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Issue Paper ALBANIA SELECTED POLITICAL AND HUMAN RIGHTS ISSUES December 1998

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Table of Contents

[MAP OF ALBANIA](#)[GLOSSARY](#)

1. [INTRODUCTION](#)
2. [RECENT HISTORY: 1992-1997](#)
3. [EVENTS IN 1998](#)
 - 3.1 [Political Developments and Major Security Incidents](#)
 - 3.1.1 Events Leading to the Resignation of Prime Minister Nano
 - 3.2 [Kosovo](#)
 - 3.3 [General Security Situation](#)
4. [HUMAN RIGHTS ISSUES UNDER THE NANO GOVERNMENT](#)
 - 4.1 [General Human Rights Assessments](#)
 - 4.2 [Blood Feuds](#)

[4.3 Political Affiliation: Relations Between Political Parties](#)[4.4 Religion](#)[4.5 Minorities](#)5. [RULE OF LAW/STATE PROTECTION](#)[5.1 Legal Reform](#)[5.2 Efforts to Address Security Issues](#)[NOTES ON SELECTED SOURCES](#)[REFERENCES](#)

MAP OF ALBANIA

See original.

Source: Perry-Castañeda Library Map Collection, University of Texas Library at Austin.

GLOSSARY

DA	Democratic Alliance
DP	Democratic Party
KLA	Kosovo Liberation Army
RENEA	Unit for the Neutralization of Armed Elements
SDP	Social Democratic Party
ShIK	National Intelligence Service
SP	Socialist Party

1. INTRODUCTION

Located in southeastern Europe, Albania borders the Adriatic Sea on the west, the Federal Republic of Yugoslavia on the north—specifically Kosovo and the Republic of Montenegro—the Former Yugoslav Republic of Macedonia on the east and Greece on the south. It is approximately 29,000 km² and in 1992 had a population of 3.4 million (MRG 1997, 201; AIN 6 Oct. 1997).

Over 90 per cent of the country's population is ethnic Albanian (AIN 6 Oct. 1997; *Albania: a Country Study* 1994, 66). Greeks form the largest minority community, which the 1989 census estimated at 58,000 (HRW/H 1996, 9). The census listed the other minority groups as follows: Macedonians (4,700), Vlachs (1,300) and Roma (1,300) (ibid.). Other estimates range up to

270,000 for the Greeks, (*ibid.*; *Albania: A Country Study* 1994, 68-69; AIN 6 Oct. 1997; MRG 1997, 201), 40,000 for the Macedonians, 50,000 for the Vlachs and 100,000 for the Roma (*ibid.*).

Northern Albania, known as the Malësi, or highlands (Malcolm 1998, 9) is a mountainous region roughly divided from the south by the Shkumbin River. Because the terrain impeded penetration of outside influences, customs and traditions have persisted more tenaciously in the north (*Albania: A Country Study* 1994, 67; AFP 14 Apr. 1997; see also IJAS 1997, 2).

The country's two main ethnic subgroups, the Gëgs (Ghegs) and the Tosks, have also been historically separated by the Shkumbin River. The Gëgs are generally concentrated north of the Shkumbin River and make up slightly over half the population, with the Tosks predominant in the south (*Albania: A Country Study* 1994, 66). Other much smaller ethnic sub-groups include Labs and Çams (Malcolm 1998, 14).

Both main groups have an eponymous language, which two sources indicate are mutually intelligible (Malcolm 1998, 14; *Albania: A Country Study* 1994, 71), and which another states are not (*Ethnologue* 1996). Both languages have several dialects (*ibid.*). The national language established in 1945 is based on Tosk (*ibid.*; *Albania: A Country Study* 1994, 71).

Gëg society is historically clan-based and patrilineal, with groups of blood-related families, or vëllazëri, making up the clan, or *fis* (Malcolm 1998, 15); some large clans were also divided into sub-clans (*ibid.*, 15-16). The importance of clans began to diminish after the country's independence from the Ottomans in 1912 (*Albania: A Country Study* 1994, 68). Tosk cultural development has been more subject to outside influences (*ibid.*; Hall 1994, 28).

The country's political elite was primarily Gëg until 1945, when, with the coming to power of the Communist government under southerner Enver Hoxha, Tosks and/or southerners became more prevalent in the government and its institutions (Vickers and Pettifer 1997, 5; *Albania: A Country Study* 1994, 67). It was under Hoxha's government that the Tosk-based national language was established (*ibid.* 71).

The Shkumbin River has also demarcated the country's religious communities. Northerners historically were predominantly Roman Catholic and southerners were primarily Orthodox, although under Ottoman rule, beginning in the 14th century, most of the population converted to Islam (*Albania: A Country Study* 1994, 84; MRG 1997, 204). The Communist government banned all religious practices in 1967 and declared Albania the world's first atheist state (*ibid.* 202; Vickers and Pettifer 1997, 98-99). Almost all houses of worship were destroyed or converted to other uses at this time (*ibid.*, 99).

In 1990, the ban on religious worship was lifted (MRG 1997, 202). Estimates of the population's religious affiliation are based on 1945 figures: 70 per cent Sunni Muslim, 20 per cent Orthodox and 10 per cent Catholic (HRW/H 1996, 8; *Europa* 1998 1998, 349). According to Vickers and Pettifer, the most highly Islamic towns in the country are Durrës, Elbasan, Kavaja and Shkodra^[1], the last of which is also the "spiritual home" of the country's Catholic population of 350,000 (1997, 99). The country is also home to a Bektashi community, a religious sect whose practices are loosely related to traditional Islam (*ibid.*, 100-01).

Albania is the poorest country in Europe (CEO 29 Sept. 1998; Vickers and Pettifer 1997,

2). In August 1998, the official unemployment rate was cited as 17.2 per cent of the labour force, up two per cent from the previous year (*Albania* 19 Aug. 1998). According to *Albania*, a paper supporting the opposition Democratic Party (DP), approximately two-thirds of the country's population live in poverty (ibid.). Salaries are, on average, US\$50 (7,500 lek) per month (down from US\$90 [13,500 lek] per month in 1996); the country's 500,000 pensioners receive approximately US\$20 (3,000 lek) per month and unemployment benefits are US\$14 (2,000 lek) (ibid.). According to another report, between March 1997 and March 1998, prices rose by approximately 50 per cent while public sector wages rose approximately 20 per cent (*Koha Jone* 25 Apr. 1998).

NOTE

[1] These populations of these towns according to 1990 figures were: 72,000, 70,000, 23,000 and 71,000 (*CIA Atlas of Eastern Europe 1990*) [\[back\]](#)

2. RECENT HISTORY: 1992-1997

In 1985, Ramiz Alia replaced Enver Hoxha as leader of the ruling People's Labour Party (or Party of Labour of Albania-PLA, the Communists). Following anti-government demonstrations in 1989-90, the government introduced certain reforms—such as the establishment of a Justice Ministry and a legal profession and the lifting of some restrictions on freedom of movement—but anti-government demonstrations flared up again in late 1990 and into 1991 (Hall 1994, 59-60; IJAS 1997, 3; Vickers and Pettifer 1997, 33-54). The PLA won elections held in March 1991 (*Current History* Mar. 1998, 127).

A number of opposition parties emerged at this time, the most prominent of which were the centre-right Democratic Party (DP), established in 1990 and led by Dr. Sali Berisha; the Socialist Party of Albania (SP), which evolved from the PLA in June 1991 and was led by Fatos Nano (Nanos); and the Social Democratic Party (SDP), which was originally allied with the DP (*Current History* Nov. 1993, 382-3). The Democratic Alliance Party (DA) was formed following a split in the DP leadership and the expulsion of several of the party's founders in the summer of 1992; the party considered itself a response to the perceived rightist "fundamentalist nationalist" tendencies of the DP (ibid.; Vickers and Pettifer 1997, 85-88).

