



# ALBANIA

## COUNTRY OF ORIGIN INFORMATION (COI) REPORT

COI Service

25 March 2011

**SECURING OUR BORDER CONTROLLING MIGRATION**

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## Preface

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- i This Country of Origin Information (COI) Report has been produced by the COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 28 February 2011. The 'Latest News' section contains further brief information on events and reports accessed from 1 March 2011 to 25 March 2011. The report was issued on 25 March 2011.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a compilation of extracts from the source material identified, focusing on the main issues raised in asylum and human rights applications. In some sections where the topics covered arise infrequently in asylum/human rights claims only web links are provided. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated. Similarly, the absence of information does not necessarily mean that, for example, a particular event or action did not occur.
- vi As noted above, the Report is a compilation of extracts produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents though COIS will bring the discrepancies together and aim to provide a range of sources, where available, to ensure that a balanced picture is presented. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the UK Border Agency website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 30 asylum intake countries. Reports on countries outside the top 30 countries may also be published if there is a particular operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

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**Website:** <http://www.ukba.homeoffice.gov.uk/policyandlaw/guidance/coi/>

#### **INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION**

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's COI material. The IAGCI welcomes feedback on UKBA's COI Reports and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>
- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the

decision or proposal to designate a particular country for NSA, nor of the NSA process itself. The IAGCI can be contacted at:

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## Latest News

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### EVENTS IN ALBANIA FROM 1 MARCH 2011 TO 25 MARCH 2011

*The Latest News section provides a non-exhaustive selection of significant events since 1 March 2011. Further information may also be available from the list of useful sources below.*

*The Home Office is not responsible for the content of external websites.*

24 March Albania's opposition leader, Edi Rama, has accused the centre-right government of Sali Berisha of putting forthcoming local elections "in danger" and has set three conditions. Rama on Wednesday said the opposition wanted "transparency over the electoral lists" updated equipment for election commissioners, enabling them to read identity cards, and "a right to have recounts in areas where the results are suspect".

#### **BalkanInsight**

Albania opposition demands election safeguards

<http://www.balkaninsight.com/en/article/accusation-of-fraud-marr-eve-of-albania-elections-campaign#>

Date accessed 24 March 2011

18 March EULEX confirmed that nine people were arrested on March 16 as part of an investigation on war crimes.

#### **Albeu Online Media**

The latest arrests, EULEX reacts, 18 March 2011

<http://english.albeu.com/albania-news/the-latest-arrests,-eulex-reacts-/32259/>

Date accessed 18 March 2011

17 March The ambassadors of the European Union and United States, along with the head of the OSCE office in Tirana, have called on Albanian authorities to investigate February 2011 incidents in which dozens of Roma families were forcibly evicted from their settlements in the centre of the capital city and were left homeless after their housing was set on fire.

#### **The Sophia Echo**

EU, US call for probe into violence against Roma in Albania, 17 March 2011

[http://www.sofiaecho.com/2011/03/17/1060685\\_eu-us-call-for-probe-into-violence-against-roma-in-albania](http://www.sofiaecho.com/2011/03/17/1060685_eu-us-call-for-probe-into-violence-against-roma-in-albania)

Date accessed 17 March 2011

11 March Supreme Court will decide on April 18 about the appeal of the leader of the Socialist Party, Edi Rama to repeal the decision of the General Prosecutor not to begin the criminal proceedings against Prime Minister Sali Berisha.

#### **Albeu Online Media**

Rama and Berisha face each other at the Supreme Court, 11 March 2011

<http://english.albeu.com/albania-news/rama-and-berisha-face-each-other-at-the-supreme-court/31604/>

Date accessed 11 March 2011



7 March Albania's dream on joining the European Union is in big trouble, according to the estimation of Miroslav Lajcak, EU negotiator for the Albanian political crisis, reported magazine Economist on Friday. Lajcak is trying to get Albanian Prime Minister Sali Berisa and the opposition Leader Edi Rama to reach an agreement, warning that they will be held responsible for the mess, "regardless to what they say" unless they agree before the local election in early May.

### **Ekonom: east Media Group**

Albania lurches on way to Brussels, 7 March 2011

<http://www.emg.rs/en/news/region/149211.html>

Date accessed 7 March 2011

5 March Socialist Party leader, Edi Rama has demanded an immediate solution to the crisis in the country. In a speech held with the ESP leaders meeting in Athens, opposition leader Rama said that the crisis in Albania is comprehensive and requires immediate intervention. According to him cases of corruption are growing and independence of institutions is constantly violated.

### **Albeu Online Media**

Rama: The crisis in Albania must be resolved as soon as possible, 5 March 2011

<http://english.albeu.com/albania-news/rama:-the-crisis-in-albania-must-be-resolved-as-soon-as-possible-/31093/>

Date accessed 5 March 2011

3 March The Albanian Parliament began the session, which from today will work under the new rules approved a week ago, after changing the parliamentary rules. Debates in the today's session included the events of 21 January, Gerdec and the current situation in the Middle East. Information

### **Albeu Online Media**

Assembly adopts 11 laws without opposition, 3 March 2011

<http://english.albeu.com/albania-news/assembly-adopts-11-laws-without-opposition/30911/>

Date accessed 3 March 2011

## **USEFUL NEWS SOURCES FOR FURTHER INFORMATION**

A list of news sources with Weblinks is provided below, which may be useful if additional up to date information is required to supplement that provided in this report. The full list of sources used in this report can be found in [Annex E – References to source material](#).

AlertNet (Thomson Reuters) <http://www.alertnet.org/thenews/newsdesk/index.htm?news=all>

British Broadcasting Corporation (BBC) <http://news.bbc.co.uk>

Cable News Network (CNN) <http://edition.cnn.com/WORLD/?fbid=i0gUtrVnUAY>

Integrated Regional Information Networks (IRIN) <http://www.irinnews.org/>

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**REPORTS ON ALBANIA PUBLISHED OR ACCESSED BETWEEN 1 MARCH 2011 AND 25 MARCH 2011**

*THE HOME OFFICE IS NOT RESPONSIBLE FOR THE CONTENT OF EXTERNAL WEBSITES.*

**Counsel of Europe [www.coe.int](http://www.coe.int)**

Special report following the visit to Albania to assess the human rights aspects of the events of 21 January 2011 in Tirana, 22 February 2011

<https://wcd.coe.int/wcd/ViewDoc.jsp?id=1750237&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>

Date accessed 1 March 2011

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## Background Information

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### 1. GEOGRAPHY

- 1.01 In its Country Profile for Albania, accessed on 10 December 2010, Europa World noted:
- “The Republic of Albania lies in south-eastern Europe. It is bordered by Montenegro to the north, by Kosovo to the north-east, by the Former Yugoslav Republic of Macedonia (FYRM) to the east, by Greece to the south and by the Adriatic and Ionian Seas (parts of the Mediterranean Sea) to the west.... The national flag (proportions 5 by 7) is red, with a two-headed black eagle in the centre.” [1a] (Location, Climate, Language, Religion, Flag, Capital) Tiranë (Tirana) is the capital other principal cities being Korçë (Koritsa), Durrës (Durazzo), Berat, Elbasan, Lushnjë, Shkodër (Scutari), Kavajë, Vlorë (Vlonë or Valona), Pogradec and Fier. The area of the country is 28,748sq km.” [1a] (Area and Population)
- 1.02 The same source stated that:
- “The language is Albanian, the principal dialects being Gheg (north of the Shkumbin river) and Tosk, which is spoken in the south and has been the official dialect since 1952. Islam is the predominant faith, but there are small groups of Christians (mainly Catholic in the north and Eastern Orthodox in the south).” [1a] (Location, Climate, Language, Religion, Flag, Capital) The United States Department of State (USSD) Background Note: Albania, dated 4 January 2011 and accessed 4 January 2011 stated that the religions were Muslim (Sunni and Bektashi) 70 per cent, Albanian Orthodox 20 per cent, and Roman Catholic 10 per cent. [2a] “
- 1.03 The USSD Background Note: Albania, dated 4 January 2011 and accessed 4 January 2011 further reported that the population (2009 est.) was 3,639,453 with a population growth rate (2009 est.) of 0.56 per cent. These comprised of the following ethnic groups (2004 est., Government of Albania): Albanian 98.6 per cent, Greeks 1.17 per cent, others 0.23 per cent (Vlachs, Roma, Serbs, Montenegrins, Macedonians, Balkan Egyptians, and Bulgarians). [2a]
- 1.04 As recorded by Europa World “For the purposes of local government, Albania is divided into 12 counties (qarqe —also called prefectures), 36 districts (rrethe), 65 municipalities and 309 communes.” [1a] (Constitution and Government)

