

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

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RESPONSE

- 1. Are Roman Catholics subjected to ill-treatment in Albania?**

Ill-Treatment of Roman Catholics in Albania:

The website of the Albanian periodical *Shqipëria-etnike* provides a number of reports in English on Catholics suffering serious harm in Albania. *Shqipëria-etnike* is categorised as a 'weekly, magazine, periodical' in a lengthy list of media outlets in Albania provided on the Press Online website. The list of media outlets includes *BBC in Albanian* and the *Tirana Times*. The *Shqipëria-etnike* website provides its articles in Albanian, Italian and English. An editorial written in 2003 celebrating two years of publication states that it aims for "free speech, no matter the race, conviction, ethnics, religion". It may be associated with the North Albanian Journalists Union; and appears hostile to the "servile of the communist and Taliban moral", and sympathetic to the Christian Democrat Party and Catholics ('Media in Albania' (undated), Press Online website

<http://www.pressonline.com.mk/default.asp?ItemID=1E5AB5E478DBD6489BA5D19DE3934249> – Accessed 2 October 2009 – Attachment 3; on the policies of the periodical see Vataj, A. & Pepushaj, S. 2003, 'The two years of "Shqipëria Etnike", two years of the free speech',

Shqiperia-Etnike website, 10 June, no.45 <http://www.shqiperia-etnike.com/she45/she45eng.htm> – Accessed 2 October 2009 – Attachment 4).

In August 2007 a report describes the targeting by “anarchist groups with political background” of 17-year old Marçel Tom Gjergji. The article believes the targeting was on account of “his father, Tom Mark Gjergji, ... known as a devoted Catholic, active in his contribution to open the churches in the beginning of 1990”; and in order “to stop his father from doing political and religious activities”. Marçel Tom Gjergji was from Beltojë, eight kilometres from Shkodra:

It is a really frightening time for many people who aspire for a democratic state. The pressure of groups linked to crime is almost a law, for everyday innocent people die and the decision of the Government do open the '97 files, when dumps were open and everyone got a gun, faced a strong resistance even from deputies of the Albanian Parliament. The reality thus is very frightening. The underage you see in the picture is a **victim of anarchist groups with political background, according to our investigations, who plan to eliminate him**. His name is Marçel Tom Gjergji, from Beltojë, eight kilometers from the northern town of **Shkodra**. He is only 17 years old and his youth is threatened by the bullet, **for the only “guilt” that his father, Tom Mark Gjergji, is known as a devoted Catholic, active in his contribution to open the churches in the beginning of 1990**, when religion was still forbidden by law. This young guy today left the land of his predecessors, for many of his friends of the same age were killed, as the most preferred revenge in Albania is to kill one's son. His father seems to have much to pay as he was also known as an activist of the democratic movements to pull down the communist power, which had condemned politically his grandfather, brother and uncle. **It was the 20th of May 2005 when the young Marçel Gjergji was stopped by two unknown people, and although a child was menaced to death, as his father was living shut-in. One of the requests of the gangs was to stop his father from doing political and religious activities**. But, one of his uncles hides the boy until it was found some way to send him abroad in an occidental country, to save his life. Secret political plans are strongly hold by the organized crime, so the family of Tom Gjergji went through serious danger on the 15th of January 2007. Unidentified people shoot on his house. We came to know that three days ago there was an attempt, while Tom Gjergji moved toward Tirana, though none was supposed to know this. When he was on his way back, in the late night at 23 o'clock, the car he was in, a Volkswagen of Vlora was shot. The driver speeded up and they were miraculously safe. Yet, this man was fortunate that his son was not here (Gilaj, V. 2007, 'Mafia and totalitarism, a reality', *Shqiperia-etnike* website, 25 August, no.107 <http://www.shqiperia-etnike.com/she107/she107eng.htm> – Accessed 2 October 2009 – Attachment 5).

In June 2006 the *Shqiperia-Etnike* website described the targeting “in a northern village” of a Catholic women by four men allegedly “in the name of Allah”. The report also states that “the police was called but there was nothing done to make her life safe”:

The strange things that happen in northern Albania are moving us away from our way toward the occident. We don't know how far will bring us the associations or individuals who cry out as representatives of the Muslim community and opposing the placement of the monument of Mother Theresa, who got the “Nobel” prize in the name of peace and goodness. But news spread fast and you hear of a Catholic cross blown up with explosive in Bushat, another in Kastrat was sawn up and a woman, an economist in a northern village, M.K., was tortured in her office by four men, who used violence on her saying that “we don't want to be led by a Christian woman and in the name of Allah you're fired or will kill you”. According to our sources, that we should keep anonymous, as their lives could be in danger, M.K., a graduated intellectual, was beaten hard, as that area is dominated by over 95% of Muslims, and it's hard for them to accept a Catholic in an office, as a leader. M.K. is a Roman Catholic and she was

menaced even one month ago, to quit her job. Though menaced, she had to continue her work as she is alone and has to feed her orphan children. **Our sources say that the police was called but there was nothing done to make her life safe.** Because of the hard beats of two days ago, M.K. endured fractures and is being cured hidden. Those who asked us to publish this case want to remain anonymous, but they say that they too feel seriously threatened. Nevertheless, the harmony of life seems to be a difficult enterprise and everything might occur, when it happens that even the monument of Mother Theresa is openly opposed (Gilaj, V. & Hysenaj, Z. 2006, 'Goodness and peace, near or far for Albania', *Shqiperia-Etnike* website, 8 June, no. 92 <http://www.shqiperia-etnike.com/she92/she92eng.htm> – Accessed 2 October 2009 – Attachment 6).

In August 2005 another report describes threats by “Muslims” against the Catholic believer Ardian Gjon Urita and his brother Pashko Gjon Urita and family both from Velipojë of Shkodra. The report also states that threats of harm increased after the latter’s association with “the victory of the Demo-Christian candidate as a mayor of the commune, Dedë Kaçaj in Velipojë, during the local elections of October 12, 2003”:

The family Urita in Velipojë of **Shkodra** is one of the first to be engaged in activities for opening the churches, since the fall of the Wall of Berlin, as soon as in the little communist Albania began the first democratic movements. The communism was very severe. Elements of Islamic terrorism became jealous when they saw Catholic believers going to church through rubber sticks, while the priests who escaped firing, were hidden by believers after mass. They were hiding from the Security of the State who wanted them dead. In the list to be killed were some Catholics, who used to escort the priests. One of them was the Catholic believer Ardian Gjon Urita. After 1992, with the victory of the DP over communism, it disappointed the Albanians, especially those Catholics, because the country was filled with mosques and imams, with terrorists, and it was said that even Osama Bin Laden lived in Albania. Although religion became legal, **Catholics were still under the threats of Muslims.** Because of the pressure and being found in danger, Ardian Urita had to leave Albania. **The Islamic terrorists ask from his brother, Pashko Gjon Urita, the address of Ardian. On their opinion, he should be killed as an anti-Islamic.**

The brother of Ardian Urita, was many times menaced, especially after the victory of the Demo-Christian candidate as a mayor of the commune, Dedë Kaçaj in Velipojë, during the local elections of October 12, 2003.

