

ALBANIA ASSESSMENT

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Country Information and Policy Unit

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1. SCOPE OF DOCUMENT

1.1 This assessment has been produced by the Country Information and Policy Unit, Immigration and Nationality Directorate, Home Office, from information obtained from a wide variety of recognised sources. The document does not contain any Home Office opinion or policy.

1.2 The assessment has been prepared for background purposes for those involved in the asylum / human rights determination process. The information it contains is not exhaustive. It concentrates on the issues most commonly raised in asylum / human rights claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain. These sources have been checked for currency, and as far as can be ascertained, remained relevant and up to date at the time the document was issued.

1.4 It is intended to revise the assessment on a six-monthly basis while the country remains within the top 35 asylum-seeker producing countries in the United Kingdom.

2. GEOGRAPHY

2.1 The Republic of Albania (formerly the People's Socialist Republic of Albania) is situated in south-eastern Europe, on the Balkan Peninsula. It is bordered to the south by Greece, to the east by Macedonia, to the north-east by Kosovo, and to the north by the

Federal Republic of Yugoslavia (Montenegro). Albania covers an area of 11,100 sq. miles (28,748 sq. km), and the total population was, according to preliminary results from the April 2001 Population and Housing census, 3.09 million. **[1]** Preliminary data from the April 2001 Population and Housing Census also indicated that the population had declined by 3 per cent since the last official census in 1989. **[39]** Given that Albania enjoys one of the highest population growth rates in Europe, the Albanian Institute for Statistics attributed this decrease to the very intensive process of emigration. **[13b]**

2.2 No recent official statistics exist regarding the size of the various ethnic communities, however the largest minority are ethnic Greeks, estimated at 1.8 per cent. **[27]** There are also groups of Macedonians, Montenegrins, Vlachs, Roma and Egyptians. **[5e]**

2.3 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]**

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 the 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. **[5e]**

3.2 According to the International Crisis Group, 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]**

4. HISTORY

For more detailed information on Albanian history up until 1989, please refer to the Europa World Yearbook (source **[1]**) or Annex A: Chronology.

Communist Regime

4.1 In November 1912, after more than 400 years under Ottoman (Turkish) rule, Albania declared its independence, which was re-established in 1920. In 1928 a monarchy was established when President Zogu proclaimed himself King Zog I, but he was forced into exile in 1939. The December 1945 elections resulted in the establishment of the People's Republic of Albania. **[1]**

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]**

4.3 Under Hoxha's successor, Ramiz Alia, there were cautious attempts at liberalisation and decentralisation. A far more flexible foreign policy led to improved relations with a number of Western European countries. Following the collapse of the Communist regimes in Eastern Europe in 1989, and student demonstrations in Albania, the pace of reform quickened, and it was announced that the practice of religion was no longer an offence. In December 1990 independent political parties were legalised. Opposition activists formed and registered the Democratic Party of Albania (DP). **[1]**

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]**

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 6.71-6.78 on Greek minority)

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]

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 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]

4.8 In April 1997 a UN-sanctioned Multinational Protection Force, established to facilitate the distribution of humanitarian assistance, was deployed, principally in government-controlled areas of northern and central Albania. [1] In September 2000, the trial began against the former boss of the "Gjallica" pyramid firm, accused of embezzlement of great amounts through fraud in complicity, in the form of a criminal organisation. [10i] An investigation undertaken by PricewaterhouseCoopers reportedly concluded that only US\$50 million of the public's money would be recoverable. [2a]

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 passed away in 1961, fled 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. Some 2,000 supporters greeted Leka on arrival at Tirana airport. His visit was organised by the pro-monarchy Legality Movement Party. [26]

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. 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. 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. 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. [1][6f][9b][10d][10n][22]

4.11 Voting in the general election, declared satisfactory by observers, took place on 29 June and 6 July 1997 and resulted in a Socialist Party victory. Rexhep Meidani, hitherto the Secretary-General of the SP, was elected President. Fatos Nano became Prime Minister. In July 1998 the People's Assembly approved the final report of the civil unrest of early 1997; it recommended the prosecution of several leading DP officials, including former President Berisha, for the violation of constitutional provisions and the unlawful use of force against protestors. The DP announced an indefinite boycott of Parliament. [1]

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] [5c][9a]

4.13 The DP refused to participate in virtually all government functions at national level following Hajdari's assassination and undertook a 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]**

4.14 Prime Minister Nano resigned on 28 September 1998, citing lack of support within his Socialist Party coalition as the reason. Pandeli Majko (former Secretary-General of the Socialist Party) succeeded Nano. The DP, led by Berisha, returned to Parliament in July 1999 after the Government committed itself to investigate Hajdari's murder fully and fairly. **[1][9a]**

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. **[5e]**

4.16 On 5 February 1999, Leka Zog was arrested in Johannesburg, where he had lived since 1979, for the illegal possession of an arsenal of over 70 arms including firearms, ammunition, grenades and landmines. He was released on bail 10 days later. **[9a][9b][10d]**

4.17 In October 1999 Majko lost the Party leadership post to former Prime Minister Fatos Nano. This severely weakened his position and he resigned several weeks later. Deputy Prime Minister Ilir Meta was sworn in to be his successor. **[1]**

Kosovo Crisis

4.18 An estimated 480,000 Kosovar refugees entered Albania during the 1999 Kosovo crisis. Nearly all have now returned. Albania was a staunch supporter of NATO military action, and some 9,000 troops were deployed in Albania before crossing into Kosovo. **[9a][23b]**

4.19 Albania's response to the Kosovo crisis won widespread admiration. The European Union is strongly supportive of Albania's reform programme and from 1991 - 2000 it provided 1,021 million Euros in total to Albania. **[8a][8b]** The World Bank viewed the Albanian governments' response to the crisis as prompt and decisive. Albania became the 138th member of the global trade body in September 2000. **[11]**

4.20 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. **[2a][25d]**

Local Government elections of October 2000

4.21 Local government elections were held on 1 October 2000 and marked significant progress towards meeting the standards for democratic elections, the Organisation for Security and Co-operation in Europe (OSCE) reported. The elections took place under a new Constitution, a new Electoral Code, and a new Central Electoral Commission. The OSCE described the elections as having taken place in a tense but remarkably peaceful atmosphere, with only a few isolated incidents of violence reported during the campaign and on election day. Shortcomings were mainly of a technical nature and had to do with the delays over the voter list and the registration of candidates, as well as in the distribution of voter identity cards and the preparation of election materials. **[2a][18a][18b]**

(Please hard copy source **[18a]** for full local government election results)

4.22 There were some serious incidents prior to the election campaign including the death of a DP activist at a rally. **[5c]**

4.23 The election was marred by "nationalistic rhetoric" in the Himara area of southwest Albania, where there is a sizeable Greek speaking minority. Despite their bitter rivalry, the Socialist and Democratic Party joined forces to defeat a candidate from an ethnic Greek party, the Greek Human Rights Union Party, campaigning on the platform of establishing a minority zone in Himara for the benefit of the Greek-speaking minority. The Albanian Socialist Party claimed an overwhelming majority in the town. Athens said ethnic Greeks had been prevented from voting including six hundred Albanians employed in Greece who, it says, were barred from returning home to cast their votes. **[2a][12f][16d]**

(Please also see paragraph's 6.71-6.78 on the Greek minority)

4.24 The OSCE acknowledged that that the success of the elections could not disguise the fact that the political process in Albania was still obstructed by the refusal of the Democratic Party to adhere to normal conventions and its policy of non co-operation. **[18a]**

4.25 The DP held rallies in November and December 2000 in protest at the outcome of the election results and what it saw as a

manipulation of voter lists. The Prime Ministers' Office in Tirana was firebombed and an MP's car was set on fire. On 28 November 2000 a protest in Bajram Curri, Tropoje, turned into a clash between police forces and the demonstrators, resulting in the death of one person. Local bodies in Bajram Curri claimed that armed protestors attacked state institutions such as the Court and the Police station. The Albanian Helsinki Committee appealed for a full investigation, but noted that both the European Council and the OSCE condemned the use of violence against state institutions. The EU appealed for the rule of law to be respected and for political aims not to be pursued through violence. The Albanian Helsinki Committee noted that the message of these demonstrations was blurred by the irresponsible behaviour of violent elements. Sali Berisha was briefly detained following the Tropoje violence, but such violence was not repeated elsewhere during DP demonstrations. **[4c][5c][25d]**

(Please also see paragraphs 5.30-5.35 on Internal Security)

4.25 Chairman of the Municipal Council of Bajram Curri, Tropoje and deputy Chairman of Kukes prefecture council, Azgan Haklaj, was arrested on 20 January 2001, accused of being the organiser of the 28 November 2000 protest. He was brought to Tirana and detained. Azgan Haklaj filed a formal complaint with the Prosecutor General in which he requested that penal proceedings on charges of 'abuse of office,' 'perpetrating arbitrary acts' and 'violence against a residence' be initiated against a named judicial police officer. The OSCE issued a statement on 30 January 2001 in which it urged the Albanian authorities to undertake a thorough investigation into the allegations made by Haklaj of physical mistreatment while in police custody in a Tirana jail. The OSCE saw Haklaj's injuries, bruising and lacerations. Monitors stated that he showed clear signs of the use of violence at the moment of his arrest and during his transfer from Bajram Curri to Tirana. The Albanian Helsinki Committee concluded that he had been a victim of a heavy violation of the law by the forces of public order. The police did not conduct an investigation or take any action against the responsible officers. Azgan Haklaj was charged with helping to organise attacks on state institutions, an offence which carries a possible sentence of 15 years' imprisonment. **[4d][5d][12g][13d][25d]**

4.26 A Press Release issued by the Public Order Ministry on 30 January 2001 stated that the Albanian police acted in conformity with State law. According to the minutes kept by the police, Azgan Haklaj disobeyed the police order to voluntarily surrender himself, which led to the police breaking into his house in compliance with the law, as stipulated in Article 27 of Law 8553 dated February 1999 "On State Police." The Ministry was convinced that the actions taken by police complied fully with the law, and stated that it remained fully open to anyone wishing to monitor its activities. **[10b]**

4.27 On the basis of Article 260 of the Code of Criminal Procedures, the High Court revoked the decision for pre-trial detention of Azgan Haklaj. Haklaj won the mandate of Assembly Deputy in the 24 June 2001 parliamentary election in Constituency 9, Tropoje, in absentia. It is the first time a person in detention had won a deputy mandate. The High Court ruling changed the form of custody from "unlimited imprisonment" to "free citizen" on 24 July 2001 and he was released due to the parliamentary immunity gained following his electoral success. **[10h][14c][25b]**

4.28 Albania renewed diplomatic ties with Yugoslavia on 12 January 2001. Relations were cut off in April 1999 following the start of NATO's air campaign against Yugoslavia. **[13c]**

4.29 The New Democrat Party (NDP) was registered in January 2001 as a group of reform-oriented former members of the Democratic Party. The formation of the new coalition represented a virtual political revolution within Parliament, and its' initiators said that it would be welcomed by a number of right-wing deputies as a constructive Opposition that might have the ability to claim power. **[1][29]**

4.30 A march by members and sympathisers of the political grouping Union for Democracy gathered in Tirana on 22 March 2001 to commemorate 22 March 1992, when the first democratic elections were held. Leaders of eight opposition parties including the DP, Balli Kōmbetar and Legality Movement Party considered the date to be a day of decisive change in Albania. **[10m]**

4.31 In January 2001 the General Prosecutors' Office completed its investigations into the 1998 murder of Democratic Party legislator Azem Hajdari. Albanian news agencies announced that a team of prosecutors issued a statement on 15 March 2001 in Tirana, identifying a former police chief of Tropoja as the main suspect. The investigators also identified at least nine other people who they believe were involved in the assassination. Four of the suspects have since been killed in various incidents. They collected over 250 pieces of evidence over two years, marking the greatest number of persons involved in a murder case. The trial of the five men opened in Tirana on 3 April 2001. Two of the five were tried in their absence and were believed to have fled to Kosovo. **[13e][13f][14a]**

Parliamentary Elections of June and July 2001

4.32 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). 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. 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. [15b][18e]

4.33 International observers concluded that the Central Election Commission's (CEC / KQZ) conduct was more professional, objective, transparent and pragmatic than earlier elections. They noted that the elections saw serious irregularities in a limited number of zones and institutional concerns that must be addressed. These serious irregularities were due more to insufficient political will than technical deficiencies in the Electoral Code. [18e]

4.34 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)	DP + UV	36.81	46
Made up of:			
Democratic Party, Legality Movement Party, National Front Party (Balli Kombetar), Republican Party, Liberal Union Party			
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			

[15b]

(see Annex B for a full list of political organisations in Albania)

4.35 Many second round contests were decided by close margins, with the number of invalid ballots sometimes greater than the margin of victory. After a Constitutional Court decision, a fifth day of voting was required on 19 August 2001 to complete polling in Zone 82 where voting took place in four disputed polling stations. [18e]

4.36 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 tactfully. 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. [18e][18g]

4.37 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 Lushanje. 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 Lushanje following the highly questionable handling of ballot boxes. The CEC also dismissed Commissioners from several other zones. [18e][18g]

4.38 The OSCE/ODIHR received about 1,000 complaints and reports of irregularities during the elections from political parties, candidates and members of election commissions. When followed up by the international monitors, most were found to be unsubstantiated. However, some credible cases were appealed to courts or to the CEC. In some cases, the courts seemingly failed to investigate adequately or take fully into account the circumstances or the evidence presented. The volume of complaints was unusually high, indicating both the polemical nature of the contest and the degree to which parties used the available mechanisms to seek redress. [18e]

4.39 Ilir Meta secured an overwhelming victory against SP Party Chairman Fatos Nano, for another term as Prime Minister. 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. [15b][18e]

4.40 The success of the New Democrat Party (NDP) led by Genc Pollo was one of the surprises of the election. Formed six months before the election, it won 5.2% of the vote and is now confirmed as the third largest party in Albania. [15b]

4.41 The five-party Union for Victory (UV) coalition formed of the main opposition parties (Democratic Party, Legality Movement Party, National Front Party (Balli Kombetar), Republican Party, Liberal Union Party), stated on 30 July 2001 that they would not recognise the parliamentary elections concluding that the results had been manipulated. The DP leader, Sali Berisha, met OSCE officials on 1 September 2001 to discuss the electoral process. They handed over a report compiled by the UV coalition regarding the alleged irregularities. The Union for Victory began a boycott of parliament on 3 September 2001 and re-entered Parliament only on 31 January 2002. [10k][16e]

4.42 The Head of the OSCE Presence in Albania, Ambassador Geert-Hinrich Ahrens was disappointed with the elections in Albania. He deplored the certain lack of co-operation by some in Albania, which led to the loss of the opportunity for the timely reform of electoral structures. He 'recommended strongly' that there should be a stop in the 'incessant internal political bickering.' This meant, he said, that Albania needs an opposition in parliament that fulfils its proper role in the way modern democracies function. He affirmed that the OSCE Presence in Albania, which has developed a parliamentary assistance project in co-operation with parliamentarians and experts from abroad, is only too ready to help the Opposition play its vital role effectively. [18f]

4.43 Arta Dade, SP, was appointed Foreign Minister on 7 September 2001. She was the first female politician to be appointed Foreign Minister in the Albanian cabinet. [19a]

4.44 The opposition coalition Union for Victory (UV), headed by the Democratic Party, entered the Assembly of Albania on 31 January 2002 ending a boycott that had lasted since the formation of the new government in September 2001. Forty-six UV legislators had been boycotting Parliament in response to what they called "illegitimate" parliamentary elections. [10e][12i]

Internal Socialist Party divisions in 2002

4.45 Ilir Meta, Prime Minister, resigned on 29 January 2001 citing as his reason his inability to continue to work with Fatos Nano, Socialist Party Chairman. Mr.Meta reportedly claimed that Mr.Nano had put "destructive pressure" on him to support Nano's election as Albanian President in June 2002. Mr.Meta's supporters were reportedly not keen to back the Mr.Nano's candidacy for President, prompting Nano to launch a smear campaign against them. [12e][36]