The DP won national elections held in March 1992 and Sali Berisha was elected President the following month (*Current History* Mar. 1998, 127). He appointed Aleksander Meksi of the DP as Prime Minister (*Europa* 1998, 336). Under Berisha, a northerner and a Geg, the DP government fired many civil servants and replaced them with northerners (*Transition* 6 Sept. 1996, 51; Vickers and Pettifer 1997 80-81, 152, 244). The new government also organized a self-proclaimed anti-corruption drive, which led to the imprisonment of many Socialists, including former President Alia and SP leader Fatos Nano (*Current History* Nov. 1993, 383).

The new government released all remaining Communist-era political prisoners in early 1992 and passed a human rights law in March 1993 (Hall 1994, 60; *Country Reports 1993* 1994). However, under the DP, the media, judiciary and police were compromised and political opponents were at risk (ibid.; *Current History* Mar. 1998, 128, 130; NHC 1998, 6; HRW/H 1996, 1-2, 10-11, 15-17, 65-92). Human Rights Watch/Helsinki, for example, reported that DA and SP meetings were broken up by police and that two DA supporters had been attacked and a third killed in 1994, allegedly by DP supporters or the police (ibid. 45-48). Allegations of 10 attacks against SP supporters between 1992 and 1994 could not be confirmed by Human Rights

Watch/Helsinki (ibid. 48-49). Albania joined the Council of Europe in 1995, despite reservations about media and judicial independence and opposition accusation of abuses (*Transition* 25 Aug. 1995, 3, 7).

The DP was re-elected in May 1996 elections that the Organization for Security and Cooperation in Europe (OSCE) reported were rife with irregularities (*Current History* Mar. 1998, 129; *Helsinki Monitor* 1997, 2). The Socialists and others, including the SDP, the DA, the Agrarian Party, the Party for National Unity and the Party of the Democratic Right, boycotted the elections, the results of which led to violence (ibid.; Vickers and Pettifer 1997, 282; *Transition* 28 June 1996, 38-39). According to the OSCE, by March 1997, there were increasing complaints of "a growing lack of respect for human rights and fundamental freedoms ... threats against lives and lives of family members [of representatives of opposition parties and NGOs], numerous police infringements, such as beatings and threats of imprisonment [and] severe restrictions on the freedom of the press" (*Helsinki Monitor* 1997, 2).

The country's economy, marked by an increase in illegal activities, large international financial transfers, dependence on remittances from émigrés and speculation activities such as pyramid schemes, was one of the fastest growing in Europe by 1995 (*Transition* 4 Oct. 1996, 15-16; *Current History* Mar. 1998, 128). By the end of the year, however, the unsustainable growth began to reverse (ibid.). In late 1996-early 1997, a number of dubious pyramid schemes collapsed, bankrupting close to 20 per cent of the population (EPCPT n.d.), but estimates on the number of people in some way affected range up to 80 per cent of the population (ACT 7 Apr. 1997).

The pyramids' collapse led to widespread riots and violence, starting in the south of the country, then moving north in March 1997 (ICG June 1997, 2; *Current History* Mar. 1998, 129). Demonstrations began in December 1996 in the southern towns of Gjirokastra and Vlore and spread throughout the south in late January 1997 into February, with riots in Lushnja, Berat, Tirana, Fier and elsewhere (ibid.; *Transition* 7 Mar. 1997, 8-9). In addition to those cities, Elbasan and Durres in the centre and Shkodra, Lezha and Lac in the north were badly affected (ACT 7 Apr. 1997.). Public and private buildings were damaged or destroyed, there were riots in the streets and in prisons, police stations and members of the security services were attacked and police and military personnel abandoned their posts (ibid.; *Transition* 7 Mar. 1997, 8-9; *Country Reports* 1997 1998, 940). In March 1997, a state of emergency was declared and Berisha was re-elected President by Parliament (ACT 7 Apr. 1997; ICG June 1997, 2). That month, on an OSCE recommendation, a transitional government was established in preparation for new elections to be held in June and July, thereby ending the political deadlock that had prevented a solution to the crisis (*Current History* Mar. 1998, 129; *Helsinki Monitor* 1997, 2-4; EECR Spring-Summer 1997, 2).

During the spring of 1997, all of the country's prisons were opened and the entire prison population freed, including SP leader Fatos Nano (NHC 1998, 6; *Country Reports* 1997 1998, 941). According to *Country Reports*, armed groups released the inmates, while Human Rights Watch states simply that they "broke free" (ibid.; 1998, 228). Although many returned later in the year, either responding to an amnesty offering reduced sentences or through re-capture, others remained at large (ibid.; AHC Oct.-Dec. 1997, 7). During the general chaos, the country's armouries were virtually emptied of hundreds of thousands of weapons (*Current History* Mar. 1998, 129; EECR Fall 1997, 2; ICG Mar. 98, 10).

By June 1997, the country was in a virtual state of anarchy. According to the International Crisis Group (ICG), a private risk-analysis organization, police control was virtually non-existent, particularly in the south, and "criminal gangs" controlled the town of Vlore (June 1997, 1-2). Elections, declared "acceptable" by the OSCE, were held on 29 June and 6 July 1997 (*Current History* Mar. 1998, 129-30; EECR Spring-Summer 1997, 3-4). Several DP leaders fled the country immediately thereafter (*ibid.*, 4)^[2]. A five-party coalition government under SP leader Fatos Nano was established, with the SP, the SDP, the DA, the Human Rights Union Party and the Agrarian Party taking part (*ibid.*). The SP took 102 seats of 155 and the other coalition partners took 17 seats between them, while the DP took 27 (Council of Europe 22 Sept. 1997, II.I.4). The DP set up a unified opposition called the Union for Democracy with four other parties (Social Democratic Union Party, Legality Movement Party, Christian Democratic Party and Democratic Union Party) (*ibid.*, II.I.6; ATA 25 June 1998). A new President, Rexhep Meidani, took office in late July 1997 (Council of Europe 22 Sept. 1997, II.I.7). A member of the SP, he resigned all of his Party positions after his selection, unlike his predecessor (*ibid.* II.I.8; NHC 1998, 6). *Country Reports* refers to the Presidency in 1997 as a primarily ceremonial position (1998, 939).

The violence did not end immediately after the election, with inter-gang fighting and robbery of travellers continuing, particularly in the south (*Economist* 9 Aug. 1997). However, by the autumn of 1997, the UN's Department of Humanitarian Affairs (DHA) reported that the police had regained control of most main roads and towns (19 Sept. 1997; *ibid.* 10 Oct. 1997; *ibid.* 23 Nov. 1997). The situation in northern Shkodra, a DP "stronghold" (AP 21 Jan. 1998), remained difficult; travellers on roads were periodically robbed and police discouraged travel after dark (UN DHA 19 Sept. 1997; *ibid.* 10 Oct. 1997; *ibid.* 23 Nov. 1997). Other areas of safety concern in late 1997 included northern Tropoje, Berat and Sarande. While the immediate police priority was the restoration of control over the roads and cities, longer-term goals included a reorganization of the security forces and the establishment of criminal investigation units (*ibid.* 23 Nov. 1997).

The generally accepted death toll for the entire sequence of events is 2,000 (Council of Europe 22 Sept. 1997, II.II.14; ICG June 1997, 1-2; NHC 1998, 5). Causes of death included gun battles between rival gangs, violent crimes or accidental shootings (*ibid.*; *Current History* Mar. 1998, 129; ICG June 1997, 2).

