

# Albania

*Capital:* Tirana  
*Population:* 2.9 million  
*GNI/capita, PPP:* US\$10,260

Source: The data above are drawn from the World Bank's *World Development Indicators 2015*.

## Nations in Transit Ratings and Averaged Scores

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Electoral Process	3.50	4.00	4.00	3.75	3.75	4.00	4.25	4.25	4.00	4.00
Civil Society	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Independent Media	3.75	3.75	3.75	3.75	4.00	4.00	4.00	4.00	4.00	4.00
National Democratic Governance	4.00	4.25	4.25	4.25	4.50	4.75	4.75	5.00	4.75	4.50
Local Democratic Governance	2.75	2.75	2.75	2.75	3.00	3.25	3.25	3.50	3.50	3.50
Judicial Framework and Independence	4.25	4.00	4.00	4.25	4.25	4.25	4.75	4.75	4.75	4.75
Corruption	5.25	5.00	5.00	5.00	5.00	5.00	5.00	5.25	5.25	5.25
Democracy Score	3.79	3.82	3.82	3.82	3.93	4.04	4.14	4.25	4.18	4.14

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

# EXECUTIVE SUMMARY

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**A**lbania has been a member of the North American Treaty Organization (NATO) since 2009 and aspires to join the European Union (EU). Following recent progress in legislative reform and the fight against organized crime, Albania was granted EU candidate country status in June 2014. However, accession negotiations will only begin if Albania shows a sustained and vigorous commitment to tackling corruption and safeguarding the rule of law.

The Socialist Party (PS) government elected in 2013 has prioritized the fight against organized crime and drug trafficking. In June 2014, these efforts culminated in the large-scale police raid on the village of Lazarat, a major cannabis-producing site that had been considered “untouchable” by law enforcement agencies for years. Antidrug operations were extended to other remote areas across the country.

The new government’s qualified majority in the parliament allowed it to approve a number of potentially important legislative measures in 2014, including the first territorial and administrative reform in Albania since 1992. The government also went after long-standing rule-of-law issues such as nonpayment of energy bills and illegal construction projects.

Albania’s two main political parties, the PS and the Democratic Party (PD), are sharply polarized, and dialog between them was very limited in 2014. A physical altercation between parliamentary deputies in July led the PD to boycott all legislative proceedings until an EU-mediated détente in late December.

**National Democratic Governance.** The government pushed through a number of legislative measures pertinent to EU integration, mainly related to the fight against corruption and organized crime. The government cracked down on longstanding issues such as illegal construction and energy theft. Fiscal and economic reforms implemented during the year appeared to stabilize the economy. Relations between the ruling PS and the opposition PD parties remained poor and were further damaged by a several-month parliamentary opposition boycott. *Due to the implementation of crucial reforms, Albania’s national democratic governance rating improves from 4.75 to 4.50.*

**Electoral Process.** Local elections scheduled for June 2015 will be seen as an important test of recent administrative reforms and the electoral process. However, at year’s end the Central Election Committee (CEC) still had only 4 out of 7 required members. *Albania’s electoral process rating remains unchanged at 4.00.*

**Civil Society.** Civil society in Albania is still developing and limited in terms of capacity and influence in the public sphere. Two laws with implications for civil

society were drafted with input from nongovernmental groups and adopted in 2014: the Law on the Right to Information (approved in September) and the Law on Notice and Consultation (adopted in October). *Albania's civil society rating remains unchanged at 3.00.*

**Independent Media.** Freedom of expression is legally guaranteed and freely exercised in the country, but outlets often display a strong political bias, and their reporting is influenced by the economic or political interests of their owners. The main broadcasting regulator was unable to function for most of 2014 due to political turmoil over changes in membership. Several media organizations and unions exist, but they have had little influence on working conditions, editorial freedom, or relations between journalists and media owners. Some media routinely delayed the disbursement of payment to their employees in 2014. Several journalists were threatened or assaulted during the course of their work. *Albania's independent media rating remains unchanged at 4.00.*