Pashko Urita was beside the Demo-Christian mayor Kaçaj, during the campaign. On June 16, 2005, the terrorists blew-up his shop with explosive. A few days ago, on July 11, explosive was placed at his personal car by his house. After the explosion of the car, he could come out, because the door of the driver was open and he could jump into a ditch. According to the police of Velipojë, it was about 100 grams of explosive. This fact was made public only two days before, but it’s hard to know why so late. **The police firstly had very banal opinions like a malfunction of the car, or the explosion of the fuel. But more alarming is the fact that the terrorists said to Pashko Urita that if he doesn’t tell the address of his brother, Ardian Urita, the whole family will fall away** (Vataj, A. 2005, ‘Velipojë: Terrorists place explosive’, *Shqiperia-etnike* website, 2 August, no.79 <http://www.shqiperia-etnike.com/she79/she79eng.htm> – Accessed 2 October 2009 – Attachment 7).

Finally in August 2004 a report describes the death of 17 years old Orland Zef Gjoni, cousin of Ardian Urita, “killed in the name of Allah, for an Islamic group”:

Orland Zef Gjoni, 17 years old, was shot on August 28 in the village of Trush. The macabre crime occurred openly in a bar. Ocular witnesses said for the “Shqipëria Etnike” newspaper, **that the young was killed in the name of Allah,** for an Islamic group were offered sweets at

the bar, shouting out that the Muslims shall win the battle in Iraq, defeating America and the multinational allies. The young Gjoni interfered saying that terrorists have no God, as the self-sacrifice of kamikazes is inhuman and against religion. This was enough for them to kill him immediately. After shooting the entire magazine of bullets, an Islamic person with a long beard said that they had to take a lot of revenge in **northern Albania, mentioning also the name of Ardian Urita**, a cousin of the victim.

The murder of the 17 years old Gjoni, is supposed to be linked to **the murder of the father and the brother of Ardian Urita, called Gjon Shuk Urita and Gjeto Gjon Urita, happened years ago**. There are many years that Ardian Urita had to leave Albania, to save his life and maybe for a never return. The barbaric act of the murder of the young Orland Gjoni occurred a few days after the fundamentalist Abdi Baleta had a long interview at “Shkodra TV1” television, clearly appealing the multinational forces led by America and Britain, to leave Iraq and not to provoke his “Muslim brothers”. **When terror comes through media, it means it’s time to kill Catholic believers without problems. It’s the job of the State, if there’s some moral in it, to do concrete steps toward peace and religious tolerance** (Gilaj, V. 2004, ‘Time for terrorism’, *Shqipëria-etnike* website, 31 August, no.64 <http://www.shqipëria-etnike.com/she64/she64eng.htm> – Accessed 2 October 2009 – Attachment 8).

In its current international religious freedom report, the US State Department found no reports “of societal abuses or discrimination based on religious affiliation, belief, or practice, nor...any substantial acts of vandalism” in the country. News articles and reports dated between 2008-2004 covering the resurgence of religion since the fall of Communism in Albania commonly describe the state of inter-faith relations within Albanian communities as positive and harmonious; indicate that inter-faith marriage is not uncommon; and that moderate expression of religion is common while fervent religious belief remains the exception. A 2007 Commission of European Communities progress report on Albania stated that the “inter-faith climate is positive and mutually tolerant. The government supports positive relations between religious communities. Albania continues to provide a valuable example of religious harmony in the region. However, religious communities remain adversely affected by the authorities’ failure as yet to provide for full restitution of properties and other belongings”. In 2004 DFAT indicated that “Albania is tolerant to different religions and there is very little religious fundamentalism – except possibly for some specific areas in northern Albania” (US State Department 2008, *International Religious Freedom Report – Albania*, ‘Societal Abuses and Discrimination’, 19 September – Attachment 9; Jordan, M. 2007, ‘Albanians Rediscover God, If Not Old-Time Religion’, *The Washington Post*, 4 April <http://www.washingtonpost.com/wp-dyn/content/article/2007/04/03/AR2007040301998.html> – Accessed 1 October 2009 – Attachment 11; Bogdani, M. & Loughlin, J. 2007, *Albania and the European Union: the Tumultuous journey towards integration*, I.B. Tauris & Co Ltd, London and New York, p.34, Google Books website <http://books.google.com.au/books?id=32Wu8H7t8MwC&pg=PR1&dq=Albania+and+the+European+Union#v=onepage&q=islam%20religion&f=false> – Accessed 1 October 2009 – Attachment 12; DIMIA Country Information Service 2004, *Country Information Report No. 40/04 – Muslim woman married to a Catholic male – claim of persecution Albania* (sourced from DFAT advice of 30 April), 21 May – Attachment 13; Commission of European Communities 2007, *Albania 2007 Progress Report*, SEC (2007), 1429, 6 November, p.13 http://ec.europa.eu/enlargement/pdf/key_documents/2007/nov/albania_progress_reports_en.pdf – Accessed 7 October 2009 – Attachment 14; for a slightly more sceptical view on the common perception of religious harmony in Albania see the following report which is also quoted below: Vickers, M. 2008, ‘Islam in Albania’, Defence Academy of the United

Kingdom website, March, pp.11, 13 [http://www.da.mod.uk/colleges/arag/document-listings/balkan/08\(09\)MV.pdf](http://www.da.mod.uk/colleges/arag/document-listings/balkan/08(09)MV.pdf) – Accessed 1 October 2009 – Attachment 10).

Overt tensions between religious communities in Albania have arisen in recent years, centred on the issue of the placement of religious symbols in public spaces and the increasing presence in the country of foreign and more fundamentalist religious adherents. In April 2007, *The Washington Post* quoted several religious leaders from Shkoder on some recent examples:

The Catholic cathedral that communists turned into a basketball arena for two decades is now busier than ever, drawing more than 2,000 people to a single Sunday Mass. An ornate Albanian Orthodox church with three grand, peach-coloured domes is readying for Easter celebrations and popular midnight candlelit processions. And a few days ago, the latest of more than 50 mosques in the area opened with fanfare and a call to prayer.

In a country that once officially outlawed God, religion is back – but in a different way than before the long experiment in godlessness. Many Albanians have resumed spiritual practices with a faith strengthened by the years of suppression. At the same time, new practices and beliefs are being planted by a wave of foreign missionaries and money, making this tiny Adriatic country a remarkable example of the globalization of religion.

Albanians “are happy to have religion back,” said the Rev. Zef Pllumi, 83, a Catholic priest who spent 25 years in prison for his beliefs. Many people here welcome the foreign attention, saying the country needed the outside help. But Pllumi sees risks in the outside influence. “Foreigners don’t know our tradition, and many of those who study abroad come back with fundamentalist ideas,” he said.

In cities across this mountainous country, new houses of worship gleam alongside dreary Soviet-style apartment blocks like shiny gems, nearly all built with money from individuals and organizations in Saudi Arabia, Kuwait, Iran, the United States, Greece, Italy and a long list of other nations.