4.46 Mr.Meta reported that his cabinet had been under "an ongoing unprecedented aggression of attacks and insults." Disagreements began after Mr.Nano demanded the resignation of cabinet Ministers he accused of corruption, following the Socialist Party victory in the June 2001 parliamentary election. Several Ministers agreed to resign in an effort to ease tensions, whilst denying the corruption charges against them, but Mr.Nano's supporters blocked Mr.Meta's appointment of replacements. The political infighting distracted attention from reforms and prompted the World Bank and the International Monetary Fund to postpone meetings with Albania and warn that some \$100 million in aid projects would be at risk. [10f][12e][13a][16c]

4.47 Pandeli Majko was nominated Prime Minister designate on 6 February 2002, although Nano's supporters had supported the nomination of Ermelinda Meksi. It took Majko almost 10 days to form a cabinet to please both factions of the party. The 19 members of the Cabinet were sworn in on 22 February 2002, ending a month of political vacuum, after feuding in the ruling party brought down the previous government. [12e]

4.48 Divisions within the Socialist Party widened in March 2002 when Albania's Parliament sacked the General Prosecutor, General Arben Rakipi, on 19 March 2002, 78 votes in favour and 10 against. A faction of the ruling Socialist Party voted with the opposition Democratic Party, ignoring a warning that a widening party feud might trigger early elections. Democratic Party chairman Sali Berisha submitted the motion to Parliament mid-February 2002 to discharge the General Prosecutor, claiming he had failed to investigate cases of corruption and smuggling. [10i][12f]

4.49 The Prosecutor General had been investigating the alleged corruption of a minister in Ilir Meta's government, before Meta's January 2002 resignation. Meta reportedly accused Rakipi of a "scandalous inability to fight crime and corruption" and of becoming a tool of Fatos Nano. President Meidani approved the dismissal of the General Prosecutor on 25 March 2002. Rakipi maintained that his dismissal was politically motivated because he had been investigating accusation of corruption against politicians. He was replaced by Theodhori Sollaku. [12f] [13i]

4.50 A Tirana court ruled on 29 April 2002 that the murder of Democratic Party leader Azem Hajdari was an act of personal vengeance and not politically motivated. The judge sentenced the one surviving murderer, Jaho Salihi, to life imprisonment. Two brothers, Izet and Ismet Haxhia, were convicted of being accomplices and received prison sentences of between 20 and 25 years. Izet Haxhia was sentenced in absentia. Their other brother, Isamedin Haxhia, was sentenced to 2 years and 6 months in prison for illegal possessions of arms, whilst the other defendant, Fatmir Meta, was declared innocent. The Prosecution appealed against the decision from "murder because of the special qualities of the victim" to "murder for revenge". [12a][13j]

4.51 Leaders of Albania's main political parties agreed in Tirana on 23 June 2002 to support Alfred Moisiu in a parliamentary vote for president, the following day. The decision to pick a candidate on the basis of all-party consensus came in response to repeated warnings from the European Union that Albania must establish political stability if it wants to forge closer links to Brussels. A former

army general, Moisiu was deputy defence minister from 1974 to 1981. He became defence minister in 1991 during the collapse of communism and served as an adviser to the defence minister from 1992 to 1997. Artur Kuko, Albania's Ambassador to the European Union, had previously been selected as a compromise candidate but he rejected the nomination. [1][13k]

4.52 On 28 June 2002, Leka Zog, son of the former King Zog returned to Albania from exile, having been granted an amnesty earlier that month for his part in unrest five years before during a referendum on the future of the monarchy. Leka Zog was greeted on his return to Tirana by several hundred monarchists. He thanked the Albanian authorities for letting him return. Police found weapons in his suitcases, which Leka Zogs advisors claimed to be trophies and presents. [16f]

4.53 Prime Minister Pandeli Majko resigned on 25 July 2002, following splits in the ruling Socialist Party. Socialist Party Chairman Fatos Nano replaced him. Nano announced his new cabinet on 27 July 2002. Ilir Meta was appointed deputy Prime Minister and foreign minister, whilst Pandeli Majko reverted to the position of Defence Minister. Nano has pledged that the priorities of his government are the integration of his government into Euro-Atlantic institutions by fighting crime and corruption. [13l][16g]

4.54 On 18 November 2002, the three-month parliamentary investigation into alleged illegal activities carried out the SHISH, the state intelligence service, collapsed when the opposition boycotted adoption of the investigation committees final report. The report had been commissioned to investigate the failure of the SHISH's, and the service's head Fatos Klosi, to investigate the murder of Azem Hajdari. The opposition had earlier produced its own report claiming SHISH had unlawfully spied on its leaders and was involved in the killing of Hajdari. These charges were ignored in the report which had been adopted by the Socialist majority. [15d]

4.55 Albania and the European Union open officially the negotiations for Stabilisation and Association Agreement on 31 January 2003. European Commission President Romano Prodi stressed that Albania had began the process of European integration "from a lower ground" than did its neighbours but "climbed faster" than the others in order to achieve its goals. Prime Minister Fatos Nano re-iterated his commitment to eliminating "corruption, the trafficking and the opportunities for criminal networks to penetrate [society]." [13n]

4.56 On 4 February 2003, the Albanian government decided to issue diplomatic passports to the country's former royal family as part of efforts to reintegrate them into post-communist society. The former royal family, Leka Zog, his wife Susane and son Leka, had previously held passports issued by the former kingdom which Albania no longer recognises. [48a]

5. STATE STRUCTURES

THE CONSTITUTION

5.1 On 22 November 1998 the Albanian electorate approved a new Constitution, which came into force six days later. [4a] The improved and more detailed version of the 1993 Law of Human Rights became an integral part of the Constitution. It provides for the office of an Ombudsman, working for more effective implementation of human rights. The Constitution makes clear the distinction between the roles of the President, national government, regional government, and the judiciary. [9a]

5.2 Albania is a parliamentary republic. The Republic of Albania is a unitary state, with a system of government based on separation and balancing of legislative, executive and judicial powers. Sovereignty is exercised by the people, through their elected representatives. Political parties are created freely, and are required to conform to democratic principles. The fundamental political, economic and social rights and freedoms of Albanian citizens are guaranteed under the Constitution. [1]

Citizenship and Nationality

5.3 Law No.8389 on Albanian Citizenship was adopted on 5 August 1998. Citizens of Albania may also be citizens of another state. No one can be arbitrarily deprived of Albanian citizenship, although any Albanian citizen has the right to relinquish Albanian citizenship, provided that they have acquired another citizenship or has received guarantees from the competent bodies of a foreign state for the acquisition of another citizenship. [42]

5.4 Minors acquire and reacquire citizenship, and relinquish it with the approval of their parents. Any change in the citizenship of minor's 14-18 years old is made with the child's consent. [42]

5.5 Albanian citizenship is acquired by birth, adoption or naturalisation. The citizenship of a person who has relinquished Albanian citizenship because of a promise to be granted another citizenship is reacquired if he does not acquire the promised citizenship within a reasonable time. [42]

5.6 Applications for the acquisition, reacquisition or relinquishment of Albanian citizenship, together with documents required by law, must be filed with the organs of the Ministry of Public Order of the person's place of residence or, if the person resides

abroad, with the diplomatic or consular missions of the Republic of Albania. **[42]**

5.7 The Albanian State, in accordance with the spirit of international conventions on the avoidance of dual citizenship and statelessness, reserves the right to require that its citizens or applicants for the Albanian citizenship choose only one citizenship. **[42]**

POLITICAL SYSTEM

5.8 Albania is a republic with a multi-party 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. **[5e]**

5.9 The new Constitution states that "Governance is based on a system of elections that are free, equal, general and periodic." The Assembly of the Republic of Albania comprises at least 140 deputies, and is elected for a term of four years. One hundred deputies are elected directly in single-member constituencies, while parties receiving more than 3% of the votes cast nationally are allocated further deputies in proportion to the number of votes won. **[1]**

5.10 The Constitution prohibits the formation of any party or organisation that is totalitarian; incites and supports racial, religious or ethnic hatred; uses violence to take power or influence state policies or is non-transparent or secretive in character. **[5e]** The February 2000 Law No. 8580, For Political Parties, amended the law to prohibit any party "where the activities are anti-nationalist, anti-populace, anti-democratic, and totalitarian." **[7b]**

5.11 In May 2000 an electoral code was introduced, and a computerised national voters register was introduced in the summer of 2000. In addition, an ambitious programme of decentralisation began with the intention of giving representatives of municipalities and communes enhanced powers. These new instruments made substantial progress towards improving State structures and meeting international standards for democratic elections formulated in the 1990 OSCE Copenhagen Document. Leaders of both the SP and DP have used these reforms as electoral campaign issues, and the legal foundation and main instruments of the State remain highly disputed by the DP. **[18a]**

5.12 The percentage of women in government and politics does not correspond to their percentage of the population, although no legal impediments hinder the full participation of women and minorities in government. The major political parties have women's organisations and have women serving on their central committees. In Parliament only 8 of 140 members were female. In the Government, one woman serves as Minister of Foreign Affairs and another served as the Minister of Economic Trade and Development. **[5d]**

5.13 The Socialist Party (SP) won the July and August 2001 parliamentary elections. The two main, highly polarised, parties, the Socialist Party and the Democratic Party, dominate Albanian politics. **[7b]** Prior to the 2001 election, there were three party groupings in power. The governing coalition led by the SP, also included the Human Rights Party, the Democratic Alliance Party, the Agrarian Party, and the National Unity Party. The main opposition coalition named Union for Victory is headed by the Democratic Party and consisted of the Legality Party, the Christian Democrats, the Democratic Union Party and the Social Democratic Union Party. The third party grouping was the non-aligned centre right coalition, the United Right. It was made up of the Republican Party, the National Front Party (Balli Kōmbetar), the Right Democratic Party and the Movement for Democracy Party. **[1]**

THE JUDICIARY

5.14 The judicial structure comprises District Courts, Appeal Courts, the Supreme Court and the Constitutional Court. Military tribunals are held at the Supreme Court and at District and Appeal Courts. The officials of the District Courts and the Appeal Courts are nominated by a Higher Judicial Council, which is presided over by the President of the Republic. **[1]**

5.15 The Supreme Court has jurisdiction over both the Appeal Courts and District Courts. The Chairman and other members of the Supreme Court are elected by the People's Assembly. The Constitutional Court arbitrates on constitutional issues. **[1]**

5.16 The Constitution provides for an independent judiciary; however, because of political pressure, intimidation, endemic corruption and bribery, and limited resources, the judiciary was unable to function independently and efficiently in 2002. **[5e]**

5.17 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. **[32]**

5.18 During 2001, the High Council of Justice punished nine judges, including for the first time, four Appellate Court judges. They were punished for infractions such as giving light sentences for serious crimes, shortening sentences in exchange for guilty pleas, releasing prisoners awaiting their trial, changing sentences from imprisonment to house arrest, delaying cases, and other ethics violations. Out of the four Appellate Court judges, three were dismissed and one received disciplinary measures. Two other judges were fired in 2001 and three were given warnings. Between 1998 and 2001, approximately 70 judges have been fired for corruption or incompetence. **[5d][7b]** According to the Albanian authorities, during 2002, 12 prosecutors were dismissed and other disciplinary measures taken against 23. As regards judges, 5 judges have been dismissed from duty and 2 reprimanded. **[32]**

5.19 In March 2001, Albania's judicial watchdog agency sacked a judge after ruling that she had acted illegally when she released a man caught in possession of drugs and Kalashnikov rifles. The then Justice Minister Arbem Imami commended the decision as an important victory for the judiciary and society against injustice, crime and corruption in the judiciary. **[12h]**

5.20 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 juridicial assistance. **[32]**

5.21 Many court buildings were destroyed in the civil unrest in 1997, and although all have reopened, important records and legal materials were lost permanently. Long case backlogs are typical, and have resulted in suspects being detained for longer than legal limit. The Judicial Budget Office, a separate, independent body, administers court budgets, but each court may decide how to spend the money allocated to it. A board chaired by the Chief Justice of the Supreme Court runs the Judicial Budget Office; all other board members are judges. **[5e]**

5.22 Tension continued, in 2002, between the police and the judiciary, despite some improvement in relations between police and prosecutors, especially outside Tirana. Each side cited the failures of the other as the reason criminals avoid imprisonment. The courts accused the police of failing to provide the solid investigation and evidence necessary to prosecute successfully and the police alleged that corruption and bribery tainted the courts. The Judicial Police are responsible, under the direction of prosecutors, for developing investigations initially conducted by the police. **[5e]**

5.23 The Constitution provides that all citizens enjoy the right to a fair speedy, and public trial; however, limited material resources in many instances prevented the court system from processing cases in a timely fashion. Defendants, witnesses, and others who do not speak Albanian are entitled to the services of a translator. Defendants are entitled to a lawyer, and the Government respects this right in practice. Under the law, the Government provides lawyers for indigent defenders. If convicted, the accused has the right to appeal the decision within 10 days to the Courts of Appeal. **[5e]**

LEGAL RIGHTS/DETENTION

5.24 The 1995 Penal Procedures Code sets out the rights of detained and arrested persons. By law, a police officer or prosecutor may order a suspect into custody. Detained persons must be informed immediately of the charges against them and of their rights and a prosecutor must be notified immediately after the police detain a suspect. Within 48 hours of the arrest or detention a court must decide, in the presence of the prosecutor, the suspect, and the suspect's lawyer, the type of detention to be imposed. Legal counsel must be provided free of charge if the defendant cannot afford a private attorney; however, this right to legal counsel is not known widely and police often fail to inform suspects of it. Access to legal information remained difficult for citizens including legal professionals and, at times, judges. **[5e]** Police may detain a person for up to 10 hours for the purpose of checking identity and seeking further information. **[25d]**

5.25 The Penal Procedures Code requires completion of pre-trial investigations within 3 months. The prosecutor may extend this period by 3-month intervals in especially difficult cases. The accused and the injured party have the right to appeal these extensions to the district court. Lengthy pre-trial detention as a result of delayed investigations remains a serious problem. **[5e]**

5.26 According to Amnesty International, detainees, including children, continued to be frequently ill-treated and sometimes tortured during arrest and in custody, usually to force confessions. **[25b]**

5.27 There were no confirmed cases of detainees being held strictly for political reasons in 2001. 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. **[5e]** Those charged had been

released during 2000. [5c]

5.28 Article 25 of the Albanian Constitution stipulates that "no one shall be subjected to torture, or cruel, inhuman or degrading treatment or punishment."

