

**Commentary on Home Office
Republic of Albania Country Report of April 2004**

Compiled by Miranda Vickers

INTRODUCTION

The following is an evaluation of the UK Home Office's Country Report for Albania, released in April 2004 by the Country Information & Policy Unit (CIPU) of the Immigration & Nationality Directorate. The research upon which this commentary is based was commissioned by Charles Radcliffe of the International Crisis Group. The researcher was asked to compare information given in the Report with the sources cited by CIPU, to examine accuracy, possible contextual distortions and comprehensiveness. The researcher was also asked to compare the statements in the CIPU Report with other readily available sources.

The evaluation highlights specific problems encountered in various sections of the Report and scrutinises the same or alternative sources used to address the issues covered within those sections. Some general comments are offered by way of conclusion. For clarity, the original report text is given with paragraph numbers whilst the commentary is written below in a different typeface from the Report.

GENERAL REMARKS

The report is generally disjointed and poorly structured. The chronology is disorganised in places, and there is inadequate historical background to a number of seminal events.

The economic section of the Report is particularly weak. A fuller description of the economic stagnation affecting Albania, high unemployment and lack of basic job or entrepreneurial opportunities, would help to give a more complete picture of contemporary Albania and the problems faced by its inhabitants. In spite of some economic progress since relative political stability was established in 1998, Albania has remained the East European country with the highest level of poverty - ranked 85th of 162 countries on the 2003 United Nation's Human Development list. An estimated 46.6 percent of Albanians live below \$1 per capita a day.

Another area of neglect, which would help present a more complete picture of contemporary Albania, is mention of the destruction and erosion of the natural environment. This is occurring at such an alarming pace, that it is contributing to the forced migration of thousands of families from rural areas to the outskirts of cities. Here they live in deplorable circumstances in makeshift shanty towns, which encourage young men to seek a better life abroad.

Although numerous sources were used, some of the most important and relevant material, which is easily accessed, was not consulted (see reviewer's comments on

specific paragraphs in the Report.) Much of the information has been presented in a haphazard manner and appears to have been included in the text simply because it refers to the topic heading rather than helping to explain the subject under review.

Whilst it is the reviewer understands that it is not the purpose of the report to analyse the political situation, some degree of analysis would have been useful, particularly in relation to the extreme level of polarisation between supporters of the two main political camps in Albania - namely the Socialist Party (SP) and the Democratic Party (DP). This affects every aspect of contemporary Albanian life and is fundamental to understanding the paralysis of the democratic process in Albania. It would also help to illustrate why those who support the current opposition DP often claim persecution by the Socialist-led administration, which came to power following the violent uprising of 1997.

Overall, the report presents Albania as a country progressing towards democratic norms and generally adhering to democratic principals through an internationally prepared Constitution, and laws to promote civic society and protect human rights. However, in practice, the high levels of bribery and corruption, combined with the increasing participation of senior governmental officials in organised crime, render many of the recent reforms meaningless.

On paper the reform process in Albania looks relatively progressive, but in reality there is little or no goodwill between the two main political camps - Socialists and Democrats. Since Albania was brought to the brink of civil war by the violence and anarchy of 1997 and 1998, the rule of law has been established throughout most of the country. However, the bitter legacy of hatred and mistrust between supporters of the successors to the old Party of Labour and their right-wing opponents is seriously hampering the process of national reconciliation. This important fact has not been mentioned, or even referenced to, in this Report, which fails to highlight this fundamental problem that threatens to stall or derail international attempts to assist Albania on the path to democracy.

SPECIFIC PROBLEMS

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 Serbia and Montenegro. Albania covers an area of 11,100 sq. miles (28,748 sq. km), and the total population was, according to preliminary results from the April 2001 Population and Housing census, 3.09 million. [1]

The population statistics referred to in this paragraph are out of date. The latest figures for the total Albanian population from the Institute of Statistics (INSTAT) published in February 2004 are: 3, 145,400 inhabitants. Of these 1, 368,000 (43.5 %) live in urban areas, and 1,777, 400 (56.5%) live in rural areas.

2.2 The official language is Albanian, the principal dialects being Gheg (spoken north of the River Shkumbin) and Tosk (in the south). Ethnic Greeks continue to use their own language. [1]

Gheg is also the principal dialect in Kosovo. The Macedonian and Montenegrin minority also use their own languages.

