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## FREEDOM IN THE WORLD

# Albania

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### OVERVIEW:

**Prime Minister Sali Berisha installed his interior minister, Bujar Nishani, as president in June 2012. Nishani subsequently named allies of the ruling Democratic Party to lead the intelligence service and the High Council of Justice, prompting complaints from the opposition Socialist Party that Berisha was taking over all key institutions in the country. In December, Nishani also replaced Prosecutor General Ina Rama, who had brought a number of corruption cases against senior government officials.**

Ruling from World War II until his death in 1985, communist dictator Enver Hoxha turned Albania into the most isolated country in Europe. The regime began to adopt more liberal policies in the late 1980s, and multiparty elections in 1992 brought the Democratic Party (PD), led by Sali Berisha, to power. Continuing poverty and corruption, along with unrest after the collapse of large-scale investment scams, resulted in the election of a new government led by the Socialist Party (PS) in 1997.

The PS led the government until 2005, when the PD won parliamentary elections and Berisha became prime minister. In 2007, the parliament elected PD candidate Bamir Topi as the country's president.

Berisha's government was plagued by allegations of corruption and abuse of office in 2008. Nevertheless, in the 2009 parliamentary elections, the PD took 68 of 140 seats and eventually formed a coalition government with three smaller parties that collectively held six seats. A Greek minority party took one seat. The PS, in opposition with 65 seats, claimed fraud and boycotted the new parliament. Although the PS finally named a deputy parliament speaker and committee members in June 2010, it continued to mount protests and for a time blocked key legislative votes that required a three-fifths majority.

In January 2011, after the Albanian media publicized a video recording that showed Deputy Prime Minister Ilir Meta apparently discussing corrupt dealings, the PS led a large protest against Berisha's government in Tirana. Four demonstrators were shot and killed, allegedly by Republican Guards protecting the prime minister's office, and dozens of protesters and police were injured in related clashes. Prosecutor General Ina Rama launched an investigation into the deaths, but Berisha set up a rival parliamentary inquiry and accused Rama, Topi, the PS, the State Intelligence Service (SHISH), and leading journalists of orchestrating an attempted coup.

As both inquiries stalled, PD candidate Lulzim Basha won the Tirana mayoralty in May municipal elections, narrowly defeating PS leader and three-term incumbent Edi Rama (no relation to the prosecutor general) after PD-dominated electoral bodies decided a protracted legal battle over miscast ballots.

## 2013 SCORES

STATUS

# Partly Free

FREEDOM RATING

# 3.0

CIVIL LIBERTIES

# 3

POLITICAL RIGHTS

# 3

In April 2012, Ina Rama filed indictments charging four people in the January 2011 violence: two former Republican Guard commanders were accused of murder, one of their drivers was charged with obstructing justice, and a computer expert with the prime minister's office was accused of deleting video evidence. The computer expert was acquitted in July, and the trial of the others was ongoing at year's end. Berisha continued to voice his coup claims during 2012, and threatened to have Rama arrested once she left office.

Meanwhile, in June the parliament elected Bujar Nishani, Berisha's interior minister, to succeed Topi as president. Nishani subsequently nominated a Berisha ally as administrative head of the High Council of Justice, which oversees the judiciary, and replaced the head of the SHISH with a deputy cabinet minister. All three outgoing officials had come under intense political pressure from the government. Finally, in December, Nishani named Adriatik Llalla, a former prosecutor and head of an asset auditing body, to replace Ina Rama as her term drew to a close. Llalla was confirmed by the parliament, though most PS lawmakers abstained from the vote.

Also in December, the European Council declined for the third consecutive year to grant Albania EU candidate status, citing insufficient progress on a series of reform priorities.

## **POLITICAL RIGHTS AND CIVIL LIBERTIES:**

Albania is an electoral democracy. International observers of the 2009 parliamentary elections hailed improvements in a number of areas, but also cited problems including media bias, abuse of state resources, political pressure on public employees, and flaws in the tabulation process. The unicameral, 140-member Kuvendi (Assembly) is elected through proportional representation in 12 regional districts of varying size. All members serve four-year terms. The prime minister is designated by the majority party or coalition, and the president—who does not hold executive powers but heads the military and plays an important role in selecting senior judges—is chosen by the parliament for a maximum of two five-year terms.