Article 86 of the Penal Code punishes "torture or any other inhuman or degrading act" with imprisonment from five to ten years. According to Article 87, if the crime results in crippling, disfigurement or any other permanent damage to the health of a person, or his/her death, the penalty is 10 to 20 years' imprisonment. Article 314 makes the use of force by a person carrying out an investigation with the purpose of obliging a citizen to make declarations, give evidence or admit his or another's guilt, an offence punishable by imprisonment from three to ten years. In practice, provisions of the Penal Code which provide for lighter sentences tend to be used to prosecute police officers, in particular Article 248 dealing with 'abuse of power' and Article 250 dealing with 'the perpetration of arbitrary acts.' [25d]

Death Penalty

5.29 In September 2000 Albania ratified Protocol No.6 to the European Convention on Human Rights, abolishing the death penalty for peacetime offences. [25a]

INTERNAL SECURITY

5.30 The Albanian police forces come under the General Directorate of Police in the Ministry of Public Order. They are divided into four departments; Public Order Police, Crime Police, Traffic Police and Special Forces. In addition, the Judicial Police are responsible for investigating crime under the direction of the Prosecutors' Offices. [25d]

5.31 Local police units reporting to the Minister of Public Order are principally responsible for internal security. A serious problem affecting public order and internal security is the fact that police officers are largely untrained, ill paid and often unreliable. The international community continued to provide training, advice, and equipment to improve the quality of the police forces; however, unprofessional behaviour and corruption remained a major impediment to the development of an effective, civilian police force. [5e]

5.32 The Public Order Information Service became the State Control Service on 1 March 2001 following the approval of the Law on the Internal Control Service by the Albanian Assembly. It is an information and operative service, providing its workers with the attributes of judicial police. [10k]

5.33 Police officers have received training, since September 2000, on issues of gender and been provided with guidance under international conventions and domestic law on the treatment of women who are victims of domestic violence and trafficking. An advisory board consulted in the development of the course included members from local NGO's and a human rights specialist from UNHCR. The training has also become part of the International Criminal Investigative Training Assistance Programme, sponsored by the United States State Department, which trains supervisory and mid-level manager police officers. [18d]

5.34 Most of the country's 13,000-member police force remained largely untrained despite assistance received from foreign governments. Foreign governments continued police training programs aimed at improving technical expertise, operational procedures, and respect for human rights, and 462 police officers, Judicial Police Officers, and prosecutors received such training during 2002. The Albanian National Police's Office of Internal Control received authority to review all police appointments and pursued investigations leading to the conviction of 16 police officials and the dismissal of 172 for various degrees of misconduct. However, the overall performance of law enforcement remained weak. The Albanian Centre for Human Rights was particularly active in providing seminars and publishing texts to educate the police about the importance of respecting human rights. In addition to such training, the Ministry of Public Order updated the Police Academy's curriculum and trained 113 new officer candidates (17 females, 96 males) during the year. [5e]

5.35 On 25 December 2001 the Minister of Public Order dismissed Col. Edmond Koseni, the Director of Police of Elbasan District following several reports by the Albanian press and NGOs of alleged ill treatment by police officials in the Elbasan District. The General Prosecutor's Office arrested Koseni following his beating of a taxi driver so severely that the driver was hospitalised, on 22 December 2001. Koseni later went to the hospital and assaulted the driver again. Koseni and other members of his staff had a history of physical abuse against members of the public; there were at least five cases of abuse pending against police officers in Elbasan at the time of Koseni's dismissal. Koseni has been charged with exertion of violence and abuse of duty. His trial remained pending at the end of 2002. [5e][10c][25d]

Intelligence Services

5.36 The National Intelligence Service (SHISH) is responsible for both internal and external intelligence gathering and counterintelligence. In November 1999, SHIK was renamed the State Intelligence Service (SHISH). The military has a special 120-

man "commando" unit, which operates in an antiterrorist role under the Minister of Defence. During times of domestic crisis, the law allows the Minister of Public Order to request authority over this unit. **[5e]**

Border security and relations with neighbouring countries

5.37 The Border Police hold the responsibility of surveying and controlling the state border of the Republic of Albania. **[30]**

5.38 Albania borders three countries - Greece (282 kilometres of border), the former Yugoslav Republic of Macedonia (151 kilometres) and Serbia and Montenegro. **[43]**

5.39 The European Union cross-border co-operation programme is assisting the government in opening up the country and developing closer links with its immediate EU neighbours, Greece and Italy. **[8c]**

5.40 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. **[8c]**

5.41 Since the mid-1990s, an estimated 400,000 Albanians work at any one time in Greece, and their substantial remittances contribute significantly to the Albanian economy and provide a vital economic lifeline for thousands of family. Alongside Italy, Greece is the biggest economic investor in Albania. Since 1997, Albania's relations with Greece have improved significantly, yet many bilateral problems remain over the Greek minority that exists in the south of the country. These include the granting of highly-valued Greek visas to members of the Greek minority in preference to their Muslim Albanian neighbours, pension payments made by the Greek government to ethnic Greek citizens who have never worked in Albania and members of the Greek clergy attempting to recover and re-consecrate abandoned churches in southern Albania. Many of these churches are on land which is subject to restitution claims and where the ownership is strongly contested. **[15c]**

5.42 Despite several border incidents, the latter half of 2002 saw improved bilateral relations with the former Yugoslav Republic of Macedonia (FYROM). In November 2002, the countries respective presidents met for the first time since the August 2001 Ohrid agreement that ended fighting between Macedonia's army and ethnic Albanian rebels. A conference on bilateral relations followed where there were agreements on expanding military co-operation and co-operation against organised crime including the setting-up of joint border controls. **[15d]**

5.43 Relations with Montenegro are arguably the best Albania has in the region. A new border post and the abolition of entry visa's for Albanian's visiting Montenegro are among several recent agreements. **[15d]**

5.44 Albania and Yugoslavia (now 'Serbia and Montenegro') agreed in 2002 to fully normalise diplomatic relations, which had been severed in 1999 by former Yugoslav President Slobodan Milosevic. Future development of relations will be dependent on developments with respect to the future status of Kosovo. **[15d]**

5.45 Organised crime gangs have made the smuggling of illegal immigrants - Albanians, Kurds, Pakistanis, Chinese, Turks and others from Middle East and Asia - a lucrative business. Due to its proximity to Albania, Italy (which is a 90-minute speedboat ride from Vlora to Bari) remained the preferred destination. In August the Government mounted a major law enforcement operation with international assistance against clandestine speedboats, effectively shutting down the main speedboat route to Italy for illegal immigrants. Italian military and border patrol squads operated in various coastal zones of the country in an effort to stop the flow of illegal immigrants. Individuals who become stranded inside the country while trying to use this illegal pipeline go through a pre-screening process jointly run by the Government, the UNHCR, the International Organisation for Migration (IOM), the International Catholic Migration Commission (ICMC), and the OSCE to determine their status. Of the 199 third country nationals pre-screened during the year, 158 were referred by police, and 41 sought services voluntarily; 60 of these individuals requested asylum, 38 voluntarily returned to their home countries, and the others returned to the countries from which they entered Albania. The international partners in the pre-screening process recommended that the Government extend the program to illegal immigrants stopped at the border. **[5e]**

PRISON AND PRISON CONDITIONS

5.46 The Albanian prison population is approximately 1,800. **[32]** Prison conditions remained poor and overcrowding remained a serious problem in 2002. Lack of space in prisons led to the detention of convicted criminals in pre-trial detention centres rather than prisons, causing substandard conditions for prisoners and significant security problems for the police forces. In police detention centres, women sometimes were held with men; however, women were not held with men in prisons. According to the Ministry of Public Order, at year's end, 272 convicted prisoners were being held in police pre-trial detention sites rather than serving their terms in prisons. Additional convicted prisoners were among the 325 persons held in pre-trial detention conditions by the Ministry of

Justice. [5e]

5.47 The Government made progress in addressing prison problems such as poor facilities and overcrowding. The Government, with international assistance, financed many improvements, including the ongoing construction of a 700-inmate prison in Peqin expected to open in 2003. The Government also opened prisons in Rrogozhina and Kruja and was constructing another in Lezha. [5e]

5.48 Since 1999 the Albanian Helsinki Committee has been carrying out a three-year monitoring programme of prisons and pre-detention centres in Albania. The Committee concluded in 2001 that in general, penitentiary institutions and remand centres had undergone some improvements in the past couple of years. However, prison and pre-trial facility staff had acted contrary to some of the internationally guaranteed rights of prisoners and pre-trial detainees. [4e]

5.49 The Government co-operated well with the International Committee of the Red Cross and with other NGO's and there were no reports of refusals to permit access for prison inspections by either domestic or international independent human rights monitors during 2002. [5e]

MILITARY SERVICE

5.50 Military service in Albania is mandatory for men aged 18 - 27 years. Women are not included. Exemptions are granted on medical grounds but are relatively difficult to obtain. It is also possible to buy an exemption and there is a set fee for this. Military service is 12 months long (having been reduced from 15 months in 1995) and can be served in the police force. Those who do not go to university usually have to do their military service at 18 years. Students can postpone their military service until they have completed their course of study. Men who complete their military service receive a certificate, which enables them to obtain a passport. Failure to respond to a call-up is punishable by the 1995 Military Criminal Code. Article 16 prescribes a fine or up to two years' imprisonment. Many Albanians have left Albania illegally (i.e. without a passport) because they have dodged their military service. [1][6a][31]

Conscientious Objection

5.51 In Albania the right of conscientious objection is not guaranteed. Conscientious objectors who refuse to do military service may be fined or sent to prison for a maximum of two years. The Albanian Constitution of 1998 stipulates that anyone refusing to complete military service must perform alternative service, as provided for in law. [23d][31]

5.52 The Executive Director of the Albanian Helsinki Committee stated, on 25 May 2000, that no case of state prosecution of military deserters related to the March 1997 events in Albania had been reported. [24b]

MEDICAL SERVICES

5.53 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. Medicines are supplied free to infants of up to one year of age. [1][34]

5.54 General practice has been established as a speciality, and (supported by the EU-PHARE programme) limited training in family medicine has been introduced for established doctors, as well as the setting up of a postgraduate faculty which will provide full GP training for newly qualified doctors. The British Know How Fund, part of the Department for International Development, has been active in Albania since March 1995. As part of the programme, UK experts helped to introduce a limited list of essential drugs with co-payment systems for essential drug reimbursement. [34]

5.55 The University Hospital in Tirana has a Neurology and Psychiatry Clinic with qualified staff and various kinds of medicine available. A Danish NGO is providing therapy (physicians and social workers) within the hospital. The neurology service is also provided in polyclinics in regional hospitals around Albania. [6c]

5.56 There is some discrimination against persons with disabilities in employment, education, and the provision of other state services. Widespread poverty, unregulated working conditions and poor medical care pose significant problems for many persons with disabilities. They are eligible for various forms of public assistance, but budgetary constraints greatly limited the amounts they received. [5e]

EDUCATIONAL SYSTEM

5.57 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. **[5e]**

5.58 Article 3 of the Law on Pre-University Education guarantees all citizens equal rights at all levels of the education system, notwithstanding their social situation, nationality, language, sex, religion, race, political convictions, health conditions and economic situation. **[23b]**

5.59 Academic freedom, while generally respected, is constrained by lack of resources; public academic institutions do not receive adequate funding. **[5d]**

6. HUMAN RIGHTS ISSUES

OVERVIEW

6.1 The Government's human rights record remained poor in many areas; although there were some improvements in a few areas, serious problems remain. Police beat and otherwise abused suspects, detainees, and prisoners. Prison conditions remained poor. The police arbitrarily arrested and detained persons and prolonged pre-trial detention was a problem. The judiciary was inefficient, subject to corruption, and executive pressure on the judiciary remained a serious problem. The Government occasionally infringed on citizens' privacy rights. Political interference in the media remained a problem. **[5e]**

6.2 The Albanian Government ratified enabling legislation for a "Peoples Advocate" (Ombudsman) in February 1999 (Law no. 8454), and elected the first Ombudsman, Emir Dobjani, in February 2000. **[7b]** The Ombudsman, which became operational in July 2000, investigates inappropriate, inadequate, or illegal actions on the part of the Government. Although it lacks the power to enforce decisions, it acts a watchdog for human rights violations. Its most common cases include citizen complaints of police and military abuse of power, lack of enforcement of court judgements in civil cases, wrongful dismissal, and land disputes. The caseload of the People's Advocate office continued to increase as the public became more aware of the services provided. The People's Advocate enjoyed the political support of the highest-ranking members of the Government and is authorised to receive information from all public agencies. **[5e]** Amnesty International noted in July 2001 that there has been a growth in civil society in Albania, including a range of non-governmental organisations (NGOs) with expertise in many of the problems facing the country, including in the field of human rights. **[25d]**

6.3 During 2002, the Ombudsman Office administered about 4,600 complaints, representing nearly 70% increase over 2001, although 1,100 cases were found to be outside the competence of the office. From those admitted, 556 were resolved in favour of the complainant. The public awareness of the Ombudsman function has continued to grow. The most common complaints examined by the Ombudsman office have concerned police behaviour and lack of enforcement of court decisions. However, it has also contributed to resolve a number of highly controversial cases concerning property and blood feud, and helped to improve the conditions of detained people, for example, by providing them with access to free phone lines. **[32]**

6.4 Civil society in Albania contributed to the political dialogue and the social sector in 2001. The legal regulation of the non-governmental sector remained open and relatively unstructured, but NGOs continued to be characterised by limited organisational capacity and external financing. Civil society's capacity to serve watchdog functions and lobby for change is increasing but the level of media professionalism remains low. **[7b]**

Torture

6.5 The Constitution 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. The penal code makes the use of torture a crime punishable by up to 20 years' imprisonment; however, the police at times beat and tortured suspects. The three main human rights groups - the Albanian Helsinki Committee (AHC), the Albanian Human Rights Group and the Albanian Centre for Human Rights - in addition to other NGO's, continued to report that police forces nationwide used torture and inhumane or excessive treatment, but all three reported that the number of cases decreased during the year. According to the AHRGC, major police stations were the sites of the worse abuses of detainees, and all stations were overcrowded. **[5e]** Amnesty International claims that torture and ill-treatment of detainees during arrest or subsequently was common. **[25b]**

6.6 Albania has acceded to the International Covenant on Civil and Political Rights (ICCPR) in 1991, to the UN Convention on the Rights of the Child (CRC) in 1992, and to the United Nations Convention against Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) in 1994. In August 1996 it acceded to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and the European Convention for the Prevention of Torture and

Inhuman or Degrading Treatment or Punishment. [25d]

Extrajudicial Killings

6.7 There were no confirmed cases of political killings by the Government or its agent. The Government conducted no further investigation into the March 2001 death in police custody of opposition Democratic Party supporter Gjon Gjonaj. Government medical and legal experts ruled Gjonaj's death a suicide, but his family members and the DP did not accept this explanation. Three police officials were dismissed in 2001 in connection with the case. [5e]

6.8 The country continued to experience high levels of violent crime. Many killings continued to occur throughout the country as the result of individual or clan vigilante actions connected to traditional "blood" feuds or criminal gang conflicts. [5e] According to Ministry of Public Order statistics, crimes related to attacks on people fell from 1,548 cases in 2001, to 1,446 cases in 2002. Similarly, there was reduction in the number of murders which fell from 39 cases in 2001 to 29 cases in 2002. Many killings continued to occur throughout the country as the result of individual or clan vigilante actions connected to traditional "blood feuds" or criminal gangs. [48b]

(Please also see paragraph's 6.115-125 on the Blood Feuds)

Disappearances

6.9 There were no reports, in 2002, of politically motivated disappearances. [5e]

FREEDOM OF SPEECH AND THE MEDIA

6.10 The Law on Fundamental Human Rights and Freedoms provides for freedom of speech and of the press, and the media was active and unrestrained; however, there were serious, fundamental problems with the use of the media for political purposes. Libel carries criminal sentences. The punishment for libel varies from a fine to 2 years' imprisonment. Political interference in the media remained a problem. Publishers and newspaper owners often edited news stories to serve their own political and economic interests. [5e]

6.11 Sensationalism is the norm in the newspapers, and the political party-oriented newspapers print gossip, unsubstantiated accusations, and outright fabrications. [5d] Daily circulation of all newspapers was estimated at 76,500. Political parties, trade unions, and various societies and groups publish their own newspapers or magazines. The opposition media is active, but is constrained by limited professionalism and lack of finances. An estimated 200 publications were available, including daily and weekly newspapers, magazines, newsletters, and pamphlets. These dailies and weeklies had very small circulation figures. [5d]

6.12 In its Annual Report of 2002, Reporters Without Borders, noted that whilst Albania offers most of the legal guarantees to protect freedom of expression and opinion, but its media have little money and many newspapers and magazines are mouthpieces of political parties. Private TV and radio stations focus on entertainment programmes rather than news or sensitive topics. The authorities continue to frequently interfere with the work of journalists and the media are subject to direct and indirect pressure through taxes, expensive newsprint and distribution problems. Allocation of airtime on public radio and TV between the two main political parties is heavily weighted in favour of the government. The Roma community complains about the lack of supports for its newspapers and the bias against them by local authorities. [44]

6.13 The British Embassy in Tirana reported that it is possible to have an article in a newspaper printed in exchange for a cash payment, although it would be more difficult to do so with national newspapers published in Tirana. Most newspapers in Albania have economic difficulties. Publishers may not investigate the background to a story too much before going to print if a cash payment is offered. Albanian Law states that three copies of all publications issued in Albania must be sent to the National Library. [6d][6e]

6.14 Competition among the print media is keen. High taxes and printing costs, poor distribution networks, low advertising revenues and endemic corruption keep editors and publishers dependent on financial subsidies from political parties. Because most media owners are affiliated with one of two dominant political parties - the SP or DP - news coverage tends to be highly partisan. Politicians often bribe or otherwise induce journalists to write negative articles about their rivals. [7a][35]