3 Economy

3.1 The country is in transition from central economic planning to a free market system; many questions related to privatisation, property ownership claims, and the appropriate regulation of business remained unresolved. The country continued to experience slow but stable economic progress; however, approximately 30 percent of the population of approximately 3.2 million lived below the poverty line, with poverty greater in rural areas. The official unemployment rate was 16 percent. With two-thirds of all workers employed in agriculture, mostly at subsistence level, remittances from citizens working abroad remained extremely important, as did foreign assistance. The agricultural sector accounted for 34 percent of gross domestic product, with industry and services contributing 13 and 32 percent, respectively. [2a]

3.2 According to the International Crisis Group (ICG), an estimated 50 percent of GDP is generated from illegal activities ranging from people and drug trafficking to the smuggling of cars and cigarettes. Economic improvement is very uneven, concentrated in Tirana and the lowlands. [15d]

These two paragraphs, 3.1 and 3.2, which comprise the entire economic section, provide wholly inadequate information. Given that many Albanian asylum seekers are actually economic migrants from northern Albania, this section needs to provide a far more detailed description of economic conditions in Albania. Paragraph 3.2 quotes a sentence from an ICG report about development being concentrated in Tirana and the lowlands, without mentioning a later chapter in the same report with respect to the state of the economy and causes of poverty in northern Albania.

Very limited sources for this section have been used. Aside from the IMF and the World Bank, the most comprehensive and up to date sources on the Albanian economy are: Central and South-Eastern Europe, Europa Publications, 2004; Economic and Social Research Centre, Social Survey Report, Tirana, February 2004, and Albania 2003 - Transitions on Line, Prague, 2004 - <http://www.tol.cz>. These are readily available sources, and the Europa publication is actually referred to at the beginning of the history section of this report.

4 History

Communist Regime

4.2 From 1945 until his death in 1985, Albania was dominated by Enver Hoxha (pronounced Hodja). Hoxha emulated Stalin in developing his dictatorship, using widespread purges to eliminate any opposition to the Communists helped by the internal security police, the Sigurimi. [1]

Given the deep legacy of political confrontation that stems directly from this period of hard line dictatorship, there should be a mention here of the vast numbers of ordinary Albanians, who were confined to long periods of forced labour in the notorious prison camps of northern Albania. For the past seven years, the families of these "politically persecuted" have been waging a campaign for compensation from the current Socialist-led government (the Socialist Party is the successor of the old Communist

Party of Labour). These families often complain of still being persecuted by the "communist" security forces of the Interior Ministry.

First Multi-Party Elections in 1991

4.4 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. Independent observers contested the overall fairness of the election and continuing unrest forced the resignation of the Communist Government. In June 1991 a new "Government of National Stability" was formed, with a total of 12 non-communist ministers. [1]

On line 2 of paragraph 4.4 after the word 'cast', a new sentence should be inserted: The communist Party of Labour was re-named the Socialist Party in 1991.

4.5 In March 1992, the DP won elections to the new Assembly and Sali Berisha of the DP was elected President of the Republic. *The Socialist Party was developed out of the communist Party of Labour.* In addition to problems of high levels of unemployment, the rapid dismantling of the one-party state led to erosion of state authority, resulting in a sharp increase in serious crime. 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 also see paragraphs 6.81-6.88 on Greek minority).

Here (on line 1) Sali Berisha should be referred to as *leader* of the DP. Line 2 in italics should be deleted as this sentence should appear in paragraph 4.4.

4.6 The DP devised a number of new and radical laws. The so-called "Genocide Law" prohibited the appointment of any person who had 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 DP therefore won 122 out of a total of 140 parliamentary seats. [1]

The May 1996 parliamentary election led directly to the violent popular uprising in March the following year and was so controversial and that more needs to be said of its disputed conduct and result. The election seriously damaged the fragile process of national reconciliation that international agencies had endeavoured to foster between the left and right since the collapse of the one-party state in 1991. The conduct of the election and its fraudulent outcome have served to undermine the electoral process in Albania ever since. The primary reference to these elections is: The Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe, Observation on the Parliamentary Elections held in the Republic of Albania, 26 May and 2 June 1996, ODIHR OSCE, Warsaw, 11 July 1996. For a detailed background to the 1996 election and its aftermath see: *Albania - From Anarchy to a Balkan Identity*, Miranda Vickers and James Pettifer, C. Hurst & Co., 1997, 1999.

Pyramid Schemes and the 1997 State of Emergency

4.7 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 *an* insurgency and opposition groups gained

control of several towns. The Organisation for Co-operation and Security in Europe (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 SP mayor, to lead an interim Government of National Reconciliation. Representatives of eight opposition parties were included. [1]

Over 2000 people were killed during the March 1997 uprising, causing many Albanians to seek asylum abroad. Seven years on and many Albanians still claim to be politically persecuted as a result of supporting the former president Sali Berisha. Therefore, there should be at least another paragraph here describing the complete division of Albania between supporters of Berisha and his Socialist Party opponents that brought the country to brink of civil war.