**Local Democratic Governance.** In July 2014, the parliament passed legislation to reorganize the country's municipalities, reducing their number from 380 to 61. About one-third of Albania's population has left the country since the last comprehensive administrative reforms in the early 1990s, and the percentage of residents living in rural areas has radically decreased. The new territorial divisions were challenged by the political opposition and by ethnic Greek and Macedonian parties. *Albania's rating for local democratic governance remains unchanged at 3.50.*

**Judicial Framework and Independence.** The Albanian judicial system suffers from chronic corruption, political interference, and inadequate funding. Political conflicts have produced lengthy vacancies in courts and promoted "political" careers within the judicial system. In 2014, Albania began to draft its 2014–2020 judicial reform strategy and introduced legislative amendments regulating the legal immunity of judges and prosecutors. Law enforcement activities intensified during the year, particularly those related to drug-related crimes, economic crime, and trafficking of human beings. Case backlogs remained serious, particularly at the Supreme Court. *Albania's judicial framework and independence rating remains unchanged at 4.75.*

**Corruption.** Corruption pervades the public and private sectors. In 2014, the PS government took a number of steps intended to reduce graft and tackle organized crime, including the enactment of new civil service legislation, the finalization of a national anticorruption strategy, and adoption of amendments to strengthen rules on asset disclosure and conflicts of interest for public officials. In June, police counternarcotics raids targeted the village of Lazarat, where about half of Albania's marijuana production is based. Between July and September 2014, a number of Central Bank employees, including the bank governor and inspector general, were arrested in connection with the theft of approximately \$6.6 million. The government

also cracked down on a number of higher education institutions accused of selling diplomas. Due to political influence and corruption in the judiciary, no high-level political officials have been convicted on corruption charges. *Albania's corruption rating remains unchanged at 5.25.*

# MAIN REPORT

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## National Democratic Governance

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
4.00	4.25	4.25	4.25	4.50	4.75	4.75	5.00	4.75	4.50

The European Union (EU) officially designated Albania as a candidate for membership in June 2014, following three successive rejections.<sup>1</sup> EU officials were apparently encouraged by the initial efforts of the new Socialist Party (PS) government, which took office in September 2013, to combat corruption and organized crime. An earlier decision on Albania's membership application had been postponed in December 2013.

Led by former Tirana mayor Edi Rama, the PS government came to office with a qualified majority in the parliament and an ambitious agenda for its four-year term, including reforms in taxation, health, employment, security, the judicial system, administration, and territorial division. In 2014, the parliament endorsed a number of legislative measures pertinent to EU integration, mainly related to the fight against corruption and organized crime. It also adopted the first territorial and administrative reform since 1992 and a new law on public consultation for legislative processes.

The state implemented a number of key reforms intended to address Albania's spiraling budget deficit and meet commitments the governing coalition had made during their electoral campaign. Beginning in January, Albania's previous flat tax system was replaced with a proportional income tax that reduces the tax burden on lower-income citizens. Corporate taxes increased from 10 to 15 percent, and small businesses are now subject to a new, simplified tax.<sup>2</sup> The new fiscal package introduced higher duties for products such as oil, tobacco, and alcohol. Increased taxation and reduced government spending stabilized Albania's impoverished state finances. The economy grew by 2.1 percent in 2014, compared to 1.4 percent in 2013.<sup>3</sup>

For years, widespread nonpayment of electricity bills has been a major burden for the national power utility (OShEE) and the state budget. In 2014, the government launched a campaign against electricity theft, advising public servants that they must pay their power bills on time in order to keep their jobs. Hundreds of electricians employed by OShEE were fired for such arrears, as was Deputy Environment Minister Diana Bejko, who had not paid the electricity bill for her summer home.<sup>4</sup> Distribution losses fell to 35 percent in October 2014 from 45 percent one year earlier.<sup>5</sup> The criminal code was revised to make power theft punishable by imprisonment.<sup>6</sup>

The government has also sought to tackle the problem of illegal construction projects, tens of thousands of which have been erected along Albania's coast and in its national parks over the past two decades.<sup>7</sup> In addition to levying harsher

punishments—including jail time—against people who build in public spaces without the requisite permits, in 2014 the authorities actually demolished a number of illegal houses, palaces, and hotels.<sup>8</sup>

The new Civil Service Law adopted in 2013 finally came into force in February 2014.<sup>9</sup> By March, the government had adopted 10 by-laws, covering issues such as recruitment, promotion, and dismissal. The aim of the legislation is to depoliticize and improve the standards of public administration.