6.15 At any time, an estimated 200 different publications are available in the main cities, including daily and weekly magazines, and pamphlets. At least 13 daily newspapers are published in Tirana. The two largest independent dailies: 'Kohe Jone' and 'Gazeta Shqiptare' tend to be sympathetic to the government. Partisan papers include 'Zeri i Popullit' (SP); 'Rilindja Demokratike' (DP); 'Bashkimi' (the journalists' union daily) 'Republika' (Republican Party); 'LIRIA' (Legality Movement Party), 'ORA e Shqiperise' (Christian Democratic Party), 'Alternativa Social Demokrate' (Social Democratic Party), 'Progresui Agrar' (Agrarian Party) and 'Albania' (DP). Only a dozen or so regional cities have a weekly newspaper. The regional press suffered a severe setback; no

dailies are printed outside of Tirana. Five minority newspapers are published; 'Zeri i Omonias' (Greek), 'Laiko Vima' (Greek), the monthlies 'Amaro Dives' (Roma), 'Fircea' (Romanian) and 'Vellaizerit' (Vlach). [7b]

6.16 Television is highly influential; it was estimated that up to 80 percent of the public obtain their news and information from television. Television programming included some responsible journalism; however, political affiliation was pervasive in programming. The majority of stations were one-sided in their political coverage. [5e] The Organisation for Security and Co-operation in Europe reported that one new nation-wide television station, TV Arberia, provided for balanced and fair election reporting during the local elections in October 2000. Albania's state television was criticised in the first week of the local election campaign period for strongly favouring the SP in its coverage, particularly when it violated the electoral code by transmitting a full interview with SP Chairman Fatos Nano. The DP-controlled ATN-1 was also criticised for covering DP electoral activities for twenty-four hours. Smaller parties received little attention from the media during the election campaign. Media coverage of the elections improved over previous elections. Two new private television stations - TV Arberia and TV Klan - gave rural viewers an alternative to TVSH. Whilst TV Klan favoured the SP in its electoral coverage, two local channels based in Tirana - TV Shijak and ATN-1 openly supported the DP. [2a][5c][35]

6.17 On 16 July 2001 the National Council for Radio and Television fined the sole public broadcaster in Albania - Albanian Radio and Television (RTVSh) - for being biased in the period leading up to the second round of voting in the June and July 2001 parliamentary elections. [18g]

6.18 Broadcasting issues are governed by the National Council of Radio and Television (NCRT), a seven-member bipartisan body elected by the Parliament, with one appointment by the President. In 2000, the NCRT awarded broadcasting licenses to 2 national television stations, 50 local television stations, 31 local radio stations and 1 national radio station. Several broadcasters failed to pay for their licenses or abide by the regulations governing the licenses; however, these regulations were enforced weakly. [5e]

6.19 According to the Council of Europe in 2001, the Albanian media does not promote intolerance or discrimination towards members of ethnic minority groups. However, there have been reports that the media on occasion promoted negative stereotypes about members of minority groups. [23b]

Journalists

6.20 The press reported in 2000 and 2001 that there had been a number of occasions when journalists working for newspapers, television companies or radio stations affiliated to the opposition parties had been harassed, threatened or physically ill-treated by police officers apparently in retaliation for their journalistic activity. A number of journalists working for pro-DP media outlets were reportedly harassed during the election campaign of 2001. Journalists investigating politically sensitive issues, such as organised crime or corruption, also continued to face security risks in 2001. [25d][35]

6.21 Attacks on and threats towards journalists continued in 2002. In January, a member of the Durres Municipal Council reportedly assaulted a journalist from the ruling SP newspaper "Zeri I Popullit" after the reporter criticised the Municipality's Department of Public Service. In February both the AHRG and the AHC issued statements expressing concerns regarding an anonymous threat against the life of Ylli Rakipi, editor of the newspaper "Albania". Rakipi reported that he was warned to stop printing stories critical of the private life of Fatos Nano, then the Socialist Party chairman and now Prime Minister. [5e]

FREEDOM OF RELIGION

6.22 The Constitution provides for freedom of religion and the Government generally respects this right in practice. According to the 1998 Constitution, there is no official religion and all religions are equal. However, the predominant religious communities (Sunni, Bektashi, Orthodox and Roman Catholic) function as juridical persons and enjoy a greater social recognition and status based on their historical presence in the country. All registered religious groups have the right to hold bank accounts and to own property and buildings. Religious movements, with the exception of the four de facto recognised religions, may acquire the official status of a juridical person only by registering with the courts under the Law on Associations, which recognises the status of a non-profit organisation irrespective of whether the organisation has a cultural, recreational, religious or humanitarian character. The Government does not require registration or licensing of religious groups; however, the State Committee on Cults maintains records and statistics on foreign religious organisations that contacted it for assistance. [5b]

6.23 The Albanian Evangelical Alliance, an association of more than 100 Protestant Churches, complained that it had encountered administrative obstacles to building churches, accessing the media, obtaining residence permits, and receiving exemptions from customs duties. The growing evangelical community continued to seek official recognition as bona fide religious institutions similar to that enjoyed by the four main groups. [5e]

6.24 The majority of citizens are secular in orientation after decades of rigidly enforced atheism under the Communist regime.

Despite such secularism, most citizens traditionally associate themselves with a religious group. Citizens of Muslim background make up the largest traditional religious group (65 to 70 percent) and are divided into two communities: those associated with a moderate form of Sunni Islam and those associated with the Bektashi school, a particularly liberal form of Shi-a Sufism. The Albanian Orthodox and Roman Catholic Churches are the other large denominations: 20 percent are Albanian Orthodox and 10 percent are Roman Catholic. **[5b]**

6.25 Inter-marriage among religious groups is extremely common. There are amicable relations between the three main religions in the country, and religious communities take pride in the tolerance and understanding that prevails among them. **[5b]**

6.26 Foreign clergy, including Muslim clerics, Christian and Baha'i missionaries, Jehovah's Witnesses, Mormons, and many others freely carry out religious activities. The State Committee on Cults (formerly the Religious Council of the State Secretariat) is charged with regulating the relations between the State and religious communities. The Committee works to protect the freedom of religion and promote inter-religious development, co-operation and understanding. **[5b]**

6.27 The Archbishop of the country's Orthodox Church has noted incidents in which the Orthodox and their churches or other buildings have been the targets of vandalism. However, he concluded that the problem was largely due to the country's weak public order. **[5b][5c]**

6.28 The Government is secular, and religion is not taught in public schools. There is no law restricting the demonstration of religious affiliations in public schools; however, students were not allowed to do so in practice. The Ministry of Education contended that public schools in the country were secular and that the law prohibited ideological and religious indoctrination. Female Muslim students were not allowed to wear headscarves in public schools. There are 26 religious schools in the country, with approximately 2,600 students. **[5e]**

6.29 The Government has failed to return to the various religious communities all of the properties and religious objects that were confiscated under the Communist regime in 1967. In cases where religious buildings were returned, the Government often did not return the land surrounding the buildings or provide comparable compensation. In addition, the Government was unable to compensate churches adequately for the extensive damage that many religious properties suffered. **[5e]**

FREEDOM OF ASSEMBLY AND ASSOCIATION

6.30 The Law on Fundamental Human Rights and Freedoms provides for the right of peaceful assembly and the Government generally respected this right in practice, in 2002. According to the law, organisers must obtain permits for gatherings in public places, and the police may refuse to issue them for reasons such as security and traffic. However, there were no reports that such permits were withheld arbitrarily. **[5e]**

6.31 The Law on Fundamental Human Rights and Freedoms provides for the right of association and the Government generally respects this right in practice. However, the Constitution prohibits the formation of any political party or organisation that is totalitarian; incites and supports racial, religious, or ethnic hatred; uses violence to take power or influence state policies; or is non-transparent or secretive in character. There were no reports that this provision was used against any group. A political party must apply to the Ministry of Justice for official certification and declare an aim or purpose that is not anti-constitutional or otherwise contrary to law, describe its organisational structure, and account for all public and private funds it receives. Such certification was granted routinely. **[5e]**

EMPLOYMENT RIGHTS

6.32 The Law on Major Constitutional Provisions and the Labour Code prohibit forced or compulsory labour. The Constitution and the Labour Code prohibit forced or bonded labour, including by children. Some children as young as 4 years of age were employed, and some children work as many as 16 hours a day. **[5e]**

6.33 In April 2001 the Government ratified ILO Convention 182 on the worst forms of child labour. The Labour Code sets the minimum age for employment at 16 years, and limits the amount and type of labour that can be performed by persons under the age of 18. Children between the ages of 14 and 16 may legally work in part-time jobs during the summer holiday. The Ministry of Labour may enforce the minimum age requirements through the courts, but no recent cases of this actually occurring are known. According to the CRCA, an estimated 30,000 to 50,000 children under the age of 18 work either full or part time. According to the Children's Human Rights Centre of Albania (CRCA), the majority of child labourers worked as street or shop vendors, farmers or shepherds, drug runners, textile factory workers, shoeshine boys, or prostitutes. However, in Tirana and other cities, children - mostly Roma - worked as beggars or sold cigarettes and other items on the street; the police generally ignored this practice. **[5e]**

6.34 The legal minimum wage for all workers over age 16 is about £30 (6,380 lekë) per month, which was not sufficient to provide a decent standard of living for a worker and family. Many workers looked for second jobs, which were difficult to find. Remittances from those working abroad were very important for many families. The law provides for social assistance (income support) and unemployment compensation, but these are very limited, in terms of both the amounts received and the number of persons actually covered. The legal maximum workweek is 48 hours, although in practice hours are typically set by individual or collective agreement. **[5e]**

Trade Unions and the right to strike

6.35 Workers have the right to form independent trade unions and workers exercised this right in practice. **[5e]** The 1993 Labour Code established procedures for the protection of workers' rights through collective bargaining agreements. In addition, the 1995 labour code sets forth the requirements unions pertaining to registration, representation of employers' interests in court, the raising of tax-exempt funds and their right to function without interference from the government, employers or employer organisations. **[7b]** There are two main trade union groups in Albania: the Confederation of the Trade Unions of Albania (KSSH) and the Union of Independent Trade Unions (BSPSH). KSSH records membership at approximately 100,000 while BSPSH numbers its members at approximately 75,000. Both organisations experienced another drop in membership during the year due to increasing unemployment. No union has an official political affiliation, and the Government does not provide any financial support for unions. The high level of unemployment in Albania in recent years has reduced the effectiveness of trade unions in terms of their ability to engage in collective bargaining. **[5e]**

6.36 The Law on Major Constitutional Provisions and other legislation provides that all workers except the uniformed military, police officers, and some court officials have the right to strike and the right to organise and bargain collectively. The law forbids strikes that are openly declared to be political or that are judged by the courts to be political. **[5d]**

PEOPLE TRAFFICKING

6.37 Due to its geographical location, Albania is a country of origin, transit and destination. 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. **[4f]**

6.38 The 2002 US State Department Report on Human Trafficking around the world promoted Albania from a "Tier 3" country to a "Tier 2" country. According to the US State Department, the Government of Albania does not yet fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. As such, Albania was promoted to Despite a severe lack of resources, the Government arrested 96 persons for trafficking crimes from December 2000 to October 2001 and the frequency of arrests continued to rise. Of these, there were at least 12 convictions, with 9 receiving minimal prison sentences. Prosecutors blame the low conviction rate on lack of evidence. With the exception of three people convicted in absentia for trafficking in persons in February 2002, all convictions to date have been reduced charges for promoting prostitution. **[5a]**

6.38 A 2001 Criminal Code amendment introduced specific articles on trafficking that set the following penalties: Trafficking in persons (5 to 15 years in prison); trafficking of women for prostitution (7 to 15 years in prison); and trafficking in minors (15 to 20 years in prison). The General Prosecutor's office and police did not follow through on plans to establish an Organised Crime Strike force to handle high profile and sensitive cases. The lack of prosecution of traffickers remained a problem. During the year, 17 people were convicted for trafficking in persons. Traffickers who were arrested often were released because of insufficient evidence. If prosecuted, they often were charged for lesser crimes or were given less than the minimum sentence for trafficking. The absence of a witness protection program also impeded the Government's ability to build strong cases against traffickers, although co-operation from the international community led to the relocation and protection of one witness outside of Albania during the year. Victims often did not identify themselves as trafficked persons and were unwilling to testify due to fear of retribution from traffickers and distrust of the police. Co-operation between the police and prosecutors remained weak. **[5e]**

(Please also see paragraph's 6.94-6.108 on Women trafficked for sexual exploitation)

6.39 The National Strategy for the Fight against Trafficking was adopted in December 2001. State institutions, international and non-governmental organisations, the OSCE and Council of Europe were consulted during the drafting of the Strategy. Aims include structural and organisational change, creation of a Committee to Fight against Human Trafficking and the improvement of the social conditions and reintegration of trafficking victims. **[10j]**

6.40 The Anti-Trafficking Sector and the Organised Crime Sector investigate trafficking. However, police corruption hinders anti-trafficking efforts. The Office of Internal Control investigates police participation, but according to a study by international organisations, 10 percent of foreign victims trafficked through Albania reported that police were directly involved. Few police or

government officials are prosecuted. Regionally, the government co-operates with other governments through an international organisation and exchanged information on 15 trafficking cases in 2001. **[5a]**

6.41 On 27 August 2002, the Interior Ministry announced the formation of an elite anti-smuggling unit called Delta Force after the US special-operations unit. The new unit has already been involved in co-ordinated operations involving Albanian, Greek and Italian forces. **[13m]**

6.42 The OSCE was responsible for setting up, in 2002, the Victims Assistance Project to provide legal advice and appropriate counselling for victims of trafficking who are repatriated to Albania. The project is the result of a close relationship with the anti-trafficking teams of the Albanian police and the prosecutor's office. **[18h]**

FREEDOM OF MOVEMENT

6.43 The Law on Fundamental Human Rights and Freedoms provides for freedom of movement within the country, foreign travel, emigration, and repatriation. The Government respects these rights in practice. **[5e]**

6.44 As a result of significant internal migration, thousands of citizens no longer have local registration and status, which has led to a loss of access to basic services such as education and medical care. In many educational institutions, students must have, among other documents, an official document from the district authorities that acknowledges that they are inhabitants of the district. The lack of these documents prevents many students from attending school. During 2002, the Ministry of Local Government began a nationwide project on citizen registration, financed in part by Italy in the framework of the Stability Pact. In November the Government enacted three laws on civil status to improve local registration practices and create a standardised national identification document. **[5e]**

6.45 Citizens who fled the country during or after the Communist regime are welcomed back, and if they lost their citizenship they may have it restored. Albanian-born citizens who emigrate may hold dual citizenship. **[5e]**

TREATMENT OF ASYLUM SEEKERS

6.46 The Constitution and a 1998 asylum law provide for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1961 Protocol. Albania accepted approximately 480,000 refugees fleeing Kosovo in 1999. In May 2001, UNHCR closed the last refugee camp for Kosovars. The European Commission against Racism and Intolerance congratulated the Albanian government and society for its hospitality and openness in accepting refugees from different backgrounds including Roma and Serbs, and treating those individuals in the same manner as ethnic Albanians. **[5d][23b]**

6.47 The Government accepts the entry of refugees, does not expel those with valid claims to refugee status, and works with the international community to provide housing and support for them. The Government provides for first asylum. There is an appeals procedure, but it was not functioning due to government restructuring.