Parliamentary Elections of 1997

4.9 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. Except for a very brief time with limited freedom in 1993, this was his first visit to the country since his father, King Zog who *died* in 1961, fled *into exile* with his family at the onset of World War II. All the main political parties had agreed in principle to the holding of a referendum on the issue. [37] Some 2,000 supporters greeted Leka on arrival at Tirana airport. His visit was organised by the pro-monarchy Legality Movement Party. [6a]

This paragraph is disjointed. The sentence: *All the main political parties had agreed in principle to the holding of a referendum on the issue*, should be placed as the second sentence after the word monarchy. The words in italics are suggested inserts or substitutes for existing text designed to improve the clarity of the text.

4.10 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. *News agencies reported that Albanian police approached Interpol to ask for the extradition of Leka Zog and one of his closest collaborators in South Africa. Zog rejected the charges. [1] He was charged, 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. [23a] Material handed over to the court in May 1998 showed Leka Zog dressed in a military uniform on 3 July 1997, accompanied by a group of monarchy supporters with weapons, gathered in front of the Central Election Commission following an illegal rally held in Skenderbeg Square. One person was killed during the violence. [23c]* In March 2002, the courts annulled the decision taken earlier in the year to sentence Leka Zog to two years' imprisonment. Parliament upheld this decision, leaving Leka Zog free to return to Albania, with no outstanding charges against him. [18f]

This paragraph needs substantial rewriting. The fourth sentence states that: *The Prosecutor General's Office proceeded with legal moves to impose a life sentence on Zog*, without mentioning why he received the life sentence. An insert is needed, therefore, which describes the violent monarchist demonstrations that followed the defeat of the referendum. Leka Zog was seen brandishing a Kalashnikov rifle and encouraging the monarchist mob to attack the security forces. As a result two people were killed and Zog and his entourage fled the country. Many of his supporters sought and are still seeking asylum abroad as a result of these demonstrations. I have put the

text that needs altering into italics as these do not read well because they are taken literally from the Albania Telegraphic wires and are in bad English. There are numerous other sources on these events such as the BBC Summary of World Broadcasts and Radio Free Europe Reports (Prague).

Assassination of Azem Hajdari

4.12 On 12 September 1998, DP Deputy MP and chairman of the Defence Parliamentary Commission, Azem Hajdari was assassinated close to the Democratic Party Headquarters. The assassination sparked violent protests. During Hajdari's funeral procession on 14 September 1998, armed DP supporters ransacked government offices, and for a brief period, held the PM's office, the parliament building and the Albanian State television and radio building. 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 DP supporters. Parliament subsequently lifted Berisha's immunity due to his alleged role in what the government described as a coup d'etat, but no charges have been levelled against him. Twelve people were arrested for their alleged involvement in the violence. [1][9a]

The text refers to the fact that *at one point it looked as though ex-President Berisha might launch a coup*, but does not explain that the state intelligence service knew several weeks beforehand that a coup was definitely being planned by Berisha and other DP elements. More than 300 people are currently wanted in connection with this coup attempt. All have fled abroad – two sought asylum here in the UK in 2001.

4.13 The DP refused to participate in virtually all government functions at national level following Hajdari's assassination and *continued their* boycott of Parliament. Top DP officials, including former President Sali Berisha, refused to testify in the investigation into Hajdari's death. The DP stated that the investigation was politically motivated. [1][9a]

I have amended the text here in italics to make it clear that the DP continued their boycott of parliament.

4.15 The trial of Ekrem Spahia, the Chairman of the Legality Party, and the trials of 12 of his supporters for participation in the events of September 1998 which followed the killing of the DP parliamentarian Azem Hajdari by unknown persons is still ongoing. [2a]

This paragraph needs to be moved up to join the end of paragraph 4.13.

Kosovo Crisis

The Kosovo War and resulting refugee crisis brought the "National Question" into the heart of Albanian homes for the very first time. The events surrounding the conflict and its aftermath have impacted on many aspects of Albanian life and politics. It would therefore be useful to have a short introductory paragraph here on the consequences of the Kosovo War on Albania.

4.19 With the rapid repatriation of over 450,000 Kosovar refugees from northern Albania to Kosovo during 2000, Albania was once again able to turn inward and focus on internal reforms. The extreme political antagonism between the two main political rivals in Albania – Sali Berisha of the DP and Fatos Nano of the SP – was revived in a feuding that had polarised Albanian society over the past decade and forestalled the emergence of younger, less divisive political leaders. [3a]

The refugees returned during the autumn of 1999 not 2000 as stated in the first sentence.

Parliamentary Elections of June and July 2001

4.20 Parliamentary elections took place in four rounds on 24 June, and 8, 22 and 29 July 2001, due to accusations of electoral fraud in various forms. They were peaceful and produced a decisive victory for the ruling Socialist Party (SP). [15b] The Office for Democratic Institutions and Human Rights (ODIHR-OSCE) assessing the elections concluded that the elections marked progress over past elections in terms of the conduct of the campaign, media and electoral administration. However, ODIHR-OSCE noted some serious irregularities in the voting process including cases of ballot box stuffing and the use of pre-marked ballots. In a welcome development, and unlike previous elections, political parties sought legal redress to their grievances. However, the administrative and judicial processes did not always provide an effective means of redress. [10e]

This paragraph should explain more explicitly the fact that these elections proved to be highly controversial. This is necessary here because later the report goes on to mention the anger of the opposition at the number of serious irregularities.