Albania's two main political parties, the PS and the Democratic Party (PD), are sharply polarized and given to personality-driven rivalry. As prime minister from 2005 to 2013, the PD's Sali Berisha worked to consolidate partisan control over state institutions, particularly after violent antigovernment protests in early 2011. The new, PS-led governing coalition includes the Socialist Movement for Integration party (LSI), which left the Berisha government two months before the 2013 election. LSI is headed by Ilir Meta, whose alleged corruption as deputy prime minister famously set off the 2011 protests. The ministers from PS are relatively new to politics, while most of LSI's ministers previously served in the Berisha government.

Opposition lawmakers led by the PD boycotted the parliament for several months in the second half of the year. The walkout was triggered in part by a fistfight in the legislative chamber in July. The PD's boycott, which began in September, was also linked to the party's demand that all legislation of major significance should require more than a simple majority of votes (the current government controls 84 of 140 seats in the lower house). The impasse ended in late December after European Parliament members mediated between the two sides.<sup>10</sup>

In October, an Albanian-Serbian football match in Belgrade was interrupted when a remotely piloted drone bearing an Albanian nationalist banner<sup>11</sup> flew into the stadium, triggering a clash between fans and police. Serbian authorities claimed that Prime Minister Rama's brother, Orsi Rama, who was at the match, had orchestrated the stunt. Albanian authorities denied his involvement.<sup>12</sup> Prime Minister Rama's planned visit to Belgrade—the first such trip by an Albanian head of government since 1946—was postponed until early November as a result of the incident.<sup>13</sup>

#### Electoral Process

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
3.50	4.00	4.00	3.75	3.75	4.00	4.25	4.25	4.00	4.00

Parliamentary elections in June 2013 were the most orderly in postcommunist Albania's history, resulting in an unusually peaceful transfer of power. The country's last general and local elections in 2009 and 2011 failed to meet international standards of fairness, triggering political deadlock that slowed down key reforms and increased the polarization between PD and PS supporters. Local elections scheduled for June 2015 will be seen as an important test of recent administrative reforms and the electoral process.

Elections are administered by a three-tiered election administration made up of the Central Election Commission (CEC), 90 Commissions of Electoral Administration Zones (CEAZ), and some 5,300 Voting Centre Commissions. The CEC has seven members—four proposed by the majority and three by the opposition. Decisions require a qualified majority of five members, which the CEC often fails to reach due to party alliances.<sup>14</sup> The three members of the CEC that had been selected by then-opposition PS quit before the 2013 elections over the parliamentary majority's questionable decision to replace one of its four candidates, an LSI nominee, with a nominee of the Republican Party (RP), a PD ally. The three seats remained vacant in 2014.

In their final report on the 2013 elections, monitors from the Organization for Security and Cooperation in Europe (OSCE) noted the partisan use of administrative resources, pressure on public employees and students to attend campaign events, alleged vote buying, some cases of family or proxy voting, and various missed deadlines. However, the observer mission found that the overall campaign was vibrant, competitive, and largely peaceful, despite an election-day shooting incident in which an LSI supporter was killed and two others, including a PD candidate, were injured.<sup>15</sup>

According to the final results, the PS captured 65 seats, the LSI took 16, and two smaller PS-allied parties—the Human Rights and Unity Party (PBDNJ), which represents ethnic Greeks, and the Christian Democratic Party—each garnered 1 seat. Meanwhile, the PD won 50 seats and its junior partners—the nationalist Justice, Integration, and Unity Party and the Republican Party—took 4 and 3 seats, respectively. Voter turnout was reported at 53.5 percent.<sup>16</sup>

Local elections scheduled in June 2015 will be the first to take place since the reform of local government units in July 2014. Mayors and councils will be elected in each of the 61 newly formed municipalities.

