country's third largest city, blocked the main entrance of the District Court and did not allow officers of the court to enter the building as a sign of protest following the court's release of suspected criminals who were detained by the police. The judge and prosecutors argued that this protest constituted intimidation and violated the court's independence. The situation was defused relatively quickly and without complications, but it brought to light the serious problems that the judicial system faces. 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. 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. (5)

Prisons

- 4.15 Conditions in Albania's prisons are much improved since 1991. Nevertheless, their state is still far below international standards. Many cases of mistreatment, including occasional violence, have been reported. Of particular concern is the treatment of detainees under the age of 18, who are kept together with older prisoners. Cases of sexual abuse of minors by adult prisoners have been reported. Observers have noted the poor access prisoners have to outside information, such as mail and newspapers. Many prisoners report that they are allowed one of only two forms of reading material: the Bible or the Koran. Observers have also noted that prisoners are often denied access to bathrooms and other hygiene facilities. Physicians rarely visit prisoners, and dental care is not provided. Another concern is the lack of fire extinguishers or evacuation procedures in case of emergency. (8)
- 4.16 All of Albania's prisons were damaged during the 1997 unrest. The Ministry of Justice, in charge of the penitentiary system, reopened only five prisons, while three others were under construction, thus creating a problem of overcrowding and inadequate living conditions. (4)

5. HUMAN RIGHTS

Actual practice with human rights

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. (5)
- 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. An estimated 200 publications are available, including daily and weekly newspapers, magazines, newsletters and pamphlets. Five newspapers and two magazines are published in Greek in southern Albania. A difficult economic situation, coupled with readers' distrust of the press, resulted in a significant drop in newspaper sales during the year. The total daily circulation of all newspapers dropped from about 75,000 copies to fewer than 65,000 copies. This came after a

drop in 1998 from 85,000 to 75,000 copies. 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 (5)

- 5.3 In May 1999 state-run radio and television were converted into a public entity. Its outlets provide the most widespread and universally accessible domestic programming. 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. (5)
- 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 the year 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. The licensing of private radio and television stations had not begun by the end of 1999. (5)
- 5.5 Attacks on journalists continued – both beatings by the police and assaults by unknown assailants. According to human rights non-governmental organisations, in July 1998 police officers in Elbasan mistreated two journalists of the independent "Koha Jonë". In September 1999 two persons attacked and maltreated a "Koha Jonë" journalist in Vlorë. In the same month the independent press accused the Tirana chief of police of violence against a private television channel cameraman who was filming a murder victim downtown. The cameraman allegedly was beaten by the police on orders of the chief of police who was present at the scene. 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. (5)
- 5.6 Political allegiance is still seen to have sometimes 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. The Tirana University hunger strike, begun in December 1998 to protest against the Government's indifference towards the poor living conditions at the university, ended after two weeks. (5)

Freedom of assembly and association

- 5.7 The Law on Fundamental Human Rights and Freedoms provides for the right of peaceful assembly, and the Government generally respected 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. (5)

- 5.8 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. (5)

Freedom of religion

- 5.9 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. (5)
- 5.10 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 Autocephalous Orthodox and Roman Catholic Churches are the other large denominations. The Albanian Orthodox Church split from the Greek Orthodox Church early in the century, and adherents strongly identify with the 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. (5)
- 5.11 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. (5)

- 5.12 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. (5)
- 5.13 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. (5)

Workers' rights

- 5.14 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 the year. 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. (5)
- 5.15 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. In June 1999 Tirana airport ground staff went on strike; they returned to work after receiving a 30% salary increase. (5)
- 5.16 Government statistics indicate that in 1999 about 330,000 workers were employed formally (111,000 in the private sector, and 213,000 in the public sector), and that an additional 761,000 persons worked in agriculture. A total of 235,037 persons were registered as unemployed. The official unemployment rate was 18% during the year. (5)
- 5.17 Unions are free to join and maintain ties with international organisations, and many do. (5)
- 5.18 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. (5)

- 5.19 Labour unions do not operate from a position of strength, given the country's current conditions – very high unemployment, slow recovery from the economic collapse of 1997, and extensive destruction of economic infrastructure due to recurrent episodes of violence and looting. Effective collective bargaining in these circumstances is very difficult, and agreements are hard to enforce. (5)
- 5.20 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. (5)
- 5.20 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. Primary school education is compulsory and free up to age 18 or the eighth grade, whichever comes first. In rural areas, children continue to assist families in farm work. (5)
- 5.21 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. The law forbids forced or bonded labour by children, but there are some reports of such practices. (5)
- 5.22 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. Many workers look for second jobs, which are difficult to find. Remittances from those working abroad are very important for many families. 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. The average wage for workers in the public sector is about £60 (13,500 lekë) per month. (5)
- 5.23 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%. Nationwide, over 17% of the population live under the official poverty line. No data are available for private sector wages, but they are believed to be considerably higher than in the public sector. (5)
- 5.24 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. (5)

- 5.25 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. In the two case of deaths recorded in the construction industry during 1999, the victims' families did not receive any financial support from the state social security administration because the workers were not insured. 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. (5)