4.22 The Central Election Committee announced the final results on 21 August 2001, nearly two months after the start of the electoral process:

Party		% of vote	Number of seats
Socialist Party of Albania	PSSH	41	73
Union for Victory (coalition) Made up of: Democratic Party, Legality Movement Party, National Front Party (Balli Kombetar), Republican Party, Liberal Union Party	DP + UV	36.81	46
New Democratic Party	NDP	5.8	6
Social Democratic Party of Albania	SDP	3.64	4
Union for Human Rights Party	PBDNj	2.61	3
Agrarian Party	PNA	2.57	3
Democratic Alliance Party	PAD	2.55	3
Independents			2

[15b] (see Annex B for a full list of political organisations in Albania)

4.24 Because of irregularities in the first round, the CEC, in accordance with the legal framework, repeated proportional voting partially in three zones. Controversially, these voters were asked to cast their ballots two weeks after their fellow citizens, enabling them to exercise a disproportionate influence on the outcome of the election, by voting tactically. The SP called on its supporters to vote for the HRUP, the DAP and the AP in an attempt to raise their national vote above the 2.5% legal threshold required for representation in Parliament. In addition, the proportional vote in all of Zone 60, *Lushanje*, was held on 8 July 2001 where no voting at all was held during the first round on 24 June 2001 and became a highly disputed zone. [10e][10g]

The town in italics is spelt incorrectly - it should read *Lushnje*. Also the abbreviations of the political parties are not consistent with those in paragraph 4.22. The Democratic Alliance Party is most commonly referred to in Albanian by the letters PAD and the Agrarian Party by the letters PNA as is highlighted in bold type in paragraph 4.22.

4.25 There were irregularities in the form of missing valid ballots, missing voter lists and unsealed ballot boxes, but the CEC was determined to pronounce a result for

Lushnje. The result of the proportional contest in this zone raised the HRUP, DAP and AP over the 2.5% threshold and into Parliament. The Central Election Commission (CEC) dismissed 5 out of the 7 Zone Election Commissioners (ZEC) from Lushnje following the highly questionable handling of ballot boxes. The CEC also dismissed Commissioners from several other zones. [10e][10g]

The same inconsistencies in the political party's abbreviations as in paragraph 4.24.

4.27 Albanian President Rexhep Meidani nominated the new coalition government of Prime Minister Meta on 7 September 2001, two months after the parliamentary elections. The formation of the new government was delayed by a series of vote re-runs and the selection process for a prime ministerial candidate by the victorious Socialists. [10e] [15b] *Ilir Meta secured an overwhelming victory against SP Party Chairman Fatos Nano, for another term as Prime Minister.*

The reviewer has moved the first sentence of this paragraph down to the end to improve the coherence of the paragraph (in italics to highlight).

Local government elections of October 2003

4.34 The Albanian Helsinki Committee report 'Monitoring of the Elections for Local Government Organs, October 2003, noted that, 'The elections were held at a moment of a levelled political situation in Albania, due to the consensus spirit existing between the two major parties, the incumbents and the opposition. This period of political consensus, noted with the election of the consensual president of the Republic in June 2002 [Alfred Moisiu], contributed to the improvement of domestic political life.' [51] (p5)

This rather optimistic paragraph, which fails to mention widespread apathy to the elections, is poorly written. This is because it is an exact quote from the Albanian Helsinki Committee, which famously produces very rough translations into English. It would be better to take a quote from numerous better-written reports such as the comprehensive analysis of the October 2003 local elections to be found at Transitions on Line <http://www.tol.cz>.

4.37 In a repeat of local government elections held in 2000, the only place that experienced serious violence was the southern coastal town of Himara, where there was a reported murder. Both ethnic Greeks and Albanians hotly disputed the election with mass demonstrations followed by a march by Albanian supporters from Vlora, with slogans such as 'Himara is Albanian, Greeks out!' [11k] [53] (Please also see paragraphs 6.81-6.88 on the Greek minority)

Here the reviewer has moved the last sentence down to the top of the next paragraph (in italics) as it is more relevant there.

4.39 The DP held rallies in November and December 2003 in protest at the outcome of the election results and what it saw as a manipulation of voter lists. Minor disturbances followed with Sali Berisha, leader of the DP, calling on supporters to gather in Skenderbeg Square each day to demand new elections. The Central Election Commission (CEC) agreed to re-run the election in a third of the districts in Tirana on 28 December and also in a number of other towns. The resulting poll returned similar results to those of 12 October. [52b] [54] [55a]

4.40 Following a limited re-run of local elections in December, Sali Berisha continued to claim that the elections had been rigged. He followed calls for the governments' resignation by calling for "popular protests" to overthrow the government. Regular protests took place throughout January 2004, focused mainly upon the Prime Minister's office and other government offices in and around

Skenderbeg Square. Calls for the government's resignation increased following the drowning of over 20 individuals during an illegal night crossing to Italy on 9 January 2003. [55] [56] (see section 6.53 on trafficking).