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MAPS

1.05 Map showing the main cities and towns of Albania. (United Nations Cartographic Section: Map no. 3769 rev.6, dated June 2004). [10a]



1.06 Map showing the main cities, towns and prefectures of Albania. (<http://mappery.com/maps-Albania>) [11a]



For further maps of Albania, see [Relief Web's Map Centre](#) [12a] and European Country of Origin Information Network ([ecoi.net](#)). [13a]

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## 2. ECONOMY

2.01 The World Bank, in its Country Brief 2010, updated October 2010, stated that:

“Albania’s poverty rate was reduced from 25 percent to 12 percent between 2002 and 2008, one of the highest rates of poverty reduction in the Europe and Central Asia (ECA) region. Despite the current slowdown induced by the global financial crisis, Albania is nevertheless poised to resume its high growth rates gradually, being one of the few countries avoiding recession in 2009.” [6a]

2.02 The European Commission, in its [‘Commission Opinion on Albania’s application for membership of the European Union’](#) dated 9 November 2010, generally evaluated the economy in the following terms:

“There is a broad consensus in Albania on the fundamentals of economic policy as well as a track record in the implementation of economic reforms. Albania achieved a degree of macroeconomic stability sufficient enough to allow economic operators to make decisions in a climate of predictability. The macro policy mix in the past years has been appropriate, generating growth rates exceeding 5% and activity, although slower, remained positive in 2009 despite the crisis. Inflation has remained low. The free interplay of market forces has been developing through privatisation. Prices and trade have been mostly liberalised. Notable progress has been achieved in facilitating market entry. The banking system has rapidly expanded as a result of privatisation and the entry of foreign players. State aid has been reduced. The share of trade and investment integration with the EU remained high.

“However, fiscal consolidation has been reversed recently and the high level of public debt remains a source of macro-financial vulnerability. A narrow export base and public investment have led to a significant and persistent current account imbalance. The existence of widespread informal work arrangements continues to severely distort the labour market and unemployment remains high and stood at 13.8% in 2009. Access to finance remains a challenge to small enterprises. Weaknesses in the rule of law hamper the business environment and ownership transfer and recognition of property rights remain a serious problem. The education system remains unable to equip the labour force with the skills needed by the changing job market. Infrastructure requires further investment and institutional and regulatory steps are needed to ensure a reliable energy supply. The informal economy remains an important challenge.” [8a] (p49)

2.03 The CIA World Factbook, updated on 13 January 2011, recorded that:

“Albania, a formerly closed, centrally-planned state, is making the difficult transition to a more modern open-market economy. Macroeconomic growth averaged around 6% between 2004-08, but declined to about 3% in 2009-10. Inflation is low and stable. The government has taken measures to curb violent crime, and recently adopted a fiscal reform package aimed at reducing the large gray economy and attracting foreign investment. The economy is bolstered by annual remittances from abroad representing about 15% of GDP, mostly from Albanians residing in Greece and Italy; this helps offset the towering trade deficit. The agricultural sector, which accounts for over half of employment but only about one-fifth of GDP, is limited primarily to small family operations and subsistence farming because of lack of modern equipment, unclear property rights, and the prevalence of small, inefficient plots of land. Energy shortages because of a reliance on hydropower, and antiquated and inadequate infrastructure contribute to Albania’s poor business environment and lack of success in attracting new

foreign investment needed to expand the country's export base. The completion of a new thermal power plant near Vlore has helped diversify generation capacity, and plans to upgrade transmission lines between Albania and Montenegro and Kosovo would help relieve the energy shortages. Also, with help from EU funds, the government is taking steps to improve the poor national road and rail network, a long-standing barrier to sustained economic growth.” [4a]

2.04 The FCO, in its Country Profile on Albania, last reviewed 20 January 2011, reported that:

“Albania is one of the poorest countries in Europe. Since 1991, the economy has struggled to recover from fall of Europe’s harshest communist regime, the impact of the move to a market economy and the 1997 collapse of pyramid investment schemes. However, Albania’s economy has improved substantially over recent years – albeit from a very low base, (with average annual growth rates of 6% over the 2004-8 period) and was only one of two European countries to experience positive growth in 2009 ...

“Privatisation is ongoing, but has been completed in small and medium sized enterprises. The service (58% 2006 est.) and agricultural sectors (23%) drive growth. Only around 10% of Albania's GDP is generated by exports. Of those exports, around 85% go to the EU. Overseas remittances play an important role, contributing about US\$800 million in revenue to the Albanian economy.” [3a]

2.05 The exchange rate as of 31 January 2011 was £1 Sterling (GBP) = 159.46 Albanian Lek. (OANDA Currency Converter) [5]

### **PUBLIC HOLIDAYS - 2011**

2.06 January 1st-2nd (New Year), March 15th (Summer Day), March 22nd (Nevruz), April 4th (Easter), May 1st (Labour Day), September 11th (Lesser Bajram), October 19th (Mother Teresa Day), November 17th (Greater Bajram), November 28th (Independence Day), November 29th (Liberation Day), December 25th (Christmas Day)

If a public holiday falls on a Saturday, the previous Friday is taken as a non-working day; if a public holiday falls on a Sunday, the following Monday is a non-working day. (The Economist Intelligence Unit (EIU) [7a]

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### **3. HISTORY – 1912 TO 2009**

The section provides a brief history of Albania. More detailed information on Albania’s history can be found on The Federal Research Program of the Library of Congress: [A Country Study: Albania](#) [14a]

3.01 The Foreign and Commonwealth Office (FCO) reported in its Albania Country Profile, updated 20 January 2011, that:

“Albania came under Ottoman rule in the 15th century. This ended in 1912 during the first Balkan War, when the greater part of Albania was overrun by the Serbian and Greek armies during their successful campaign against the Turks. Later that year Albania declared independence. Independence was recognised by the Great Powers,

including Great Britain, a year later. Albania retained its independence at the end of World War I and became a member of the League of Nations.

“In the mid-1920s Ahmed Zog, a chieftain from the Gheg people of northern Albania, took control of the country.... In 1939 ... Albania was annexed, and spent the majority of the war under Italian and German control. However, as their grip on Albania loosened towards the end of the war, increasing swathes of the country fell to Albanian partisans. With support from Tito's Yugoslav Communist Party, Enver Hoxha and his communist supporters entered the liberation struggle, defeated their rivals and gained effective control of the country.” [3a]

3.02 The Freedom House report, *Freedom in the World – 2010 (Albania)*, published 1 June 2010, stated that:

“Ruling from World War II until his death in 1985, communist dictator Enver Hoxha turned Albania into the most isolated country in Europe. The regime began to adopt more liberal policies in the late 1980s, and multiparty elections in 1992 brought the Democratic Party (PD), led by Sali Berisha, to power. Continuing poverty and corruption, along with unrest after the 1997 collapse of several vast investment scams, resulted in the election of a new government led by the Socialist Party (PS).

“Berisha and the PD returned to power in the 2005 parliamentary elections. While the poll was not free from fraud, it was praised for bringing Albania's first post-communist rotation of power without significant violence. In 2007, the parliament elected PD candidate Bamir Topi as the country's new president.

“Berisha's government was plagued by allegations of corruption and abuse of office in 2008, including a case stemming from a weapons depot explosion that killed 26 people and destroyed hundreds of homes in March. Nevertheless, the PD secured a narrow victory in the June 2009 parliamentary elections, which were held under a new electoral code passed in late 2008. The ruling party took 68 seats in the 140-seat parliament and eventually formed a coalition government with four much smaller parties: the Socialist Movement for Integration (SMI), a PS splinter group that won four seats; the Republican Party, with one seat; the Union for Human Rights, an ethnic Greek party, with one seat; and the Union for Justice and Integration, a party representing the Cham minority, with one seat. This left the PS, with 65 seats, in opposition. It boycotted the new parliament, which convened in September, and mounted a series of street protests to demand a fraud investigation and a partial ballot recount. Berisha countered that the courts had approved the results. The opposition boycott continued at year's end.” [9a]

See also sections on [Women](#) and [Ethnic groups](#)

3.03 The *Freedom in the World - 2010* report noted that:

“Albania was formally welcomed into NATO in April 2009, and later that month it filed its application to join the European Union (EU), with which it already had a Stabilization and Association Agreement. However, EU accession remained uncertain and would not come before 2015.” [9a]

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#### 4. RECENT DEVELOPMENTS: JANUARY 2010 TO JANUARY 2011

4.01 It was reported in a BBC News report dated 23 February 2010 that:

“A UN expert has said Albania is holding up inquiries into reports that Serbs captured during the 1998-99 Kosovo war were butchered for their organs there. UN special rapporteur Philip Alston said the Council of Europe, Serbia and the EU authorities in Kosovo were all investigating the reports. He called on Albania to allow an independent inquiry. Albanian PM Sali Berisha has dismissed the allegations as fiction and says they have already been investigated.” ... [15a]