6.48 In March the Government revoked the special status for Kosovar refugees based on improved circumstances in Kosovo. This affected 287 people, almost all of whom immediately applied for asylum. In August two North Korean nationals sought free passage asylum at the Albanian Embassy in Beijing, China. The Government successfully cooperated with international organisations and facilitated the transfer of the two for permanent asylum processing in the Republic of Korea. **[5e]**

6.B HUMAN RIGHTS - SPECIFIC GROUPS

Part I
Women
Children

Part II
Ethnic groups
Women trafficked for sexual exploitation
Homosexuals
Political activists

6.B HUMAN RIGHTS - SPECIFIC GROUPS

WOMEN

6.49 Violence against women and spousal abuse remained serious problems. In the country's traditionally male-dominated society, cultural acceptance and lax police response resulted in most abuse going unreported. Rape is punishable by law, as is spousal rape; however, in practice spousal rape was not reported or prosecuted. The concepts of spousal rape and sexual harassment were not well established, and, consequently, such acts often were not considered crimes by the authorities or the public. A 1999 poll conducted by the NGO Advice Centre for Women and Girls showed that 64 percent of women surveyed had experienced some form of physical, emotional, or sexual abuse. Later statistics were not available. The State Committee on Women and Children is the primary government agency that addresses the status of women; however, it was underfunded and lacked political influence. **[5e]**

6.50 Many men, especially those from the northeastern part of the country, still follow the traditional code known as the "kanun," in which women are considered and treated as chattel. Under the kanun, a woman's duty is to serve her husband, and to be subordinate to him in all matters. **[5e]** The kanun has contributed significantly to attitudes in the region espousing the subordination of women. The kanun "Law," which is not recognised by the Albanian government, also states that it is acceptable to kidnap young women for brides. This practice continues in some areas of the northeast. **[15a]**

(Please also see paragraph's 6.116-6.125 on Blood Feuds)

6.51 An NGO maintained a shelter in Tirana for abused women, but the facility had the capacity to house only a few victims at a time. The same NGO also operated a hot line that provides advice and counselling to women and girls. **[5e]**

6.52 Women are not excluded, by law or in practice, from any occupation; however, they are not well represented at the highest levels of their fields. The Labour Code makes mandatory equal pay for equal work; however, this provision was not fully implemented. **[5e]**

6.53 Trafficking in women and girls for the purpose of sexual exploitation is a serious problem. **[5e]**

(Please also see paragraph's 6.94-6.108 on Women trafficked for sexual exploitation)

CHILDREN

6.54 Child abuse, including sexual abuse, rarely was reported, but authorities and NGO's believed that it existed. According to the Ministry of Public Order, more than 89 cases of sex crimes against children were reported during the year. Trafficking in children was a serious problem. In a few cases, criminals kidnapped children from families or orphanages to be sold to prostitution or paedophilia rings abroad. Child labour continued to be a problem. **[5e]**

6.55 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. **[25c]**

6.56 Children may work part time during the summer holidays between the ages of 14 and 16. The minimum age for full time work, as stipulated by the Labour Code, is 16 years. This limits the type of labour that can be undertaken under the age of 18. It is estimated that between 30,000 and 50,000 children work either full or part time; the majority of these work as street or shop vendors or textile workers. In cities it is common to see children working as beggars or selling cigarettes; the police generally ignored this practice in 2002. **[5e]**

Child-care institutions

6.57 Within Albania, there are 10 social welfare children's institutions and 12 private children's institutions. According to statistics provided by the Ministry of Labour and Social Affairs, the capacity of space within these institutions is greater than the number of children currently housed within them. These institutions are located within the bigger cities of Albania. The Ministry of Labour is responsible for the monitoring of the activities in these institutions. The training within them is organised by the Ministry of Labour in collaboration with Albanian and Foreign NGO's working within Albania. **[47]**

6.58 Children aged 14 years old and under are accepted within these institutions. If a child hasn't finished mandatory elementary school, then a child may remain within the institution until they are 17 years old on the basis that they resided there before they

reached the age of 14. One institution, the SOS Village in Tirana has an age limit of 18 years of age. [47]

6.59 The capacity of these institutions ranges between 30 and 105 children. In all these institutions, contact with parents is possible via an appointment with the respective social worker. [47]

Services for repatriated children

6.60 If an Albanian child is to be repatriated in Albania, they will first be registered at the Albanian border by the criminal authorities. After this, the criminal police at Tirana Airport will hand over the child to the local authorities of the police of the city where the child was resident. The authorities will then inform the parents who will collect the child. Social workers from the International Social Services attend the repatriated children at Tirana airport. [47]

6.61 With regard to the re-entry of the minor into the education system, Albanian legislation provides that a child, who has interrupted their studies, can re-enter at school, provided that they are not more than 16 years of age. For children over 16 years of age, or who are illiterate, there is still the possibility of furthering education, according to several NGO's working within Albania. The projects of these NGO's are successful, but are concentrated in 4 or 5 main cities. [47]

6.62 The International Social Services Albania Delegation had, as of October 2002, repatriated more than 500 children. Almost all these children had rejoined their families and received support during the process. Most of the children were also able to finish their mandatory elementary school education. [47]

ETHNIC GROUPS

6.63 The Law prohibits discrimination based on gender, race, ethnicity, language, or religion. However, discrimination against some minority groups persisted. [5d]

6.64 The Albanian Parliament has ratified the European Convention for the Protection of the Minorities, which was entered into force on 1 January 2000. [23a]

6.65 The Albanian Constitution established the fundamental principle of equality before the law (Article 18) and guarantees freedom from discrimination on the basis of race, religion, ethnicity, language, social status or ancestry. The Constitution also provides an extensive framework for the protection and promotion of the identity of national minorities. Furthermore, Article 265 prohibits organisations that incite and support racial, religious, regional or ethnic hatred. [23b]

6.66 Article 253 of the Constitution makes it a crime for an employee in a state function or in public service to make distinctions, for reason of duty and in the exercise of it, "on the basis of origin, sex, health, religious beliefs, political beliefs, labour union activity or one's belonging to a specific ethnic, national, racial or religious group." Violation of this law is punishable by one to five years' imprisonment. [7b][23b]

6.67 The Constitution provides for national minorities' "pluralism, national identity and inheritance, and religious coexistence." The Constitution also provides minorities the right to "freely express, without prohibition or compulsion, their ethnic, cultural, religious and linguistic belonging" and the right "to study and be taught in their mother tongue, and to unite in organisations and associations for the protection of their interests and identity." A National Minorities Section in the Department of Prefectures in the Ministry of Local Government monitors the participation of national minorities in policymaking both at the local and national levels. The Office of National Minorities, at the Ministry of Foreign Affairs, monitors Albania's compliance with international obligations and commitments as they relate to minority issues. [5e]

6.68 The Council of Europe reported in April 2001, that in recent years, and despite a very difficult and rapidly evolving economic, political and legal situation, Albania has taken steps to address the problem of racism and discrimination through the introduction of relevant legislation as well as encouraging an institutional framework in which minority groups may develop their collective identity. A positive climate of tolerance is generally considered to prevail with respect to ethnic minority groups, however, some negative prejudices and stereotypes exist, particularly with respect to Roma and Egyptians, which may lead to discrimination in individual cases. [23b]

6.69 No recent official statistics exist regarding the size of various ethnic communities. The Government omitted questions regarding ethnicity and religion in the April 2001 census, which caused some ethnic Greeks to boycott the process. [5e]

6.70 Ethnic Greeks are the largest minority group. [5e] There is a small group of ethnic Montenegrins and ethnic Serbs in the north. No discrimination was reported against the Vlachs, who speak their own Romanian related language as well as Albanian, or against the Çams, non-Orthodox ethnic Albanians who were exiled from Greece in 1944. Both groups live mainly in the south. [5d]

According to the IGC, most Roma lead difficult lives under systematic discrimination, whereas Montenegrins, Serbs and Vlachs tend to have a similar level of well-being as Albanians. Macedonians and Gorani tend to be somewhat worse off, and Greeks tend to be better off than the average Albanian is. [15d]

Greek minority

6.71 Up to the beginning of the 1990s, the Greek minority numbered between 60,000 and 70,000. Following the opening of the borders, the inherited backwardness and the numerous economic difficulties of the period of transition, a considerable part of the population have succeeded in temporarily living and being employed in Greece. In this aspect, the Greek minority has been the most privileged. [4b]

6.72 The ethnic Greek minority, led by their cultural association Omonia, collectively pursued grievances with the Government regarding electoral zones, Greek-language education, property rights, and government documents. Minority leaders complained of the Government's unwillingness to recognise the existence of ethnic Greek towns, such as Himara, that are not considered part of communist-era "minority zones"; to utilise Greek on official documents and on public signs in ethnic Greek areas; to address effectively crimes committed against ethnic Greeks, particularly allegations that communal property is being taken illegally by means of fraudulent documents and in some cases with complicity of the courts; to ascertain the size of the ethnic Greek population; and to include a higher number of ethnic Greeks in public administration. Greek-language public elementary schools were common in much of the southern part of the country, where most ethnic Greeks lived. Every village in this zone has its own elementary-middle (8-year) school in the Greek language, regardless of the number of students, and Gjirokaster has two high schools. There also is a Greek chair at the University of Gjirokaster. However, Omonia said that the ethnic Greeks needed more classes both within and outside the so-called minority zones. Ethnic Greeks enjoyed access to Greek language media [5e]

6.73 Members of the Greek minority are represented in considerable numbers in the structures of local power. In the District Council of Sarande, 8 of the 24 members come from the Greek minority, including the Chairman and his deputy. Following the unrest in 1997, there were periods when members in minority areas experienced insecurity and tension, because of criminality, thefts and kidnapping. Criminal activity was relatively stronger in minority areas not only because the state structures did not function, but also because opinion spread among criminal circles that members of an ethnic minority were richer and had greater incomes. However, the efficiency of the fight against criminality in 1999 bought back confidence to law, order and peace among the Greek minority. [4b]

6.74 The first ethnic Greek to become a member of the country's Supreme Court was appointed by then President Rexhep Meidani on 3 October 2001. Judge Spyros Spyrou, a professor of criminal law at Tirana University, was elected by a majority of the Albanian Parliament. [33]

6.75 The issue of Greek minority rights came to the fore in the local election for the commune of Himara in October 2000. The Socialist Party, supported by all other Albanian parties left and right, secured a heavy victory over the human rights party candidate who advocated the creation of a Greek language minority zone in the commune. [12f]

6.76 The Albanian Helsinki Committee found, in 2000, that many Greek Orthodox churches had either been constructed or renovated. There are villages along the border with Greece, like Leshnice, where six churches function. [4b] At least 2 newspapers were published in Greek in the south of Albania, and 15 Greek papers and magazines were distributed throughout the south. [5e]

6.77 The Çams are the ethnic Albanian, and predominantly Muslim, population of the region of north-eastern Greece known as Chameria. The group are also known as the Cams, the Chams or the Chamerians. In an attempt, in 1944, to establish an ethnically pure border region, the Greek government unleashed a campaign resulting in around 28,000 Çams being expelled. A Greek law was approved, which is still in force today, sanctioning the expropriation of Çam property, citing the collaboration of their community with the occupying forces as a main reason for the decision. The forced movement of the entire population left a sense of injustice amongst Albanians in general, which contributed to continuing poor bilateral relations with Greece. [15a][24c]

6.78 Since the end of the Kosovo conflict, support for the Çams has grown. The Chameria Association (dedicated to the return of their expropriated lands in Greece) is working on legal procedures to sue the Greek government at the European Court of Human Rights. [15a]

Macedonian Minority

6.79 Ethnic Macedonians live primarily in the Pogradec and Devoll and the Prespa area bordering Macedonia. Their interests are represented by Society Prespa. Classes in Macedonian were available to all students in the area. The Macedonian Government agreed to provide texts for these classes free of charge; however, community leaders complained that the book supply was not adequate. [5e] There are no problems regarding law and order, and minority subjects are found in the local police. [4b]

6.80 In most of the villages Orthodox churches have been built or renovated and the local radio broadcasts news bulletins in

Macedonian three times a week. **[4d]**

Montenegrin Minority

6.81 A small group of ethnic Montenegrins and Serbs live north of Shkoder. **[5e]** Ethnic Montenegrins are divided into two groups. The pure Montenegrin minority of the Orthodox belief have succeeded in preserving their traditions and culture as a minority. The podgorians, who, because of their Muslim religion, might have been expelled from Montenegro in the second half of the 19th century, have already been assimilated. There are no specific problems of order and stability. Nevertheless, the problem of paying greater attention to the state investment or infrastructure is not specifically a minority problem but is characteristic of the whole of Albania. **[4b]**

6.82 The Governments of Albania and Montenegro signed a memorandum of understanding for economic, trade and cultural co-operation and a protocol of co-operation in foreign affairs, on 29 April 2000. **[1]**

6.83 People from this area receive scholarships from the Montenegrin government for their children to study in Montenegro. Montenegrin interests are represented by the Association of Montenegrins. There are no reports of discrimination against ethnic Montenegrins. **[5e]**

Vlachs

6.84 Vlachs, also known as Aromanians, speak their own Romanian-related language as well as Albanian and live primarily in the southern part of the country. No discrimination has been reported by the Vlachs, who are represented by the groups Armeni-Alban, The Aromanian Association Voskopoja, and Aefallofisi. **[5e]**

Roma

6.85 The Roma, and the Egyptians, who trace their roots back to Egypt, are among the most neglected groups in the country. The Egyptians do not speak the Roma language, tend to settle in urban areas and generally are more integrated into the economy than the Roma. In addition to widespread societal discrimination, these groups generally suffered from high illiteracy, poor health conditions, lack of education, and marked economic disadvantages. The Government officially recognises the Roma as a linguistic rather than a national minority, thus preventing Roma children from qualifying for education in their native language and perpetuating illiteracy within the community. The interests of the Egyptians were represented by the Association Socio-Humanitarian Vllazerimi. **[5e]**

6.86 Albanian Roma consist of four principal groups: Kallbuxhile (in Tirana, Elbasan, Pogradec, Korce, Bilisht, Gjirokaster, and Sarande), Mokcaret (in Lushnje, Fier and Vlöre), Kartofet (dispersed) and Cerqaret (nomadic). However, in recent years when democratic changes have taken place, many Roma families have moved to other towns and cities in Albania. **[4e]**

6.87 Roma have preserved their own language but very few Roma can write in Romani because they have never been to Romani schools. The reason for the illiteracy is partly cyclical with Romani parents passing onto their children their own low levels of education. However, two educational courses opened in 2000 with the assistance of international organisations, one in the outskirts of Tirana and the other near Fier. **[4e][45]**

6.88 Regarding the status of Roma, there exists an atmosphere of tolerance. They are not subject to any discriminatory treatment as a separate community, though, here and there, there are expressions of racial prejudice towards them. From a legal point of view, the Albanian State considers this community equal to the others, recognising them all the rights found in the Constitution and in its legal acts. Lately, the Assembly approved a special status to minorities. Roma were included in this. **[17]**

6.89 Albanian law provides for a wide legal framework to ensure minorities the same rights and freedoms that the Albanian majority enjoys. In reality however, the rights of Roma to e.g. housing, education, employment and participation in political and administrative life are often violated. Stereotypes and prejudices towards the Roma community are also commonplace, leading to indirect and hidden discrimination. Although the general climate in Albania is predominantly tolerant towards minorities, a lot remains to be done for the better integration of the Roma community into Albanian society. It is also necessary to inform Roma about their rights, to equip them to combat human rights violations and to enhance co-operation with the local authorities in order to improve the situation of Roma. **[4g]**

6.90 After 1990, three NGOs were established to represent Roma at national level: The Democratic Union of Roma in Albania, Amaro Dives, Rromani Baxt and Amaro Drom. Amaro Drom's main goal is the integration of the Roma people into Albanian civil society through various developmental and cultural initiatives, the raising of public awareness for the traditions of Roma and the promotion of education for Roma. According to the President of Amaro Dives, Guraliu Mejdani, in 2000, the government does not discriminate against Roma. Roma leaders are afraid that the present indifference of the authorities towards Roma could transform into a violent rejection, if they stress Romani rights too much. Their strategy is first to empower the Roma community with a strong

identity and raise their consciousness. **[17]** The Soros Foundation supported various initiatives in 2002 sponsored by the Association Amaro Drom, particularly in the field of education. **[5e]**

6.91 The European Commission against Racism and Intolerance, part of the Council of Europe, commented in April 2001 that there are reports that members of the Roma communities may have had difficulties finding housing and that in some localities, their villages lack basic facilities, such as water and sewage. Members of these groups reportedly also had difficulties accessing basic social services and benefits. The Commission underlined that this situation must be viewed in the Albanian context, where many ethnic Albanians suffer similar fates and villages throughout the country lack basic facilities. **[23b]**

6.92 The education level among Roma is disproportionately low. Many Romani children do not attend school, or drop out, due to the poverty of their families. They cannot afford to buy textbooks, school supplies or proper school clothes. The problem is widely perceived in Albania in terms of cultural differences and the lack of desire in these communities to send children to school. There are a number of programmes, organised in different municipalities by the Albanian government in co-operation with civil society, which aim to improve the participation and integration of Roma children in schools. These programmes include the organisation of sports and cultural activities in which both Roma and ethnic Albanian children participate. **[23b][45]**