The government claimed that most of the country had returned to government control by the autumn of 1997 (Council of Europe 22 Sept. 1997, II.II.14). However, close to a million weapons remained in circulation (*ibid.*, 16) and in the town of Fier, for example, a town of 100,000, there were reportedly nine gangs in operation (AHC Oct.-Dec. 1997, 1-2; ACT 7 Apr. 1997). *Current History* states that there were roughly 70 violent deaths a month across the country at the end of 1997 (Mar. 1998, 130).

The police and judiciary were reportedly not completely effective at the end of 1997 (EECR Winter 1998, 3; AHC Oct.-Dec. 1997, 1). Police often lacked detention facilities and other resources such as radios for communication, according to the AHC (*ibid.*). Prosecutors were unable to obtain the documentation needed to investigate crimes and the security and investigation units were not cooperating effectively (*ibid.*, 1-2).

Parliamentary relations under Prime Minister Fatos Nano were not smooth in 1997 (ICG 18 Mar. 1998, 5; EECR Fall 1997, 5). The DP refused to participate in the 21-member, multi-party

Commission set up by the SP to draft a constitution to replace the interim set of 45 Major Constitutional Provisions, although its allies attended on occasion (ibid., 4; ibid. Winter 1998, 3) [3]. The Democrats also organized numerous anti-government demonstrations, staged parliamentary walkouts and repeatedly called for new elections (ibid.; ICG Mar. 1998, 6). In a particularly spectacular incident, Socialist MP Gafurr Mazreku shot and wounded DP MP Azem Hajdari in September 1997 while they were in the Parliamentary Assembly, precipitating a DP parliamentary boycott (ibid.; EIU 1st Quarter 1998, 13). (See section 4.2 for further details on this incident.)

NOTES

[2] They included Interior Minister Belul Celu; Chief of Police and Deputy Interior Minister Agim Shehu; and the Commander of the Presidential Guard Xhanit Xhaferri (EECR Spring-Summer 1997, 4; ANSA 1 July 1997). Celu apparently returned, but by April 1998, all three, among others, were facing charges related to the spring violence, and were reportedly out of the country (ATA 2 Apr. 1998). [\[back\]](#)

[3] A DP Constitution was unsuccessfully put to a referendum in December 1994 (*Current History* Mar. 1998, 128). [\[back\]](#)

3. EVENTS IN 1998

3.1 Political Developments and Major Security Incidents

There were numerous violent incidents and several local riots in 1998. On 5 January 1998, three DP members, two police officers and a member of ShIK (the National Intelligence Service) were killed in northern Tropoje, and on 13 January, the SP's office in Gjirokaster was bombed (EIU 1st Quarter 1998, 17; ATA 13 Jan. 1998; AFP 7 Jan. 1998). At one point, police were ordered by the Interior Ministry to shoot masked robbers without warning (EIU 1st Quarter 1998, 17). According to the ICG, there were 17 bomb explosions in Gjirokaster between December 1997 and March 1998 (ICG Mar. 1998, 8). The choice of targets, including the home of a local SP activist and the birthplace of Enver Hoxha, as well as the aforementioned SP local office, seemed to indicate a political motivation to the violence (ibid.).

Several police officers assisted by armed civilians took over a government administration building in Shkodra in January 1998 and held the SP-appointed local prefect hostage for 24 hours after an anti-corruption drive led to several firings (*Keesing's* Jan. 1998, 42024; AFP 21 Jan 98; AP 21 Jan 98). The rioters were apparently DP supporters and called for the resignation of Prime Minister Nano and the new prefect, the latter of whom subsequently resigned (ibid.; *Keesing's* Jan. 1998, 42024).

On 22 February, also in Shkodra, several public buildings were seized and burned by rioters reportedly including police officers (EIU 2nd Quarter 1998, 12; *Keesing's* Feb. 1998, 42085). Reports on the number of people involved vary from 20 to 100 (AFP 24 Feb. 1998; NHC 1998, 17). The motives behind the incident were not overtly political, according to sources (ibid.; *Keesing's* Feb. 1998, 42085; AFP 24 Feb. 1994). Several days later, 80 DP demonstrators were arrested in Tirana (ibid. 25 Feb. 1998).

In March 1998, the DP returned to Parliament after a six-month boycott initiated by Hajdari's shooting (*Keesing's* Mar. 1998, 42156; EIU 2nd Quarter, 10), although the Party left the legislature after less than a month (ibid., 13). The DP had returned to Parliament by the end of June, but in mid-July called another boycott, this one described by the DP as permanent (ATA 30 June 1998; *Rilindja Demokratike* 8 July 1998; DPA 15 July 98).

Outside Parliament, the DP and its allies held numerous rallies in 1998, often calling for the resignation of the government and new elections, which occasionally led to confrontations with the police. Rallies were held, for example, in Tirana and the town of Kavaje in March, in Gjirokaster in April, and in Vlore and Tirana in May (ATA 23 Mar. 1998; *ibid.* 26 Mar. 1998; Rilindja Demokratike 19 Apr. 1998; *Gazeta Shqiptare* 10 May 1998; *Koha Jone* 28 May 1998). Several DP members were arrested in March for organizing the 25 February demonstration in Tirana (*Keesing's* Mar. 1998, 42156). An unauthorized DP rally in Tirana in mid-July 1998, reportedly marked by strong anti-government rhetoric, led to the arrest of 20 participants, although no violence was reported (*Gazeta Shqiptare* 17 July 1998; *Zeri i Popullit* 18 July 1998).

A commission set up under SP MP Spartak Ngjela to examine the spring 1997 violence submitted its report to Parliament in June 1998 (ATA 12 June 1998b; *ibid.* 1998a). The report blamed the violence on the long-term policies of the government that had allowed for an arms buildup within the country's security institutions (*ibid.*). It also lay immediate blame on former President Berisha for exacerbating the situation and recommended that criminal investigations be undertaken against him and several others (*ibid.*).

A number of local by-elections held on 21 June 1998 had a vote turn-out of roughly 50 per cent (EECR Summer 1998, 3; *Gazeta Shqiptare* 23 June 1998). They were contested by three coalitions: Unity for Democracy (DP, Social Democratic Union Party, Legality Movement Party, Christian Democratic Party and Democratic Union Party); Alliance for the State (SP, DA, SDP, Agrarian Party, Human Rights Union Party and National Unity Party); and the United Right-Wing (Republican Party, Right-Wing Democratic Party, Movement for Democracy Party, Conservative Party and the National Front Party) (ATA 25 June 1998). Of the 7 towns and 9 communes taking part in the by-elections, Alliance for the State took 4 towns and 6 communes with 53 per cent, the Unity for Democracy took 1 town and 2 communes with 35 per cent and The United Right-Wing Alliance took 7 per cent of the vote; run-offs were scheduled for 2 towns (*ibid.*). The DP and its allies control most of the country's 49 towns and 212 communes (EECR Summer 1998, 3).

In the first week of September, several armed men blockaded a road for over 10 hours near the southern town of Lazar, outside Gjirokaster, demanding the release of three men held in custody on murder charges; the suspects were subsequently released (CEO 2 Sept. 1998; ATA 2 Sept. 1998a; RFE/RL 2 Sept. 1998). During a house-to-house search for those involved shortly thereafter, several RENE (Unit for the Neutralization of Armed Elements) officers were attacked and wounded (ATA 2 Sept. 1998b; *Albania* 4 Sept. 1998). The DP accused the police of targeting their supporters during such raids (*ibid.*; *Rilindja Demokratike* 3 Sept. 1998), while the local police stated that the opposition was in fact responsible for the incident (RFE/RL 2 Sept. 1998). The local OSCE representative stated that it appeared to have been purely a criminal matter (*ibid.* 3 Sept. 1998).