Paragraphs 4.39 and 4.40 would benefit from being rewritten in the form of a single, less repetitive paragraph. In paragraph 4.40 the reviewer has added the year 2004 (in italics) after January for clarity. The date at the end of the paragraph should read 2004 instead of 2003.

Internal Socialist Party divisions

This section should be re-titled or subdivided because several paragraphs: 4.50, 4.51, 4.53, 4.54, 4.56, deal with issues unrelated to divisions within the Socialist Party. The section is generally difficult to follow due to its irregular chronology.

5 State Structures

This section is generally clear and concise - perhaps because the sources used are not translated from Albanian but are internationally prepared documents.

The Judiciary

5.16 According to the European Commission, the Albanian Judicial System remains weak. The infrastructure is generally poor; rulings are not always executed; magistrates, prosecutors, lawyers and administrative staff are not yet sufficiently trained. As a consequence, there is a fundamental lack of trust by the Albanian population in the delivery of justice and in the judicial institutions. Furthermore, Albania has made limited progress with regard to the judicial system. *Infrastructure remains poor. Magistrates, prosecutors, lawyers and administrative staff are not yet sufficiently trained. Corruption remains widespread and affects both judges and prosecutors.* [9a]

The last sentence, highlighted in italics, is a repetition of an earlier sentence in the same paragraph.

5.21 During 2002, Parliament undertook a number of legal initiatives aimed at improving the functioning of the judicial system. The Law on the Organisation and Functioning of the High Council of Justice, a central instrument for the proper operation of the judicial instruments (including inspection and disciplinary mechanisms) was adopted in June 2002. The Criminal Procedures Code was amended with the aim of enhancing the fight against corruption and organised crime. The Ethical Code for public notaries and amendments to the Military Criminal Code were also adopted. In addition, during 2002, Albania ratified a number of international instruments, notably the Statute of Rome on the International Criminal Court, the Council of Europe (CoE) Convention on Cyber-Crime, and additional protocols on mutual juridical assistance. [9a]

This entire paragraph is a repetition of paragraph 5.18.

The glaring omission here is mention of the fact that serious problems remain within the Albanian judiciary, which is plagued by political interference, widespread corruption and increasing dependence upon organised crime. There is a complete lack of public confidence in the judiciary, and it is frequently impossible to find a witness for even the most serious criminal offences.

A useful reference on this topic is Transparency International - the leading international group campaigning on corruption issues - <http://www.gwdg.de/~uwwv/> . See also the United Nations Development Programme, Common Country Assessment Report on Albania - <http://www.undp.org.al>.

Legal rights / Detention

5.26 There were no confirmed cases of detainees being held strictly for political reasons in 2002. The trial of Ekrem Spahia, the Chairman of the Legality Party, and the trials of 12 of his supporters for participation in the events of September 1998 which followed the killing of the DP parliamentarian Azem Hajdari remains pending, as of April 2003. [2a] Those charged had been released during 2000. [2d]

The material used here is out of date. The trial of Spahia ended in June 2003 with his acquittal due to lack of evidence. The last sentence appears to be unnecessary.

5.27 Controversy arose, in July 2003, over the detention of two suspected Albanian militants. Gafur Adili and Taip Mustafaj, both on the United States' blacklist of terrorist suspects, were arrested by Albanian police on 1 July near the Macedonian border. They were charged with "encouraging ethnic, national and racial hatred". However, some analysts and politicians questioned the legality of the arrests, suggesting that they were motivated by a desire to curry favour with Skopje and Washington – charges denied by the Albanian judiciary. [25b]

Another paragraph is needed on this important subject. Since 1998, Albania has been actively engaged in the "war against terrorism" after the discovery of a cell of Islamic extremists using Albania as a safe haven. At the same time, Albania is attempting to dispel accusations from its Balkan neighbours that the country is supporting the notion of a "Greater Albania" by ignoring the activities of Kosovo Albanian militants using Albania as a base for their activities. For reference to this see: *Pan-Albanianism - How Big a Threat to Balkan Stability?* International Crisis Group, Europe Report No 153, February 2004, <http://www.icg.org>

Internal Security

It is important in this section to mention the high level of bribery and corruption amongst the police force and other elements in the security services. For information on drug and crime statistics and policies in Albania see: The United Nation's Drug Control Programme (UNDCP), <http://www.undcp.org>

Intelligence Services

More information is needed in this section to explain that when the Socialist Party took power from the Democrats in 1997, all of President Berisha's personnel in the state intelligence service (SHIK) were replaced. Many of these men went into hiding to escape revenge attacks by Socialists and other non-DP sympathisers. Several hundred came to Britain to seek asylum, arguing that they could not return to Albania because of their role in Berisha's SHIK.