Military service

- 5.26 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. (1,6)

The death penalty

- 5.27 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. (12)

Freedom of movement

- 5.28 The Law on Fundamental Human Rights and Freedoms provides for freedom of movement within Albania, and for freedom to travel abroad and return, and the Government respects these rights in practice. (5)
- 5.29 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 conducted covered three pilot zones: an area near Durrës with 15,000 inhabitants, an area in the Vlorë district with 12,000 inhabitants, and an area of Tiranë with over 20,000 inhabitants. 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. (5)

- 5.30 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. (5)
- 5.31 The Constitution gives foreigners the right of refuge in Albania, and an asylum law passed in 1996 includes provisions for granting refugee or asylee 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. (5)
- 5.32 Organised criminal gangs 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 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.(5)

B. Human rights – specific groups

- 5.33 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. (5)

Women

- 5.34 Violence against women and spouse abuse still occur 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 the year. The UNHCR reported some cases of rape and sexual assault of Kosovar Albanian women in refugee camps. The concepts of marital rape and sexual harassment are not well established, and most such acts would not be considered crimes. (5)
- 5.35 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, too, continues in some areas of the North-east. (5)

- 5.36 Trafficking in women for the purpose of prostitution is a significant problem. (5)
- 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 underemployed 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. (5)

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. A study by the Albanian Helsinki Committee noted that a few thousand children, largely from the underdeveloped northeast of the country, were forced to quit school because their families were involved in "blood feuds" that endangered the safety of even minor family members. (5)
- 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. Within the country, Romani children are often used as beggars, and the police generally ignore the practice. (5)

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. (5)

National/ racial/ ethnic minorities

- 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. (5)

- 5.42 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 at the University of Gjirokastrë. The Greek minority association, known as Omonia, 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. The organisation also complained 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". (5)
- 5.43 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. 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. (5)
- 5.44 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. (5)

Homosexuals

- 5.45 The penal code which came into force on 1 June 1995 does not contain an article criminalising homosexuality. (8)

6. OTHER ISSUES

- 6.1 Albania is one of Europe's two poorest countries (the other being Moldova). Albania's 1997 gross national product per head was US \$750. (1)

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 3629 crimes had taken place in 1999 to date. In relation to the same period in 1998, the number of crimes in 1999 had reduced by 592. In 1999 to date, 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%. In 1999 to date, 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%.
(10)

- 6.3 In his address presenting his government's programme to the People's Assembly in Tirana on 4 November, Prime Minister Meta said that the strengthening of the rule of law and the imposition of the law were the government's priority. His government would continue with its full determination the fight against organised and ordinary crime, corruption, illicit traffic and any other unlawful activity. It would posit its firm struggle on a police force that would be increasingly consolidated along the lines already determined by Albania's international partners, and on a judiciary that would be constantly strengthened through greater independence and expertise. **(13)**
- 6.4 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 **(14)**

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 5000 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 Buqi 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: 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.

November 1998: The Albanian electorate adopted a new constitution, which came into force.

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.

ANNEX B

POLITICAL ORGANISATIONS

Agrarian Party (AP). Founded 1991. Chair: Lufter Xhuveli.

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

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.

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

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 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 Minoritetit 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). Founded 1992. Monarchist. Chair: Guri Durollari.

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

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.

National Front (Balli Kombëtar). 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' 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 Shqipërise – PSDS). Founded 1991. Advocates gradual economic reforms and social justice. 100 member National Managing Council. Chair: Gramoz Pashko.

Social Justice Party (Partia e Drejtësisë Shogerore).

Social Labour Party of Albania (Partia Socialpuntore 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. Sec: Pandeli Majko.

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.

BIBLIOGRAPHY

1. "The Europa World Year Book 1999", Europa Publications, London, 1999.
2. "Albania", Human Rights Watch, World Report 1999.
3. "Albania", Amnesty International annual report, 1999.
4. "Albania: Annual Report 1999", International Helsinki Federation for Human Rights.
5. "Albania Country Report on Human Rights Practices for 1999", US Department of State, released February 2000.
6. "Military service in Albania", Foreign & Commonwealth Office note of 21 September

1998.

7. "Information Programme for Albania", International Organisation for Migration (no date).
8. "Human Rights in Post-Communist Albania (March 1996)", Human Rights Watch, UNHCR 1998.
9. Keesing's "Record of World Events" April 1997, October 1998 and April, June, July and November 1999.
10. Albanian Telegraph Agency, Tirana, 7 October 1999, as reported in BBC Monitoring "Summary of World Broadcasts" 9 October 1999.
11. Albanian TV, Tirana, 27 October 1999, as reported in BBC Monitoring "Summary of World Broadcasts" 29 October 1999.
12. ATA news agency, Tirana, 10 December 1999, as reported in BBC Monitoring "Summary of World Broadcasts" 14 December 1999.
13. Albanian TV, Tirana, 4 November 1999, as reported in BBC Monitoring "Summary of World Broadcasts" 8 November 1999.
14. Albanian Radio, Tirana, 16 November 1999, as reported in BBC Monitoring "Summary of World Broadcasts" 19 November 1999.