Gorani

6.93 There is a small community of Gorani who live in a collection of twenty villages, eight of which are in northeast Albania, near Kukës. A further three Gorani villages are in Macedonia whilst the rest are in Kosovo's southwest tip. They are a distinct group of Muslim Slavs who speak a language akin to Macedonian and originate from the Gora region in Kosovo. Despite their shared religion, their relationship has not always been easy because of their ethnic and linguistic links with Serbs. **[6b][15a]**

WOMEN TRAFFICKED FOR SEXUAL EXPLOITATION

6.94 Albania is a source and transit country primarily for women and girls trafficked for the purposes of sexual exploitation to Italy and Greece and on to other EU countries. Although the number of Albanians subjected to trafficking to other countries decreased, the country remained a significant point of origin. Most trafficked women and young girls were transported to Italy, Greece, and--to a lesser extent--other European countries, such as Belgium and the Netherlands. **[5e]**

6.95 Officials in Tirana suspect 40,000 Albanian girls and young women are working as prostitutes in Western Europe - 33,000 of them in Italy alone. A former MP in Italy, Carol Bebbe Tarantelli, reportedly stated that the passports of the girls were destroyed and they are moved around from place to place so that they didn't know where they were. **[13g][16a][16b]**

6.96 A report by Save the Children in 2001 noted that sixty per cent of Albanian trafficking victims were minors. Human Rights Watch noted that trafficking rings preyed upon women and children, operating with impunity throughout the country and evading border controls. In 2001, the Albanian government continued to treat trafficking victims as criminals; far more criminal charges were brought against victims of trafficking, who were prosecuted for prostitution, than against traffickers. The government failed to provide minimal assistance to victims or support witness protection programmes. **[2b]**

6.97 Due to the poor economic situation, many women and young girls from all over the country--particularly Berat, Fier, Lushnjë, Shkoder, and Vlora--were lured by men and women from organised criminal groups who promised them jobs in Italy and Greece. Some men, primarily in the north of the country, also married women and girls under false pretences and took them abroad as prostitutes. Other forms of recruitment included promises of marriage, and to a lesser extent, the selling of victims to traffickers by family members, or kidnapping, including from orphanages. **[5e]**

6.98 In July 2001, the Government established an Inter-Ministerial Commission on Human Trafficking, which drafted a National Strategy on Anti-Trafficking, and designated a Minister of State to serve as the National Anti-Trafficking Coordinator. In October 2001, the Government inaugurated the Vlora Anti-Trafficking Centre; however, international partners withdrew from the project, and the centre was still not operational at year's end. The Government's State Committee on Women and Children provided limited trafficking prevention education; however, this office was underfunded. National and international NGO's carried out most awareness campaigns. **[5e]**

6.99 The Chair of the Stability Pact task force on Trafficking in Human Beings, Minister Helga Konrad, met with Albanian Ministers in November 2001. The OSCE confirmed that the Albanian government has put the fight of human trafficking at the top of its political agenda. It has recognised its responsibility to combat this abhorrent human rights abuse and criminal activity, which negatively affects security in the Balkan region. OSCE recognised that Albanian has developed a National Plan of Action thereby formulating a comprehensive anti-trafficking policy comprising legislative reform, the protection and assistance of trafficking victims and the prosecution of traffickers. The Stability Pact Task Force has developed a regional anti-trafficking strategy, which includes the establishment of a network of shelters in south-east Europe. **[18c]**

6.100 The Albanian Helsinki Committee reported in October 2001 that the issue of trafficking in human beings has become one of the priorities in the work of the Albanian government and civil society. The Ministry of Public Order has, especially in the last two years, undertaken organised efforts in combating this problem. The AHC noted that the government has arrested persons responsible for trafficking and increased human resources working in this field. However, countering trafficking in human beings is a complex problem that is frequently intertwined with organised crime. **[4g]**

6.101 By the end of 2002, the Ministry of Public Order had fully staffed the Anti-Trafficking Unit. In August a major anti-trafficking operation effectively closed down clandestine speedboat traffic to Italy. Nevertheless, the Ministry of Public Order failed to follow up on high-profile trafficking and corruption investigations. Local police often tipped off traffickers when raids were scheduled. On one occasion, a police supervisor checking on his men found them helping traffickers with their boats. **[5e]**

6.102 The police often were involved directly or indirectly in trafficking. According to an IOM/ICMC study, 10 percent of foreign victims reported that the police were directly involved in their trafficking through the country. Few police or other government officials were prosecuted. In February a police officer in the city of Shkrodra was arrested and convicted for his involvement in trafficking but received only a minimal sentence. Other police officers were indirectly involved, accepting bribes from traffickers to look the other way. Lawyers and judges may also be manipulated and bribed, permitting traffickers to buy their way out of punishment if arrested. The Ministry of Public Order's Anti-Trafficking Unit within the Organised Crime Sub-Directorate and an Office of Internal Control paid particular attention to police involvement in human trafficking. The Office of Internal Control investigated 31 cases of police involvement in trafficking in women during the year and 173 cases of police involvement in trafficking in illegal immigrants. **[5e]**

6.103 Between January and September 2001, 257 vessels, with about 7,000 people on board attempting to reach the Italian coast, were turned back by the Albanian police in co-operation with the Italian Guardia di Finanza, according to official figures issued by the Public Order Ministry in October 2001. During 2000, the port of Vlëre blocked around 15,000 persons. In 2001, the police detained persons in 116 cases of trafficking in persons, although less than 10 percent of those arrested ever are convicted and sentenced. Only 22 traffickers were imprisoned during 2001; almost all were sentenced to only 2 to 3-years imprisonment, because their crimes were committed before harsher sentences came into effect on March 14 2001. When they were arrested, traffickers often were released because of insufficient evidence. If they were prosecuted, they often were charged for lesser crimes or were given less than the minimum sentence for trafficking. The Ministry of Public Order failed to follow up on high-profile trafficking and corruption investigations, and the Office of Internal Control did not prosecute any police officers for corruption in 2001 although in autumn 2001 nine police officers were dismissed, including five for trafficking. **[10b]**

6.104 Police treatment of trafficked women improved dramatically during 2002. Most police stopped treating trafficked women as criminals rather than victims and routinely referred them to local and foreign NGOs for assistance. **[5e]** With assistance from NGOs and local businesses, the chiefs of police in Fier and Durres established within their prefectures temporary shelters for witness protection. The Government does not, however, have a comprehensive witness protection program. **[46]** The Prosecutor General also issued instructions that trafficking victims should no longer be charged with the crimes of prostitution and illegal border crossing. **[2c]**

6.105 Training aimed at police personnel from all regions that the International Organisation for Migration (IOM), begun in 2001 and is aimed at changing the perception of the police towards the nature of the trafficking phenomenon. **[46]**

6.106 The International Organisation for Migration (IOM) and the International Catholic Migration Commission (ICMC) have established an inter-agency referral system that enables a group of organisations to jointly provide assistance to women who are victims of trafficking. ICMC assistance consists of providing temporary accommodation in a protected shelter, counselling and help with repatriation and reintegration. IOM facilitates the provision of passports, which in many cases have been lost or confiscated by criminals. In some cases, women are being returned to Albania to family members who trafficked them in the first place, or to the very same situation from which they were trafficked. This often simply leads to the re-trafficking of these women. ICMC also provides return assistance for trafficked victims from other countries that want to return from Albania to their home countries. Under the project so far, UNHCR and the Albanian authorities have referred over 150 women from third countries. Of this number 120 stated their desire to return to their home countries and after a period of protection in the secure shelters, have done so. In late December 2001 a shelter for Albanian trafficked women and victims of domestic violence opened, and had helped six trafficked women by the end of 2001. **[3]**

6.107 The United States gave Albania three grants with a value of 383 thousand dollars in March 2002, for programmes which will assist Albanian trafficked women. The majority of the money will be used to assist the IOM in its plan to re-integrate trafficked women. Another part will be accorded to two Albanian NGOs; "Vatra" (The Hearth) and "Refleksion," which will offer psychological advice, medical services, legal support and professional training for the victims of human trafficking. In 2001, a Centre was opened in Vlora, sponsored by Save the Children and USAID, and run by the "Vatra" which offered shelter to both Albanian and third country national victims of trafficking. **[10a][37][46]**

6.108 There is a governmental Committee in Albania called "Woman and Family", which co-ordinates all the initiatives and activities

in the field of women's rights. This Committee co-operates with other governmental institutions such as the police, the judicial system, as well as NGOs. At the same time, there are women NGOs working on the return of trafficked women. In particular, they co-operate with the police forces and authorities in the country of destination. Some research has been done by NGOs, the Ministry of Public Order, the governmental Committee "Woman and Family", the Faculty of Social Sciences and women NGOs presenting statistics and arguments on the trafficking situation. [4f]

HOMOSEXUALS

6.109 The Penal Code, which came into force on 1 June 1995, does not contain an article criminalising homosexuality. Sexual relations with minors and sex involving violence continue to carry penalties. Under Article 116 of the Criminal Code, the age of consent for same-sex sexual acts is 18 years of age, with a maximum penalty of five years imprisonment for infringement. In June 1995, "Gay-Albania" was the first gay association to be legally registered. [28][41]

6.C HUMAN RIGHTS - OTHER ISSUES

Organised Crime and Corruption

6.110 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. 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. [13h][29]

6.111 The Albanian Government made some sincere efforts since 2000 to confront official corruption and to establish public order in Albania. 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. [2a]

6.112 In April 2000, the then Prime Minister Ilir Meta re-affirmed that the police belong to the state not political parties. He stated that it is the duty of the Albanian government, the governing coalition and the opposition, and of all society to support the police so that they are more successful in their fight against crime in any form it appears. The then Minister for Public Order, Mr. Spartak Poci, said that clearing the police and other structures of the Public Order Ministry from the corrupted and incriminated elements, remains one of the priorities of the government programme. The Public Order Ministry has drafted a concrete strategy to uncover and send to court such elements. [12b][12c]

6.113 The government is committed to the implementation of the Stability Pact Anti-Corruption Initiative, agreed in June 2000, as set out by the Stability Pact partners, stipulated in the Cologne Declaration of June 1999 between states of South Eastern Europe and the European Union. Its objective is to help and support countries of the region to adopt within two years; effective legislation, build up the right institutions and develop practices in the civil society for a sustained fight against corruption. The implementation will be monitored by the Anti-Corruption Steering Group composed of representatives from the Council of Europe, the OECD, the European Commission and the World Bank. Late in 2001, the members of the initiative met in Croatia with representatives of the civil society to develop "collaborative partnerships to combat corruption." The action plan for Albania outlined agreement on the need for a broad-based publicity campaign and greater support for civil society involvement. [7b][20][21]

6.114 The Albanian government had fulfilled all the recommendations of the international community included in the anti-corruption plan by September 2000. Albania had taken all measures to increase the security in all part of the country, has recognised the judicial system and the police, and is fighting against organised crime and corruption. This message was contained in an approved resolution of the Parliamentary Assembly of the Council of Europe on Albania, in September 2000. Albania ratified the Council of Europe's Civil Law Convention on Corruption on 21 September 2000. [10g][23c]

6.115 In 2001, the Regional Corruption Monitoring System of the Southeast European Legal Development Initiative surveyed 1,001 Albanian adults on their views regarding the role corruption plays in society. The adults surveyed listed corruption as the number one socio-economic problem. Of the countries in the region, Albania rated the highest in terms of citizen tolerance for corrupt practices and in terms of susceptibility to corruption and public pressure to engage in corrupt practices. The spread of corruption

throughout the public sector was also considered to be broad. In Albania, doctors, judges, customs and tax officials, and police officers led the list of public officials who are viewed as applying pressure to receive bribes and other improper favours. [7b]

6.116 A new internal control service has the stated purposes of preventing, detecting and documenting the criminal activity of members of the state police and other divisions within the ministry. Employees of the internal control service, which is considered a separate police division, enjoy the same status as members of the judicial police. [7b]

Blood Feuds

6.117 Despite efforts by the Albanian government to wipe it out, the 15-century code of customs, the Kanun of Lek Dukajini, has reappeared throughout northern Albania, since the return of democracy. The code has been handed down orally through generations, and lays out a code of "laws" governing marriage, birth, death, hospitality and inheritance, which have traditionally served as the foundation of social behaviour and self-government for the clans of northern Albania. In particular, the Kanun regulates killings in order to stop the total annihilation of families. [15a]

6.118 According to several sources, a range of factors has contributed to the re-emergence of blood feuds, "gjakmarrja", especially in northern Albania, such as the weakness of state institutions, a law and order vacuum, and a lack of trust in the law. Most ongoing vendettas stem from disputes over land and water rights. [24a] Many killings continued to occur throughout the country as the result of individual or clan vigilante actions connected to traditional "blood feuds" or criminal gang conflicts. [5e]

6.119 The Kanun has been used as a system for administering justice in northern Albania, which historically has remained isolated from central government law. Today, revenge killings in the name of the Kanun have taken on threatening proportions. A recent survey on the Kanun by the Independent Social Studies Centre, Eureka, expressed concern that many killers were using the rules of the Kanun as a cover to commit ordinary crime. In one sense it could be argued that northern Albanians are resorting to the Kanun in order to fill the law and order vacuum. In most cases, however, it is not the traditional rules of the Kanun that are being applied but rather a self-selected interpretation. In fact it is a means of settling accounts amongst gangs of traffickers, smugglers, and other criminal elements who, in the absence of official law and order, can use the fear, respect and moral justification associated with the Kanun to terrorise people into a code of silence. [15a]

6.120 In 1996, the Albanian government initiated a series of national and local activities mainly in the country's northern and north-eastern zones where the problem of blood feuds is more acute than elsewhere. The Prime Minister called on all the political forces to engage in the fast elimination of blood feuds, in co-operation with the government. The National Blood Feud Reconciliation Committee was established and the then Prime Minister, Aleksander Meksi, was confident that it had produced positive results as regards blood feud reconciliation. [12d]

6.121 It would be difficult to separate the issue of blood feuds from the larger problem of lawlessness in Albania, especially in the mountainous north of Albania and in remote areas. However, the OSCE noted in 2000, that whilst much needs to be done to root out the networks of criminality, the most significant change is that random violence is no longer tolerated or considered to be normal. The public increasingly expects order and proper policing. [20]

6.122 The numbers of persons affected directly or indirectly by blood feuds vary widely. A survey conducted by the Law Faculty of Tirana University in March 2000 showed that 210,000 Albanians (six per cent of the total population) were "affected" by blood feuds including about 1,250 people locked in their homes for fear of being killed. The Albanian Human Rights Group reported that during 2001, 2,750 families were self-imprisoned at home and that 900 children were prevented from attending school due to fear of revenge. According to the Ministry of Public Order, more than 14 individuals were killed in blood feuds in 2001. Figures published by the National Mission for Blood Feud Reconciliation, in August 2000, stated that 756 blood feuds had been reconciled, allowing the people involved to return to put an end to self-confinement at home. The missioners explained that the roots of this problem lie in the ill-intentioned interpretation of the Kanun and in the reluctance of citizens to obey the laws of the state. [5d][14b][24a]

6.123 According to the Ministry of Public Order, more than 29 individuals were killed in blood feuds which was practised by individuals particularly in the northern part of the country. Under the kanun, only adult males are acceptable targets for blood feuds, but women and children often were killed or injured in the attacks. The Albanian Human Rights Group (AHRG) estimated that 1,400 families were self-imprisoned at home and that 140 to 400 children were prevented from attending school due to fear of revenge. [5e]

6.124 Several agencies provide reconciliation services to families involved in blood feuds, although according to the International Crisis Group there has been no concerted and coordinated strategy devised to combat this growing and deeply damaging phenomena. The Association for Fraternisation and Reconciliation aims to settle disputes between families through dialogue. The National Reconciliation Committee estimated it had resolved around 400 blood feuds whilst the All-Nation Reconciliation Mission claimed it has succeeded in settling about 600 feuds. [24a] During 2002, the Ombudsman Office also contributed to resolve a number of highly controversial cases concerning blood feud. [32]