Christian missionaries and Muslim imams have arrived in large numbers, hoping to attract new followers among the population of 3.5 million. Libya, Egypt, Malaysia and other Muslim countries have paid for hundreds of Albanians to study religion in their countries and return here to teach. Many of Albania’s top religious leaders come from abroad – one Catholic archbishop is Italian, another is a former New Yorker, and the head of the Orthodox Church is Greek.

...There are no reliable statistics on religion in this country, which still fiercely separates religion from politics. It is generally thought that the majority of Albanians are Muslim, though many do not practice their faith. There are also significant numbers of Albanian Orthodox Christians, Catholics and Bektashis, a distinctive Sufi Muslim sect that maintains its world headquarters here, as well as Protestants, Jehovah’s Witnesses, Mormons and others.

Many Albanians who grew up learning in school that God didn’t exist still have no desire to practice religion. “There are still atheists, but the number of believers is growing every day,” said Rasim Hasanaj, chairman of Albania’s State Committee on Cults, as the government office in charge of religious affairs is called.

Shkoder, religious leaders said, has roughly equal numbers of Christians and Muslims, many mixed marriages and people who join in both Easter and Eid celebrations. Many Albanians interviewed here said they are grateful for the money and manpower from foreign

religious groups. Not only has the largess built new churches and mosques, it has funded job training, food, roads, irrigation, schools and other projects.

But there is concern about funding coming from Muslim extremist groups. Many people also say they worry that foreign influence is introducing conservative or radical thinking in other religions as well, at odds with Albania's history as a moderate, multi-faith society.

For example, several large crosses erected in the hills outside Shkoder have created tensions, and at least one has been cut down. Many Muslims said they thought Christians from abroad might have put up the crosses, because the custom here – long before the communists intervened – was to be more discreet with religious symbols so they would not offend people of other faiths.

“I think it is a good idea to keep religious symbols inside,” said Ndricim Sulejmani, the mufti of Shkoder. Perhaps, the Muslim leader said, the tradition has contributed to the good relations in Albania between people of different faiths.

He said thousands of Muslims now attend Friday prayers in **54 mosques in the area**, twice as many as existed before the attempt to wipe out faith. “Trying to kill religion was an injustice, and injustices are destined to fail,” he said.

Sulejmani said he went to Syria for his religious training because for so many years none was available here. But new Christian and Islamic schools have opened where growing numbers of people study the Bible and the Koran.

Leaders of the main religious faiths are united in demanding that the government return land seized from them during the communist era. For one thing, they said, it would add to their wealth and make them less dependent on foreign funds. **But government efforts to return property have been complicated, because many people have built homes on land long ago taken from religious groups.**

Pllumi, the Catholic priest, said he looks forward to a day when “religious institutions in Albania are led by Albanians.” He noted the outcry last year when a Muslim leader who had spent many years studying in the Middle East criticized a decision to put up a statue of Mother Teresa in Shkoder. The nun, a Nobel Peace laureate, was an ethnic Albanian whose parents had connections to the city. “An Albanian Muslim would never think to criticize a statue of Mother Teresa,” Pllumi said (Jordan, M. 2007, ‘Albanians Rediscover God, If Not Old-Time Religion’, *The Washington Post*, 4 April <http://www.washingtonpost.com/wp-dyn/content/article/2007/04/03/AR2007040301998.html> – Accessed 1 October 2009 – Attachment 11).

The erection and removal of crosses in the hills outside Shkoder occurred in or near Bushat. A March 2006 news piece by Xhavit Shala in the *Tirana Observer*, titled ‘Wahabi-selafi movement’, on the protests against the proposed statue of Mother Teresa in Shkoder, quotes a press statement of the Muslim Forum of Albania:

We know and agree with the evaluations that this humanitarian personality has received in our country, by having her name put into many squares, hospitals, and Tirana's airport. We also have had no objection to the placement of her statue near Tirana's University, since this lady has been a well known humanitarian personality. But the placement of the statue of this catholic personality in Shkodra, where the religious atmosphere is not so calm, we fear, will further infuriate the religious tension in our city. Considering what has happened in our city lately – the illegal placement of crosses and their uprooting in Bushat; the placements of other

crosses in Beltoje; the attempt of certain people who want to turn the Mosque of the Castle into a church; as well as the improper balances in employment that exist in our city's administration – we believe that it will be a smart thing to avoid the placement of mother Theresa statue in the city of Shkodra...But the plans for placing the statue of a catholic saint in our city's entrance are a direct threat to our inherited tolerance, and we see this act as an open tendency which aims to destroy our harmony, as a result of which the citizens of our country might suffer... For these reasons, we regard the attempts for the placement of the statue of this catholic saint in public places as a new provocation whose aim is to destroy our coexistence” (Shala, X. 2006, ‘Wahabi-selafi movement’, Albanian Centre for Security Studies website, 28 March <http://www.acnss.com/ang/st/pdf/3/Wahabi-selafi%20movement.pdf> – Accessed 8 October 2009 – Attachment 15).

The articles ascribes the protest against the statue to those “inspired by the wahabi-selafi philosophy”, and states that this “current has made the traditional Albanian Islam as a target of their offensive” (Shala, X. 2006, ‘Wahabi-selafi movement’, Albanian Centre for Security Studies website, 28 March <http://www.acnss.com/ang/st/pdf/3/Wahabi-selafi%20movement.pdf> – Accessed 8 October 2009 – Attachment 15).

A extensive March 2008 paper by Miranda Vickers on Islam in Albania makes the following relevant points: that (a) fundamentalist missionaries are making inroads amongst Albania's Muslims; (b) a small but significant number of young people returning to Albania do espouse a more radical version of Islam; (c) there has been strict monitoring of “all Islamic associations and foundations” in Albania since 1998. The article also comments on Muslim-Catholic relations in northern Albania, and inter-faith relations in general:

THE “MYTH” OF RELIGIOUS TOLERANCE

Unlike the rest of the Balkans, Albania is widely recognized as having a strong tradition of religious tolerance, an example of which was explicitly demonstrated in the euphoria of 1992 when, in Shkoder, the largest city in northern Albania which has historically been the centre of Albanian Catholicism, Muslims as well as Catholics had helped prepare the city's Catholic cathedral for reopening, and five days later Catholics helped to reopen the city's main mosque. Everywhere you go in contemporary Albania, people speak of the country's tradition of religious tolerance and that there is complete harmony between the different faiths. This is indeed largely correct, with interfaith marriages being common. Nevertheless, some scholars argue that religious divides were minimized for nationalist purposes and that religious intolerance has always existed amongst Albanians, that Albanian culture is not one of peaceful religious co-existence, and that a tradition of tolerance has been invented and is constantly being reinforced today.

Without a detailed and comprehensive study of multi-faith regions of Albania, it is difficult to assess whether this is the case or not. Some recent media reports have suggested that tensions do exist between religious communities, especially in the northern district of Shkoder where Muslims have protested against a series of large Christian crosses being erected on prominent hilltops. The cutting down of a large cross in the village of Bushat during the Muslim festival of Bajram in January 2006 brought religious issues back into the limelight. The Catholic Church condemned the act but expressed its confidence that the event would not harm peaceful co-existence in Albania. Muslim authorities also condemned the vandalism but they did express concern about the phenomenon of placing religious symbols without any permits in public places which do not have any religious significance.