The sharp, personality-driven rivalry between the two main political parties, the PD and the PS, escalated significantly in 2011. The campaign for the May municipal elections featured interparty violence as well as party-line decisions, boycotts, acrimony within the Central Election Commission, and political pressure on public employees. Nevertheless, observers noted improvements on some issues, including abuse of administrative resources and voter-list accuracy. Bipartisan cooperation appeared to improve somewhat in 2012, with the PD and PS agreeing on legislation governing the 2013 parliamentary elections, though smaller parties complained that they were shut out of the process.

Corruption is pervasive, and the European Union (EU) has repeatedly called for rigorous implementation of antigraft measures. Until she was replaced in December 2012, Prosecutor General Ina Rama had worked to pursue high-level cases with support from U.S. and EU officials, while simultaneously facing regular accusations of political bias by Prime Minister Sali Berisha. Many of her prosecutions were thwarted by parliamentary immunity and unfavorable court rulings. In January 2012, citing a lack of evidence, the Supreme Court dismissed charges against Ilir Meta, who had resigned as deputy prime minister in 2011 after a video showed him apparently discussing acts of corruption. In a parallel case against former economy minister Dritan Prifti, the court ruled in September 2012 that another incriminating video was inadmissible, leading prosecutors to drop the charges. Also that month, under international pressure, the parliament approved constitutional amendments that would limit the immunity from prosecution of lawmakers, judges, and other senior officials, allowing investigations to begin without prior authorization. Albania was ranked 113 out of 176 countries surveyed in Transparency International's 2012 Corruption Perceptions Index.

While the constitution guarantees freedom of expression, the intermingling of powerful business, political, and media interests inhibits the development of independent media outlets; most are seen as biased toward either the PS or

the PD. Reporters have little job security and remain subject to lawsuits, intimidation, and in some cases physical attacks by those facing media scrutiny. Berisha's government has placed financial pressure on critical outlets, and an opposition lawmaker in September 2012 provided evidence that state advertising purchases had been funneled to PD-friendly media over the past five years. The parliament reformed the civil and penal codes in February and March, limiting the fines in civil defamation cases and eliminating imprisonment as a punishment for criminal defamation. The government does not limit internet access.

The constitution provides for freedom of religion, and it is generally upheld in practice. The government typically does not limit academic freedom, though students and teachers have faced political pressure ahead of elections.

Freedoms of association and assembly are generally respected. Although the deaths and injuries suffered during the January 2011 opposition protests went unpunished in 2012, subsequent demonstrations by both major parties have been relatively peaceful. A gay pride march set for May 2012 in Tirana was canceled amid threats of violence, including from a deputy defense minister, though Berisha had expressed support for the event. Nongovernmental organizations function without restrictions but have limited funding and policy influence.

The constitution guarantees workers the rights to organize and bargain collectively, and most have the right to strike. However, effective collective bargaining remains limited, and union members have little protection against discrimination by employers. Child labor is a problem, and informal child workers sometimes face hazardous conditions.

The constitution provides for an independent judiciary, but the underfunded courts are subject to political pressure. The replacement of President Bamir Topi with a Berisha ally in June 2012 eased a lengthy standoff between the parliamentary majority and the presidency over senior judicial appointments, but it also increased the threat of political influence over the courts. Judicial immunity has obstructed investigations of corruption among the country's poorly paid judges, who also face threats of violence. Before her replacement as prosecutor general, Rama had complained that court officials effectively protected one another when accused of wrongdoing. In December 2012, a judge in Durres was dismissed for deliberately stalling an appeal in a murder case, allowing the release of an organized crime figure who was then arrested for a new murder. High court fees allegedly limit access to justice for ordinary Albanians.

Police reportedly engage in abuse of suspects during arrest and interrogation, and such ill-treatment is lightly if ever punished. Prison inmates suffer from poor living conditions and lack of adequate medical treatment.

Weak state institutions have augmented the power of crime syndicates. Albania is known as a transshipment point for heroin smugglers and a key site for cannabis production. Traditional tribal law and revenge killings are practiced in parts of the north, leading to dozens of deaths each year, by some estimates.

Roma face significant discrimination in education, health care, employment, and housing. A 2010 law bars discrimination based on several categories, including sexual orientation and gender identity, but bias against gay and transgender people remains strong in practice.

Women are underrepresented in most governmental institutions, and a quota for women in party candidate lists is not well enforced. Domestic violence is believed to be widespread, though the parliament in March 2012 passed legislation imposing up to five years in prison for the specific offense of domestic violence, and reporting of the crime has increased. Albania is a source country for trafficking in women and children.

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