Issue Paper

ALBANIA

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AHC  
Albanian Helsinki Committee

CEC  
Central Electoral Commission

ODIHR
1. INTRODUCTION


2. POLITICAL ENVIRONMENT IN ALBANIA 2002-2003

2.1. Background

Located in the Balkan region of southeastern Europe and bordering Serbia-Montenegro, Macedonia and Greece, Albania is divided into 36 administrative units, called rrethe (Europa 2003 2003, 423, 429, 430). Albania’s 3,087,159 citizens are fairly homogenous although there are small communities of Greeks and Macedonians as well as the other ethnicities of former Yugoslavia (ibid., 430; for 1991 statistics see Political Parties of Eastern Europe 2002, 714-715). Several articles note that there is a regional distinction between northern and southern Albania (Europa 2003 2003, 423; MacMillan 2001, 358; The Moscow Times 2 July 1997). The area north of the Shkumbini River is the home of predominantly Roman Catholic Ghegs (ibid.; Europa 2003 2003, 423; MacMillan 2001, 358) who number 300,000 persons (Ethnologue 2000). Mountainous, much poorer and more isolated, the northern region is characterized by historian Gwynne Dyer as having a blood feud tradition among extended families (The Moscow Times 2 July 1997).

The majority of Albania’s population lives south of the Shkumbini River in the traditional home of the Muslim Tosks who, under the Ottoman Empire were the administrators, merchants and soldiers (ibid.). Numbering 2,900,000 persons, or 98 per cent of the Albanian population in 1989 (Ethnologue 2000), the Tosks are characterized as "more urban and sophisticated" than their Gheg co-nationals (ibid.). Their difference is also noteworthy in language where each speaks their own dialect of Albanian (Europa 2003 2003, 423; Ethnologue 2000). Dyer argues that the Ghegs were co-opted by the long-time communist ruler Envar Hoxha (1943-1985) (The Moscow Times 2 July 1997). Since 1991, Gheg post-communist allegiance was to former Hoxha supporter and current Democratic Party (PD) leader Sali Berisha (ibid.). The Socialist Party (PS), on the other hand, found its main support base in the south among the Tosks (ibid.; see also TOL 27 Oct. 2003).

The Republic of Albania was proclaimed on 29 April 1991 after popular demonstrations led to the December 1990 collapse of the communist government of Nexhmije Hoxha, the widow of Envar Hoxha (Europa 2003 2003, 423; Political Parties of the World 2002, 1; Political Parties of Eastern Europe 2002, 679). Albania’s political system is a unicameral parliamentary government with a prime minister as head of government and a president as head of state (ibid.; Europa 2003 2003, 423; see also Electionworld.org 20 Aug. 2003). The president is appointed to a five-year term by parliament (Electionworld.org 20 Aug. 2003; Europa 2003 2003, 429; OSCE 4 Sept. 2003, 3, 6). Since 2002, this
position has been filled by a 73 year-old retired army general named Alfred Moisiu who won the support of both the PD and PS in a 2002 internationally-brokered power-sharing agreement (see below) (ICG 11 Mar. 2003, i). The Albanian parliament, the People's Assembly (Kuvënd Popullore), has 140 deputies who are elected to four-year terms: 100 seats by the population and the remainder by proportional representation drawn from party lists (Europa 2003 2003, 435; Political Parties of the World 2002, 1; Electionworld.org 20 Aug. 2003). The Democratic Party (Partia Demokratike e Shqipërisë, PD) won the first two elections in 1992 and 1996; however, massive political instability induced by a failed pyramid scheme forced the PD out of office in early March 1997 (Political Parties of the World 2002, 2, 4). The Socialist Party (Partia Socialiste e Shqipërisë, PS) won the subsequent 1997 election and continued to hold the electoral advantage (ibid.). Since the 24 June 2001 parliamentary elections, the PS has held the majority in parliament with 73 seats based on 42 per cent of the vote (ibid.; Europa 2003 2003, 436; Electionworld.org 20 Aug. 2003; Political Parties of Eastern Europe 2002, 716). Comparatively, the opposition coalition Union for Victory (Bashkimi për Fitoren, BF), which controlled 46 seats (with 37 per cent of the vote), unites the PD (6 seats) with the Albanian National Front (Partia Balli Kombëtar Shqiptar, PBKS), the Republican Party of Albania (Partia Republikane e Shqipërisë, PRS), the Movement of Legality Party (Partia Lëvizja e Legalitetit, PLL) and the Liberal Democratic Union (Bashkimi Liberal Demokrat, BLD) (Political Parties of the World 2002, 2; Europa 2003 2003, 436; Electionworld.org 20 Aug. 2003; Political Parties of Eastern Europe 2002, 716). Several other smaller parties filled the remaining parliamentary seats (ibid.). Since the June 2001 elections three PS party members have held the prime minister's portfolio, including Ilir Meta (August 2001-29 January 2002), Pandeli Majko (29 January 2002-25 July 2002) and, since July 2002, Fatos Nano (Shekulli 21 Jan. 2004).