The report continued:

“Last year, Albania rejected a Serbian request for an investigation into the alleged abductions and killings. Speaking to reporters in the Albanian capital Tirana, Mr Alston said the authorities in Albania strongly believed that the allegations were "politically motivated and absolutely without any foundation". "On this basis, none of the efforts to investigate have received meaningful co-operation on the side of the government of Albania." His own inquiries in Albania had met with a "game of bureaucratic and diplomatic ping pong", said Mr Alston, who is the UN special rapporteur on extrajudicial executions. "The bottom line is that the issue is definitely stalled," he added. "All Albanian officials I have met with consider the claims, charges of killings, as ridiculous," he said. "If it is ridiculous, in order to get rid of this issue, make available a proposal for an independent investigation and offer genuine co-operation." [15a]

4.02 The *New York Times* recorded in a news report dated 30 April 2010 that:

“Tens of thousands of people thronged the main square of the capital, Tirana, on Friday, vowing to stay there until the government allowed a partial recount of an election the opposition says involved vote-rigging. The conservative Democrats, led by Prime Minister Sali Berisha, narrowly won the June 28 [2009] general election, but the opposition Socialists have been boycotting Parliament for months, demanding the recount of ballots in several districts. The government has called that demand illegal.” [16a]

See also section on [History - 1912 to 2009](#) et seq.

4.03 Reflecting further moves to bolster Albania’s entry to an enlarged European Union (EU) EUbusiness.com (accessed 8 January 2011) reported that:

“Leaders of Albania, Macedonia, Montenegro and Kosovo on Saturday [26 June 2010] said they had established a ‘free-movement’ zone between their states as a sign of their readiness for further European integrations. The move, which would enable citizens of the four Balkan countries to travel through their territories without visas, has demonstrated our maturity for wider integration processes.” [19a]

See also sections on [Economy and History - 1912 to 2009](#) et seq.

4.04 According to a *New York Times* report dated 8 November 2010:

“The European Union decided on Monday [8 November] to lift visa requirements next month for travellers from Albania and Bosnia who have biometric passports with a digitally recorded photograph. The move is intended to encourage democratic reforms

in the Balkan nations, but the bloc warned that restrictions would be re-imposed if rules on border controls and passport security were abused. Anti-immigrant sentiment is on the rise in Europe and asylum policies are strained by an influx of refugees ...Some European governments feel that because of corruption and weak institutions, Albania and Bosnia, which would like to join the union, cannot cope with issues like illegal immigration and drug trafficking.” [16b]

See also sections on [Economy](#), [History - 1912 to 2009](#) and [Exit and Return](#)

4.05 The Economist Intelligence Unit (EIU) reported in its Albania Country Report dated 12 November 2010 that:

“In mid-September the junior coalition partner, the Socialist Movement for Integration (SMI), proposed a reshuffle of its members in the government. The SMI called for the removal of the economy minister, Dritan Prifti, from his post and nominated as his replacement the party’s leader, Ilir Meta, who was to be succeeded in his post as foreign minister by Edmond Haxhinasto. The proposed changes were accepted by the prime minister, Sali Berisha, within a few days, and on September 17th the new ministers were sworn in.

“The first cabinet reshuffle since the government was formed in September 2009 was driven primarily by developments within the SMI. Mr Meta explained the changes on the grounds of the need for him, as the SMI’s leader, to be more involved in domestic affairs ahead of the local authority elections scheduled for May 2011. Mr Prifti’s removal was preceded by a wave of accusations against him, with the opposition claiming that he had improperly profited from the sale of shares in a company. However, Mr Prifti’s dismissal may have had more to do with the rift between him and Mr Meta, which became public soon afterwards.

“Following his enforced resignation, Mr Prifti said that he would continue to support and remain an active member of the SMI, but only a month later he left the party and declared that he would back the opposition in parliament.” [7a] (**The Political Scene**)

### Floods in Albania - 2010

4.06 The U.S. Agency for International Development (USAID), in *Disaster Assistance at a Glance*, dated 6 December 2010 reported that:

“In January 2010, heavy rains and melting snow caused flooding in the Shkoder and Lezha regions of northern Albania. Floodwaters submerged or isolated nearly 2,500 houses and led to the evacuation of more than 5,300 individuals, according to the U.N. Office for the Coordination of Humanitarian Affairs (OCHA). A landslide closed a road in the affected area, and roads, bridges, water supply, and agriculture infrastructure sustained damage. An estimated 6,000 people in the flood-affected areas refused to evacuate and abandon livestock; as a result, authorities forced evacuations in some areas, according to local news sources. As of January 13, water continued to rise in affected areas, and additional rain and snow were expected through the spring.

“Beginning on November 25, heavy rains in northern Albania caused severe flooding in the Shkoder and Lezhe regions and the floodplain between Lezhe and the Adriatic Sea. On December 6, large dams in the north were releasing water at average rates of nearly 1,500 cubic meters per second, resulting in additional flooding downstream. As of December 6, floods and mudslides had reached the cities of Fushe-Kruja and Derven in

Kruja District, Durres Region. According to the Government of Albania (GoA), floodwaters covered approximately 34,500 acres of land and isolated or damaged more than 7,200 houses, leading to the evacuation of approximately 14,500 residents, mainly in the country's north. In addition, floods damaged roads, bridges, and water and power infrastructure. On December 6, the U.S. Embassy in Tirana reported that the GoA had declared a state of emergency and requested international assistance." [17a]

Precise mapping of the affected areas can be found at [The Center for Satellite Based Crisis Information \(ZKI\)](#) [18a]

4.07 The Economist Intelligence Unit (EIU) reported in its Albania Country Report dated 10 February 2011 that:

"The political tension caused by the disputed results of the parliamentary election in June 2009 escalated into violence when four anti-government protesters were shot dead apparently by the Republican Guard, which protects senior officials during an opposition demonstration outside the prime minister's office on January 21st. The demonstrators, some of whom clashed with the police, were demanding the resignation of the government, which they accused of ballot rigging and corruption. ... The leader of the opposition Socialist Party of Albania (SPA), Edi Rama has been demanding the formation of a new technical government that would prepare a fresh election. He has said that the SPA is ready for a political dialogue under international auspices. However, he has also said that he will call for further demonstrations, despite concerted calls by the EU and the US for a suspension of the protests because of concern about a possible recurrence of violence. The prime minister, Sali Berisha, has dismissed the calls for an early election and has insisted on an investigation into the events of January 21st, which he described as an attempted coup d'état, The political crisis escalates after violent protests during which some opposition supporters attacked the police with sticks and umbrellas, and threw cobblestones and petrol bombs at the government building." [7b] (The Political Scene)

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4.08 The EIU February report continued:

"Apart from accusing Mr Rama of being behind the organised violence at the demonstration, Mr Berisha ratcheted up political tension by claiming that the second stage of the alleged planned coup against his government also included the president, Bamir Topi, who was Mr Berisha's deputy as leader of the ruling Democratic Party of Albania (DPA) before his election as head of state; the prosecutor-general, Ina Rama (no relation to the SPA leader); and the head of the State Intelligence Service (SIS), Bahri Shaqiri. In an attempt to provide evidence of these officials' alleged involvement in the events surrounding the demonstration, an extraordinary parliamentary session was held on Sunday January 23rd, which only the ruling coalition attended. The session set up a parliamentary commission to investigate the activity of state institutions in "the criminal events of January 21st that were intended to violate institutions and topple the constitutional order".

"A senior EU official, Miroslav Lajcak, visited the capital, Tirana, twice to make it clear to the Albanian authorities and the opposition that Albania's further EU integration would be put at risk if they failed to resolve the political crisis through constructive dialogue

and by letting the proper independent institutions carry out their duties without pressure from politicians.” [7b] (**The Political Scene**)

## 5. CONSTITUTION

5.01 Europa World Online, accessed 7 September 2010, noted that “Under the Constitution adopted in November 1998, legislative power is vested in the unicameral Kuvendi Popullor (People’s Assembly). The Kuvendi Popullor, which is elected for a term of four years, comprises 140 deputies, 100 of whom are directly elected in single-member constituencies.” [1a] (**Constitution and Government**)

5.02 The Preamble upholds the determination to build a social and democratic state based on the rule of law; to guarantee fundamental human rights and freedoms with a spirit of tolerance and religious coexistence. It pledges protection for human dignity and individuals as well as the prosperity of the whole nation. [20a]

5.03 A full text of the constitution can be viewed at [Albanian Constitution](#). [20a]

See also [Political system](#), [Judiciary](#) and [Citizenship and Nationality](#)

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## 6. POLITICAL SYSTEM

6.01 The Foreign and Commonwealth Office (FCO), in its country profile last reviewed on 14 July 2010, accessed 10 January 2011, stated that:

“Albania is a parliamentary democracy. The Albanian Constitution was adopted by referendum on 22 November 1998 and came into effect shortly afterwards. The Constitution sets out the basis for an executive consisting of the President and Council of Ministers, a parliamentary assembly, and a judiciary including the Constitutional Court and High Court.