3.1.1 Events Leading to the Resignation of Prime Minister Nano

Parliament returned to session in the last week of August 1998, after having prorogued on 6 August (ATA 31 Aug. 1998a). On 23 August, three former ministers and three officials who had served under the DP administration were arrested and charged with "crimes against humanity" related to the spring 1997 events, which led to opposition protests and international expressions of concern (AFP 23 Aug. 1998; CEO 25 Aug. 1998; ATA 29 Aug. 1998b). The DP claimed that Prime Minister Nano had ordered the arrests, making them a political act, while Nano asserted that the prosecutors who had laid the charges had acted independently (Reuters 29 Aug. 1998).

DP-led protests were held in Tirana during the week after the arrests, on 24, 27 and 31 August, the latter two of which were illegal (RFE/RL 25 Aug. 1998; *ibid.* 28 Aug. 1998b; ATA 31 Aug. 1998b; *ibid.* 1 Sept. 1998). They were punctuated by calls for a new government (*ibid.*; RFE/RL 25 Aug. 1998). At the 27 August demonstration, six DP supporters and several police officers were reportedly wounded (Reuters 29 Aug. 1998). The crowd apparently tried to break through a police line in front of the Prime Minister's residence and some protestors threw stones at police; the DP claimed that the police used unnecessary force (RFE/RL 28 Aug. 1998b; ENTER 29 Aug. 1998). An estimated 3,000 people attended the peaceful 31 August event, which led to legal action against Berisha and another DP leader (Reuters 31 Aug. 1998; ATA 1 Sept. 1998). As the protests continued, Prime Minister Nano stated that the Socialists would try to end what he referred to as "punishment of a political nature" (CEO 9 Sept. 1998).

On 12 September 1998, high-profile DP politician Azem Hajdari and his bodyguard were murdered, with the motive unclear (RFE/RL 14 Sept. 1998)^[4]. The murders sparked two days of protests and riots by DP supporters in the capital that led to several casualties, with estimates ranging between 3 and 7 deaths and 14 and 76 injuries (Reuters 16 Sept. 1998; *Guardian* 18 Sept. 1998; AP 18 Sept. 1998; CEO 16 Sept. 1998b). Protestors also captured two tanks, which were soon returned to the authorities, and briefly took control of state television (*ibid.*; *ibid.* 29 Sept. 1998). State offices were seized and Nano's residence was targeted by demonstrators, sending him briefly into hiding (*ibid.*; *ibid.* 16 Sept. 1998a). In Lezha, three people were killed in a 16 September armed attack on a police station (AFP 17 Sept. 1998). As of mid-November 1998, no arrests had been made with regard to Hajdari's murder (*Albania* 14 Nov. 1998).

The government blamed the violence on Berisha and accused him of attempting to overthrow the government (Reuters 16 Sept. 1998; CEO 16 Sept. 1998a). After the violence abated and security forces had regained control of most of Tirana, a 16 September demonstration was peaceful (CEO 16 Sept. 1998a; *ibid.* 16 Sept. 1998b). On 18 September, Berisha's immunity from prosecution was lifted (*Guardian* 18 Sept. 1998; AP 18 Sept. 1998). Throughout this period, the population observed a self-imposed curfew (ICG 1 Oct. 1998, 2).

Protests continued into the following week (CEO 24 Sept. 1998) and on 28 September 1998, Prime Minister Nano resigned as did Interior Minister Perikli Teta, of the DA (*ibid.* 29 Sept. 1998; RFE/RL 29 Sept. 1998; ICG 1 Oct. 1998, 1-2). The next day, SP Secretary-General Pandeli Majko took over as Prime Minister (*ibid.*; CEO 30 Sept. 1998). Berisha claimed that the DP would work more constructively with the new leader (*ibid.* 29 Sept. 1998; RFE/RL 30 Sept. 1998).

In early October, the prosecutor's office issued arrest warrants for several people involved in the previous month's violence (*Zeri i Popullit* 1 Oct. 1998). Six people were arrested in early October, including Ekrem Spahia, head of the Legality Movement Party, who was placed under "unlimited arrest" (*ibid.*; ATA 19 Oct. 1998).

3.2 Kosovo

In the Federal Republic of Yugoslavia, the conflict between government forces and ethnic Albanian rebels, the Kosovo Liberation Army (KLA) grew increasingly violent in the spring of 1998 (EIU 2nd Quarter 1998, 9). Throughout the year, arms were smuggled from northern Albania into the conflict area (*ibid.*, 10; NHC 1998, 14; ICG 1 Oct. 1998, 4-5) and two sources indicate that northern Albania, or Tropoje in particular, serves as a KLA base (EECR Summer 1998, 3, ICG 1 Oct. 1998, 5).

In March 1998, the Albanian government sent army officers to monitor the country's northern border (*Gazeta Shqiptare* 7 Mar. 1998). In May, authorities began registering reservists from Kukes, Has and Tropoje for service (*ibid.* 14 May 1998) and military exercises were conducted in the summer (ATA 16 July 1998; RFE/RL 28 Aug. 1998a). By June, there was also reportedly recruitment for an "underground army" to fight on the side of the Kosovars (Oesterreich Eins Radio Network 3 June 1998). According to the Norwegian Helsinki Committee (NHC), there does not appear to be any official involvement in arming or assisting the KLA (1998, 14).

The Albanian government asserted in September 1998 that there had been 41 incidents at the border since March 1998, such as border crossings by troops, airspace violations and shelling on Albanian territory (Reuters 3 Sept. 1998).

As of early October 1998, over 20,500 people fleeing the fighting in Kosovo had crossed into Albanian territory (UNHCR 7 Oct. 1998). In early September, roughly 20-30 people were entering the country at Tropoje daily, however, that route was soon sealed off by Serb military surveillance (*ibid.* 30 Sept. 1998; CEO 8 Sept. 1998). Approximately 50-60 per day were also arriving at that time into Kukes (UNHCR 7 Oct. 1998). By October, most of the arrivals in Tropoje had moved to the south, particularly Durres and Tirana (UNHCR 7 Oct. 1998). The UNHCR'S host program was reaching its limits by that time and several of the displaced were being evicted by their hosts (*ibid.*; *ibid.* 11 Aug. 1998).

3.3 General Security Situation

In March 1998, it was reported that "much of the south of the country [was] effectively beyond the control of the police, who [were] clearly terrified by the threats of the myriad of local mafia groups" (ICG 18 Mar. 1998, 8). The report added that "[t]ravel outside of the capital, especially after dark, [could] carry significant risks" in light of criminal gang activity (*ibid.*).

Criminal gangs were operating across the country into the spring of 1998, particularly in the country's more remote areas (*Current History* Mar. 1998, 130; *Koha Jone* 1 May 1998). The risk of armed robbery or attack by masked gunmen increased after dark and on isolated roads; an article in the newspaper *Koha Jone* suggested that roads between Torovice and Shkodra and the Lushnje-Fier-Ballsh and Fier-Vlore roads were particularly dangerous (*ibid.*). There were 75 reported attacks between January and March 1998 (*ibid.*) and one source put the death toll from violent crime at over 100 per month (NHC 1998, 2). In the summer, people reportedly often observed a self-imposed curfew (*ibid.*, 5).

According to the United States State Department and the UNHCR, conditions in the summer were still unsafe after dark, particularly in the northeast and outside Tirana (24 July 98; 11 Aug. 1998). The UNHCR indicated that there had been reports of unspecified crimes against refugee women (11 Aug. 98); further information on that issue is unavailable to the Research Directorate.