Border security and relations with neighbouring countries

5.38 The Albanian-Greek border is isolated, rural and mountainous. The main economic activity is agriculture and the region suffers from labour market problems and unemployment, and consequently a high level of emigration to Greece. The cross-border co-operation programme provides support to overcome the socio-economic gap between the bordering Albanian and Greek regions. [4]

It is not only the Albanian-Greek border that is problematic for security. Perhaps the greatest obstacle to cracking down on people trafficking and the smuggling of weapons, narcotics and cigarettes, is the fact that all of Albania's borders with her neighbours are isolated, rural and extremely mountainous. Due to heavy migration to the capital Tirana and the central lowlands, Albania's border districts are becoming increasingly depopulated and consequently very difficult to monitor.

Medical Services

5.50 All subscribers (currently paying 6 per cent of income) have the right to register with a General Practitioner and receive all health services free of charge, with a co-payment system for essential drugs. [1] Medicines are supplied free to infants of up to one year of age. [22]

It should be mentioned here that in theory the health service is free of charge, but that in practice patients routinely have to pay a bribe for essential drugs and routine treatment.

5.55 In January 2002, UNICEF reported that the number of Albanians (from statistic dating from October 2001) living with HIV and AIDS stood at around 71 cases. UNICEF reported its belief that the numbers infected with HIV are set to increase further. This assumption is based upon ongoing political, social and economic changes, high mobility of the population, the emergence of new patterns of sexual behaviour, an increase in drug use, the increase in the number of sexual workers and a lack of promotion by the Government of sexual health education. Testing for HIV and AIDS is voluntary and free of charge. Regarding treatment, opportunistic infections associated with HIV/AIDs can be treated, although a lack of resources on the part of local health services could cause problems. In 2000, the Government introduced legislation providing funding for anti-retroviral therapy. The Ministry of Health was given US\$50,000 to buy and organise anti-retroviral therapy at the time of the UNICEF report the drugs had yet to be provided. Private treatment can be provided. [64] (p.17-18)

Whilst this information is useful, it would be helpful to direct the reader to other source material on this subject - most notably the UNDP's Common Country Assessment of Albania, which devotes an entire chapter to public health, and provides comprehensive statistics: *Common Country Assessment - Albania, 2004*, <http://www.undp.org.al>

Educational System

The information contained in the report's two paragraphs on the education system is quite inadequate. Amongst the many problems in rural communities and small towns is the inability of the authorities to recruit teaching staff willing to work away from the capital and the main southern cities. Consequently, there are often more than 50 children per class in many rural schools.

5.56 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. 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. [2h] (p.13) Primary school enrolment has been declining steadily since 1990 (falling to 80 percent of total school population in 2000), while illiteracy is on the rise, especially in younger age groups. [8c]

Many children, particularly girls in rural areas, leave school early because their parents fear they will be kidnapped and sold into prostitution. There have been numerous cases in the past decade of girls being abducted on route to school or other destinations. In the north of Albania, several hundred boys do not attend school and are kept confined in their homes because of a fear of revenge attacks stemming from their families on-going blood feuds.

As in the healthcare system, there is also widespread bribery of teachers and lecturers within the education system.

6 Human Rights Issues

6.9 High levels of violent crime continued to occur throughout the country. Many murders were the result of criminal gang conflicts, clan vigilante actions or more traditional "blood feuds". [2h] (p.2) The United Nations reported that during 2002 Albania experienced one of the highest murder rates of any European nation with around 12.2 murders per 100,000 people. [49] (p.2) On the other hand, statistics released by the Albanian Ministry of Public Order reported that attacks on people fell from 1,548 cases in 2001, to 1,446 cases in 2002. Similarly, it also reported that the number of murders fell from 39 cases in 2001 to 29 cases in 2002. [23b] (Please also see paragraph's 6.125-135 on the Blood Feuds)

Albanian Ministry of Public Order reports [23b] are notoriously unreliable. In recent years the Albanian government has been under tremendous pressure from the European Union and Council of Europe to improve public order and reduce crime. Consequently, statistics relating to these issues emanating from official sources tend to err on the side of minimalism. There has certainly been an improvement in public order during the past few years but the number of killings throughout the country remains high. The increase in blood feud vendettas and the growth of organised crime-related killings have helped keep the murder rate high.