2.2. Overview of the Human Rights Situation in 2002-2003

International observers hold differing opinions on whether human rights in Albania are generally respected by state authorities (FH 2003b; EU 26 Mar. 2003; ibid. 4 Apr. 2002; Country Reports 2002 31 Mar. 2003; IHF 24 June 2003; HRW 14 Jan. 2003). Freedom House and the European Union have published positive opinions on the human rights environment in Albania although they state that there is room for significant improvement (FH 2003b; EU 26 Mar. 2003, 7; ibid. 4 Apr. 2002, 9). Similarly, Vasilika Hysi, the Executive Director of the Albanian Helsinki Committee (AHC) stated that Albania "is generally able to protect the [lives] of its citizens" (14 Nov. 2003). She continued by noting that while the state has made considerable progress in the protection of citizen's rights, there remain some cases of rights violations (Hysi 14 Nov. 2003).

In this light, both the Swiss Federal Refugee Office (ODR) and the United Kingdom's (UK) Home Office have placed Albania on their "safe country" lists (MNS July 2003, 19; UK 17 June 2003; RFE/RL 18 Dec. 2003). Switzerland's list means that asylum claims of persons from 38 countries of origin are not accepted a priori without specific "evidence of persecution" (MNS July 2003, 19). In the UK on 6 February 2003, Albania was listed with 24 other countries whose claimants "have no right of appeal ... if their claims are refused" at first instance (UK 17 June 2003).

International (AI) and Human Rights Watch (HRW) list police impunity, failures in rule of law and human trafficking as continuing problems (AI 2003; HRW 14 Jan. 2003).

2.3. Overview of the Political Situation in 2002-2003

Until recently, according to international observers, Albania has had a political culture polarized by antagonistic forces grouped around the PS led by Nano and the PD led by Berisha (OSCE 4 Sept. 2003, 2-3; FH 2002; ibid. 2003a, 56). The European Union (EU) described the first decade of democratization as a period where confrontation and conflict was the norm of politics, such that antagonism prevented a constructive political process (EU 4 Apr. 2002, 5). Instead, Albanian politics saw opposition parties boycotting decision-making bodies and governing parties adopting more autocratic approaches in their absence (ibid.). Miranda Vickers of the International Crisis Group (ICG) noted in her October 2003 Transitions Online article that "savage relations among the Tirana political elite are not manifested throughout the rest of the country [and] relations between the ruling parties and the opposition [in the provinces] are more civil and there is a certain degree of cooperation" (TOL 29 Oct. 2003).

In 2002, the political situation was somewhat stabilized after the OSCE brokered a bipartisan agreement between the PS and PD which produced a consultative decision-making committee (OSCE 4 Sept. 2003, 3; IHF 24 June 2003, 1; FH 2003a, 57, 58; AHC 27 Jan. 2004, 5). Three reports also indicate that the European Union (EU), by linking future association to a normalization of Albanian politics, was a major influence in this agreement (ICG 11 Mar. 2003, 1; FH 2003a, 57; AHC 27 Jan. 2004, 5). Several sources attribute the bipartisan council as inducing a positive influence on policy making resulting in several institutional reforms (ibid.; ICG 11 Mar. 2003, 2; IHF 24 June 2003, 1). The committee, which began meeting on 28 May 2002, facilitated the parties’ agreement to appoint Alfred Moisiu as Albania’s president, ended the PD boycott of municipal and communal councils (June 2002) and agreed on a new electoral code in June 2003 (OSCE 4 Sept. 2003, 3, 6). For a time, the informal agreement also ended the hostile language and the publicly confrontational relationship between Nano and Berisha (ibid.; ICG 11 Mar. 2003, 2; IHF 24 June 2003, 1; FH 2003a, 58).