Other sources concur that security in the north was often beyond government control in 1998 (ICG 1 Oct. 1998, 7; NHC 1998, 15). The NHC singled out Shkodra as having an exceptionally weak police and judiciary (*ibid.*, 16), while the AHC reported in early summer 1998 that in the districts of Mirdita, Mat and Diber, police were often unable to cope with criminals (Apr.-June 1998, 20-21). The security situation in the north temporarily deteriorated further in September 1998 when security forces were transferred to protect Tirana (ICG 1 Oct. 1998, 4-5).

After the looting of the country's arsenals, there are still an estimated 600,000 to 1 million guns in circulation (*Current History* Mar. 1998, 130; EECR Fall 1997, 2; ICG 18 Mar. 1998, 15). The national news service stated that by early summer 1998, 20 per cent of arms, and all of the heavy armaments, had been recovered (ATA 11 June 1998). The UN estimated that only 10 per cent of weapons were held by criminals and that most were kept by the population for possible barter purposes (13 July 1998).

Meanwhile, there were numerous reports throughout 1998 of raids on military installations by small armed groups, often to steal arms. Examples include incidents in or around the northern towns of Kukel, near Shkodra, and Hajmen and Kalimash, near Kukes, and the southern towns of Fier and Konzibat (ATA 14 Oct. 1998; *Koha Jone* 15 July 1998; *ibid.* 29 Jan. 1998; *Gazeta Shqiptare* 25 Mar. 1998; *ibid.* 14 June 1998). There are approximately 1,500 such depots throughout the country (UN 13 July 1998).

NOTES

[4] In addition to Hajdari's shooting in the Assembly in September 1997 (see above), he was also involved in a stand-off with police in Lac district in February 1998 and was the victim of an assassination attempt in June 1998 in Bajram Curri, when a travelling companion was wounded (RFE/RL 5 June 1998; *Koha Jone* 17 Feb. 1998). [\[back\]](#)

4. HUMAN RIGHTS ISSUES UNDER THE NANO GOVERNMENT

4.1 General Human Rights Assessments

Several sources indicated cautiously that the human rights situation seemed to have improved under the Nano government (AHC Oct.-Dec. 1997, 12; IHF 1998, 3; NHC 1998, 2; US DOS 12 Aug. 1998). Nonetheless, according to an August 1998 report of the United States' Commission on Security and Cooperation in Europe, the Nano government's human rights record "continue[d] to fall below OSCE standards" (*ibid.*). The IHF noted that police violence, which still occurred towards the end of 1997, did not appear to be state-sanctioned, and the NHC stated that police violence had decreased since the previous administration, although there were still concerns in this area (IHF 1998, 3; 1998, 12). The NHC added that the rule of law remained weak, but that the judiciary and media had regained some freedom (NHC 1998, 2). There were accusations of violence committed by various security agents in 1997, although *Country Reports 1997* noted that the general anarchy at that time made them difficult to substantiate (1998, 939; see also AI 1998, 78).

4.2 Blood Feuds

Albania's customary law tradition is most commonly associated with the *Kanun i Lek Dukagjinit*, which is linked with the 15th century Alexander of Dukagjinit, although it was likely an amalgamation of older practices (Malcolm 1998, 17)^[5]. According to one source, what is broadly referred to as the *Kanun* includes not only the *Kanun i Lek Dukagjinit*, but also other codes of customary law, such as the Code of Scanderbeg and the Code of Labëria (IJAS 1997, 2). The *Kanun* covers many aspects of social relations, including economic activity, local government, judicial practices and dispute settlement (*ibid.* 2-3; Malcolm 1998, 18). The concept of personal and familial honour (*besa*) is the foundation of the *Kanun* (*ibid.*; *Transition* 6 Sept. 1996, 50).

The *Kanun* governs Albania's tradition of blood feuds or vendettas, which stem from the belief that the actual blood of victims of violence must be appeased (Malcolm 1998, 18). There are strict rules as to how an act of traditional revenge can take place. For example, revenge

killings must be announced once they have occurred, and temporary truces must be honoured, but only if requested under specific circumstances (Malcolm 1998, 20; see also *Albania: A Country Study* 1994, 68). Women, children or priests cannot be targeted (Hall 1994, 27; *Plain Dealer* 1 Oct. 1998). However, according to individuals working locally on conflict resolution, the *Kanun's* rules are not always respected (*ibid.*; *International Herald Tribune* 15 Apr. 1998). Women have reportedly been targeted, but none killed as yet (*Plain Dealer* 1 Oct. 1998). Another source stated that in the past eight years, there had been five cases of women taking part actively in vendetta-related conflicts (Gjoka 3 Nov. 1998).

Rasim Gjoka, the Executive Director of the Foundation for Conflict Resolution, an Albanian NGO that works with individuals involved in feuds, stated that there has been an increase in blood feuds since 1990 (3 Nov. 1998). Some of these are old feuds, which have re-kindled, while others stem from recent events (*ibid.*). According to the NHC, there have been hundreds of blood feud killings since 1991 (1998, 22), while a reported 200 to 500 blood feuds arose in the summer of 1997 (*Christian Science Monitor* 7 Aug. 1997). Rasim Gjoka's group found that 96 deaths in 1997 and the first half of 1998 were attributable to feuds (3 Nov. 1998). He emphasized that the media have often over-emphasised this issue by inappropriately attributing vendetta motives to ordinary killings and by inflating the number of individuals affected (*ibid.*).

As stated above, customary law, including support of the blood feud, has traditionally been stronger in the north, where it was harder for foreign administrations, and hence legal systems, to penetrate (IJAS 1997, 2; *Albania: A Country Study* 1994, 67; AFP 14 Apr. 1997). Blood feuds have reportedly been more prevalent in recent times in the districts of Mirdita, Mat and Dibër; specific towns include Mbishkodër, Dukagjin, Malesi e Madhe, Tropoje, Puke, Lezha, as well as Shkodra (Gjoka 3 Nov. 1998; Hall 1994, 26-27; AHC Apr.-June 1998, 19; NHC 1998 17). The NHC quoted an interviewee as stating that "[t]here is no legal authority [in Shkodra]. The *Kanun* has a stronger position than the law, but what really commands respect is the gun" (*ibid.*, 18). Rasim Gjoka added that there have also been isolated cases outside the north, including Berat, Mallakastra, Fier and Vlora (3 Nov. 1998).

The 17 September 1997 wounding of Democrat MP Azem Hajdari by Socialist MP Gafurr Mazreku was publicly posited as being part of a vendetta (EIU 1st Quarter, 13; *Zeri i Popullit* 19 Sept. 1997b). A *Zeri i Popullit* editorial suggested that the incident demonstrated the influence the *Kanun* still had over many Albanians, and accused the DP and Berisha in particular of glorifying it during his time as President (*Zeri i Popullit* 19 Sept. 1997a). Hajdari himself, meanwhile, insisted that the shooting was a political, not a personal, matter (*Gazeta Shqiptare* 2 Oct. 1997).

According to Rasim Gjoka, the authorities have not responded sufficiently to the vendetta issue (3 Nov. 1998). He is of the opinion that the lack of government presence, weak police forces and judicial irregularities have hindered efforts to stop feuds (*ibid.*). Some police officers reportedly fear becoming themselves targeted in a vendetta, although the *Christian Science Monitor* noted that police do sometimes do try to intervene (7 Aug. 1997). Gjoka indicated that there are other NGOs and religious groups involved in conflict resolution activities (3 Nov. 1998). These include the Shkodra-based Committee for Blood Reconciliation, which claimed to have resolved over 350 blood feuds in the country since 1991 (*ibid.*; *Plain Dealer* 1 Oct. 1998).