#### Civil Society

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00

According to the 2014 CSO Sustainability Index, Albanian civil society organizations (CSOs) increased their organizational capacity, constituency building mechanisms, and advocacy efforts in 2014, and the government was more inclined to recognize the contribution of CSOs in major national reforms and policy-making.<sup>17</sup> However, civil society in Albania is still developing and restricted in terms of capacity and influence in the public sphere. The public continues to think of civil society as synonymous with and limited to the work of CSOs rather than as a broader concept and mechanism for expressing its needs and concerns.

CSOs have limited activity outside the capital. All CSOs must register at the Court of Tirana District, which complicates the activities of those organizations working in the regions. Networks of organizations are rare and largely inefficient.

Overall, most organizations have limited interaction with the groups of society they strive to represent. Since the public still associates CSOs with compulsory activities organized under the communist regime, many Albanians refrain from engaging or supporting civil society activities. The state does not proactively encourage volunteering.

As the pool of international donors shrinks, financial sustainability is becoming an increasingly pressing issue for many CSOs. Organizations often follow donor-driven agendas and dedicate a large share of their capacities to grant-making rather than pursuing their own organizational goals. International donors have increasingly made their funding conditional on the receipt of co-support from central or local state institutions, reducing the ability of CSOs to remain impartial government watchdogs. Meanwhile, applying for EU funds involves complex procedures that tax most CSOs' capacities. Diversifying funding through for-profit activities has also been difficult because of a lack of legislative regulation and ambiguous taxing procedures. At the end of 2014, the Council of Ministers approved implementation of the new Law on Value Added Tax (VAT), which clarifies the tax-exempt status of funds, grants, and membership fees for nonprofit organizations, as well as the rules for the application of VAT on fundraising activities. However, the legal framework does not provide tax incentives for individual or corporate donations.<sup>18</sup>

The state's Agency for the Support of Civil Society (AMSHC) is the biggest source of government funding to the civil sector. In April 2014, the Balkan Investigative Reporting Network (BIRN) revealed that AMSHC had awarded grants worth 19.9 million Albanian lek (about \$157,000) to five organizations owned by the agency's own board members or their relatives between 2010 and 2013.<sup>19</sup> In July, media reported on a corruption scandal involving the National Association for the Blind, which had apparently accepted \$1.14 million in state funding to build a rehabilitation center that was never constructed.<sup>20</sup>

Formal and informal civil society groups led a number of civic initiatives during the year. Following the theft of around \$6.6 million from the vaults of Albania's central bank, several hundred citizens organized a protest demanding the resignation of bank governor Ardian Fullani.<sup>21</sup> CSOs also collected 1,000 signatures in favor of Fullani's dismissal, but he refused to step down. He was arrested in September.<sup>22</sup> In November, environmental activists rallied against the construction of a hydropower plant on the Lengarica river in southern Albania. Documents obtained by BIRN and interviews with government officials indicate that the developers' initial application for a permit was rejected in 2011, owing to the power plant's potentially negative impact on the Lengarica canyon, the Hotova Pine national park, and the Bënja thermal baths. The government responded to the protests by setting up a taskforce to re-review the potential environmental ramifications of the project.<sup>23</sup>

The government has made some notable attempts to improve the legal framework concerning access to information and public consultation in the legislative process. In September, the government approved the Law on the Right to Information, which defines what information can be classified as secret, mechanisms for providing partial information when complete information cannot



be provided, and time limits for freedom of information requests. In October, the parliament approved the Law on Notice and Consultation, which outlines the obligation of public authorities to ensure transparency and democratic participation in policymaking. The law foresees the establishment of an electronic registry of all draft legal acts and opportunities for all stakeholders to provide feedback.<sup>24</sup> Both of these laws were drafted with direct involvement or input from CSOs. The potential impact of such changes in addressing the long-standing issues of limited access to information and Albania's relatively closed legislative process remains to be seen.