Subsequently in early 2003 the International Crisis Group (ICG) and other observers reported a return to the "dogmatic rhetoric ... and harsh exchanges" (ICG 11 Mar. 2003, 2) between the party leaders (OSCE 1 Oct. 2003, 3; EU 26 Mar. 2003, 3). Yet, unlike previous situations, the opposition did not boycott political bodies and remained engaged in the political process including the bipartisan committee (OSCE 1 Oct. 2003, 4). Indeed, the October 2003 municipal election campaign period (discussed in detail in Section 4 below) was not characterized by the heated rhetoric of past elections (ibid., 3). In the opinion of several international organizations with observer missions in Albania the country's political environment remained stable in 2003 (EU 26 Mar. 2003, 2; IHF 24 June 2003, 1; IGC 11 Mar. 2003, 1; OSCE 4 Sept. 2003; Country Reports 2002 31 Mar. 2003).

3. THE DEMOCRATIC PARTY (PD)

After its launch in December 1990, the Democratic Party of Albania was the first official opposition party in Albania since World War II (Political Parties of the World 2002, 2; Political Parties of Eastern Europe 2002, 697). Originally campaigning on a platform of human rights, economic liberalization and future EU membership, the party is considered to be centre-right in orientation and has been led since 1991 by Sali Berisha (Political Parties of the World 2002, 2; Political Parties of Eastern Europe 2002, 697-698). In 1997, as a result of a popular outcry over bankruptcies caused by so-called pyramid schemes, the popularity of the PD, and especially Berisha, plummeted as evidenced by the June 1997 electoral loss (ibid., 700).
3.1. The Recent Political Fortunes of the PD

While still the main opposition party (UK May 2003, para. 3.6.5), the ICG argues that the PD is a party in decline after losing touch with the political process due to its repeated boycotts (11 Mar. 2003, 2-3). Political Parties of Eastern Europe noted that the party suffered major reversals of fortune in the October 2000 local and the June 2001 parliamentary elections (2002, 701). The ICG report postulated that the agreement that resulted in the bipartisan committee did little to reverse Berisha's declining support because the agreement suggested that the leader was inconsistent in his approach to the PS (11 Mar. 2003, 2, 3). Miranda Vickers blames Berisha himself, noting that many commentators consider him to be an authoritarian leader who maintains his political position by manufacturing conflicts with the ruling PS party rather than by mobilizing popular support for his policies (TOL 29 Oct. 2003). In the opinion of the ICG, the PD will require internal reform before it can return to political prominence (11 Mar. 2003, 3).

This slide in PD popularity was accentuated by the 12 October 2003 election results in which the PD lost further ground—a situation that the pro-PD daily newspaper *Albania* called a "real catastrophe" (17 Oct. 2003). Even so, the PD made inroads in the south by winning the municipalities of Korca, Delvina and Saranda—significant because Delvina and Saranda both revolted against PD rule in 1997 and the party "had practically given up campaigning in the south because of the general hostility against them" in the 2000 local elections (TOL 27 Oct. 2003).

3.2. Treatment of PD Members in 2002-2003

The executive director of the AHC, Vasilika Hysi, noted that the opposition in Albania "is free to offer its own alternative ... and enjoys its own rights" (14 Nov. 2003). Indeed, during the most recent municipal election, the NGO did not receive reports of mistreatment of Democratic Party members, or members of other parties of the opposition by the ruling Socialist Party (Hysi 14 Nov. 2003).

The UK Immigration and Nationality Directorate (IND) published a similar opinion in its May 2003 Operational Guidance Notes. According to the IND, the PD "remains a legitimate political party that is free to campaign and carry out lawful activities" (UK May 2003, para. 3.6.5). Since the intent of the Operational Guidance Notes is to highlight the types of claims that are likely or unlikely to justify asylum for nationals/residents of the country (ibid., para. 1.1), the IND offers an opinion on the matter of membership in the PD as a "main claim category" for asylum that reads as follows:

Membership ... is unlikely to lead to persecution by the current Government or the police. Arrests that have taken place would be due to law enforcement concerns (several rallies having been illegal) and not as a result of political membership (ibid., para. 3.6.6).

This opinion agrees with those reported by interlocutors interviewed by an Immigration Control Officer (ICO) of Citizenship and Immigration Canada (CIC) in mid-2002 (Canada July 2002, 4). According to the CIC report:

Most of the ICO's interlocutors, especially the diplomatic and international observers, were adamant that there is no political persecution in Albania at present. ...

While these contacts agree that some opposition supporters—as well as government supporters—may occasionally be victims of police violence, they insist that such incidents are invariably linked to the person's criminal activities rather than to his or her political affiliations (ibid.).