4.3 Political Affiliation: Relations Between Political Parties

Sources often describe politics in Albania as "confrontational," "volatile," or

"polarized" (Council of Europe 22 Sept. 1997, II.II. 25; ICG Mar. 1998, 1; Current History Nov. 1993, 382; NHC, 1998, 9). Political discussions can be steeped in violent rhetoric and punctuated by personal attacks, terms of abuse and threats, which are often published in the highly politicized press. As the ICG put it, "politicians cannot seem to sustain a debate that does not include accusations, threats, warnings and worse against political rivals and opponents" (Mar. 1998, 14). In July 1998, for example, when the DP called another boycott of Parliament, they cited that body's rampant corruption, and the "violence, terror tactics and murder attempts" aimed at the opposition (*Rilindja Demokratike* 8 July 1998; DPA 15 July 98). At the time of the August 1998 arrest of former DP officials, Berisha called Nano a "criminal" and a "drug addict," adding that "we are here today to tell him that we defend our rights with our lives, with our blood. You are our enemy, the enemy of freedom, the enemy of the Albanians, Albania and the Albanian nation" (CEO 25 Aug 98).

DP and SP support remains geographically delineated (ICG June 1997, 2). Vickers and Pettifer note that the parties that developed in the period 1990-91 grew on the basis of "traditional loyalties," and according to Transition, both the Communist and DP-led governments used the concepts of honour and clan loyalties to develop their bases and encourage loyalty among their supporters (1997, 44; 6 Sept. 1996, 50). Due to the general levels of societal violence, as one observer noted during the September 1998 uprising, it can be difficult to distinguish between political and normal crime (*Guardian* 18 Sept. 1998).

Soon after taking power in the summer of 1997, the SP began firing many DP-appointed officials (*Economist* 9 Aug. 1997; EIU 1st Quarter 1998, 11), a process which continued into 1998 (NHC 1998, 16). Early targets were the police and intelligence services; Fatos Klosi was appointed the new Head of ShIK, for example, and several police chiefs were replaced, including those for Tirana, Fier, Kucove, Vlore and Gjirokaster (*ibid.*, 11-12; ATA 27 Aug. 1997; *ibid.* 21 Aug. 1997; *ibid.* 4 Aug. 1997). Klosi claimed that only five per cent of ShIK's personnel had been replaced, although the EIU called that a likely underestimate (EIU 1st Quarter 1998, 11-12). According to a ShIK general, the majority of ShIK employees were fired and replaced, allegedly with former personnel from the Sigurimi (the Communist-era security police), in the year after the SP election (*Albania* 13 May 1998). In August 1998, there was another re-shuffling of police officials (*Koha Jone* 12 Aug. 1998; ATA 5 Aug. 1998b). Also during the SP's first year, five diplomats were fired, allegedly because they had been DP electoral candidates; the country's universities were required to cancel their planned appointments to allow for new ones; and in October 1997, several hundred local officials were replaced (EIU 1st Quarter 1998, 13). On 14 March 1998, the Chair of the Constitutional Court, Rustem Gjata, a DP supporter, was dismissed under the "Genocide Law" prohibiting officials from the former Communist government from holding office, following alleged proof he had cooperated with the Sigurimi (*ibid.* 2nd Quarter 1998, 15-16; EECR Spring 1998, 2).

The AHC stated that it had received numerous complaints from people who felt that they had been fired due to personal or political connections, and the group was of the opinion that some employees, particularly in the "lower ranks" might have been discharged arbitrarily (Oct.-Dec. 1997, 10). The DP registered a complaint about the firings to the Council of Europe in September 1997, and also complained that mayors and local officials were threatened with legal action and physical violence, especially in Lushruje, Saranda and Gramsh (Council of Europe 22 Sept. 1997, II.II.18, II.II.34). The government reportedly claimed that the threats received by local officials were personal, not political (*ibid.*, II.II.18). Two reports state that the large-scale firings have led to an increased militancy among the DP rank and file (DPA 2 Feb. 1998; AP 18

Sept. 1998). The NHC called the firings under the SP a "purge," while at the same time stating that it appears that most of the new government officials are making serious efforts to restore public trust and that there had been a subsequent decline in "politically-motivated abuses of power by the judiciary and law enforcement organs, or with government involvement in criminal activities" (1998, 16).

The SP government softened the "Genocide Law" enacted under the DP by limiting the employment prohibition to former Politburo members and senior Interior Ministry and secret service officials (EIU 2nd Quarter 1998, 14-15). The government also repealed a law making political affiliation a bar to employment with the police, prosecutor's office or ShIK, replacing it with a Committee for Scrutiny of Officials to look at individual cases (*ibid.*, 15). The DP has claimed that the Committee has allowed Communist-era intelligence service officers to hold positions, while firing DP-supporters (*ibid.*, 16). The EIU reported that there have also been complaints that GEGs are more likely to lose positions than Tosks (*ibid.*).

Amidst the September 1998 turmoil in central Albania, notices threatening 10 Socialist supporters, including local government and ShIK officials, in the southwestern town of Tepelene were reportedly distributed (ATA 29 Aug. 1998a). The threats, signed "Democrats of Memaliaj," urged the named individuals to leave the area (*ibid.*).

Also in September, a building in the northern town of Lezha that housed offices of the ruling coalition was damaged in an explosion (*Albania* 3 Sept. 1998; CEO 4 Sept. 1998). Two DP members were arrested the following day (RFE/RL 4 Sept. 1998).

The DP routinely accuse the SP government and the country's security organs of harassing, attacking or murdering its supporters (*Rilindja Demokratike* 15 July 1998; *ibid.* 21 Feb. 1998). One death condemned by them as political was portrayed by the state press agency as being related to criminal activity (ATA 14 Apr. 1998; *Rilindja Demokratike* 15 July 1998). According to a ShIK General, six ShIK employees and dozens of officers were killed in the year after the SP's election (*Albania* 13 May 1998). The AHC reported several cases of DP supporters being mistreated by police both in and out of custody in early 1998 (Jan.-Mar. 1998, 6-7). In a report of Australia's Country Information Service (CIS), an unnamed DP member stated that individuals were able to criticize the government freely, although he and other sources asserted that there were problems related to preferential employment for SP supporters (12 Dec. 1997).

4.4 Religion

Albania joined the Organization of the Islamic Conference (OIC) in 1992 (EIU 1st Quarter 1998, 20; RFE/RL 21 Oct. 1998). Under the Nano government the country did not take part in its activities, and there was some debate in October 1998 about whether the government would maintain its ties to the organization (CEO 19 Aug. 1998; RFE/RL 21 Oct. 1998).

The government in September 1998 selected Vasil Kureta to establish a Committee on Religions in order to draft a Law on Religions (HRWF 15 Sept. 1998). The committee will replace the existing State Secretariat of Religions (*ibid.*). There were some concerns that the committee might make the same official distinctions as the Secretariat between religious communities and sects and that the government might place pressure on the committee to allow for the registration of religions in its draft law (*ibid.*).

4.5 Minorities

The country's Greek minority is located in the south around the towns of Sarande, Delvine and Gjirokaster (*Albania: A Country Study* 1994, 68; Gabriel 22 Oct. 1998). Since 1990 the Greek community has been represented by the human rights organization OMONIA, the Democratic Union of the Greek Minority (Gabriel 22 Oct. 1998; Vickers and Pettifer 1997, 198). Ethnic parties were banned in Albania in 1991 (MRG 1997, 203). The Human Rights Union Party, part of the ruling coalition, represents several minorities, but is closely associated with the Greek minority (*Country Reports* 1997 1998, 947). Under Berisha, relations between OMONIA and the Albanian government were often strained, culminating in the 1994 trial of five OMONIA leaders accused of treason (Vickers and Pettifer, 197-98)^[6]. There were also concerns at that time about irregular detentions, degrading treatment and torture (Gabriel 22 Oct. 1998); many Greeks were also fired from state jobs in 1993-94 (Vickers and Pettifer 1997, 198). In March 1996, the Albanian and Greek governments signed a Friendship and Cooperation Agreement that included pledges by the Albanians to protect the rights of the Greek minority (ibid., 199). One source stated that relations in Albania between the Greek and Albanian populations have been difficult at times due to the ability of Greek Albanians to emigrate to Greece and the support the Greek community receives from that country (Vickers and Pettifer 1997, 197-98).