Labor unions remain weak and with low membership across various economic sectors. When unionized bodies exercise activism, the reception from the government and business community is largely negative. Overall, tripartite dialogue in Albania is almost nonexistent and remains unable to improve conditions and rights for workers.

#### Independent Media

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
3.75	3.75	3.75	3.75	4.00	4.00	4.00	4.00	4.00	4.00

Freedom of expression is legally guaranteed and exercised in the country, though the media sector lacks both a clear legal framework and self-regulatory mechanisms. The number of media operators has increased along with internet penetration, but this has not automatically resulted in more diverse or higher-quality content. Outlets often display a strong political bias, and their reporting is influenced by the economic or political interests of their owners.

Libel has been decriminalized but remains a civil offense punishable with fines. Defamation cases against journalists have been on the decline in recent years as politicians increasingly opt to sue each other, rather than the media. In March 2014, the Tirana District Court overturned a 2010 judgment against the television station Top Channel, which had broadcast hidden camera footage of a former minister of culture apparently soliciting sexual favors in return for a job opportunity. In November, an appeals court confirmed that the district court had authority to make this decision.<sup>25</sup>

The Audiovisual Media Agency (AMA) is the main body responsible for regulating public and private radio and television in Albania. As the council's seven members are elected by the parliament via a simple majority vote, the body is perceived as politically biased. The AMA was unable to function for most of 2014 due to political turmoil over changes in membership.<sup>26</sup> In October and November 2014, the parliament ended three long-standing AMA vacancies by electing two members and a new chairman. Although PD refused to acknowledge the new appointments<sup>27</sup>—which occurred during its boycott of the parliament—the AMA was able to operate after the election of the new chair.

The public broadcaster RTSH is financially dependent on the state and typically shows a strong progovernment bias. Politically charged content and

outdated technology have reduced its popularity with the public. Of RTSH's two components—Albanian Radio and Television (ART) and the Albanian Telegraphic Agency (ATA)—the latter needs the most reform in order to provide citizens with balanced news and information.<sup>28</sup> Over half of the ATA's 80 employees had their jobs cut in early 2014.<sup>29</sup> The problems of illegal frequencies and piracy of cable television go largely unaddressed.

Two private television stations have national reach, and dozens of smaller television and radio outlets also operate in a poorly regulated environment. There are a variety of daily and weekly newspapers, but circulation is low, and distribution networks do not reach some rural districts. Albania has the lowest daily newspaper circulation per capita in Europe, despite it having the highest number of different newspapers per capita in Europe.<sup>30</sup>

The financial viability of media in Albania relies heavily on the private funds of their owners and advertising revenues. Major media outlets, especially television channels and newspapers, are owned by construction or oil companies and generate unreliable advertising revenues. Media depend on advertising contracts from state institutions, which are typically awarded to outlets that provide favorable coverage of the government, leaving few truly independent news sources.<sup>31</sup> BIRN reports that the Tirana City government accounted for 65.4 percent of all print ad spending by state institutions in the first three-quarters of 2014.<sup>32</sup>

The partisanship of many news outlets was visible during the 2013 election campaign, with the main television stations favoring either the PD or the PS in the amount or tone of their coverage. The election commission's media rules were weakly enforced, and a decision by the panel in early June appeared to require broadcasters to air party-prepared footage during newscasts, disregarding a 2011 court ruling.<sup>33</sup>

Several media organizations and unions exist, but they have had little influence on working conditions, editorial freedom, or relations between journalists and media owners. Most journalists work without formal contracts. The salaries of media workers are not standardized according to their roles and some media routinely delay the disbursement of payment to their employees.<sup>34</sup> In 2013, the Albanian Union of Journalists (Unioni i Gazetarëve Shqiptarë, UGSH) estimated that 90 percent of the private media are late in paying their staff salaries by between two and six months, and only 40 percent of media outlets regularly contribute to their employees' social security and health funds.<sup>35</sup> In October 2014, UGSH reported that 18 out of 21 daily newspapers were delaying their journalists' salaries and that 167 journalists had lost or quit or their jobs in 2014 because of unpaid work.<sup>36</sup>