“The President is elected for a 5-year term by a three-fifths majority of Members of Parliament. No president may serve more than 2 terms in office. The current incumbent is President Bamir Topi who took over from President Alfred Moisiu in July 2007. The President is the constitutional Head of State but, in practice, has limited powers.

“The Council of Ministers performs the main executive functions of government and includes the Prime Minister, the Deputy Prime Minister and line ministers. The Prime Minister is appointed by the President but must be approved by Parliament, and is usually the leader of the largest party in the governing coalition. The current Prime Minister is Sali Berisha.” [3a]

6.02 Europa World online, accessed 12 December 2010, noted that:

“Parties receiving 2.5% or more of the votes cast, and party coalitions obtaining 4.0% or more in the first round of voting, are allocated further deputies in proportion to the number of votes secured, on the basis of multi-name lists of parties or party coalitions. ...The representative organs of the basic units of local government are councils, which are elected by direct election for a period of three years. The Council of Ministers

appoints a Prefect as its representative in each of the 12 counties.” [1a] (Constitution and Government)

6.03 The Freedom House, *Freedom in the World - 2010* report noted that:

“International observers of the 2009 parliamentary elections hailed improvements in a number of areas, but also cited problems including media bias, abuse of state resources, political pressure on public employees, and flaws in the tabulation process. Under a new electoral code passed in late 2008, the unicameral, 140-member Kuvendi Popullor (People’s Assembly) was elected through proportional representation in 12 regional districts of varying size. All members serve four-year terms ...”

“Despite their sharp, personality-driven rivalry, the two major political parties, the PD and the PS, ran on nearly identical platforms and pledges of EU integration. They also cooperated in 2008 to pass the new electoral rules, which, as expected, strongly disadvantaged smaller parties. Minor parties held some 40 seats after the 2005 elections, but this fell to just seven seats—split among four parties—in 2009.” [9a]

6.04 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), published on 11 March 2010, stated:

“The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic elections based on universal suffrage. ... Political parties operated without restriction or outside interference.” [2b] (Section 3)

See [Political affiliation](#) et seq.

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## Human Rights

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### 7. INTRODUCTION

7.01 The Center for Strategic and International Studies (CSIS) in the [Western Balkans Policy Review 2010](#), September 2010 stated that:

“...Albania was the least prepared for a transition from Communist totalitarianism to a genuine pluralistic democracy and a market economy. It faced a serious moral and spiritual crisis, with large segments of the population having lost hope in their country’s future and desperately looking for ways to flee abroad.

“Yet despite these serious odds, Albania has undergone radical political, social and economic transformations and it has made great strides in building a functioning procedural democracy and institutionalising democratic freedoms.” [29a] (p45)

7.02 The Review paper continued:

“Although it has achieved remarkable progress in its political, economic and social transformation, Albania still faces significant challenges and its democracy can be described as a ‘work in progress.’ As the European Commission noted in its most recent annual progress [report](#) (October 2009) [8b], much remains to be done to strengthen the rule of law, intensify the struggle against organised crime and corruption, ensure the



proper functioning of stated institutions, respect the independence of the judiciary and improve conditions for media freedoms.” [29a] (p49)

## OBSERVANCE OF INTERNATIONAL HUMAN RIGHTS LAW

7.03 The European Commission in its [Analytical Report, Commission Opinion on Albania's application for membership of the European Union](#), 9 November 2010 , stated that:

“Respect for human rights and the protection of minorities are enshrined in the Constitution and in a number of legislative provisions. Albania has ratified most human rights instruments; these are part of the internal judicial system and are directly applicable after publication in the Official Journal. Albania joined the Council of Europe in 1995, and ratified the European Convention on Human Rights in 1996.” [8a] (p24)

7.04 The report also stated that:

“As regards the promotion and enforcement of human rights, the Office of the Ombudsman (the People's Advocate) is the main domestic human rights institution. It has played an active role in monitoring the human rights situation in the country, and has contributed to enhancing the accountability of state institutions. The Ombudsman is elected by parliament by qualified majority. Due to the ongoing political stalemate, election of the new Ombudsman has been pending since February 2010. The main fields in which the Ombudsman has intervened relate to property disputes, police abuse, undue length of judicial proceedings, non-enforcement of judgments in civil cases and unfair dismissals. He has also repeatedly expressed particular concern over inadequate conditions in prisons, pre-trial detention centres and police stations, corruption in the judiciary and difficult living conditions of the Roma minority. The Ombudsman's recommendations are insufficiently put into practice by government institutions. [8a] (p24)

7.05 Concerns, raised by Amnesty International in their 2010 Report (covering 2009) included:

“Women increasingly reported domestic violence and sought legal protection, although many later withdrew complaints. There were arrests and convictions for the trafficking of women for forced prostitution. Some detainees in police stations and prisons alleged torture or other ill-treatment. Detention conditions in police stations and many prisons were often very poor, despite some improvements in the treatment of prisoners. Adult orphans were denied their legal right to adequate housing.” [26b]

7.06 The US State Department 2009 Human Rights Report: Albania (USSD Report 2009), released on 11 March 2010, noted:

“There were reports that police severely beat and mistreated suspects during interrogation and detention. Police corruption and impunity persisted. Government corruption remained a serious and unresolved problem. Discrimination against women, children, homosexual persons, and minorities were problems. Trafficking in persons also remained a problem.” [2b] (introduction)

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## 8. CRIME

- 8.01 The Foreign and Commonwealth Office (FCO) in its Albania country profile, last reviewed: 20 January 2011, stated that:

“Although the current government have made the fight against high levels of organised crime and corruption a priority, limited success has been seen in both.” [3a]

- 8.02 The United States Department of State in its *Country Specific Information for Albania* dated 28 January 2011 noted that:

“Crime against foreigners is rare in Albania, as targeting foreigners is often viewed as too risky. Please exercise caution in bars and clubs in Tirana where violent incidents, some involving the use of firearms, have occurred in the past. Carjacking is a rare occurrence. Armed crime continues to be more common in northern and north-western Albania than in the rest of the country. Street crime does occur in Albania, particularly at night. ... Vehicle theft is still one of the biggest problems in Albania. Pick-pocketing is also widespread.” [2e]

Background information on organised crime and its impact can be found in [The Albanian Organized Crime: Emergence of a Dynamic Organized Crime Network across the Euro-land](#). [69a]

See also [Judiciary](#) , [Corruption](#) and [Trafficking](#)

## WITNESS PROTECTION PROGRAM

- 8.03 The *Regional report on the implementation of UNICEF Guidelines on the protection of the rights of child victims of trafficking: Assessment of the situation in Albania, Kosovo and the Former Yugoslav Republic of Macedonia, 2010* reported that:

“A witness protection program is available in the Republic of Albania and regulated by Law. The Law N° 9205 of 15 March 2004 on ‘the protection of witnesses and collaborators of Justice’ has been enacted, and includes victims of trafficking through a specific reference to the criminal code in its article 2. In its article 16 provides: “In the shortest time possible and at any case not later than 15 days from the approval of the special protection measures, the Department for the Protection of Witness and the Justice Collaborators prepares the agreement for the application of the special protection measures and takes the measures for discussing and signing it by the witness, the justice collaborator and other protected persons (...). Paragraph 4 of the same article pursues: ‘In case of a minor, the approval and signing of the agreement is done by the parent or legal custodian appointed by law, by taking into consideration the highest interest of the child and also the limited legal capacity as provided by law.’