According to the Alternative Information Network, "despite its grave problems, Albania has been treating its minorities in a less intolerant way than most of [its] Balkan neighbours: it is safe to state that most violations of human rights of non-ethnic Albanians have resulted from the fact that they simply [live] in Albania, rather than that they [belong] to some minority" (AIN 6 Oct. 1997). Two sources indicate that the situation of the Greek minority has improved under the Socialists (CIS 11 Nov. 1997; Gabriel 22 Oct. 1998). According to Lara Gabriel van Dongen, Director of the Netherlands-based Foundation on Inter-ethnic Relations, the Greek community suffers no special restrictions either as members of an ethnic minority or as Orthodox Christians; in fact, she was of the opinion that they might be in a slightly better position than the majority population due to their ability to obtain temporary work in Greece (ibid.). The AHC indicated that there were still individual reports of harassment by officials and police (CIS 11 Nov. 1997). Lara Gabriel stated that employment discrimination remains a concern, but added that this issue will not likely be resolved until the country's broader economic problems are addressed (22 Oct. 1998).

The Greek community has expressed dissatisfaction with the country's provisions for minority-language education (IHF 1998, 7; Gabriel 22 Oct. 1998), although Lara Gabriel indicates that the situation has been resolved (ibid.). Members of minority communities are eligible for up to eight years minority-language primary school education (AIN 6 Oct. 1997, 3). There are Greek language schools in Gjirokaster, Sarande and Delvine (Gabriel 22 Oct. 1998). In April 1998, the Greek government pledged that it would provide approximately US\$ one million for minority schools for 1998-99 in the south of the country, including those three communities (ATA 21 Apr. 1998a). In July 1998, the Greek Foreign Minister stated that he felt members of the Greek minority were able to participate in Albanian political life and that the education issue was improving, although there remained concerns about the quality of the education provided (*Koha Jone* 19 July 1998).

Roma have been subject to discrimination by the municipal authorities and are also reportedly more likely to be the targets of police violence (IHF 1998, 7). The Montenegrin minority expressed concern that they have been forced to use Albanian versions of their names and are unable to be educated in Montenegrin (ibid., 8).

NOTES

[5] See IRB Responses to Information Requests ALB29184.E of 7 April 1998, ALB28386.E of 6 February 1998 and ALB23642.F of 22 April 1996. [\[back\]](#)

[6] See the Research Directorate database for Responses to Information Requests about the treatment of OMONIA in Albania. [\[back\]](#)

5. RULE OF LAW/STATE PROTECTION

5.1 Legal Reform

A draft Constitution was agreed upon by the Constitutional Commission in early July 1998 and approved by Parliament in late October (ATA 10 July 1998; *ibid.* 21 Oct. 1998). The Commission was assisted by the Council of Europe's Venice Commission, a body that promotes "democracy through law" (*ibid.* 10 July 1998; *ibid.* 15 June 1998). The constitution was accepted in a popular referendum on 22 November 1998 and ratified on 28 November, the country's national day (Reuters 27 Nov. 1998; ATA 28 Nov. 1998; AP 25 Nov. 1998). Despite irregularities, the OSCE reportedly stated that the process was an improvement over the 1997 general elections (*ibid.*).

Various constitutional articles were covered in the media as they were approved by the Commission. They included articles stating that the country recognizes no official religion and affirming the political neutrality of the army (*Koha Jone* 19 Mar. 1998). The political rights chapter covers free assembly, stipulating that anti-constitutional activities are banned (ATA 23 Apr. 1998). Other articles deal with freedom of religious belief, the right to trial and the right to privacy (*ibid.* 21 Apr. 1998b). The draft stipulates that suspects can be detained no longer than 72 hours without being brought before a court and that they must have access to a lawyer (*ibid.*; *Albania* 4 Aug. 1998). It also establishes a three-tier court system, with district and appellate courts and a Court of Cassation, as well as a separate Constitutional Court (EECR Summer 1998, 2)^[7].

Much of the personnel of the judiciary and prosecutor's office was hired in early 1991 (*Transition* 9 Feb. 1996, 51; EECR Fall 1997, 2). In 1993, the DP government set up a six-month course to train jurists, bypassing the need for a regular law degree, which has led to concerns about the ability of the 400 jurists so trained (*ibid.*; EIU 1st Quarter 1998, 12). In October 1997, the SP government opened a school to train magistrates and in December of that year, Parliament passed a law on the administration of justice that, *inter alia*, outlined the necessary qualifications for judges and prosecutors, including full university studies (EECR Fall 1997, 2; *ibid.* Winter 1998, 4).

The country's Constitutional Court has caused controversy on several occasions. From 1995 to March 1998, sitting judges refused to follow the rotation system for resignation established to bring in new judges (EECR Winter 1998, 2; *ibid.* Spring 1998, 2). The Court's rulings were temporarily suspended in the latter months of the dispute (*ibid.*, 3). The Court also passed a decision in November 1997 declaring unconstitutional the government's appointment of auditors, as demanded by the IMF, to review the country's pyramid schemes, the collapse of which had precipitated the 1997 violence (EECR Winter 1998, 2). The government subsequently re-wrote the law making the appointments (*ibid.*).

According to an Austrian legal expert in Albania with the United Nations in early 1998, the Albanian legal system was "basically intact," although facing a number of difficulties: poor

communications; minimal library materials; outdated office equipment; lack of general office supplies; extremely poor office buildings; low salaries for judges; and insufficient guarantees of judges' safety (*Wiener Zeitung* 17 June 1998). The NHC also cited safety of justice officials as a concern, adding that the judiciary was extremely corrupted and that bribery of judges and lawyers is common (1998 19-20; see also IHF Nov. 1998, 5-9).

5.2 Efforts to Address Security Issues

Mass desertions from the army and police during the spring 1997 events have led to personnel shortages; in late 1997-early 1998, there were reportedly 10,000 personnel in the army and between 13,000-17,000 police officers (*Economist* 9 May 1998, 52; EIU 1st Quarter 1998, 11; EPCPT n.d.; *Koha Jone* 13 Oct. 1998).

According to a United States Department of State report released in August 1998, "Albanian police in nearly every sector are insufficiently trained. There remain problems with abuse of those being detained, poor prison and pretrial detention conditions [and] a judiciary subject to corruption and lacking in training and experience" (12 Aug. 1998; see also EPCPT n.d.). The report adds that the police are not fully trusted by the population (*ibid.*). The Minister of Public Order admitted that inadequate police training was a problem and that the police were unable to cope with gangs operating on the country's roads (*Zeri i Popullit* 31 May 1998). The AHC reported that in some places, such as Sarande or Vlore, police were poorly organized or unprofessional (July-Sept. 1998, 12, 19). The organization was informed repeatedly during site visits that there was a lack of coordination between police and local government (*ibid.*, 15, 19; *ibid.* Apr.-June 1998, 14-16, 18-19, 21).

Other sources indicate that police are underpaid and poorly equipped and will therefore not risk confronting armed criminals or are subject to bribes (*Koha Jone* 1 May 1998; ICG Mar. 1998, 11; NHC 1998, 15). The police received a 40 per cent pay increase in January 1998 and another raise (between 8,000 and 15,000 lek [US\$53 and 100] per month) in October 1998 (EIU 1st Quarter 1998, 18; ATA 9 Oct. 1998; *ibid.* 8 Nov. 1998). In July 1998, members of RENEA, the 60-man task force established in 1991, protested poor working conditions, difficulties facing armed suspects, and lack of support for the families of those killed in the line of duty (*Gazeta Shqiptare* 18 July 1998).