With respect to the views of NGOs on political persecution of opposition party members, the CIC
report noted that interlocutors agreed that there "is currently no systematic state persecution of members of the opposition" although some noted "a few isolated cases of political intimidation" in the recent past [mid-2002] (ibid., 4-5). While the PD acknowledged that the situation was calmer in the first half of 2002 than previous periods, it claimed that its supporters were still being harassed and intimidated by government officials or its supporters (ibid., 5). For example, the PD claimed that a masked policeman beat a party member and demanded his money (ibid.). However, an international human rights observer interviewed for the CIC report dismissed the PD's argument as "greatly inflated" (ibid.). An online record compiled by the PD, which lists infractions and violence perpetrated against party members, registers the most recent event as 24 June 2001 on the English language version (PD 5 Nov. 2001a) and 2 June 2001 on the Albanian language page (ibid. 5 Nov. 2001b). As of 24 January 2004 these lists had not been updated since 5 November 2001 (ibid.; ibid. 5 Nov. 2001a).

Country Reports 2002 noted that there were no confirmed cases of politically motivated killings or disappearances by the government reported or cases of detainees jailed for strictly political reasons in 2002 (31 Mar. 2003, Sec. 1.a-1.b, 1.d). While referring to several cases of violence against PD members perpetrated in 2000 and 2001, Country Reports 2002 does not indicate that this continued in 2002 (ibid. Sec. 1.a, 1.c, 3). The 2003 annual reports of Freedom House, Human Rights Watch, IHF and Amnesty International did not comment on the treatment of the PD (FH 2003a; HRW 2003; IHF 24 June 2003; AI 2003).

4. 2003 MUNICIPAL ELECTIONS

In the elections held on 12 October 2003 candidates challenged for 385 councillorship and mayoral positions, including those in 65 municipalities, 11 Tirana sub-units and in 309 communes (OSCE 4 Sept. 2003, 5). Approximately 2,000 observers (ATA 13 Oct. 2003) and 230 representatives from the OSCE monitored over 4,700 polling stations (IHT 13 Oct. 2003).

4.1. Observations on the Conduct of the Elections

Initial reports of international observers, such as the United States, the Council of Europe (COE) and the Organization for Security and Cooperation in Europe (OSCE) were generally positive (Albanian Radio 6 Nov. 2003; ATA 13 Oct. 2003; Albania 16 Oct. 2003; OSCE 14 Oct. 2003; COE 15 Oct. 2003; RFE/RL 15 Oct. 2003). Both the European Union’s Council of Ministers and its parliament observed that the elections showed progress in Albania’s political development (Albanian Radio 6 Nov. 2003; ATA 13 Oct. 2003). US White House spokesperson Richard Boucher commended the election as a "key step" toward "Albania’s integration into the general Euro-Atlantic mainstream" (Albania 16 Oct. 2003). The OSCE Office of Democratic Institutions and Human Rights (ODIHR) described the election process as generally run in a "professional, transparent, and even-handed way, representing major progress towards international standards of democratic elections" (ibid.). In addition, the ODIHR and the Council of Europe’s Congress of Local and Regional Authorities in Europe (CLRAE) observed that Albanian "'[p]olitical parties treated each other as legitimate opponents...'" (RFE/RL 15 Oct. 2003).

Local reports stress several positive features of the 12 October 2003 election process (Albania 18 Oct. 2003; Albanian Radio 13 Oct. 2003; ATA 27 Oct. 2003a; ibid. 27 Oct. 2003b; Hysi 14 Nov. 2003). The pro-Democratic Party newspaper Albania observed that the election was the first in 13 years that did not have Albanian police or security services actively involved in the voting process (18 Oct. 2003). The AHC observed only one occasion where police officers were called to a polling station and that request concerned a stolen ballot box in Shkoder (AHC 27 Jan. 2004, 22). The President of Albania, Alfred Moisiu, also emphasized the proper conduct of security and police forces, while stressing the benefits of improvements in the election code and the orderly fashion in which citizens undertook the
vote (ATA 27 Oct. 2003b). The AHC stressed that the Central Electoral Commission (CEC) "generally demonstrated professionalism, transparency and objectivity" (27 Jan. 2004, 9) and its executive director, Vasilika Hysi, noted that this belief was shared among Albanian and foreign organizations observing the election (14 Nov. 2003).


The PD claimed, for example, that many of its supporters were not registered in some Tirana voting centres and were prevented from voting (Rilindja Demokratike 14 Oct. 2003; Shekulli 14 Oct. 2003; Albanian TV 13 Oct. 2003). The pro-Democratic Party newspaper Albania also blamed voter list irregularities for the PD defeat in some ridings; however, it noted that it was unable to substantiate its allegations (17 Oct. 2003). On this issue, the AHC reported the number of voting list inaccuracies as few (27 Jan. 2004, 16) and the OSCE/ODIHR observer mission chief Robert Barry stated that his organization’s observers did not note irregularities in voter lists at a level that might have influenced the result of the election (ATA 14 Oct. 2003).