Journalists are sometimes threatened or assaulted during the course of their work. During a June 2014 police raid on a village known for drug trafficking, a television crew from A1 Report was shot at by criminal suspects, their vehicle was torched, and one journalist was briefly held hostage.<sup>37</sup> In July, the car of a journalist for the news program Ora News was torched for the second time in three years.<sup>38</sup> In December, a masked person tried to shoot an investigative journalist for TV News 24.<sup>39</sup> According to UGSH, a journalist with the daily newspaper *Gazeta Map*

received several telephone calls threatening him and his family's life, and was also directly threatened in the streets. The threats were allegedly linked with comments he has made regarding criticism of the government.<sup>40</sup> Investigative journalism remains weak in Albania, though increased online platforms have provided a new space for its development.

#### Local Democratic Governance

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
2.75	2.75	2.75	2.75	3.00	3.25	3.25	3.50	3.50	3.50

The legal framework for local government in Albania is based on the principles of democracy, decentralization, and local autonomy. In practice, the central government is generally unwilling to decentralize power, and local governments remain weak, fragmented, and subject to political manipulation by the central government.

In the last months of 2013, the new government initiated a wide consultation process with local, national, and international stakeholders to implement territorial reform. In July 2014, the parliament passed legislation to reorganize the country's municipalities, reducing the number from 380 to 61. Three municipalities were drawn along ethnic lines and designated as minority regions.<sup>41</sup> The opposition PD boycotted the vote and refused to recognize the new map, insisting that it was drafted with the ruling party's electoral interests in mind.<sup>42</sup> Meanwhile, ethnic Greek and Macedonian parties demanded the preservation or creation of additional minority-dominated units.<sup>43</sup> However, the Constitutional Court rejected a legal challenge to the law in December.<sup>44</sup> At year's end, PD was calling upon municipalities to hold referendums against the change in territorial divisions.<sup>45</sup>

Prior to the reforms, 60 percent of local government units were inhabited by only 19 percent of Albania's total population.<sup>46</sup> About one-third of Albania's population has left the country since the last comprehensive administrative reforms in 1990, and the percentage of residents living in rural areas has radically decreased.<sup>47</sup> In 2013, an estimated half of all communes were collecting no more than 0–2 percent of their annual spending budget funding from local taxes. Meanwhile, one-third of all communes spent over 80 percent of their budget on administrative salaries.<sup>48</sup>

Mayors of municipalities and communes are directly elected through a majority system, while their representative councils are directly elected through a proportional closed-list system. Representatives from these units appoint bodies that govern the second layer of local government—12 *qarku* (counties), most of which lack the financial authority or resources to fulfill their assigned duties.

Because local governments are largely dependent on financial resources from the central government, they often get drawn into political debates and confrontations generated by parties at the national level. The two main municipal associations are divided across party lines. Partisanship kills consensus and cooperation at the local level and also prevents local leaders from expressing their shared needs to the central government in a unified voice.<sup>49</sup>

Central funding is not often transparent or strategically oriented, and local government administrations hold a high percentage of temporary contracts, rendering long-term development efforts difficult. Local authorities seek government investments in basic infrastructure like roads, water facilities, and irrigation, but they lack vision or capacity for further social and economic development of the localities. The central government decides how investments should be spent, and the overall amount to be distributed at the local level.

#### Judicial Framework and Independence

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
4.25	4.00	4.00	4.25	4.25	4.25	4.75	4.75	4.75	4.75

Albania's judicial system suffers from chronic political interference, funding difficulties, and corruption. Judges on the Supreme and Constitutional courts are appointed by the president and approved with a simple majority vote by the parliament.