Two sources suggest that the country's vendetta tradition has had an effect on police performance, stating that police officers have either been made targets of vendettas because of their work, are afraid that they might be (NHC 1998, 17; *Christian Science Monitor* 7 Aug. 1997).

The AHC expressed concern throughout 1998 about police abuse (Jan.-Mar. 1998, 5-6; Feb. 1998, 1-2; July-Sept. 1998, 12, 19). The group cited the arrest and alleged abuse in detention of Shkodra's former Chief of Police, G. Deda, and the mistreatment of Durim Lekdushi, Chair of the Fier Municipal Council, while in Vlore; Vlore police officials denied the charge (AHC Feb. 1998, 1-2; *ibid.*, 1-15 Mar. 1998). The AHC was told by Vlore residents in July 1998 that police abuse of individuals was a common problem (*ibid.* July-Sept. 1998, 12).

Albania has the highest death toll amongst police officers in Eastern Europe, according to an April 1998 government report (*Koha Jone* 4 Apr. 1998). The report cited the deaths of 75 police officers and the injuries of 160, but provided no time frame (*ibid.*). One source stated that 27 police officers died in January 1998 (EPCPT n.d.). In early April 1998, two off-duty police

officers were killed in Shkodra (*Keesing's* Apr. 1998, 42237). Two police officers were killed in the town of Mat, northeast of Tirana, in mid-May and in August, an Albanian policeman's body was found just over the Greek border, possibly a victim of Albania's organized criminals (ATA 21 May 1998; AFP 30 Aug. 1998).

Many of the buildings housing municipal and other government offices were destroyed in spring 1997, including 16 of the country's 36 district courts, although all except the Shkodra court were operating again as of February 1998 (NHC 1998, 15-16). The Shkodra police department was burnt down in late February 1998 (AHC 1-15 Mar. 1998). Many court buildings are inadequate and have on occasion been closed by judges during sessions for this reason (NHC 1998, 19).

In the opinion of the NHC, the Nano government and the central administration made sincere attempts to reform state institutions, including security organs (1998, 16). In 1997, police forces were reorganized in many areas, and where unrest was of the most concern, such as Berat, Vlore and Shkodra, special services were deployed to assist them (EECR Fall 1997, 2). Parliament passed an anti-crime package in February 1998 that aimed to give police more power and included legislation defining when police could discharge firearms (AHC Feb. 1998, 3; ATA 25 Feb. 1998). It also set up a new criminal police force that was recruiting staff in May 1998 (*ibid.*; *Zeri i Popullit* 31 May 1998).

Under Prime Minister Majko, new measures were taken with respect to the police, including a large-scale dismissal of officers after the September 1998 violence (*Koha Jone* 13 Oct. 1998). One report stated that as many as 750 officers were fired (*ibid.*). In an effort to crack-down on crimes on the roads, police set up special patrols, in some cases around the clock, and introduced roadblocks along the Fier-Kakavije road (*Gazeta Shqiptare* 10 Oct. 1998).

There are many ongoing international efforts to assist the police and in May 1998, the government signed several European conventions on criminal and penal issues (EECR Fall 1997, 2; ATA 20 May 1998). Germany, for example, is providing assistance with training equipment through 2001 (ATA 24 July 1998). The Multinational Advisory Police Element (MAPE) was established in May 1997 (ATA 13 Apr. 1998). It has a staff of 90, representing 10 European countries (EIU 1st Quarter 1998, 11). In May 1998, MAPE announced the imminent opening of a training centre for police in Durres (ATA 7 May 1998). MAPE has been mandated through to April 1999 (ATA 13 Apr. 1998).

In April 1998, a bill to introduce a new secret service known as the Department of National Security (DSK) was published (*Zeri i Popullit* 9 Apr. 1998b). The DSK would replace ShIK, which replaced the Communist-era Sigurimi in July 1991 (Hall 1994, 60). The new service would be under the Prime Minister's jurisdiction and be responsible for national and international counterintelligence and fighting international terrorism and organized crime (*ibid.*)^[8]. The bill was drafted with the assistance of United States consultants (*Zeri i Popullit* 9 Apr. 1998b). Both the NHC and the AHC expressed concerns about the bill, stating that it did not provide for sufficient legislative control of the service and that the Prime Ministerial control of the service was inappropriate (1998, 9; July-Sept. 1998, 25-28). President Meidani returned the bill to Parliament in August 1998, suggesting that an Article obliging individuals to cooperate with security officials should be softened (CEO 14 Aug. 1998; see also AHC July-Sept. 1998, 27). Parliament accepted that amendment, although it did not accept his suggestion that the new service be put under the Council of Ministers (*Gazeta Shqiptare* 29 Oct. 1998).

Disarming the population is an ongoing concern. Parliament approved a disarmament law in early August 1998, which would be in force for up to one year, establishing special police units to collect weapons (ATA 5 Aug. 1998a). If weapons are not submitted voluntarily, police will have the power to enter houses to search for and confiscate them (ibid.), which the AHC has reprovved (July-Sept. 1998, 30-31). In October, the UN launched a pilot disarmament project in Gramshi, a town of 50,000, in which guns will be traded in for development assistance (*Gazeta Shqiptare* 15 Oct. 1998; EECR Summer 1998, 3; UN 13 July 1998). The UN estimated that between 8 and 10 per cent of the circulating guns were in the District (ibid.).

NOTES

[7] The full text of the draft constitution is available via <http://www.urich.edu/~jppjones/confinder/ALBANIA.htm> [\[back\]](#)

[8] The full text of the draft was published in *Zeri i Popullit* 9 April 1998 available through FBIS/WNC. [\[back\]](#)

NOTES ON SELECTED SOURCES

Lara Gabriel van Dongen

Lara Gabriel van Dongen is the Director of the Foundation on Inter-Ethnic Relations, which was established to carry out research in support of the High Commissioner on National Minorities of the intergovernmental Organization for Security and Cooperation in Europe (OSCE). The Foundation implements programmes in countries where the High Commissioner is engaged that seek to assist government officials and minority representatives in considering constructive policy options and facilities for minority education and strengthening the institutional capacity for dialogue in order to avoid ethnic conflict. (Information from <http://www.oneworld.org/euconflict/guides/orgs/>)

Rasim Gjoka

Rasim Gjoka is the Executive Director of The Foundation for Conflict Resolution and Reconciliation of Disputes, which was founded in 1995 in Tirana. The Foundation seeks to contribute to the improvement of relations in Albanian society through mediation and reconciliation of disputes between both individuals and social groups. The foundation has a network of mediators throughout the country. Its output includes seminars, publications, scholarly conferences, etc. It is independent and nonpartisan. (Information from <http://www.oneworld.org/euconflict/guides/orgs/>)

International Crisis Group

The International Crisis Group (ICG) is a private, multinational organization committed to strengthening the capacity of the international community to understand and respond to impending crises. Teams of political analysts are based on the ground in countries at risk of crisis, who gather information from a wide range of sources, assess local conditions and produce regular analytical reports containing practical policy recommendations targeted at key international decision-takers. ICG currently operates field projects in eight countries worldwide: Bosnia and Herzegovina, Albania, Macedonia, the Federal Republic of Yugoslavia, Algeria, Burundi, the Democratic Republic of Congo and Cambodia. (Information from <http://www.intl-crisis-group.org/>)

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[Top of Page](#)

[Important Notices](#)