4.2. Violence

The AHC described the election campaign as being generally quiet, but noted that the political rhetoric between the PS and PD party leaders was not always politically correct and there were some violations of privacy—for example, removing campaign posters in some districts (AHC 27 Jan. 2004, 19). Election day itself was calm according to media reports (ATA 13 Oct. 2003; TOL 29 Oct. 2003), Albanian NGOs (AHC 27 Jan. 2004, 21; ibid. 13 Oct. 2003, 6; ATA 27 Oct. 2003a) and international observers, (ibid. 28 Oct. 2003b). The ODIHR/CLRAE statement of 14 October noted that political discourse lacked "the heated rhetoric that marred previous campaigns" (RFE/RL 15 Oct. 2003). Indeed, the Associated Press went as far as saying that "unrest and major cheating during elections is now the exception" (12 Oct. 2003).

The AHC reported that it did not observe armed individuals in the vicinity of the polling stations it monitored (27 Jan. 2004, 22). Several reports, however, refer to violence and tension in the ethnically mixed town of Himarë in the Vlore district of southern Albania (TOL 29 Oct. 2003; ibid. 27 Oct. 2003; Shekulli 13 Oct. 2003; MPA 13 Oct. 2003). Transitions Online reported that tension between nationalist Greek and Albanian citizens was similar to earlier elections (TOL 29 Oct. 2003). On this occasion, the Greek ultra-nationalist group MAVI waving Greek flags and shouting anti-Albanian slogans was joined by hundreds of pro-Albania demonstrators from nearby Vlore (ibid.; Kathimerini 16 Oct. 2003). The Vlore Prosecutor’s Office claimed that their investigation of the demonstration revealed it to be a "stage-managed" affair by individuals interested in the incorporation of ethnic-Greek dominated regions of Albania into Greece (Shekulli 18 Oct. 2003).

Although the local election commissioner called the election in Himarë peaceful, a hand grenade thrown at a polling station injured a police officer and a voter (Shekulli 13 Oct. 2003). Reportedly, the target of the attacker was the police officer who happened to be guarding the polling station at the time of the attack (ibid.). In addition, the Macedonian Press Agency (MPA) reported that unknown parties assaulted an ethnic-Greek member of the election supervisory committee in Himarë (13 Oct. 2003).
4.3. Electoral Results
The notable delay between the 12 October election and the release of preliminary results by Albania's Central Electoral Commission prompted the OSCE to express its disappointment on 23 October 2003 and comment that the tardy reporting "greatly undermined the previously favourable evaluation process" and put the integrity of the outcome into doubt (Bulgarian Economic Forum 23 Oct. 2003). A number of Local Government Election Commissions (LGEC) had not submitted their election materials (including results and ballot boxes) to the CEC (ATA 16 Oct. 2003; ibid. 17 Oct. 2003) by the deadline of 14 October 2003 (ibid. 15 Oct. 2003). Indeed, by 28 October the results of only 366 of 384 LGEC reports were released (ibid. 28 Oct. 2003a). On 13 November 2003, the Chairman of the Albanian CEC announced that the PS won 48.09 per cent of the votes while the PD won 39.03 per cent (ibid. 13 Nov. 2003). Even so, the CEC ordered voting to be repeated in some ridings in November and December 2003, and January 2004 (ibid. 20 Nov. 2003; ibid. 28 Dec. 2003; OSCE 23 Jan. 2004).

NOTES ON SOURCES

Albania
The daily newspaper Albania is described by the Foreign Broadcast Information Service (FBIS) as being pro-Democratic Party (Albania 18 Oct. 2003).

Albanian Telegraphic Agency (ATA)
The ATA is a government-run news service (ATA 28 Oct. 2003a).

Hysi, Vasilika
Vasilika Hysi is the executive director of the NGO Albanian Helsinki Committee and a professor in the Department of Criminal Law of University of Tirana's Faculty of Law (University of Tirana Apr. 2000; Embassy of the United States, Albania July 2003).

Rilindja Demokratike

Shekulli
Shekulli is an independent daily newspaper published in Tirana (Shekulli 18 Oct. 2003; Europa 2003 2003, 438).

REFERENCES


AHC Preliminary Conclusions on Monitoring of the Electoral Campaign and Elections on 12 October 2003.


_____ [in Albanian]. 5 November 2001b. "DHUNA, SHKELJET."


Important Notices


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