“However from April 2005 to 2008 there was only one case where a woman was involved in the witness protection program. The majority of the interviewees agreed on the fact that this law remains largely unimplemented and that the Albanian State today fails in its witness protection mission. As a paradox, before the entry into force of the law, the witness protection program was ensured by IOM and the OSCE. People trusted these institutions, but the responsibility was transferred when the law was adopted. Since then, victims - including children - refuse to testify against their alleged traffickers as they fear reprisal and do not trust police officers. This situation is raising many concerns in the light of the allegations that law enforcement agencies exercised

pressure and made social assistance conditional to the collaboration of child victims of trafficking in the investigative and prosecution phases of the criminal proceedings.” [39b] (page 108)

See [Children - Childcare and protection](#) [Trafficking and Security forces - police](#)

See [The Balkanisation of Politics: Crime and Corruption in Albania](#) for background the political impact of organised crime. [66a]

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## 9. BLOOD FEUDS

### THE CODE OF LEK DUKAGJIN

9.01 The International Center for Minority Studies and Intercultural Relations (IMIR) in a report [The Kanun in present-day Albania, Kosovo, and Montenegro](#), dated 2004, recorded that:

“The most common version of customary law among the Albanians is the Kanun of Lek Dukagjin. The Albanian Gëgs inhabiting the territories north of the Shkumbin River had lived for long centuries in large clans observing the code of the Kanun – a primitive constitution regulating not only their community life, but also their private lives. The norms were passed on from generation to generation by an oral tradition and were decreed by the council of elders. It is considered that the Code was rationalised by despot Lek III Dukagjin (1410 – 1481). This code was compiled throughout the centuries chiefly by adding new norms. It was ... published as late as 1933. The text was systematised into 12 sections – ‘The Church’, ‘The Family’, ‘Marriage’, ‘The House, Cattle, and Property’, ‘Work’, ‘Loans’, ‘Pledge’, ‘Honour’, ‘Damages’, ‘The Kanun against Harm’, ‘The Kanun of Judgement’, ‘Exemption and Exceptions’.” [27a] (p2)

9.02 The report continued:

“In some of its sections, the Kanun included an elaborate legal code trying to regulate blood feud (gjakmarrya) – a system of reciprocal “honour killings”. According to the Code, if a man is deeply affronted, his family has the right to kill the person who has insulted him. However, by doing this, the family will become a target for revenge on the part of the victim’s family. The victim’s closest male relative is obliged to kill the murderer of his family member. The pattern of reprisal killings thus formed has been passed on for generations of families ... ‘Blood is never lost’, states the Kanun. The perpetrator is entitled to ask through the agency of a mediator – a well-respected member of the community, for a [besa](#) – a vow that no one would hurt him. Those who have not taken revenge, fall into social disgrace.

“The Code does not allow the murdering of women or children. The only place where blood should not be shed is the house of the marked victim. Because of the ruthlessness of blood feud, most of the houses in Northern Albania look like fortresses built of stone, with small apertures serving as windows. Even to date many Albanians



shut themselves inside their houses where they remain isolated for life in order to escape from blood vengeance.

“Under the regime of Enver Hoxha, the Kanun in Albania was banned, but after 1991 it returned in a most brutal form not only in the North, but also in the South, and in the central parts.” [27a] (p2)

9.03 For further information on Blood Feuds see the Research Directorate of the Immigration and Refugee Board of Canada (IRB) issue paper [Albania Blood Feuds, May 2008](#). [13c]

9.04 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), published on 11 March 2010, stated:

“During the year there were continuing reports of societal killings, including both generational ‘blood feud’ and revenge killings. Such killings sometimes involved criminal gangs. According to the Interior Ministry, there was one blood feud-related killing during the year, which was a decrease from previous years. According to NGOs approximately 120 families were effectively imprisoned in their homes from fear of blood feud reprisals; half of these families were located in Shkoder. The Court of Serious Crimes tried blood feud cases. The law punishes premeditated murder, when committed for revenge or a blood feud, with 20 years’ or life imprisonment.” [2b] (Section 1)

Although see also [paragraph 9.13](#)

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## Statistics

9.05 The Special Rapporteur on extrajudicial, summary or arbitrary executions, in a *Preliminary note on the mission to Albania* (15–23 February 2010) stated that:

“There are deep discrepancies in the statistics concerning blood feuds and related killings. At one extreme, media reports have referred to hundreds of blood feud killings per year and thousands of children living in isolation. At the other extreme, according to Government statistics, such killings fell steadily from 45 in 1998 to one in 2009, while the number of isolated children ranges from 36 to 57 countrywide, of which 29 to 45 are in Shkodra. The variation depended on whether the sources were police, education or ministry officials. Families in isolation were estimated to be from 124 and 133 countrywide.

“The figures used by civil society groups also vary widely. One organization with extensive field operations notes that there have been significant reductions over the last five years and that there are currently only a few blood feud killings per year. They estimate not more than 350 families and between 80 and 100 children to be in isolation nationally. However, another prominent organization estimates some 9,800 blood feud killings since 1991, dropping to a figure still in excess of 30 in 2009. By its calculations, there are 1,450 families and 800 children in isolation.

“My own carefully considered view is that the correct numbers are much closer to those provided by the Government, especially in relation to killings. The figures for isolation seem more likely to be an underestimation, but again, not by a large margin. This is not to say that the Government statistics are definitive.” [13d] (p4)

9.06 On the question of statistics, the Immigration and Refugee Board of Canada (IRB), in response to an enquiry on statistics and blood feuds, dated 15 October 2010, reported that:

“Several sources indicate that statistics regarding blood feuds in Albania vary widely ... According to statistics posted on the website of the Albanian State Police (ASP), in 2007 there were a total of 94 murders, none of which were blood-feud related, while in 2008 there were 86 murders, 4 of which were blood-feud related. A presentation on state police activity for 2009 indicates that there were a total of 79 murders, 1 of which was motivated by blood feud, 1 by revenge, 6 by property disputes, and 52 by ‘undetermined motivation’.” [13f]

9.07 The same report stated that:

“[The Committee of Nationwide Reconciliation \(CNR\)](#)”, Komiteti i Pajtimit Mbarëkombëtar) maintains that it is in the Albanian government's interest to state that blood-feud figures provided by NGOs are “artificially increased.” In a 16 April 2010 letter sent to the UN HRC Special Rapporteur and posted on the CNR website, the CNR maintained that, in 2008, there were 29 murders motivated by blood feud and 32 by honour; and 31 blood-feud murders and 36 honour killings in 2009.

“On 19 September 2010 ... the Chairman of the CNR provided the following statistics about the number of murders motivated by ‘revenge and blood feud’ and by ‘honour’:

Year	Revenge and blood feud	Honour
2008	38	42
2009	36	39
1 Jan-30 June 2010	26	31

“The CNR Chairman explained that these statistics are gathered from the CNR's representatives in 2,800 villages, 32 districts and 16 regions of Albania, and that most of the information is provided confidentially by the families and persons in conflict. ... In separate documentation provided to the Research Directorate, the CNR claims that there were 10,000 murders for honour, blood feud and revenge between 1990 and 2009...” [13f]

9.08 The report further stated that:

“Statistics on the number of families who live in isolation out of fear of blood-feud reprisal also vary widely ... [13f]

See section on [Women – Honour killings](#)

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## Families in isolation

9.09 The IRB report of 15 October 2010 stated that:

“According to the UN Special Rapporteur, different government departments provided figures that range from 124 to 133 families in isolation across the country, with 36 to 57

isolated children as a result; most of whom-29 to 45-live in the northwest city of Shkodra. The AFCR Executive Director [Albanian Foundation for 'Conflict Resolution and Reconciliation of Disputes' (AFCR), a Tirana-based NGO which mediates approximately 8 to 10 blood-feud reconciliation cases annually] also said that most blood feuds occur in north-western Albania. He added that, according to information received by AFCR mediators, there are approximately 250 to 300 families involved in blood feuds, and that the average family size ranges between four and six members. The Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE) reports that it had been informed that there were 1,000 families who could not leave their homes to apply for identity cards or vote in the parliamentary elections of 28 June 2009 because of blood feuds. The CNR's statistics indicate that in 2009, there were a total of 1,480 families in hiding countrywide; this included 248 families in Shkoder, 200 families in Tirana, 179 families in Durres, and 138 families in Vlore." [13f]

- 9.10 A report, *Information on effects on children of being sequestered indoors for four years in the context of blood feuds* compiled by the Refugee Documentation Centre of Ireland on 11 February 2011, quoted a *New York Times* report of July 2008 [16c] in stating that:

"The National Reconciliation Committee, an Albanian non-profit organization that works to eliminate the practice of blood feuds, estimates that 20,000 people have been ensnared by blood feuds since they resurfaced after the collapse of Communism in 1991, with 9,500 people killed and nearly 1,000 children deprived of schooling because they are locked indoors. (*New York Times* (10 July 2008) In *Albanian Feuds, Isolation Engulfs Families*)." [10b]

- 9.11 The same report stated that:

"Several sources report that the Albanian government is providing educational assistance to the children of families isolated because of blood feuds through a program called 'Second Chance'. According to the head of the Shkodra school district ... 41 such children in the region are receiving home schooling based on a curriculum approved by the Ministry of Education. The UN Special Rapporteur notes that the Second Chance program offers schooling only up to grade nine." [10b]

See also [Children: education](#)

See also [Reconciliation committees \(RCs\)](#)