Not long after, more controversy arose over choosing a site for the erection of a bust of Mother Theresa, the ethnic Albanian Catholic nun in line for elevation to sainthood by the Vatican and a Nobel Prize winner, in the centre of Shkoder. In April 2006, the city council of Shkoder accepted a proposal by the Ministry of Culture for the erection of a bust of Mother Theresa in the city. With only two votes against, council members agreed the bust should be erected in the city centre. This was considered a compromise deal avoiding the first proposal for the erection of the bust at the entrance of the city in the “Xhabiaj” district, which is mainly inhabited by Muslims. Some local Muslim groups rejected plans for the statue, arguing that it would offend the feelings of Muslims. However, at a meeting of the city’s intellectuals, both Muslim and Catholic, it was agreed that it was an honour for their city to have a statue of Mother Theresa.

The Mufti of Shkoder, after many petitions from the Muslims of the city, especially those from the Xhabije neighborhood where the statue was to be erected, said in a press release that Mother Theresa’s Catholicism would be offensive to Muslims and Christians alike. In essence the figure of Mother Theresa is religious and as such the focus of Mother Theresa’s mission was the propagation of Catholicism. The Mufti reminded that Mother Theresa was beatified by Pope John Paul II for her contribution primarily as a Catholic missionary. Other Muslim residents complained that there was a plot to portray the town as a Catholic enclave.

Meanwhile, concerns were raised about a supposed bias amongst local councillors towards the Catholic districts of Shkoder as opposed to the Muslim ones. In August 2007, the head of Shkoder’s Muslim community, Mufti Ndririm Sulejmani, called on local politicians to refrain from causing religious divisions and to work to preserve a balance amongst religions. Mufti Sulejmani was referring to local government officials, a good proportion of whom are Catholics, who were allegedly appointing proportionally more Catholics to appointments in leading posts. “There has long been great unhappiness about the leadership of the local authorities in Shkoder,” he told reporters. “They have focused their attention on districts and neighbourhoods inhabited by one particular religion – a reference to Catholicism. They have ignored the majority from the other religion.” Sulejmani remarked that these officials had not been elected by believers of only one faith: rather, they were elected by the votes of Muslims, who represent the majority population of the city. He said openly that “tolerance has a limit” and that it was necessary to preserve religious tolerance.

...At present, the threat from extreme Islamists is more real in Bosnia, the Sandzak and Macedonia than in Albania. Supporters of the Selefi, however, are increasing all the time as more young men return to Albania to work for a stricter and more rigorous implementation of the Prophet’s teachings in line with Arab countries. The number of Albanian students studying in universities of Islamic countries with known radical orientation should not be ignored and should strengthen the resolve of the government to assist in the opening of an Islamic higher education facility as soon as possible.

Attempts by foreign extremists to impose a very different brand of Islam have to date been successfully resisted. As a result, today religion plays a sensible and moderate role in Albanian life. It has not entered the political arena as a determinant factor and the separation of state and religion is being maintained. Nevertheless, with several of Albania’s mosques and Islamic NGOs now operating outside the control of the Albanian Muslim Community, there remains a threat to the country’s traditional Muslim values. Property issues are certainly a source of much of the inter-Muslim conflict. Indeed with the fierce competition for sensational stories in the Albanian media, journalists have undoubtedly exaggerated the extent of inter-faith tensions. Nevertheless, as a number of recent events have shown, there are worrying undercurrents that have the potential to undermine both inter-faith and inter-religious harmony.

... There is a strong reluctance not only within the government but also amongst Albanians in general to discuss religiously-motivated incidents. This leads to a danger of complacency, with everyone repeating parrot fashion of how strong religious tolerance is and how there is no threat to Albania from outside Islamic influences. The current head of the State Committee for Cults, Rusim Hassani, echoes the government's stance that all is well on the country's religious front, and vehemently denies there is any extremist Islamic activity anywhere in Albania. Whilst this is encouraging news, it must be taken in the context that virtually no government officials in Tirana ever travel to other regions of Albania unless forced to, or unless they originate from a particular district, which currently appears mainly to be Tropoja. With parliamentary elections just over a year away, Prime Minister Sali Berisha wants it to be known that the situation is under control and employees of the State Committee for Cults are possibly aware that they could lose their jobs by insinuating there may be problems.

Is peaceful inter-faith co-existence under threat in Albania? For the present the answer must be no. The chances of serious religiously-motivated conflict in Albania are slim due to the secular, modernistic ethos of post-communist Albania, and the sensible, moderating guidance of the Albanian Muslim Community Chairman, Selim Muca. The great challenge for Albania's Sunni and Bektashi leaders today is to maintain the independence of their faiths from foreign interference and to preserve the delicate balance of religious co-existence in multi-faith districts such as Shkoder, otherwise the serious divisions that remain the between moderate and radical elements will have long term consequences for Albania's Muslims and their relations with other religious communities (Vickers, M. 2008, 'Islam in Albania', Defence Academy of the United Kingdom website, March, pp.11-14 [http://www.da.mod.uk/colleges/arag/document-listings/balkan/08\(09\)MV.pdf](http://www.da.mod.uk/colleges/arag/document-listings/balkan/08(09)MV.pdf) – Accessed 8 October 2009 – Attachment 10).

2. Are supporters of the Christian Democratic Party subjected to ill-treatment in Albania?

The Christian Democratic Party of Albania or PDK (*Partia Demokristiane e Shqipërisë*) was established in 1991 and is currently led by Nard NDOKA. Support for the party comes from the Shkoder region and other northern Catholic towns. In 2001 it won one per cent of the legislative poll, and secured two seats in the 2005 assembly elections for 140 deputies as part of an alliance led by the Democratic Party of Albania (PDS). On 28 June 2009 Parliamentary elections were held. The PDK won two seats as part of the seven-party 'Alliance for Freedom, Justice and Welfare (AFJW)', which together was elected to 18 seats in Parliament (Banks, A.S., & Muller, T.C., eds., 2009, *Political Handbook of the World Online Edition*, 'Albania', Washington, CQ Press, http://library.cqpress.com/phw/phw2009_Albania – Accessed 6 October 2009 – Attachment 16; Immigration and Refugee Board of Canada 2006, *ALB100875.E – Albania: The Christian Democratic Party and the treatment of its supporters by the police and government*, 20 February – Attachment 17; recent 2009 elections results are given in: European Forum for Democracy and Solidarity 2009, *Albania*, 4 August <http://www.europeanforum.net/country/albania> – Accessed 6 October 2009 – Attachment 18).

Attacks against supporters of the Christian Democratic Party

In the lead up to the June 2009 Parliamentary elections, a regional leader of the PDK, Aleksander Keka, was killed in car bomb explosion in Shkroder. According to a *Balkan Insight* report, the reason the PDK leader was targeted remains in doubt. The police stated that the death was related to drug and arms dealing; while the head of the PDK Nard Ndoka

called the death “a terrorist act” and believed it followed reception of threats due to Keka’s political role:

Albanian police have accused a politician whose car exploded in the north of the country on Thursday of being a suspected drug dealer and arms trafficker.