6.26 The Albanian Orthodox and Roman Catholic Churches are the other large denominations: 20 – 30 percent are Albanian Orthodox and 10 percent are Roman Catholic. [2b] (p.1) Orthodox Christians in Albania often come from the south and are Tosks who have been under the influence of aspects of Greek language and culture for a very long time. The Orthodox Church publishes an information newspaper in Albanian, Ngjallja. The Roman Catholic community is based mainly in the north-west around Shkodra. [16] (p.95)

This paragraph is inadequate and misleading. The percentages quoted in the first sentence are based upon the old Communist Party of Labour "survey" published just prior to the abolition of all religious practice in 1967. Since the end of the one-party state in 1991, the situation regarding religious affiliation in Albania has altered significantly. Although the majority of the population claim Muslim heritage - either Sunni or Bektashi - the number of Orthodox Albanians has decreased due to high emigration to Greece. At the same time, the number of Roman Catholics has increased due in part to high levels of conversions of Muslim Albanians to Catholicism. This is especially pronounced amongst young people who convert in order to obtain a

scholarship to study in Italy. Exact percentages for religious affiliation are difficult to determine as the census does not ask for this information, and Albanians generally do not practice their religion, only claim it by family heritage.

In an effort to retain the secular character of the state, in April 2004 the Tirana District Court turned down a request from Albania's Muslim community to establish an Islamic political party. The decision angered leaders of the Muslim (Sunni) community, who are currently appealing against the Court's ruling.

People Trafficking

6.38 The International Helsinki Federation for Human Rights, 'Special Issue' July 2000, reported that, 'because of its geographical location, Albania is a country of origin, transit and destination (*Reviewer: of what?*). There are many cases in which criminal groups, comprised of Albanians and foreign criminals, send Albanian girls to Italy or Greece. At the same time, women from other countries such as Moldova and Bulgaria enter Albania through the northern border and pass through to Italy or another eastern country.' [5b] (p.1)

This paragraph needs a clearer introductory sentence (e.g. *Albania is a source and transit country for both trafficked and smuggled individuals, usually women and children.*)

The section as a whole tends to rely heavily on one source of material - namely the United States Department of State (6.39, 6.40, 6.42, 6.43, 6.44, 6.45, 6.46.). The United Nations has produced detailed research on the subject of human trafficking - see: <http://www.undp.org>, also the International Organisation for Migration <http://www.iom.int/>, and the International Catholic Migration Commission <http://www.icmc.net>.

6 B Human Rights – Specific Groups

Children

6.69 Three Albanian non-governmental organisations documented the widespread ill treatment of children in custody in Albania, in 2001. One report reportedly stated that the children had been afraid to file complaints of their ill treatment for fear of exposing themselves to further abuse. Amnesty International has called on the Albanian authorities to ensure that all complaints of ill treatment towards children are investigated. [10d] (p.9-13)

Albania has acknowledged difficulty respecting international human rights and care standards for minors in prisons and pre-trial facilities. There is no comprehensive juvenile justice system in Albania. There are no appropriate means of dealing with children under the age of 14 years in conflict with the law, and the incidence of violence and murder by young people is high.

Ethnic Groups

6.82 The largest ethnic minorities in Albania are Greek and Roma. There are also Vlachs and Macedonians, and a very small community of Armenians; and a number of individuals of direct Turkish descent. [16] (p.100)

There is also a Montenegrin minority in the Vraça district of North West Albania.

Macedonian Minority

6.91 There are estimated to be about 10,000-15,000 Slav-speaking Macedonians in Albania, most of them concentrated in villages near *the north eastern town of* (MV inserted) Peshkopi, or in the area near Lake Ochrid. The southern group, near Ochrid speak, a language that is closely related to Bulgarian, and are thought to be descended from immigrants from the east who moved into the area when it was under Bulgarian rule. The Peshkopi villagers speak a language with more Serbian elements, apart from an area near Shishtavec where Bulgarian elements predominate. These people are known as Gorani. [16] (p.102)

Geographical detail inserted in italics for clarity.

Roma & Egyptians

An introductory sentence would be useful here such as: Whilst ethnic Greeks do have numerous complaints, relations between minorities and the general Albanian population appear relatively good except in the case of the Roma. This minority faces conditions of disproportionate hardship contrary to legislative guarantees of equality. For reference see: *The Legal Situation of the Roma in Europe* (large section on Roma in Albania) Council of Europe, March 2002, <http://stars.coe.fr/doc/doco2/EDOC9397.htm>.

6.99 The number of Roma in Albania is unknown - the total may amount to as many as 100,000 people, although some estimates are as low as 60,000. Albanian Roma fall into two main groups: dark skinned people who appear to be fairly recent immigrants to the country, probably from the large communities in Macedonia; and people of a much lighter skin, known in Albanian as the Yevgjet people. The Yevgjet, in their own mythology, believe they immigrated to Albania from Egypt. [16] (p.102)

The figure of 100,000 Roma in Albania appears far too high. The generally accepted figure for the population of Roma in Albania was estimated at around 30,000 in 2000. See: *Human Rights in the OSCE Region: Albania*, IHF, 2002.