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## State protection

- 9.12 The Special Rapporteur on extrajudicial, summary or arbitrary executions, in a *Preliminary note on the mission to Albania (15–23 February 2010)* stated that:

"The blood feud phenomenon re-emerged at the end of the communist era and increased significantly with the 1997 breakdown in law and order. The absence of effective official responses to criminality encouraged the citizenry to revert to traditional mechanisms to obtain justice. Suggestions that the criminal justice system is still so inefficient and corrupt as to necessitate continuing resort to blood feuds to achieve justice appear, however, misplaced. While the justice system does suffer from serious

weaknesses and considerable corruption, there is no evidence that a perceived law and order vacuum explains a continuing attachment to the practice of blood feuds.” [13d] (p5)

9.13 The IRB report dated 15 October 2010, reported that:

“Article 78 of Albania's Criminal Code, which was amended by Law No. 8733 in 2001, states that “[h]omicide committed for interest, retaliation or blood feud is punished by not less than twenty-five years or life imprisonment.” Article 83/a, which was added to the Criminal Code in 2001, states that ‘[s]erious threat of revenge or blood feud to a person or minor [causing them] to stay isolated is punished by fine or up to three years of imprisonment’. Sources indicate that there have been prosecutions in Albania for blood-feud-related murders.” [13f]

Although see also [paragraph 9.04](#)

9.14 The report continued:

“The UN Special Rapporteur states that there is a widespread perception in Albania that judges and prosecutors can be bribed to reduce charges or lower sentences in blood-feud-related murders. Two sources indicate that blood-feud-related crimes are often either not recognized or are purposely categorized as more ordinary crimes with lesser sentences ... there have been several cases where perpetrators of blood-feud-related crimes have been released from jail after only one or two years.

“The Commission of the European Communities reports that judicial reform in Albania is at an ‘early stage’ and that the justice system functions poorly due to problems with ‘independence, transparency and efficiency.’ The UN Special Rapporteur similarly notes that the Albanian justice system has “serious weaknesses and considerable corruption.” Global Integrity refers to the Albanian justice system as ‘among the most criticized institutions in the country’ and states that Albanian society perceives it to be ‘very corrupt’ in comparison with other government departments.” [13f]

See also [Judiciary](#) and [Corruption](#)

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## Reconciliation Committees (RCs)

9.15 The Immigration and Refugee Board (IRB) of Canada, in response to an enquiry on the means by which reconciliation groups begin working on a case, dated 8 October 2010, stated that:

“... there are three main ways in which the reconciliation of blood feuds is initiated: First, a reconciliation group may go to a region that has problems with blood feuds and hold a meeting to explain their role, describe available options and generate interest. Second, the reconciliation group may contact members of feuding families who they believe are trustworthy to see if they would be interested in working with them. Third, individuals involved in blood feuds may approach a reconciliation group and ask for their assistance. The Professor noted that the process is often secretive because it is risky.” [13e]

9.16 The report continued:

“The aim of the mediation is to establish the facts of the feud and to seek a negotiated solution which is acceptable to both parties. Although there can be a financial settlement (such as paying compensation to the bereaved or offended family), it is the social context - the negotiations undertaken by respected elders or mediation organizations - which is vital to the process of ending the feud.

“The ‘besë declaration’ is the traditional means of ending a blood feud following a negotiated settlement. It satisfies the honour of both parties and thus ends the cycle of retribution. The actual ‘besë’ is a solemn pledge made between the two families to end the blood feud. Unless both parties are willing to enter into negotiations, there is no prospect of achieving a ‘besë declaration’ and the feud will continue indefinitely or until all eligible males have either been killed or have fled the country.” [13e]

9.17 An interesting commentary on the effect of blood feuds and the involvement of RCs can be found in [‘Letter from Albania: The brutal custom of blood feuds, 27 June 2008’](#) [28a]

9.18 According to the [European Commission Enlargement Strategy and Progress Report 2010: Albania](#) dated 9 November 2010:

“The number of blood feud killings has decreased, due notably to better policing. Specific criminalisation of blood feuds and blood feud killings, the creation of specialised police units and the establishment of a high-level Coordination Committee have been important steps in this field. However, the incidence of these killings continues to result in the families concerned being self-isolated due to fear of reprisals, thus depriving children of basic rights such as inclusive education. ... several NGOs have been active in this field, providing support to affected families and contributing to increased awareness of the need to eradicate this phenomenon. Collection of reliable data on blood feud killings is required in order to measure the extent of the problem and address it adequately. Community education, outreach and measures aimed at reconciliation of families are also needed.” [8a] (p25)

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## 10. SECURITY FORCES

10.01 The European Commission (EC), in its *Commission Opinion on Albania's application for membership of the European Union* dated 9 November 2010, noted that:

“Security forces in Albania are divided into three main categories: the armed forces, police forces and security services.” [8a] (p23)

### POLICE

10.02 The EC report continued:

“The police forces are composed of: the Albanian State Police, which is the national police force, tasked with the maintenance of public order and the fight against crime; the Municipal Police Forces, which serve under the authority of local government entities and the Republican Guard which is a constabulary force tasked with protecting government property and dignitaries and which has military status and powers of arrest. There are inspectorates within line ministries, the members of which have the attributes of Judicial Police officers (competent to identify and process violations of laws and reporting to the Public Prosecutor).” [8a] (p23)



- 10.03 The Immigration and Refugee Board of Canada (IRB), in a response to an enquiry on structure and location of the police force, dated 19 September 2006, reported that:

“In July 2006 correspondence sent to the Research Directorate, the Justice and Home Affairs Coordinator of the European Commission delegation to Albania indicated that the Albanian State Police (ASP) is a centralized police force that functions under the jurisdiction of the Ministry of Interior. ... The Ministry of Interior was established in September 2005 when the Ministry of Public Order and the Ministry of Local Government and Decentralization merged. The ASP has twelve regional police directorates, each of which administers at least one police commissariat. Each police commissariat oversees several police stations and police border crossing posts. ... an Organized Crime Directorate was created and the Internal Control Office was strengthened ...

“The ASP's jurisdiction extends throughout the territory of Albania. However, police stations do not exist in all villages ... small towns without their own police station are supervised by the nearest police station.” [13g]

### MUNICIPAL POLICE FORCE

- 10.04 The Canadian IRB in a further response which concerned *Municipalities with a municipal police force*, dated 16 September 2004, stated that:

“Under the terms of Law No. 8224 for the Organization and Functioning of the Police of the Municipality and Commune, municipal police forces are mandated to perform functions that "serve the public order, tranquillity, and the progress of public works within the territory of the municipality or commune, [and] which are not under the competence of other state authorities in compliance with the provisions of this law" [13h]

- 10.05 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), published on 11 March 2010, stated:

“Local police units report to the Ministry of Interior and were the main force responsible for internal security. Notwithstanding police officer recruitment reforms and other standardization by the Ministry of Interior, the overall performance of law enforcement remained weak. Unprofessional behavior and corruption, compounded by low salaries, remained major impediments to the development of an effective civilian police force. During the year the ombudsman processed and completed 151 of 169 complaints against the police mainly on arrest and detention issues; the ombudsman resolved 63 in favor of the complaining citizen.” [2b] (Section 1)

- 10.06 The USSD 2009 report also stated that in regard to torture and other cruel, inhuman, or degrading treatment or punishment that while “The constitution and law prohibit such actions...” [2b] (Section 1), “There were reports that police severely beat and mistreated suspects during interrogation and detention. Police corruption and impunity persisted.” [2b] (introduction)

### BORDER POLICE

- 10.07 The Geneva Centre for the Democratic Control of Armed Forces (DCAF), in a report [\*Internal Security Reform – Proceedings of the Budapest Working Group 2007\*](#), published 2008, stated that:

“The Border Police is responsible for the control of legal border crossing and for guarding the border. It is a constitutive part of the State Police. The Activity of the Border Police is based on the Constitution, in the law for the State Police, in international acts and agreements that regulate border issues and emigration, in which our state is part, in this law and other legal provisions. The Border Police has its own structure and personnel, which are approved by the Minister of Public Order (Interior).” [82a] (p57)

## COAST GUARD

10.08 The DCAF Internal security report, 2007, also stated that:

“The aim of the creation of the Coast Guard is the implementation of legality at sea. The Coast Guard is subordinate to the Ministry of Defence and is part of naval districts, which are subordinate to the Command of Naval Forces. The Coast Guard co-acts with state or private institutions and subjects that have interests in the sea.’ The main functions of the Coast Guard in relation to border control are:

“Prevention and exertion of control on the illegal border passing of navigating vehicles, of goods and people;

“In internal waters, the Coast Guard offers help and cooperates with the Border Police, with captains, ports and other state institutions.” [82a] (p57)