During their respective terms, President Bujar Nishani and his predecessor Bamir Topi both clashed with the parliamentary majority over judges' nominations, leading to lengthy judicial vacancies on the Supreme and Constitutional courts and political, rather than merit-based, promotions within the judiciary.<sup>50</sup> In 2014, President Nishani butted heads with PS over an appointment to the Supreme Court.<sup>51</sup>

Albania continues to adopt judicial reforms prescribed by the European Commission, though implementation lags behind. In 2014, Albania began to draft its 2014–2020 judicial reform strategy and introduced legislative amendments regulating the legal immunity of judges and prosecutors. Law enforcement activities intensified during the year, particularly those related to drug-related crimes, economic crime, and trafficking of human beings.<sup>52</sup>

The minutes of Albania's High Council of Justice (HCJ)—which reviews legal and procedural breaches by members of the legal profession—indicate that Albanian judges commonly file arguments for verdicts late, procrastinate over cases for up to three years, and violate rulings of the Supreme Court.<sup>53</sup> After citizens filed complaints against a judge in the first-instance court of Shkodra, the HCJ found that he had breached articles of the constitution and the criminal and civil procedural code in 34 cases. The judge, who had been diagnosed with multiple sclerosis years earlier, was still handling up to 590 cases a year. In April, Minister of Justice Nasip Naco moved to dismiss the judge; his request was approved by the HCJ but denied by the Supreme Court.<sup>54</sup>

In 2013, the HCJ interfered in the election process for the head of Albania's School of Magistrates, a hitherto largely independent body providing training for judges and prosecutors. HCJ replaced one of the supervisory board's member judges, thus shifting the majority vote against the incumbent director's reelection. Instead, the board elected its new director from among two government-approved candidates.<sup>55</sup>

Following the light sentences issued by Tirana's appeals court in 2013 against two former Republican Guard officers accused of killing protestors in the January 2011 riots,<sup>56</sup> the prosecutor general's office appealed the cases before the Supreme Court. As of December 2014, the high court had yet to set a date for the first hearing of this high-profile trial.<sup>57</sup> The Supreme Court heard 6,448 cases in 2014, but a backlog of 11,357 cases remains from previous years.<sup>58</sup>

Based on Albanian and international law, judges have the right to postpone payment of legal fees by plaintiffs who cannot afford them. According to a 2014 report by the NGO Res Publica, judges rarely avail themselves of this option, effectively denying citizens who lack financial resources access to the justice system.<sup>59</sup>

Amendments to the Criminal Procedure Code enacted in July introduced prison sentences of up to twenty years for persons who possess or transport explosives for criminal purposes. In January, police arrested alleged members of a gang suspected of multiple contract killings and murder attempts—largely through the use of car bombs—in both Albania and neighboring Greece. The group's clients reportedly included businessmen and local officials.<sup>60</sup> Despite the arrests, a similar bombing in August killed a local businessman in Vlora.<sup>61</sup> A prominent bank executive and media owner was shot to death in an apparent contract killing in June; two suspects were arrested within days.<sup>62</sup>

In tandem with other new measures for tackling corruption (see Corruption section), in 2014 the government took steps to improve the quality of asset investigations. In April, the joint investigation units in Tirana, Vlora and Durres were provided with additional prosecutors. However, further work is needed to improve cooperation between the police and prosecutor's office during investigations.<sup>63</sup>

Police reportedly engage in abuse of suspects during arrest and interrogation. Prison inmates suffer from poor living conditions and lack of adequate medical treatment, often relying on family to provide food and other supplies.

Property rights and the restitution of property nationalized under the communist regime remain a serious concern. The government has adopted a formal strategy to address the problem, but efforts to produce concrete results have moved at a slow pace. The strategy acknowledges that because the financial cost of the process has not yet been determined, it cannot provide a clear timeframe for the full restitution of property rights. Failure to properly address the issue has brought a large number of legal cases to the European Court of Human Rights (ECHR).

## Corruption

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
5.25	5.00	5.00	5.00	5.00	5.00	5.00	5.25	5.25	5.25

Officially, fighting corruption—especially within state institutions—has been a government priority for many years, but results have been limited. On the whole, anticorruption efforts are driven by international expectations rather than pressure

from the Albanian electorate, with the result that politicians lack the will to properly implement EU-mandated reforms. While corruption remained pervasive in 2014, the new PS government launched a serious push against organized crime, winning over the EU officials who had been unwilling to grant Albania candidate country status.