Women trafficked for sexual exploitation

This section would be more logically presented within or following the earlier section on Women (point 6.67).

6.C Human Rights – Other Issues

6.125 Human Rights Watch – Word Report 2001 noted that, ‘Despite the highly partisan political atmosphere, the Albanian Government [has] made some sincere efforts [since 2000] to confront official corruption and to establish public order in the country. After passing the Law on the State Police in December 1999, the Ministry of Public Order began restructuring the police force, improving recruitment procedures, and training new police chiefs. The police also cracked down on armed gangs, and their number was reported to be decreasing.’ [3a] (p.2)

This and subsequent paragraphs 6.126 - 6.128 gives the impression that overall the Albanian authorities are managing to address the problem of organised crime and corruption. The source for the above paragraph 6.125 - Human Rights Developments, Word Report, 2001 is now well out of date as it uses statistics from 1999 and 2000. At that time, Albania was understandably being praised by the international community for restoring public order following the abortive coup attempt in 1998, the Kosovo

crisis and the return of the Kosovo refugees in 1999. Since then, however, criminal gangs have taken advantage of regional instability and domestic political crises to strengthen their grip on Albania.

Today, organised crime and corruption in Albania have escalated to the point where they present a real threat to the country's democratic progress. According to the Police Chief of the capital Tirana, Pjerin Ndreu, "organised crime is so powerful in Abania that it represents a potential threat to the country's young democracy." (Author's interview with Mr Ndreu, November 2003). Mr Ndreu went on to denounce what he described as active links between politicians, the judiciary and mafia gangs involved in the trafficking of people, drugs and weapons. For more on this subject see: UNDCP crime statistics for Albania, <http://www.undcp.org>

6.129 The United Nations estimates that civilians took 550,000 weapons, 1,500 million rounds of ammunition and 3.5 million hand grenades during the violent civil unrest in Albania in 1997, prompted by the collapse of the pyramid investment schemes. Many of the weapons made their way into neighbouring Kosovo and Macedonia. Since 1997, Albanian police have managed to retrieve 180,000 of the looted small arms and light weapons. Legislation has been passed to allow the public to return the weapons voluntarily. [32h] The United Nations Development Programme (UNDP) launched its programme for 'Weapons in Exchange for Development in Albania' in December 1998. Communities have benefited in the rehabilitation of schools, roads and bridges as well as water systems, lights and telephones. In April 2002, the UNDP launched the "Small Arms and Light Weapons Control" project to widen the weapons collection to include weapons control at the national level. The Albanian government estimated that approximately thirty per cent of the weapons looted in 1997 had been returned as at April 2002. [33]

It should be noted that although a significant number of weapons have indeed been handed in under the UNDP "Weapons for Exchange" programme, more than a third of these are disused, antiquated hunting rifles, many dating back to the First World War. As well as the large number of weapons still in general circulation, caches of arms and ammunition are hidden along Albania's borders. Collection of weapons in the border districts is proving particularly difficult as local people are holding their stockpiles to sell in the event of further conflict in either Macedonia or Kosovo.

Much more needs to be said about the role of politicians and government officials and the Albanian diaspora in organised crime. This is understandably a highly delicate matter but nevertheless needs to be addressed. Information and statistics can be obtained from Interpol, Europol and other international agencies.

Blood Feuds

It should be emphasised that the blood feud is almost totally confined to the north of Albania and most especially in and around the town of Shkoder in the northwest, and the Catholic district of Puka in the central highlands of north Albania.. When a blood feud killing occurs in another part of the country, the perpetrator is invariably from the north of the country.

6.138 Gendercide Watch in their 2002 report 'Honour Killings and Blood Feuds, noted that, 'In March 1997, the post-communist regime was rocked by the collapse of enormous, government-endorsed pyramid investment schemes. The public looted army weapons depots as angry investors clashed with security forces. Roughly 1 million firearms are said to be in circulation in a nation of only 3.2million.' [47] (p.9)

This quote appears totally unrelated to the subject of blood feuds.

Paragraphs 6.133, 6.134 and 6.135 describe the principles of the blood feud and should therefore be moved up to follow the introductory paragraph.

6.144 Several sources claim that, it is often difficult to distinguish traditional blood feuds governed by the Kanun from the same use of the Kanun by criminal elements to camouflage crimes and other nefarious activities. [21a] (p.2)

Today, the Kanun is often used as an excuse to settle scores by criminal elements, and because automatic weapons are often used instead of the traditional hunting rifle, more innocent bystanders are killed.

ANNEX B

POLITICAL ORGANISATIONS

Albanian Party of Democratic Right. (Partia e Djathtë Demokratike e Shqipërisë – PDD) Leader: Petrit Kalakula.

Democratic Party of the Right Leader: Petrit Kalakula

These two parties are one and the same.

9 August 2004