6.125 Albanian officials appear to have recognised the problems posed by the Kanun and have pledged to address them. In August 1999, the Albanian government dispatched 200 men belonging to the Tirana-based special terrorist force RENE to the northern district of Tropoja in an effort to curb lawlessness and gang violence after four people were killed in vendettas. The security forces arrested 22 people suspected of murder, armed robbery or theft, and seized large quantities of weaponry and stolen vehicles. **[24a]**

6.126 The Albanian Penal Code does not contain any provisions which directly address blood feuds. The Vice-Chairman of the British-Albanian Legal Association stated in March 2000 that to incorporate any special provisions dealing with blood feuds in the Criminal Code would be seen as a retrograde step in Albania by giving official recognition to an archaic custom. **[24a]**

6.127 There are certain articles which could become relevant if the crime at issue was feud related. Articles 48 and 50 deal with mitigating and aggravating circumstances. Circumstances which can lead to mitigation of punishment include when an act is committed due to positive moral and social values. A traditional judge, sympathetic to the conviction of customary law, might consider an act committed pursuant to a blood feud would be committed "due to positive moral and social values." Aggravating circumstances include the act being committed "savagely and ruthlessly" which is sometimes the case when a blood feud is the motive. Article 49 provides that the Court may also consider other circumstances which it deems such as to justify the lowering of the sentence and again this could be applied in the case of a feud-related crime. The punishment for simple murder is a term of 10 to 20 years' imprisonment. The sentence for premeditated homicide is 15 to 25 years' imprisonment, and when aggravating circumstances occur, life imprisonment. The very nature of a blood feud means that the murder would be premeditated. **[24a]**

(Please see hard copy source **[19b]** for full text of the Penal Code of Albania)

Treatment of Non-Government Organisations

6.128 A number of domestic and international human rights groups in general operate without government restriction, investigating and publishing their findings on human rights cases. Government officials are somewhat cooperative but minimally responsive to their views. The Albanian Helsinki Committee, the Albanian Human Rights Group, the Albanian Centre for Human Rights, the Society for Democratic Culture, the Albanian Media Institute, SOROS Foundation, the Albanian Institute for Contemporary Studies, the Women's Centre, and Women in Development were among the most active domestic NGO's involved in addressing human rights problems. Despite the assistance of international donors, the work of these organisations was hampered by a shortage of funds and equipment. **[5d]**

6.129 In general human rights organisations operated freely in the country. The Albanian Helsinki Committee focussed on the monitoring of general elections and its long-term project on conditions of prisons and police custody. It also looked at allegations of police misconduct and patients' rights in hospitals and mental health centres. The Albanian Human Rights Group also defended the rights of those in police custody, denouncing severe restrictions on the defendants' access to defence counsel. The complaint centre created by the group in 1999 saw a significant increase in its activity. **[2b]**

6.130 The Association of the Formerly Politically Persecuted (or National Association of Anti-Communist Former Political Prisoners, Internees and Persecuted Persons) represents the interests of ex-political prisoners during the Communist regime. It is able to function freely. Some political prisoners have reportedly been disappointed about the lack of compensation that has been the result of the party's activities. The Association used to be supported by the Democratic Party, which actively campaigned on its behalf when it was founded in 1991. However, the relationship broke down during the Democratic Party's first term in office. The 1991 Law (No. 7514) "On Innocence, Amnesty and Rehabilitation of Formerly Politically Persecuted" dated 30 September 1991, ruled that all politically persecuted and prosecuted are to be recognised not guilty and a series of rights is to be granted to them. These include the right to live where they used to before being sentenced and that they are compensated for the economic loss inflicted whilst they were in prison. **[24d][24e][40]**

ANNEX A

CHRONOLOGY

1946: The People's Republic of Albania was proclaimed

1948: The Albanian Communist Party was renamed the Party of Labour of Albania (PLA).

1961: The USSR denounced Albania and severed diplomatic relations after Enver Hoxha, Albania's leader, announced his support for the Chinese Communist leader, Mao Zedong, in his ideological conflict with the USSR.

1967: Religious worship was outlawed and all mosques and churches were closed.

1978: China suspended all military and economic ties with Albania.

1985: Death of Enver Hoxha. He was succeeded as First Secretary of the Party of Labour of Albania by Ramiz Alia.

December 1989: There were reports of anti-government demonstrations in the northern town of Shkodër, and such activity increased throughout 1990.

July 1990: Some 5,000 Albanians were eventually allowed to leave the country after seeking asylum in the embassies of foreign countries.

December 1990: Opposition activists formed, and registered, the Democratic Party of Albania (DP).

March 1991: The Italian navy was ordered to prevent any more vessels landing at the Italian port of Brindisi, after some 20,000 Albanians had arrived on ships seized in Albanian ports.

31 March 1991: The PLA (Communists) won over 60% of the votes cast in Albania's first multi-party elections since the 1920s.

June 1991: A Government was formed which included the first non- Communist ministers since the second World War. The PLA changed its name to the Socialist Party of Albania (SP) and elected Fatos Nano as its leader.

March 1992: Elections to the new assembly were won by the DP (Democratic Party of Albania).

April 1992: Sali Berisha of the DP was elected President of the Republic. Berisha appointed Aleksander Meksi to lead a new coalition Government

September 1992: Former President Alia was arrested and charged with corruption, joining several other prominent members of the old Communist regime in detention.

July 1993: Former Socialist Party Premier Nano was charged with misappropriating state funds; he was found guilty in 1994.

November 1994: A draft constitution was rejected by 53.9% of the participants in a referendum.

July 1995: The Government granted an amnesty to former President Alia and some 30 other political prisoners. Albania was accepted as a member of the Council of Europe.

September 1995: The "Genocide Law" prohibited the appointment of any person who held office during the Communist period to the executive, the legislature, or the judiciary.

May 1996: Elections to the Peoples' Assembly, the conduct of which was widely criticised by international observers, were boycotted by the main opposition parties.

October 1996: Local government elections. The DP secured the largest number of votes in 58 of the 64 municipalities.

January 1997: The collapse of several popular "pyramid" investment schemes, resulting in huge losses of individual savings, prompted violent anti-government demonstrations.

March 1997: President Berisha declared a state of emergency.

April 1997: A UN-sanctioned Multinational Protection Force, established to facilitate the distribution of humanitarian assistance, was deployed, principally in government-controlled areas of northern and central Albania.

July 1997: The SP won the general election, held on 29 June and 6 July. Rexhep Meidani was elected President. Fatos Nano became head of the government.

July 1998: A report on the civil unrest of 1997 recommended the prosecution of several leading DP officials, including former President Berisha. The DP announced an indefinite boycott of Parliament.

September 1998: Prominent DP politician Azem Hajdari was assassinated by an unknown gunman. Prime Minister Nano resigned shortly afterwards. Pandeli Majko succeeded Nano.

22 November 1998: The Albanian electorate approved the new Constitution in a referendum. It was adopted by the National Assembly six days later. The DP announced that it would continue its refusal to recognise the Constitution.

January 1999: Fatos Nano resigned as Chairman of the SP.

March 1999: NATO began daily air attacks on military targets within the Federal Republic of Yugoslavia.

March to June 1999: Over 450,000 refugees flooded into Albania from Kosovo. Most have since returned to Kosovo.

July 1999: The DP voted to end its boycott of the legislature.

October 1999: Nano was re-elected to the post of SP Chairman, following his poor result, Prime Minister Majko resigned a week later, and was replaced by Ilir Meta.

December 1999: The Constitutional Court approved a ruling on the abolition of the capital punishment.

January 2000: The Albanian Parliament ratified the European Convention for the Protection of Minorities.

February 2000: Nano was elected speaker of an Ad Hoc Parliamentary Commission for the Stability Pact for South-Eastern Europe, adopted in Cologne.

February 2000: The first Ombudsman was elected.

May 2000: An electoral code was introduced, in preparation for the local elections in the autumn of 2000.

June 2000: Five Roman Catholic Priests became the first Priests since 1991 to be ordained.

June 2000: Albania signed up to the implementation of the Stability Pact Anti-Corruption Initiative.

August 2000: A computerised national register was introduced as a measure to ensure free and fair elections in October 2000.

September 2000: Albania became the 138th member of the World Trade Organisation.

September 2000: The Albanian Parliament ratified the Council of Europe's Civil Law Convention on Corruption.

October 2000: Local government elections. The Socialist Party made heavy gains across Albania.

November and December 2000: The Democratic Party staged demonstrations in protest at the results of the municipal elections. A demonstration in Tropojë resulted in the death of one DP supporter following armed protesters attacking state institutions.

January 2001: Albania renewed diplomatic ties with Yugoslavia.

January 2001: Legislation criminalising trafficking in persons was introduced.

February 2001: The main political parties signed an agreement to co-operate in preparations for the legislative elections scheduled to take place in June 2001.

April 2001: The trial began into the September 1998 murder of the DP Deputy Azem Hajdari.

24 June 2001: The first round of parliamentary elections took place. Subsequent rounds took place on 8, 22 and 29 July due to irregularities. One Zone repeated voting again on 19 August. The Socialist Party re-entered Parliament for a second term.

7 September 2001 Prime Minister Ilir Meta, elected for a second term, presented the new coalition government. The Union for Victory (UV) opposition coalition began a boycott of Parliament.

December 2001: The National Strategy for the Fight against Illegal Trafficking was adopted.

29 January 2001: Prime Minister Ilir Meta resigned due to an internal Socialist Party feud.

31 January 2002: The Opposition coalition, UV, re-entered Parliament.

22 February 2002: New cabinet was sworn in with Pandeli Majko as Prime Minister.

19 March 2002: General Prosecutor Arben Rakipi was dismissed by Parliament.

23 June 2002: Parliament elects Alfred Moisiu president after rival political leaders Nano and Berisha reach compromise.

28 June 2002: Exiled royal family returns, in the form of Leka Zog, son of former King Zog.

27 July 2002: Fatos Nano becomes Prime Minister after the ruling Socialist Party decides to merge the roles of premier and party chairman. It is Nano's fourth time as premier

ANNEX B

POLITICAL ORGANISATIONS

Agrarian Party (AP) (Partia Agrare Shqipëtarë - PASH). Founded 1991. Chair: Lufter Xhuveli.

Albanian Civil Party. Founded 1998. Chair: Roland Velko.

Albanian Communist Party. (Partia Komuniste Shqipëtare - PKSH) Founded 1991, granted legal recognition 1998. Chair: Hysni Milloshi.

Albanian Conservative Party (Partia Konservatore Shqipëtare - P.KONS). Chair: Armando Ruco.

Albanian Ecological Party (Partia Ekologjike Shqiptare). Environmental political party. Chair: Dr Namik Vehbi Fadile Hoti.

Albanian Green Party (Partia e Blertë Shqiptare). Founded 1991. Campaigns on environmental issues. Chair: Nevruz Maluka.

Albanian Liberal Party (Partia Liberale Shqiptare). Founded 1991. Chair: Valter File.

Albanian National Democratic Party (Partia Nacional Demokratike). Founded 1991. Chair: Fatmir Çekani.

Albanian National Reconciliation Party. (Partia Pajtimi Kombëtar Shqipëtar - PPK)

Albanian National League Party. (Partia Lidhja Kombëtare Shqipëtare - LKSH)

Albanian New Socialist Party. Founded 1996 by former members of the SP.

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

Alternative Republican Union Party. (Partia Bashkimi Republikan Shqipëtar - PBR)

Çamëria Political and Patriotic Association (Shoqata Politike- Patriotike Çamëria). Supports the rights of the Çam minority (an Albanian people) in northern Greece. Founded 1991. Chair: Dr Abaz Dojaka.

Christian Democratic Party of Albania (Partia Demokristiane e Shqipërisë - PDK) Founded 1991. Pres: Zef Bushati.

Democratic Alliance Party. (Partia Aleanca Demokratike Shqipëtare - AD) Founded 1992 by former members of the DP who were either expelled or left. Chair: Neritan Çeka.

Democratic Alternative. Founded 1999 by breakaway faction of reformist members of the Democratic Party of Albania. Leader: Genc Pollo.

Democratic Movement of the Unification of Albanians. Founded 1993.

Democratic Party of Albania (DP) (Partia Demokratike Shqipëtare - PDSH). Founded 1990 as the first opposition party to the communist Party of Labour. Committed to liberal-democratic ideals and market economics. Chair: Dr Sali Berisha.

Democratic Prosperity Party (Partia e Prosperitetit Demokratik). Founded 1991. Chair: Yzeir Fetahu.

Democratic Union Party (Partia Bashkimi Demokrat Shqipëtar - PBD). Chair: Xhevdet Libohova.

Independent (Centrist) Party of Albania (Partia Indipendente (centriste) e Shqipërisë - PICSH). Founded 1991. Chair: Edmond Gjokrusha.

Legality Movement Party (Partia Lëvizja e Legalitetit Shqipëtar - PLL). Founded 1992. Monarchist. Chair: Guri Durollari.

Aim to re-establish Albania as a constitutional monarchy with Leka Zog reinstated.

Movement for Democracy Party of Albania (Lëvizja për Demokraci e Shqipërisë - PLD). Founded 1997 by former members of the DP. Leader: Dashamir Shehi.

New Democrat Party Formed in January 2001 as a splinter group of the Democratic Party. Chair: Genc Pollo.

National Front Party (Partia Balli Kombëtar Shqipëtar- PBK). Chair: Abaz Ermenji.

One of the oldest parties in Albania and was one of the groupings fighting against the partisans during World War II. For many Albanians it represents pre-war Albania.

National Progress Party (Partia e Perparimit Kombëtar). Founded 1991. Chair: Myrto Xhaferri.

National Unity Party (Partia Uniteti Kombëtar - PUK). Founded 1991. Chair of Steering Cttee: Idajet Beqiri.

New Party of Labour. Founded 1998. Left-wing. Defined itself as successor to the former communist Party of labour of Albania.

Peoples Welfare Party (Partia e Mirëqenies Popullore Shqipëtare - PMP). Founded 1991. Aims to eradicate Communism. Chair: Bashkim Driza.

Republican Party of Albania (ARP) (Partia Republikane Shqipërisë - PRSH). Founded 1991. Chair: Sabri Godo. Vice-Chair: Fatmir Mediu.

Right National Party. Founded 1998 by a breakaway faction of the National Front. Leader: Hysen Selfo.

Social Democratic Party of Albania (SDP) (Partia Social Demokratike e Shqipërise - PSDS). Founded 1991. Advocates gradual economic reforms and social justice. 100 member National Managing Council. Chair: Gramoz Pashko.

Social Justice Party (Partia e Drejtesise Shogerore).

Social Labour Party of Albania (Partia Socialpuntore Shqiptare). Founded 1992. Pres: Ramadan Ndreka.

Socialist Party of Albania (SP) (Partia Socialiste Shqipërisë - PSSH). Founded 1941 as Albanian Communist Party, renamed Party of Labour of Albania (PLA) in 1948, adopted present name in 1991. Until 1990 the only permitted political party in Albania. Now rejects Marxism-Leninism and claims commitment to democratic socialism and a market economy. Ilir Meta and Pandeli Majko were two of the leaders of the students' movement that played an important role in toppling the communist Government of 1990. Managing C'ttee of 81 members, headed by Presidency of 15 members. 110,000 members. Chair: Fatos Nano. Sec: Namik Dokle.

Union for Human Rights Party (UHRP) (Partia Bashkimi për të Drejnat e Njeriut e Shqipërisë - PBDNj). Founded 1992. Developed out of OMONIA, the Association of Greeks in Albania. Due to anti-Greek emotions after the participation of Omonia during elections of 1991, the UHRP was established with a wider scope. Represents the Greek and Macedonian minorities. It also has considerable backing in the North among the Macedonian, Montenegrin and Gorani minorities. Chair: Vasil Melo.

Union of Social Democrats (USD). Founded 1995. Breakaway faction from the SDP. Leader: Teodor Laco.

COALITIONS

Alliance for the State. The ruling coalition consists of the Socialist Party, the Social Democratic Party, the Democratic Alliance Party, the Union of Human Rights Party, the Agrarian Party and the National Unity Party.

Union for Victory. The main opposition coalition consists of the Democratic Party, the Liberal Union Party, the Republican Party, the National Front Party and the Legality Movement Party.

