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U.S. Department of State

Albania Country Report on Human Rights Practices for 1998

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ALBANIA

Albania is a republic with a multiparty parliament, a prime minister, and a president elected by the Parliament. The prime minister heads the government; the presidency is a largely ceremonial position with limited executive power. The Socialist Party and its allies won 121 of 155 parliamentary seats in 1997 elections held after a 5-month period of chaos and anarchy. Observers deemed the elections to be acceptable and satisfactory under the circumstances. However, the largest opposition group, the Democratic Party, boycotted Parliament from October 1997 to March 1998 and again from June 1998 through year's end, charging unfair practices by the ruling Socialists and their coalition partners. The Socialist Party chairman, Fatos Nano, formed a government following the elections and remained in office until September 1998, when he resigned following a series of often violent demonstrations against his administration. The Socialists then chose Pandeli Majko to serve as Prime Minister in October 1998. A parliamentary commission drafted a new Constitution that was approved in a national referendum in November; observers found that the referendum in general was conducted fairly. The Democratic Party boycotted the process of drafting the Constitution and called for a boycott of the referendum as well. The judicial system, inefficient and subject to corruption and executive pressure in normal times, was undermined further by the country's continued instability.

Local police units reporting to the Minister of Public Order are principally responsible for internal security, but the officers are typically untrained and often unreliable. The Ministry also has a small force of well-trained and effective police officers organized into special duty units. The looting of military arsenals in 1997 put hundreds of thousands of weapons into the hands of civilians. The police exercise only marginal control in some areas of the country; government authority is particularly absent in some

areas along the northeastern border. 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. It and its predecessor organization also had a long history of engaging in political repression under previous governments. Under the Socialist Government, the ShIK has become smaller and less active, and the organization apparently no longer has a political role. A new law for the ShIK and an accompanying plan to restructure the intelligence service was passed by Parliament in December. The military has not had a role in domestic security until recently, when a special 120-man "commando" unit was authorized in October. Once organized, the new unit is to operate in an antiterrorist role under the Minister of Defense, but during times of domestic crisis the Minister of Public Order can request its transfer to his authority directly from the Minister of Defense. The police committed some human rights abuses.

Albania is a poor country in transition from central economic planning to a free market system, and many issues related to privatization, ownership claims, and the appropriate regulation of business are not yet resolved. Economic recovery from the collapse of 1997 was slow, but inflation was about 10 percent during the year compared with about 40 percent in 1997, and gross domestic product (GDP) grew by about 10 percent. The official unemployment rate was 17 percent. With two-thirds of all workers employed in agriculture--mostly at the subsistence level--remittances from citizens working abroad are extremely important, as is foreign assistance. The GDP may be underestimated because considerable income also is thought to be derived from various organized and semiorganized criminal activities. A variety of other unreported, noncriminal activities, such as unlicensed small businesses, along with the Government's inability to collect fully accurate statistics, also contribute to the GDP's underestimation.

The Government's overall human rights record improved somewhat, in hand with the gradual quieting of the massive civil unrest of 1997; however, problems remained in several areas. The opposition Democratic Party made numerous allegations that the Government was responsible for the murders of various Democratic Party members during the year, but the Party never produced evidence to support these claims. The police beat and otherwise abused suspects and prisoners. The Democratic Party often legitimately complained about incidents of police harassment of its members and of the dismissal of some of its members from official positions for political reasons. The judiciary is inefficient and subject to corruption and executive pressure. There were complaints of unqualified and unprofessional judges and credible accounts of judges who were intimidated or bribed by powerful criminals. The Government infringed on citizens' privacy rights. Government respect for freedom of speech and of the press improved; however, academic freedom was constrained. Government respect for freedom of assembly improved. The gains in human rights were largely offset by the Government's stubbornly passive approach to basic law enforcement: in too many instances crime, corruption, and vigilantism undermined the Government's efforts to restore civil order. Violence and discrimination against women are problems, and trafficking in women and children is a significant problem. Child abuse is also a problem. The Government took steps to improve the treatment of ethnic minorities; however, societal discrimination against Roma remains a problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

There were no confirmed cases of political killings by the Government, despite repeated claims by the main opposition party that its members were harassed, beaten, and sometimes murdered by government agents. Democratic Party members were the victims of numerous attacks and murders, but in the general atmosphere of lawlessness and lax law enforcement, neither culprits nor motives were ever found for

most of these crimes. However, police investigation of many of the cases was not aggressive.

The murder of Democratic Party Member of Parliament (M.P.) Azem Hajdari by an unknown gunman in September 1998 was the most significant of these incidents and set off days of protest marches and rioting in the capital, which left at least four persons dead. In September 1997, Hajdari was shot and seriously wounded by a Socialist M.P. after a scuffle inside the Parliament building; in March the Socialist M.P., Gafur Mazreku, was subsequently convicted of attempted murder and sentenced to 12 years in prison. The police, local human rights organizations, and diplomatic representatives found no evidence to back claims of government involvement in any of these incidents.

In January police officers in Fieri reportedly beat to death a man after removing him from a hospital. In September 3 persons were shot and killed when approximately 50 persons reportedly tried to take over the police commissariat in Lezha.

The country continued to experience high levels of violent crime, some of which was politically motivated. Antigovernment crowds seized much of the city of Shkodra in February, for example, and burned the city's main police station. In September rioters attacked and burned government office buildings and the residence of the Prime Minister after the murder of Democratic Party M.P. Hajdari. In the 2 days of antigovernment violence, 2 protesters were killed and 10 persons were wounded.

Many killings occurred throughout the country as the result of individual or clan vigilante actions, or in conflicts involving various criminal gangs.

b. Disappearance

There were no confirmed reports of politically motivated disappearances. At least one prominent businessman disappeared; no information on his fate emerged by year's end, and some observers claimed that there might be a political connection.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Law on Fundamental Rights and Freedoms stipulates that "no one can be subject to torture, or cruel and brutal treatment;" however, the police often beat suspects in the process of arresting them, and there were reports that the police beat or otherwise mistreated prisoners. The Penal Code makes the use of torture a crime punishable by up to 10 years in prison. The Albanian Helsinki Committee reported in June that major police stations were the sites of the worst abuse of detainees, and that all stations were overcrowded and some were "out of control." Local human rights organizations also reported that police brutality often occurred outside the police stations and therefore was more difficult to detect unless reported by victims. Human Rights Watch reports that in January, the police beat two Democratic Party a