The Geneva Centre for the Democratic Control of Armed Forces (DCAF), report [\*Internal Security Reform – Proceedings of the Budapest Working Group 2007\*](#), published 2008 outlines recent reforms undertaken by State and Border police. [82a]

## ARMED FORCES

10.09 The European Commission report 2010 stated that:

“As regards the armed forces; the General Staff Headquarters, the Albanian Joint Forces Command, the Albanian Support Command and the Albanian Training and Doctrine Command are all under the purview of the Ministry of Defence. These all have military status and include a number of civilian employees.” [8a] (p23)

10.10 In a Center for Strategic Leadership, U.S. Army War College issue paper *Strategic Planning in the Albanian Armed Forces* dated January 2009, the Albanian armed forces were considered thus:

“In 1993 the Albanian Army consisted of approximately 40,000 poorly trained personnel operating obsolete World War II and Korean War vintage equipment. The first step towards modernization was the establishment of a defense agreement with the United States. This agreement opened the American armed forces professional military education and training systems to Albanian students, and laid the groundwork for United States European Command (USEUCOM) supervised military to military exchanges. These U.S. programs combined with similar efforts by other NATO members support the Albanian Armed Forces (AAF) ongoing transformation to a smaller, more effective, well-trained, joint force capable of contributing to NATO operations. A major step in the AAF’s transformation was the publication of The Military Strategy of the Republic of Albania in 2008. ...The main goal of this Strategy is the fulfilment of the standards and requirements, as well as the related responsibilities for integration in the Euro Atlantic

structures. This document represents a necessary first step in achieving the AAF's transformation goals by 2010." [70a]

See [Albanian Military Forces](#) for a simple inventory. [71a]

## OTHER GOVERNMENT FORCES

### INTELLIGENCE SERVICE

10.11 The European Commission report 2010 stated that:

"The security services are divided between the Internal Security Service, which is tasked with confronting national security threats, and the Military Intelligence Service, which deals primarily with external security threats. [8a] (p23)

10.12 The US Army Peacekeeping & Stability Operations Institute (PSKOI) in a paper *Assessing Intelligence Capacity Building in Albania -1 July 2009* noted that:

"The intelligence community under the communist regimes of the Cold War was an instrument of internal repression and political control, focused on sustaining and protecting the autocratic rule of the communist state. Abuses of human rights by state security services were commonplace. Those abuses were largely directed and overseen by the intelligence organs of the state, which occupied the pinnacle of the state security architecture. With the overthrow of the communist regime in 1991, political parties that had suffered from abuse at the hands of the communist-era "Organs of State Security" had an immediate and vested interest in reforming the intelligence organizations which orchestrated much of that abuse." [74a]

10.13 The Initiative for Peace building (IfP) in a report *Security Sector Reform in Albania, June 2009* stated that:

"The secret police, known as Sigurimi in Albania, was the most important instrument through which the Communist Party maintained its power. The role and importance of Sigurimi to the communist regime cannot be overstated and was incomparable to the other security instruments, the police and military, which were under the surveillance of Sigurimi. Thus reform of the secret police was very important in order to break with the past. Similar to police reform, the legal reform of the intelligence service started in 1991. The law stated that the National Intelligence Service (NIS) would be a depoliticised institution, even though at that stage those working in the NIS were still the same personnel as during the communist period. This law provided the legal basis that regulated the functioning of the NIS until 1998. The first article of the law defined the scope of work of the NIS. The NIS would be under the authority of and report to the Council of Ministers about the security situation and for the way it has used the financial and material resources at its disposal. For any operation that infringes upon human rights, the NIS should receive permission from the general prosecutor." [73a] (p40)

10.14 The same report continued;

"The election of the new president in 2002 finally led to the dismissal of the head of the NIS. At the same time a parliamentary investigative commission was initiated to examine the constitutionality and legitimacy of NIS activity. The work of the committee focused its investigation on eavesdropping and surveillance with regard to the opposition and the involvement of the NIS in the murder of opposition MP Azem Hajdari,



as well as claims of abuse of funds. The case was then taken to the general prosecutor on embezzlement charges, which were eventually dismissed by the court. After the appointment of the new head of the NIS, there have been no more accusations by the opposition against the intelligence service.” [73a] (p42)

## HUMAN RIGHTS VIOLATIONS BY GOVERNMENT FORCES

### TORTURE

10.15 The European Commission (EC), in its *Commission Opinion on Albania's application for membership of the European Union* dated 9 November 2010, noted that:

“Albania has taken measures to combat torture and ill-treatment by the police and prison staff, and to prosecute perpetrators. The country is party to the UN Convention against torture and other cruel, inhuman or degrading treatment or punishment and its optional protocol and it ratified the European Convention for the prevention of torture and inhuman or degrading treatment or punishment in 1996. Following recommendations by the Ombudsman, a legal definition of the crime of torture was included in the Criminal Code (Article 86). Internal controls have been introduced within the prison system to prevent and detect cases of excessive use of force. Capacity-building training sessions have been delivered to prison staff, in cooperation with NGOs. In June 2010 the Directorate General for Prisons renewed the memorandum signed with certain NGOs granting them access to penitentiary institutions.” [8a] (p26)

See [Prison conditions](#)

## AVENUES OF COMPLAINT

### CIVILIAN OVERSIGHT OF SECURITY FORCES

10.16 The European Commission report of 2010 stated that:

“Civilian control over the armed and security forces and intelligence services is regulated by a comprehensive legal and policy framework including the constitution and laws regulating the different forces. Parliament is the highest authority for civilian control over armed and security forces and intelligence services. Other important institutions with control functions provided by law include the president, the prime minister, the High State Control, the Office of the General Prosecutor, the Ombudsman, and the General Inspector.

“Parliamentary oversight over the security sector is executed through several committees within parliament, with the Security Committee and the Laws Committee being the most relevant ones. They conduct periodic hearings of officials on security sector issues. However, the capacity of these committees and their legal powers to perform effective oversight functions in a system of checks and balances are insufficient. In addition, while political direction or the development of security policies is indeed within the remit of ministers, political interference with the security sector still exists and extends to the lower grades of the hierarchy. Overall, civilian control over the armed and security forces and intelligence services is regulated by a comprehensive legal and policy framework, ... Parliamentary oversight over the security sector suffers from weaknesses and political interference.” [8a] (p23)

See [Security Sector Reform in Albania](#), June 2009 for further information on the security situation. [73a]

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## 11. MILITARY SERVICE

11.01 According to the CIA World Fact Book 2010 updated 8 March 2011 the following is applicable:

“Military service age and obligation: 19 years of age (2004)

Manpower available for military service: males age 16-49: 731,111 females age 16-49: 780,216 (2010 est.)

Manpower fit for military service: males age 16-49: 622,379 females age 16-49: 660,715 (2010 est.)

Manpower reaching militarily significant age annually: male: 31,986 female: 29,533 (2010 est) [4a] (Military)

11.02 An article in SETimes.com dated 28 August 2008; accessed 22 February 2011 stated that:

“Beginning January 1st 2010, Albania will no longer have compulsory military service. The initiative is part of the reforms required by NATO, which the country hopes to join after meeting the Alliance's requirements. Parliament passed a law last week to initiate the reform. The legislation falls under the programme launched by the Albanian armed forces -- with the help of the US Department of Defence -- to technologically upgrade and fully professionalise the military by 2010.” [72a]

11.03 The Statesmans Yearbook, undated noted that:

“Since 1 Jan. 2010 Albania has had an all-volunteer professional army.” [85A]

See [Children - National law and policies on minimum ages](#)

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## 12. JUDICIARY

12.01 The US State Department 2009 Human Rights Report: Albania (USSD Report 2009), published on 11 March 2010, stated that:

“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.” [2b] (Section 1)

“In 2008 the European Court of Human Rights issued a judgment against the country for violation of Article 6 (right to a fair trial) of the European Convention on Human Rights.” [2b] (Section 1)

## ORGANISATION

12.02 The USSD Report 2009 stated that:

“The judicial system is composed of district courts, the serious crimes court, military courts, and appellate courts. There is a High Court that hears appeals from the appellate courts, and a Constitutional Court that reviews cases involving constitutional interpretation and conflicts between branches of government and cases of individuals alleging denial of due process.” [2b] (Section 1)

## INDEPENDENCE

12.03 The USSD Report 2009 further stated that:

“The High Council of Justice has authority to appoint, discipline, and dismiss district and appeals court judges. The council consists of the president, the justice minister, the head of the High Court, nine judges selected by the National Judicial Conference, and three members selected by the parliament. Judges may appeal their dismissal to the High Court.