“We should clarify that Aleksander Keka has been identified by local police authorities as a suspect involved in trafficking drugs, cars, and explosives,” state police spokesperson Klodian Branko said in a statement. He did not elaborate on whether the victim was ever arrested or charged with any crime.

Keka, the local head of the Christian Democratic Party in the Malsia e Madhe region in Northern Albania was found dead early on Thursday, after his car exploded and went off-road close to the city of Shkodra.

The 38-year-old was found a few meters from his burning car on the highway linking the town of Kurbin with Shkodra. Police are still investigating the cause of the explosion.

The death comes just days ahead of the June 28 parliamentary elections, which are seen as key for Albania’s EU accession hopes.

The head of the Christian Democrats Nard Ndoka speaking on local TV station News 24, for called Keka’s death “a terrorist act,” while he condemned the police statement as unfounded.

“He was slain by a detonated explosion,” said Ndoka, who spoke with minutes before his death.

“He was a member of the provincial council and if he was as the police say what did they do before,” said Ndoka. “I think such statements are irresponsible he added. Ndoka went on to say that Keka had received threats recently due to his political role.

With Albania newly-promoted to NATO membership status and having filed for EU candidate status, the ballot is seen as a crucial test of the country’s democratic credentials.

EU officials in Brussels and Tirana have said the poll will be considered a litmus test for the EU aspirations of the Albanian government.

The election campaign has already been marred by murder after a supporter of the opposition party killed a 25-year-old activist from the ruling Democratic Party, in the village of Qerret close to the town of Durres.

On May 4, an opposition deputy, Fatmir Xhindi, was gunned down outside his home in the town of Roskovec in Southern Albania. Xhindi’s murder remains a mystery to this day. No suspects have been identified (‘Albania Police: Dead Politician Was Drug Dealer’ 2009, Balkan Insight website, 18 June <http://www.balkaninsight.com/en/main/news/20342/> – Accessed 6 October 2009 – Attachment 19).

A June 2007 article from the *Shqipëria-etnike* website authored by the periodical’s staff focused on the change in leadership from Lesi to Ndoka and the then political fortunes of the PDK. The article concludes by describing attacks against one party recruiter by opponents and security forces during the 2007 local elections:

As soon as he replaced Lesi, Mr. Ndoka returned to the basics. He enlisted new activists, recruiters, coordinators, managers, fundraisers, etc., and changed the approach to bringing

new members into the party. He concentrated his activities in three fronts: 1) Recruiting members from Northern Albania, where his main supporters, **meaning the politically persecuted and Catholics**, are situated. 2) Making its presence at the Universities and other institutions of education where the new intelligentsia is being trained, and 3) Taking a steadfast position against the Democratic Party, especially against Berisha, making him realize that this party will no longer be taken for granted.

“Mr. Ndoka came in and told me that I want you to be in front of the University every day, sunshine or rain. I want you to have your table there, right by the University’s main entrance, with our materials on top of it, even if you recruit only one person,” said Arben Mitaj, a recruiter with this party. “There are days that I recruit none, but I go back the following day anyway and continue doing what I am told to do,” he continued. And our determination concerns the DP” he said.

...“Even though this party’s membership is mainly Catholic, this party has the right values and platform, and has found its constituency, Catholics and the Politically Persecuted. They are well organized and very disciplined. The way they are working, it is impossible for the major parties not to notice that Christina Democrats have become a force to reckon with. They are a real political force at this time. And the more they distance themselves from Berisha, the more they are seen as a force that Berisha must recognize or otherwise they can at any time form a coalition with the Socialists and make the Democratic Party a minority party in Parliament. Thus jeopardizing Berisha’s position as the Prime Minister” said Kimete Kastarti, Political Analyst.

“We won the Kelemnd Commune because of our hard work and determination to bring to voters something real, something that is no related too much with the Democrats. Voters have lost faith in the Democratic Party. They are hungry for a new party that represents their values and needs “ said Gjok Mitaj, who ran the 2007 campaign for Nue Lelcaj, a Christian Democrat.

“We have noticed that some of our members, who are Catholics, have left our party and have joined the Christian Democratic Party, and it concerns us,” said the spokesperson for the office of Paulin Sterkaj, a Socialist Deputy.

“LZHK is elated to see the success achieved by the Christian Democrats,” conceded Armando Ruco, the Vice Chairman of the LZHK. “Mr. Ndoka has been able to re-organize this party very well and I am proud to be part of his coalition,” he said. “Berisha cannot take them for granted any longer,” said Mr. Pisha, a Political Operative from Shkoder.

However, the party’s success did not come easy. **Mr. Mitaj, who, because of his job as a recruiter, claims to have been attacked by his opponents and detained twice by the security forces, said that during the local election of 2007, he could see that the Democratic Party was concerned about the kind of work that they were doing. “Their concerns became obvious during the questioning that I was subjected to when detained in Shkoder,” he continued.**

“Even though Berisha used his Shik to arrest, beat, and intimidate us, we were able to pull a huge victory. He can no longer regard us as insignificant” said Gjon Zefi, the leader of the most powerful clan in Bushat, the Zefi clan.

Allegations that Shik was used by Berisha against Christian Democrats during the 2007 election and that many complaints were filed with The Office of the People’s Advocate against Shik were not denied by the People’s Advocate in Tirana, but he declined to elaborate further. However, Berisha’s spokesperson admitted that the People’s Advocate

has expressed concerns about the number of political complaints he has received against Shik recently.

Nevertheless, both analysts and voters agree that Christian Democrats have made Berisha's life more difficult now that he must recognize the fact that they are the third largest political force in Albania and which disagrees with him in almost everything (The Staff 2007, 'For Christian Democrats, Hard Work Brings Results, but Spells Trouble for Berisha', *Shqiperia-etnike* website, 30 June <http://www.shqiperia-etnike.com/she105/she105eng.htm> – Accessed 6 October 2009 – Attachment 21).