United Right. Consists of the Party of the Democratic Right, the Christian Democratic Union and the Movement for Democracy Party.

NON-GOVERNMENTAL ORGANISATIONS

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

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

National Committee of the War Veterans of the Anti-Fascist National Liberation War of the Albanian People (Komiteti

Kombëtar i Veteranëve të Luftës Antifashiste Nacional Çlirimtare të Popullit Shqiptar). Founded 1957. Chair: Pirro Dodbiba.

Democratic Union of the Greek Minority (OMONIA - Bashkimia Demokratik e Minoritet Grek). Founded 1991. Electoral regulations of 1992 forbade it participating in elections, as the party of an ethnic minority. Chair: Jorgo Labovitjadhi.

ANNEX C

PROMINENT PEOPLE

Sali BERISHA: Current Chairman of the Democratic Party. Former President of Albania between April 1992 and 1997.

Azem HAJDARI: Former Democratic Party Deputy MP assassinated on 12 September 1998, by unknown assailants. Violent protests at his funeral on 14 September 1998. The trial into his murder began in April 2001 and finished in April 2002.

Azgan HAKLAJ: Democratic Party Deputy Tropoje and since August 2001, who was arrested following a violent rally in Bajram Curri on 28 November 2000. Released from detention in July 2001 but awaiting trial.

Enver HOXHA: Communist Party leader from 1946 to his death in 1985.

Pandeli MAJKO: Socialist Party Prime Minister between 28 September 1998 and October 1999 and between February 2002 and July 2002.

Rexhep MEIDANI: President of the Republic of Albania from July 1997 to June 2002. Former Chairman of the Socialist Party.

Ilir META: Former Socialist Party Prime Minister between 27 October 1999 and 29 January 2002. Resigned due to internal party feud with Fatos Nano. Heads opposing faction of the SP, to Fatos Nano.

Alfred MOISIU: Current President of the Republic Albania, appointed in June 2002

Fatos NANO: Current Chairman of the Socialist Party. Former Prime Minister between July 1997 and 28 September 1998. Current Prime Minister, appointed in July 2002.

Arben RAKIPI: Former General Prosecutor who was dismissed by the Albanian Parliament in March 2002 under allegations of failing to investigate corruption.

Ekrem SPAHIA: Prominent member of the Legality Movement Party. Following the 1998 disturbances of Azem Hajdari's assassination, charged with an alleged coup attempt. Sentence not yet been determined.

Leka ZOG: Son of former King Zog. Currently living in South Africa. Advocates restoration of the Monarchy. Returned to Albania for 1997 referendum of the restoration of the monarchy where he was charged with "organising an armed uprising." He was sentenced in absentia in but in April 2002 the sentences against him were annulled by the courts. Returned to live in Albania in June 2002.

King ZOG: Former President Zogu named himself King Zog I in 1926 but was forced into exile in 1939.

REFERENCES TO SOURCE MATERIAL

1. Europa World Year Book 2002

"Albania." Central and South-Eastern Europe, Europa. 3rd Edition. 2002

2. Human Rights Watch

[a] 'Albania -Human Rights Developments.' World Report 2001.

[b] 'Albania - Human Rights Developments.' World Report 2002.

[c] 'Albania - Human Rights Developments.' World Report 2003.

3. International Catholic Migration Commission

'Protection of Trafficked Women Programme: 1999 - 2001'

4. International Helsinki Federation for Human Rights/Albanian Helsinki Committee

[a] 'Albania: Annual Report 1999'

[b] 'On the Status of Minorities in the Republic of Albania. 09.2000

[c] 'A Severe Incident with Tragic Consequences.' 30.11.2000.

[d] 'The arrested Azgan Haklaj victim of violence by the police.' 26.01.2001.

[e] 'Human Rights in the OSCE Region: 2001. Events of 2000 - Albania' 05.2001

[f] 'A form of slavery: Trafficking in Women in OSCE member states: Albania.' 07.2000

[g] 'Results of the Assessment Meeting held in Tirana on 5 October 2001.' 15.10.2001.

5. United States Department of State

[a] 'Trafficking in Persons Report' 05.06.2002

[b] 'Albania: Annual Report on International Religious Freedom for 2001' released 07.10.2002

[c] 'Country Report on Human Rights Practices for 2000,' released 01.2001

[d] 'Country Report on Human Rights Practices for 2001,' released 04.03.02

[e] 'Country Report on Human Rights Practices for 2002,' released 31.03.02

6. Foreign & Commonwealth Office Correspondence

[a] 'Military service in Albania,' London. 21.09.1998.

[b] 'Gorani,' London. 29.06.2000

[c] 'Medical treatment,' London. 20.12.2000

[d] FCO Correspondence from Tirana. 15.06.2001

[e] FCO Correspondence from Tirana. 29.06.2001

[f] FCO Correspondence from London. 25.04.2002

7. Freedom House; Nations in Transit

[a] 'Albania - Constitutional Legislative and Judicial Framework. Democratisation.'" updated 04.01.2001.

[b] 'Albania: Nation in Transit: 2001.' Annual Report for 2001.

8. European Union

[a] '**Albania - the EU Contribution.**' **European Commission. 06.2001**

[b] 'Declaration by the Presidency on behalf of the European Union on the new government of Albania.' Press Release 6607/02 (Press 50). 25.02.2002

[c] 'The EU's relations with Albania - June 2001' Accessed 05.09.2002

9. Keesing's Record of World Events

[a] April 1997, October 1998 and April, June, July and November 1999.

[b] 'Arrest of claimant to Albanian Throne.' February 1999

10. BBC World Monitoring Service - Albanian Telegraph Agency, Tirana

[a] 'USAID worth 383 thousand USD to assist Albanian trafficked women.' 07.03.2002

[b] 'Police say they use force only when needed to carry out duties.' 30.01.2001

[c] 'Albania's Prosecutor General signs arrest order against former Police Chief.' 25.12.2001

[d] 'Prosecutor's Office demands life sentence for Leka Zogu.' 11.11.1999

[e] 'Opposition coalition ends boycott, returns to Parliament.' 31.01.2002

[f] 'Third government Minister announces resignation, denies corruption.' 03.12.2001

[g] 'Council of Europe assembly applauds Albania's anti-corruption campaign.' 16.9.2000

[h] 'Azgan Haklaj thanks 'vote which gave him liberty.'" 24.07.2001

[i] 'Trial of Pyramid scheme boss starts in Tirana court.' 20.9.2000

[j] 'Albanian Council of Ministers adopts National Strategy against Trafficking.' 08.12.2001

[k] 'Meetings with OSCE heads in Vienna were important - DP leader Sali Berisha declares.' 01.09.2001

[l] 'President consults parties about dismissal of Chief Prosecutor.' 21.03.2002

[m] 'Opposition marks anniversary of Democratic elections.' 22.02.2001

[n] 'Tirana's Court sentences Leka Zog to two years' jail.' 25.01.2002

11. World Bank

'Albania - Country Brief.' World Bank Group. 09.2001

12. Reuters News Service

[a] 'Prosecution appeals decision of Tirana district.' 08.05.2002

[b] 'Minister says ridding the police of corrupt elements remains priority.' 19.6.2000

[c] 'Meta says the police belong to the state, not political parties.' 26.4.2000

[d] 'Premier urges stricter laws against blood feuds.' 19.2.1996

[e] 'Albania fills political vacuum with new government.' 22.02.2002.

[f] 'Albania sacks Prosecutor, early polls threatened.' 19.03.2002

[g] 'OSCE says Albanian Politician beaten, urges enquiry.' 30.01.2001

[h] 'Albanian Judge sacked in Anti-Corruption Drive.' 09.03.2001

[i] 'Albanian opposition ends boycott of Parliament.' 31.01.2002

13. Radio Free Europe/ Radio Liberty. Balkan Report

[a] 'Political squabbling delays IMF, World Bank assistance.' 06.02.2002

[b] 'Growth rates steady, but emigration on the rise.' 19.10.2001

[c] 'Yugoslavia - Albania ready to resume ties.' 12.01.2001

[d] 'OSCE protests police violence against Albanian opposition politician.' 01.02.2001

[e] 'Albanian investigators identify Hajdari killer.' 20.03.2001

- [f] 'Major trail opens in Albanian capital.' 04.04.2001
- [g] 'New shelter opens as trafficking on the rise' 15.02.2002
- [h] 'Weapons-Collection programme has mixed results in Albania.' 11.10.2001
- [i] 'Albanian President approves dismissal of Prosecutor-General.#' 27.03.2002
- [j] 'Albanian court rules that Hajdari murder was not politically motivated' 30.04.2002
- [k] 'Albanian politicians pick Presidential candidate' 24.06.2002
- [l] 'Albanian parliament approves Nano cabinet' 01.08.2002
- [m] 'Albania forms new anti-trafficking force' 28.08.2002
- [n] 'EU launches negotiations with Albania.' 03.02.2003

14. BBC World Monitoring Service - Albanian Radio

- [a] 'Albanian prosecutor says more arrests to follow in murdered deputy case.' 17.01.2001
- [b] 'More than 2000 families locked in blood feuds.' 10.08.2000
- [c] 'Albanian Court releases newly-elected opposition MP from custody.' 24.07.2001

15. International Crisis Group

- [a] '**Albania: State of the Nation: 2000**' 01.03.2000
- [b] 'Albania's Parliamentary Elections 2001' 23.09.2001
- [c] 'Albania: State of the Nation: 2001' 25.05.2001
- [d] 'Albania: State of the Nation: 2003' 11.03.2003

16. BBC News Online

- [a] '**Italy's sexual slave trade.**' 02.08.2000
- [b] 'Albanian Mafia steps up people smuggling.' 03.08.2000
- [c] 'Albanian Prime Minister quits.' 20.01.2002
- [d] 'Albania accuses Greeks of interference.' 16.10.2000
- [e] 'Albanian opposition attacks election 'farce.' 30.07.2001
- [f] 'Guns found on Albanian royal' 28.06.2002
- [g] 'Albanian PM resigns' 25.07.2002

17. Centre for Documentation and Information on Minorities in Europe - South East Europe

'Roma of Albania.' 07.2000

18. Organisation for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights

- [a] 'Republic of Albania: Local Government Elections of 1st and 15th October 2000: Final Report.' 11.12.2000
- [b] 'Presentation by the Head of the OSCE Presence in Albania to the Permanent Council.' 19.10.2000
- [c] 'Chair of Human trafficking task force ends trip to Albania.' Press Statement. 16.11.2001

- [d] 'Rights of Women to be included in police training in Albania.' Press Release. 01.09.2000
- [e] 'Republic of Albania: Parliamentary elections: 29 June - 19 August 2001.' Election Observation. Final Report. 11.10.2001
- [f] 'OSCE regrets missed opportunities to reform Albanian electoral system.' Press Release. 12.10.2001
- [g] '2001 Elections to the Assembly of the Republic of Albania: Developments through the Third Voting Day.' 23.07.2001 International Election Observation Mission. (as above)

[h] 'OSCE Presence in Albania' Accessed 23.04.2003

19. Government of Albania

[a] '**List of Cabinet Ministers' Council of Ministers, Department for Information. as at April 2002.**

[b] 'Penal Code of the Republic of Albania.'

20. Centre for Strategic and International Studies, USA

Report from the Second Meeting of the Albania Forum as part of the East European Project. Held on 04.05.2000

21. Special Co-ordinator of the Stability Pact for South-Eastern Europe

Current Activities: Report. Regional Table. 08.06.2000

22. Albanian News Online

'Opposition protests at decision not to pardon Leka.' 26.07.2000

23. Council of Europe

[a] '**Treaties signed and ratified by Albania as of 16.10.2000' Council of Europe's Conventions and Agreements. Council of Europe web-site.**

[b] 'Second Report on Albania.' Issued by the European Commission against Racism and Intolerance on 03.04.2001.

[c] 'A new Action Plan for the functioning of the Albanian Judicial System.' Council of Europe Press Service. 17.11.2000

[d] 'Exercise the right of conscientious objection to military service in Council of Europe member states.' Parliamentary Assembly. 13.07.2000

24. Immigration and Refugee Board, Ottawa, Canada. Research Directorate

[a] 'Blood feuds/Vendettas and the level of protection available to victims through the police, court, and other avenues of recourse.' 04.03.2000

[b] 'Update to ALB29810.E of August 1998 on whether soldiers or military conscripts are being prosecuted for deserting during the March 1997 events (1997 to present).' ALB34422.E. 29.05.2000

[c] 'Treatment of the Cameria ethnic group by society and the authorities, particularly of educated members of the group; avenues of redress available (2000 - January 2002).' ALB38279.E. 16.01.2002

[d] 'Albania: Opinions of three specialists in a series of questions related to the current situation in Albania.' ALB34263.E 20.04.2000

[e] 'Albania: Update to ALB29812.E of 12 July 1998 on treatment by the authorities of members and families of the Association of Former Victims of Political Persecution (Association of Politically Persecuted).'"ALB31220.E. 24.02.1999

25. Amnesty International

[a] 'Amnesty International Website against the Death Penalty' Accessed 05.10.2002

[b] 'Amnesty International Report 2002 - covering events from January to December 2001' POL 10/001/2002. 06.2002

[c] 'Albania: Ill-treatment of children in custody must stop.' EUR 11/004/2002. 07.03.2002.

[d] 'Torture and ill-treatment - an end to impunity?' EUR 11/001/2001. 18.05.2001

26. Commission on Security and Co-operation in Europe, Washington DC

'Albania's Parliamentary Elections of 1997.' Extract. 07.1997

27. World Directory of Minorities

'Albania: Central and Eastern Europe.' Minority Rights Group International

28. United Nations High Commissioner for Refugees

'Human Rights in Post-Communist Albania (March 1996).' UNHCR Refworld (Extract). 1998.

29. United Nations Development Programme

'UNDP launches "Small Arms and Weapons Control" project.' Press release. 05.04.02. Accessed on web-site: www.undp.org.al/press/doc/salwc.doc

30. Ministry of Public Order

'Border Police' Accessed 23.04.2003

31. War Resisters' International

'Albania.' 24.07.1998

32. Commission of the European Communities

'Stabilisation & Association Report' 26.03.2003

33. Athens News Agency. Daily News

'The First Ethnic Greek becomes a members of the Supreme Court.' 03.10.2001

34. UK Department for International Development Resource Centre for Health Sector Reform

'Albania briefing paper.' 06.2000

35. Committee to Protect Journalists

"Attacks on the Press in 2001: Albania." (Extract) A Worldwide Survey. 02.2002.

36. Institute for War and Peace Reporting

'Albania: Political infighting threatens economy.' BCR No. 315 06.02.2002

37. Koha Jone; Independent Albanian Newspaper, Tirana

'USAID grants Albania 435,000 Euro under Human Trafficking control project.' 08.03.2002

38. International Centre for the Red Cross

'Summary of ICRC activities in Albania in 2000.' Annual Report 2001

39. The European Centre for the International Statistical Co-operation, CESD. Rome

'Albania - Population census 2001.' Accessed on web-site: www.cesdroma.org/attivita%20albania-it-en.htm

40. Tirana University, Albania

'Legal and Institutional reform in Albania after the Democratic Revolution (1991 - 1997)' Compiled by Professor Dr. Aleks Luarasi. 06.1997. (Extract)

41. The International Gay and Lesbian Association:

'Albania - World Legal Survey.' Updated 29.11.1999. Accessed 23.04.2002

42. East European Constitutional Review

'Law on Albanian Citizenship. No.8389 Dated 05.08.1998. Accessed 20.04.2003

43. UNICEF.org

'Albania - Highlights' Accessed 20.04.2003

44. Reporters without Borders

'Annual Report 2002'

45. European Roma Rights Centre

'Dimensions of Romani Poverty in Albania' 09.05.2002

46. International Organisation for Migration/International Catholic Migration Commission

'Research Report on Third Country National Trafficking Victims' 06.2002

47. International Social Service - Albanian Delegation

'ICC Correspondence from Tirana' 02.10.2002

48. Albanian Telegraphic Agency

[a] 'Albania gives diplomatic passports to royal family' 04.02.2003

[b] 'Crime Rate in Albania marks substantial reduction' 04.03.2003