EU progress reports issued in June and October 2014 praised many anticorruption steps undertaken by the PS government since January, including the enactment of new civil service legislation, the finalization of a national anticorruption strategy, and adoption of amendments to strengthen rules on asset disclosure and conflicts of interest for public officials.<sup>64</sup> In February, the parliament appointed a new inspector for monitoring assets and conflicts of interest who pledged to pursue investigations that his predecessors had neglected. By November, his agency had filed charges against 16 officials, including two judges, an ambassador, and several parliamentary deputies. One of the officials accused of hiding assets is former PS deputy Andris Harasani, who, before he entered parliament in 2005, chaired Albania's national electricity company.<sup>65</sup>

Both of the EU's 2014 reports called on Albania to follow through with prosecutions for corruption, particularly among high-level officials. Shpetim Gjika, the mayor of Vlora and member of the ruling PS, was charged in October 2013 with breaching tender laws and falsifying construction permits.<sup>66</sup> He was cleared of some charges in 2014.<sup>67</sup> Xhelal Mziu, the mayor of Kamza and a member of the opposition PD, was arrested in December 2013 and charged with dereliction and infringement of equality between bidders on a road construction project.<sup>68</sup> The case against him continued throughout 2014.<sup>69</sup>

A 2012 constitutional amendment limits immunity for members of parliament and judges and amendments to the Criminal Procedure Code in 2014 enabled the proper enforcement of these constitutional changes. However, as in previous years, no high-level official was convicted of corruption in 2014. The fact that the Supreme Court—whose members are appointed by a simple majority in parliament—acts as a first instance court for high officials allows the ruling majority to appoint judges unlikely to rule against them in corruption cases.

The largest corruption case of the year concerned the theft of approximately \$6.6 million over four years at Albania's Central Bank. Between July and September 2014, some 19 bank employees, including the governor and inspector general, were arrested in connection with the case.<sup>70</sup>

Lesser scandals related to corruption and weak rule of law had repercussions for a few politicians, as well. A PS parliamentary deputy resigned in November over her son's alleged involvement in a deadly shootout at a Tirana nightclub,<sup>71</sup> and a deputy environment minister was fired in December for allegedly failing to pay her power bills. Throughout 2014, PD unearthed criminal records of PS politicians and appointees in a bid to discredit the government.<sup>72</sup>

To combat corruption and rising crime rates, the PS government has replaced a number of prison officials and police commanders, and disbanded several police units. PD criticized a number of the new appointees, and a leaked December

2013 document from the State Intelligence Service—headed by a nominee of the former government—indicated that the agency was investigating appointees for any criminal connections.<sup>73</sup>

Albania is a transshipment point for heroin smugglers and a key site for European cannabis production. In 2014, police counternarcotics raids targeted the village of Lazarat, the home base of gangs that produced an estimated \$5.9 billion in marijuana in 2013, roughly half of Albania's gross domestic product.<sup>74</sup> Over 1,000 police officers took part in the operation, including special-forces units with armored vehicles and helicopters. Lazarat had been effectively off-limits to local police for over a decade, becoming synonymous with uncontrolled crime.

The government has made some improvements to e-governance and overall transparency of government institutions. The Ministry of Justice now hosts a website through which citizens can complain about abuse of office in the judicial system. Inspectors from the ministry have investigated these claims and initiated cases for disciplinary penalties against state officials.

A new accreditation process for all public and private universities started in May. When over 70 percent of schools assessed were found to be in violation of basic aspects of the law on higher education, the government cracked down on schools suspected of fraud. The licenses of some 18 higher education institutions that appeared to be selling diplomas were revoked. The government also ordered legal action against numerous other universities accused of similar activities. The “blacklist” of these schools includes Kristal University, which in 2012 was caught issuing a fake degree to Renzo Bossi, the son of the leader of Italy's right-wing party Northern League, Umberto Bossi.<sup>75</sup>

According to Transparency International, Albanians perceive their public sectors as highly corrupt, more so than survey respondents in most other Western Balkan states.<sup>76</sup>

*This report owes much to analysis by Gledis Gjipali, the executive director of European Movement in Albania, a Tirana-based nonprofit think tank.*

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