The Organization for Security and Co-operation in Europe (OSCE) reported on tension involving PDK supporters in Bushat, and referred in generic terms to low-level violence and other electoral irregularities in Bushat, during the 2007 local elections:

Observers reported tension or unrest in seven per cent of VCs [Voting Centres] visited, as well as isolated cases of violence. Unauthorized persons were interfering in the process in four per cent of VCs visited. Also in four per cent of VCs visited, persons were attempting to influence voters. Instances of pressure on voters were reported from a few LGUs [Local Government Units], for example **Bushat** and Gruemirë, both in Shkodër region. **In one VC in Bushat, four VCC [Voting Centre Commission] members from parties belonging to the ruling majority left and were not replaced after supporters of the Demo-Christian Party 'requested' the right to replace them.** (p.18)

...In a few counting centres, the vote count was fraught with tension, and in some instances, violent incidents occurred. In Gjirokastrë, the vote count was repeatedly blocked, in one instance following a fistfight between DP and SP supporters inside the counting centre. **In Bushat, the count had to be postponed during the night after election day due to obstruction by the local MP and his supporters.** In Ndroq, the count degenerated into violence and two opposition commissioners had to be hospitalised. In several Tirana boroughs, the vote count had not started until the morning after election day. (p.19)

In **Bushat** commune (Shkodër region), the ballot boxes from only five out of 25 Voting Centres were counted. The LGEC could not finish the count because of pressure from a crowd of supporters of the competing mayoral candidates, who had gathered outside the counting centre. The standoff resulted in violence and the police had to intervene to restore order. Ultimately, the CEC decided that all election material should be brought to Tirana and be counted there by the Bushat LGEC and two counting teams, in the presence of CEC inspectors. (p.20) (OSCE Office for Democratic Institutions and Human Rights 2007, *Republic of Albania Local Elections 18 February 2007: OSCE/ODIHR Election Observation Mission Report*, 5 June, pp.18-20 http://www.osce.org/documents/odihhr/2007/06/24859_en.pdf – Accessed 6 October 2009 – Attachment 22).

In February 2006, the *Shqiperia-etnike* website reported on an attack against the PDK member Gjergj Palushi, allegedly committed by “democratic and socialist sympathizers”:

During the yesterday session of the Albanian Parliament, the leader of the Demo-Christian Party, Nikollë Lesi, had heavy accusations against the two main political forces, the SP and the DP.

“Albania should immediately come out of the Islamic Nations' Conference. Sali Berisha realized its membership, while Nano and Rama didn't contest it even once...”, declared he.

The Albanian Demo-Christian leader spoke even about the discrimination toward Demo-Christians. During the 16 years of the so called pluralism, they not only didn't have at least one representative in the Government, but its **activists are violated too**. Such a case is very concerning indeed, in the Northern Albania, where Demo-Christians made much effort to organize. The **Demo-Christian Gjergj Palushi**, born on December 11, 1981, whose picture is shown nearby, is being cured illegally, as his life is in danger. Since the year 2000, he was a member of this party. As an activist in the meetings in Vau Dejës, and also Shkodra and Tirana, and other cities of Albania as well, on day 2 of this month, **democratic and socialist sympathizers**, clobbered him at about 18.00, in the village called Juban, and as they thought he was physically eliminated, they throw him on the side of the road.

God spared him. Someone passing by, found him unconscious and sent him at the Regional Hospital of Shkodra, in the emergency. According to the register nr.533 of this hospital, it results that he had cut wounds on his right eyebrow. The paramedic Jaku gave him the first aid. After he made sure he is safe, he agreed with his relatives to let them take him, and cured him illegally. This cure is still going on. This act was due to the fear that **anti-Christian** groups, who are very well organized and have never been arrested, could kill him even while at the hospital. This was witnessed even by the same paramedic, who said for the journal that his patient feels good now, and he did his human job, and recommended us to write that he would do the same for anyone.

Even the Demo-Christian leader Nikollë Lesi, in his "bombastic" speech in the Parliament said that "...My head goes with that of the first Albanian politician, for I had death threats too".

This is a very sad picture for Albania, that seems to be far away from the day when people will think and live free (Vataj, A. 2006, 'DP and SP are part of Islamic terrorism', *Shqiperia-etnike* website, 22 February, no.88 <http://www.shqiperia-etnike.com/she88/she88eng.htm> – Accessed 6 October 2009 – Attachment 20).

3. Are the authorities in Albania able and willing to provide protection to all citizens of Albania, irrespective of religion or political opinion?

Two articles provided in response to question one above provide evidence that police failed to provide protection to persons harmed in acts of a religious and/or political nature. In the first case police reportedly did nothing "to make her [the victim's] life safe"; in the second the police reportedly did not take seriously the claims relating to a targeted car bomb attack (Gilaj, V. & Hysenaj, Z. 2006, 'Goodness and peace, near or far for Albania', *Shqiperia-etnike* website, 8 June, no. 92 <http://www.shqiperia-etnike.com/she92/she92eng.htm> – Accessed 2 October 2009 – Attachment 6; Vataj, A. 2005, 'Velipojë: Terrorists place explosive', *Shqiperia-etnike* website, 2 August, no.79 <http://www.shqiperia-etnike.com/she79/she79eng.htm> – Accessed 2 October 2009 – Attachment 7).

The Criminal Code of Albania prohibits those in the public sphere from discriminating in exercising their duties for reasons related to religious convictions and political opinions; and makes criminal offences "instigated by motives related to gender, race, religion, nationality, language, political, religious or social opinions" an aggravating circumstance:

45. The Criminal Code defines as a criminal offense the discrimination in the public sphere in case an employee performing a state function in the public service, because of and in exercise of his duty makes discriminations on account of family origin, sex, health condition, religious convictions, political opinions, trade union activity or because of one's belonging to a certain

ethnicity, nation, race or religion, consisting in the creation of unfair privileges, rejection of a right or benefit stemming from the law”.

46. By virtue of Law, “On some amendments to the Criminal Code” adopted in 2007, the committal of a criminal offense instigated by motives related to gender, race, religion, nationality, language, political, religious or social opinions and convictions, has been added to article 50 of the Criminal Code as an aggravating circumstance (UN Human Rights Council 2009, *National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1 – Albania*, A/HRC/WG.6/6/ALB/1, 17 August <http://www.unhcr.org/refworld/docid/4ac9f9dc0.html> – Accessed 8 October 2009 – Attachment 23).

In August 2009 the UN Human Rights Council, in a compilation of UN documents on Albania, provided the following summary of the administration of justice and the rule of law in the country. The summary expresses the view that the “rule of law is weak” and expressed concerns with “executive pressure on the judiciary and persistent problems of corruption”:

3. Administration of justice, including impunity, and the rule of law

37. The 2004 CCA report noted that the rule of law is weak despite efforts to improve the function of the judicial system. The lack of transparency and impartiality affects important aspects of judicial operations. The HR Committee remained concerned about alleged cases of executive pressure on the judiciary and persistent problems of corruption, lack of access to counsel and legal aid, and undue delay of trials. CESCR was concerned about the reported lack of independence, security and training of the judiciary, and strongly urged Albania to take measures on these issues.

38. CESCR urged Albania to provide specific training to law enforcement officers to ensure that they respect and protect human rights without distinction. Incidents of police violence should be thoroughly investigated and perpetrators promptly brought to justice.

39. The HR Committee and CRC were concerned that, despite several cases of investigations and punishment of those responsible for ill-treatment, many cases have not been investigated properly. CAT expressed concern that a climate of de facto impunity prevails for law enforcement personnel who commit acts of torture or ill-treatment, and recommended that Albania investigate all allegations of torture or ill-treatment with a view to prosecuting those responsible.

40. CESCR recommended that Albania take rigorous measures to prosecute those who engage or collaborate in vendetta or honour killings and other forms of violence.

41. CRC was concerned at the lack of an effective juvenile justice system of specialized police prosecutors, judges and social workers. UNCT noted that interventions on legislative reform in the area of juvenile justice remain fragmented (UN Human Rights Council 2009, *Compilation Prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(b) of the Annex to Human Rights Council Resolution 5/1 – Albania*, A/HRC/WG.6/6/ALB/2, 5 August, p.8 <http://www.unhcr.org/refworld/docid/4ac9fedd0.html> – Accessed 8 October 2009 – Attachment 24).

The US Department of State’s current *Human Rights Report: Albania* also pointed to the overall weak performance of law enforcement in the country, and that “ political pressure, intimidation, widespread corruption, and limited resources sometimes prevented the judiciary from functioning independently and efficiently”:

Roma, Balkan Egyptians, and homosexuals were particularly vulnerable to police abuse.

...Role of the Police and Security Apparatus

Local police units reported to the Interior Ministry and were the main force responsible for internal security. The military has a special 90-person commando unit that operates in an antiterrorist role under the defense minister. The law allows the interior minister to request authority over this unit during a domestic crisis. The State Intelligence Service is responsible for both internal and external intelligence gathering and counterintelligence.

The overall performance of law enforcement remained weak. Unprofessional behavior and corruption remained major impediments to the development of an effective civilian police force. The Ministry of Interior started a new recruiting system with standardized procedures. In combination with the new system of police ranks, authorities expect this to improve the overall performance of the police.

However, low salaries and widespread corruption throughout society made police corruption difficult to combat. The government prosecuted corrupt officials and managed complaints regarding corrupt police through the ombudsman.

During the year the Ministry of Interior reported that it dealt with 68 corruption cases and 276 cases of general misdemeanors and abuses by public administration employees. A total of 153 government officials were investigated (including police officers), and 72 were arrested.

During the year the ombudsman received 154 general complaints from citizens against the police mainly on arrest and detention. At year's end 118 complaints had been processed and the ombudsman concluded 26 in favor of the complaining citizen. These included 17 complaints of physical mistreatment. Only one complaint was found valid, and recommendations were issued for disciplinary measure for three police officers of Commissariat 1 in Tirana.

...e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, **political pressure, intimidation, widespread corruption, and limited resources sometimes prevented the judiciary from functioning independently and efficiently.**

...On December 22, the parliament passed a controversial "lustration" law, which is expected to allow for the dismissal from public office of a wide range of officials who participated in "political processes" while serving in higher-level government positions under the communist regime, including judges, and prosecutors, and law enforcement officers. The vague wording of the law gives the government wide discretion in determining what "political processes" means, thereby allowing it considerable latitude in determining if an official should be dismissed from duty. International observers, including the OSCE and COE, sharply criticized the law and expressed concern that the **law would allow the government to assert undue political control over the judiciary, undermine due process, and circumvent constitutional protections provided to judges, members of parliament, and prosecutors.** Furthermore, the law states that persons subject to the law cannot participate in its judicial examination. This places the court in direct conflict with the executive, as several members of the court were reported to fall within the scope of the law.

...Political Prisoners and Detainees

There were no reports of political prisoners or detainees (US Department of State 2009, 2008 Human Rights Report: Albania, 25 February – Attachment 25).

A November 2007 assessment by the Commission of European Communities on progress made by the Albanian government on meeting political, economic and other criteria for eventual EU membership makes several observations on the effectiveness of the police in Albania to protect citizens irrespective of political affiliation. The report stated that progress towards the de-politicisation of the police had been made with the adoption of a new law devolving important functions from the Ministry of the Interior to the police; and that during the February 2007 local government elections, the work of the police was “professional and unbiased”. The report concluded, however, that in general the “police capacity for preventing and accurately recording crime remains weak”:

There has been good, but uneven, progress in the **police** field. Parliament adopted a new State Police Law (*see section on Government*) which provides for improved management of human, material and financial resources. The new law devolves these functions from the Ministry of the Interior to the police. **This is an important step towards de-politicisation of the police.** A new organisational structure for the police was approved by the Minister of the Interior. **The work of the police during the February 2007 local government elections was professional and unbiased.**

Albania has signed a strategic agreement with Europol. This provides for closer cooperation and better exchanges of information. Albania ratified the South-East Europe Police Cooperation Convention. A cooperation agreement on tackling financial crime and corruption offences was signed between the Ministries of the Interior and of Finance, the State Intelligence Service and the prosecution office. A working group is addressing the issue of improving attribution of police ranks. A community policing strategy has been approved.

A reduction in police staff from 11,300 to 10,500 was necessary, but was made without due attention to maintaining the capacity and management continuity of several key units. Successful investigation and prosecution is still hampered by poor communication and incompatible case management procedures between the police and prosecutors, particularly at district level. Police management, including performance management, and internal control structures need to be strengthened. A manual of procedures for all police officers has not yet been put into operation. Further effort is required to make sure that police officers are prosecuted for criminal offences where appropriate rather than simply dismissed.

Police capacity for preventing and accurately recording crime remains weak. Draft legislation allowing use of seized vehicles by police and prosecutors is still pending in parliament. Tighter control by the traffic police and better educational work are required to improve road traffic safety. Preparations in the police field are advancing, but structural improvements now have to be followed by operational results (Commission of European Communities 2007, *Albania 2007 Progress Report*, SEC (2007), 1429, 6 November, pp.47-48 http://ec.europa.eu/enlargement/pdf/key_documents/2007/nov/albania_progress_reports_en.pdf – Accessed 7 October 2009 – Attachment 14).

On Albania’s anti-discrimination policies, the Commission’s report pointed to the absence of any specific legal definitions and legislation, concluding that the: “constitution prohibits discrimination on grounds of gender, race or religion. However, there is no proper legal definition of discrimination or specific legislation addressing it. Appropriate institutional support for victims, including by existing institutions in charge of human rights, needs to be ensured” (Commission of European Communities 2007, *Albania 2007 Progress Report*, SEC (2007), 1429, 6 November, p. 15

http://ec.europa.eu/enlargement/pdf/key_documents/2007/nov/albania_progress_reports_en.pdf – Accessed 7 October 2009 – Attachment 14).

4. Do ethnic Italian Albanians have access to permanent residence in Italy?

No information was found on whether or not ethnicity, Italian or otherwise, affects access to residency in Italy. Several Tribunal and Department research responses have recently examined access to temporary and permanent residence in Italy in general circumstances. Information contained here indicates that permanent residence was granted through a *Carta di Soggiorno* which is valid for an unlimited period of time but must be re-stamped every six years (DIAC Country Information Research Response 2008, *Permit of Stay (Permesso di Soggiorno)* – ITA9456, 26 September – Attachment 27; question two of RRT Research & Information 2007, *Research Response ALB31543*, 27 March – Attachment 28; question eight of RRT Research & Information 2007, *Research Response ALB31389*, 2 March – Attachment 29).

The website of the Italian government's Ministry of the Interior provides current information on applying for short (3 months) and long-term residence. Information is also given here on the 'EC Long-Term Residence Permit (Permesso di Soggiorno per Soggiornanti di Lungo Periodo – S.L.P)', which was previously called the *Carta di Soggiorno*: in this case application is open to those who "have a residence permit and have been legally resident in Italy for a period of at least 5 years" and "minimum income is equivalent to the amount of the social security benefit":

Issue and Renewal of Residence Permit

1. Where to apply

If you are a foreign citizen, you can apply for the issue and renewal of residence permits for the reasons listed below only at the post offices with the logo Sportello Amico. You can seek the free help of the Comuni (Town Councils) taking part in the experiment or of the Benevolent Institutions (Patronati) in filling in the forms.

- Guardianship;
- Religious reasons
- Elective residence
- Studies (for more than three months)
- Mission
- Renewal of political asylum
- Internship for job training
- Pending reacquisition of citizenship
- Pending employment
- Permanent Resident Permit for foreigners (now called EC Long-Term Residence Permit)
- Self-employed work
- Subordinate work
- Subordinate seasonal work
- Family
- Family, minor aged 14 – 18
- Special cases provided for by art. 27 of the Immigration Law
- Application for stateless status (renewal)

For any other reasons you must go to the Questura.

If you have the authorisation and are applying for the residence permit for work or family reasons, you can go to the Sportello Unico Immigrazione (Front Desk for Immigration).

If you are a foreign family member of an Italian citizen or of an EU citizen and would like to apply for EC Long-Term Residence Permit (carta di soggiorno) for family member of an EU citizen, you can choose to either submit the application through the post office or directly to the Questura.

...Entry and stay in Italy for periods exceeding 3 months

Foreigners who would like to stay in Italy must apply for the residence permit.

Whoever arrives in Italy for the first time must apply for the residence permit within 8 days.

A foreigner who is already in Italy and whose residence permit is about to expire must apply for its renewal within the time limit indicated below, and in any case not beyond 60 days from its expiration.

In order to get a residence permit, it is necessary to have:

- Application form;
- Valid passport or any other equivalent document with the visa if required;
- Photocopy of the same document;
- 4 recent and identical passport size photos;
- Revenue stamp of 14.62 euros;
- Required documents for the type of residence permit one is applying for.

The application for renewal of the residence permit must be submitted at least:

- 90 days before its expiration, in case of a residence permit valid for 2 years;
- 60 days before its expiration, in case of residence permit valid for 1 year;
- 30 days before the expiration, in case of all other permits.

The expiring date of the residence permit is the same as the expiration of the entry visa:

- Up to nine months for seasonal work;
- Up to one year for subordinate work with a temporary contract, and for study or vocational training;

Up to two years for self-employed work, for subordinate permanent work and for family reunion

...The EC Long-Term Residence Permit

1. Conditions of application

You can apply for the EC Long-Term Residence Permit (Permesso di Soggiorno per Soggiornanti di Lungo Periodo – S.L.P), previously called Carta di Soggiorno (Residence Card) for yourself and your family members if:

- You have a residence permit and have been legally resident in Italy for a period of at least 5 years;
- Your minimum income is equivalent to the amount of the social security benefit. If you also apply for your family members the income is indicated in the following table:

- ...2. **How to apply**

You must go to the post office where the application forms are distributed for free (yellow kit).

In order to fill in the application, please follow the instructions contained in the kit and in the paper “Issue-Renewal of the Residence Permit”.

Together with the form (filled in and undersigned) you have to submit the following:

- ✓ Photocopy of the whole passport (or other equivalent document);
- ✓ Photocopy of the income tax return (Unico/CUD form relating to the previous year). Domestic workers (colf/badanti i.e. house helpers/caregivers) have to exhibit the INPS (National Social Security Institute) receipts or the statements issued by the INPS itself containing an analytical abstract of the contributions made;
- ✓ Police records certificate and registrations certificate regarding criminal proceedings (to be asked for at the Ufficio Casellario del Tribunale – Criminal Records Office of the Court);
- ✓ Copies of payslips for the current year;
- ✓ Certificate of residence and family situation;
- ✓ Postal slip certifying payment of the electronic residence permit (27.50 euros);
- ✓ Revenue stamp of 14.62 euros.

IT IS IMPORTANT TO REMEMBER THAT

The EC Long-Term Residence Permit:

- Is valid for an indefinite period;
- Is valid as personal identification document for 5 years (subsequently the applicant may ask for its renewal by submitting new photos)
- Cannot be granted to a foreigner who is a threat to State security and public order;
- Can be requested neither by holders of a permit for study, professional training, temporary protection, humanitarian reasons, asylum application when the related status has not been recognised yet, nor by short-term residence permits holders (Ministry of the Interior (undated), ‘Staying in Italy Legally’, pp.5-6, 8-9
http://www.interno.it/mininterno/export/sites/default/it/assets/files/14/0554_initaliainregola_English.pdf – Accessed 8 October 2009 – Attachment 30).

A December 2008 paper by Jonathan Chaloff from the International Migration Division of the Organisation for Economic Co-Operation and Development (OECD) in Paris, states that “many Albanians have acquired permanent residence in Italy, obviating the problem of continuous renewal of work contracts and residence cards and allowing, finally, free movement between the two countries and possible entrepreneurial attempts in Albania without the loss of the right to return to Italy” (Chaloff, J. 2008, ‘Albania and Italy: Migration policies and their development relevance – A Survey of Innovative and “Development-Friendly” Practices in Albania and Italy’, Centro Studi di Politica Internazionale website, December, p.33 <http://www.cespi.it/WP/WP%2051-Albania%20and%20Italy-Chaloff.pdf> – Accessed 8 October 2009 – Attachment 31).

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US Department of State <http://www.state.gov/>

US Department of State website <http://www.state.gov>

United Nations (UN)

UNHCR <http://www.unhcr.ch/>

Non-Government Organisations

Amnesty International website <http://www.amnesty.org/>

Freedom House <http://www.freedomhouse.org/template.cfm?page=1>

Human Rights Watch <http://www.hrw.org/>

International Helsinki Federation for Human Rights <http://www.ihf-hr.org/welcome.php>

International News & Politics

BBC News website <http://news.bbc.co.uk/>

Region Specific Links

UNHCR Refugee Information Online <http://www.unhcr.ch/cgi-bin/texis/vtx/research>

AlbaNews <http://listserv.acsu.buffalo.edu/archives/albanews.html>

Albanian Daily News <http://www.albaniannews.com/>

Albanian Telegraphic Agency is www.ata.gov.al

Tirana Times <http://www.tiranatimes.com/>

Gazeta SOT Online <http://www.sot.com.al/>

Turkish Daily News, 6 April <http://www.turkishdailynews.com.tr/>

South Eastern European Women's Legal Initiative <http://www.seeline-project.net/>

Women's Human Rights Net <http://www.whrnet.org/>

Search Engines

Google search engine <http://www.google.com.au/>

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)

RRT Library Catalogue

List of Attachments

1. Deleted.
2. Deleted.
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7. Vataj, A. 2005, 'Velipojë: Terrorists place explosive', *Shqipëria-etnike* website, 2 August, no.79 <http://www.shqiperia-etnike.com/she79/she79eng.htm> – Accessed 2 October 2009.
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