“On February 16, the Constitutional Court suspended and referred to the Council of Europe's Venice Commission for further review the controversial "lustration" law, which allows the dismissal from office of a wide range of officials who participated in "political processes" while serving in higher-level positions under the Communist government. Adjudication of these cases was to be addressed by an extrajudicial commission appointed by the government-controlled parliament. The law appeared aimed at achieving the government's partisan political ends. In October the Venice Commission ruled that the lustration law, as written, does not comply with the country's constitution.” [2b] (Section 1)

12.04 Freedom House, in the *Nations in Transit 2010 – Albania*, 29 June 2010 report noted that:

“The judicial system in Albania is not entirely independent, and Albania lacks an overall strategy for judicial reform. The government continues to take actions to intimidate judges and prosecutors while bringing politically sensitive cases to court. Two ministers were accused of abuse of office, but their cases were dismissed by the High Court on procedural grounds. The National Judicial Conference could not convene a meeting to replace members of the High Council of Justice (HCJ) whose mandates had expired because the two major political forces could not reach consensus on adopting the National Judicial Conference Law.” [9b] (p51)

## FAIR TRIAL

12.05 The USSD Report 2009 stated that:

“The law provides for the right to a fair trial with defendants presumed innocent until convicted. The court system does not provide for jury trials. Prosecutors and defense lawyers present cases to a judge or panel of judges, and defendants have the right to access all evidence that prosecutors present to the judges. Defendants have the right to appeal. The law mandates an alternative sentencing system for juveniles.” [2b] (Section 1)

12.06 Freedom House, in the *Nations in Transit 2010 – Albania*, 29 June 2010 report noted that:

“Delays and poor functioning of the justice system were observed throughout the year. The HCJ is in the process of increasing the number of judges in larger district courts to solve the backlog of cases. Court reorganization, although considered a positive step in increasing the efficiency of the judicial process, is not always accompanied by thorough preliminary studies by the HCJ or the Ministry of Justice. State institutions set a bad example with regard to the execution of court decisions, and the lack of trust in enforcement agencies has forced many Albanians to bring their cases before the European Court of Human Rights. Albania’s judicial framework and independence rating remains unchanged at 4.25.” [9b] (p51)

12.07 The USSD Report 2009 stated that:

“There is a functional civil law system where citizens have access to redress; however, it was susceptible to corruption, inefficiency, and political tampering. The Bailiff’s Office is responsible for enforcing civil judgments. The law allows private bailiffs to enforce judgments, facilitating both private and public entities to help enforce rulings. However, the law was not enforced during the year.” [2b] (Section 1)

## CRIMINAL CODE

12.08 A copy of the [Criminal Code](#) of the Republic of Albania can be accessed here. [76a]

## CODE OF CRIMINAL PROCEDURE

12.09 A copy of the [Criminal Procedure Code](#) of the Republic of Albania appears here. [76b]

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## 13. ARREST AND DETENTION – LEGAL RIGHTS

13.01 The US State Department 2009 Human Rights Report: Albania (USSD Report 2009), published on 11 March 2010, stated that:

“The constitution and law prohibit arbitrary arrest and detention; however, there were some reports that police occasionally arbitrarily arrested and detained persons.” [2b] (Section 1)

See [Constitution](#) Art.27 et seq.

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## 14. PRISON CONDITIONS

14.01 The US State Department 2009 Human Rights Report: Albania (USSD Report 2009), published on 11 March 2010, noted:

“The Ministry of Justice operated all detention facilities; however, the Ministry of Interior oversaw police detention facilities, which housed detainees for up to 48 hours after their

arrest. After 48 hours, arrestees were placed under Ministry of Justice supervision.” [2b] (Section 1)

- 14.02 Amnesty International in *Concerns in Albania: January-June 2009*, dated September 2009, reported that:

“The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) noted significant improvements to conditions in remand centres (although there was still overcrowding), as well as major investment in the construction of new detention facilities. However, the CPT was concerned that hardly any progress had been made to improve conditions in police cells, and that some detainees were still kept for up to a month in police custody, pending transfer to a remand centre, in cells that were very small, lacking in light and with poor hygiene. The CPT recommendations included the provision of better medical, dental and psychiatric care for detainees.” [26e]

- 14.03 The Amnesty report continued:

“Despite such progress, many problems remained. The Ombudsperson carried out inspections in seven prisons and some 20 police stations, and concluded that conditions in many were below national and international human rights standards for the detention of prisoners, despite an EC-funded programme for penitentiary reform. In a series of reports and recommendations to the relevant authorities, the Ombudsperson drew attention in particular to overcrowding, lack of outdoor exercise, buildings in poor repair and poor hygiene, and called for the closure of Burrel prison, a dilapidated remnant of Albania’s communist past. The prison authorities reportedly replied that it could not be closed for at least two years, until new prisons were built.” [26e]

- 14.04 The US State Department 2009 Human Rights Report: Albania (USSD Report 2009), published on 11 March 2010, stated:

“To alleviate overcrowding, the government opened five new prisons during the year and in April passed a probation law that allows those convicted of minor crimes to be released on a probationary basis. Nearly 80 former inmates participated in this program. In its January 21 report, the CPT delegation noted that some cells in the unit for female prisoners at Prison No. 313 in Tirana were severely overcrowded, with up to four prisoners held in a cell measuring seven square meters (75 square feet). This was the only facility in the country for female pre-trial detainees. In November, the government signed a memorandum with a local NGO to increase the size of the facility.” [2b] (Section 1) Quote” [1a]

- 14.05 The USSD Report 2009 continued:

“The government allowed local and international human rights groups, the media, and others to monitor prison conditions. The law provides for an ombudsman to implement the National Mechanism for Torture Prevention. The ombudsman received complaints of abuses by the government and has the authority to monitor judicial proceedings and inspect detention and prison facilities; the ombudsman can initiate cases in which a victim is unwilling or unable to come forward. Although the ombudsman lacked the power to enforce decisions, he acted as a monitor for human rights violations. The most common cases included citizen complaints of police and military abuse of power, lack of enforcement of court judgments in civil cases, wrongful dismissal, and land disputes.

“As a result of the June 2008 finding by the ombudsman that inmates at Burrel prison suffered substantial psychological and physical abuse, the Ministry of Justice conducted more training for prison staff and alleviated overcrowding. During the year the ombudsman did not receive any complaints regarding Burrel prison.

“During the year the ombudsman found that minors were being held together with adults at the Korca prison and Durres pre-detention facilities. Specifically, he found that 14- to 18-year-olds were being [held] together. The ombudsman recommended that this practice cease; implementation was in process at year's end.

“During the year, 186 prison guards and officials had disciplinary proceedings initiated against them for misconduct.” [2b] (Section 1)

See [Human rights violations by government forces - torture](#)

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## 15. DEATH PENALTY

15.01 The database Legislationonline, accessed on 22 February 2011 reported that:

“The death penalty has been abolished for all peacetime crimes but is retained for serious crimes committed in wartime or during a state of emergency. (Article 8(a) of the Military Criminal Code, Law No. 8003, 1955 as amended by Law No. 8991, 4 July 2002)

“The Military Criminal Code envisages the death penalty for a number of crimes if committed during a state of emergency or wartime (Articles 25, 26, 28, 34, 47, 50, and 77 of the Military Criminal Code).” [75a]

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## 16. POLITICAL AFFILIATION

### FREEDOM OF POLITICAL EXPRESSION

16.01 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), published on 11 March 2010, stated:

“On June 28, the country held parliamentary elections. The official report of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) election observation mission stated that the election met most OSCE commitments, but nevertheless ‘did not fully realize the country's potential to adhere to the highest standards for democratic elections.’ While the elections took place in a highly polarized environment and media coverage was decidedly skewed in favor of the two largest parties, the Democratic Party (DP) and the SP, 34 parties campaigned freely throughout the country. ODIHR observers assessed voting positively in 92 per cent of voting centers visited but noted a number of procedural violations, such as proxy voting. ... According to the new electoral code, only identification cards or passports could be used as identification for voting.

“After the elections, the main opposition party, the SP, boycotted parliament and called for investigations into alleged electoral fraud and demanded the opening of the ballot boxes from the June 28 elections. The ruling DP declared that opening the ballot boxes



would be illegal, arguing that the opposition had exhausted all legal appeal remedies provided for in the electoral code. The boycott was ongoing at year's end. Political parties operated without restriction or outside interference.” [2b] (Section 2)

- 16.02 Freedom House in the *Nations in Transit 2010 – Albania*, 29 June 2010 report noted that:

“Albania’s parliamentary life was relatively productive and positive in the first half of 2009, although Parliament showed administrative deficiencies in harmonizing national legislation with the EU acquis. The cooperative political climate between the government and the opposition came to an end with the June 28 parliamentary elections in which the coalition led by the Democratic Party (DP) won 70 seats, followed by the coalition led by the Socialist Party (SP) with 66 seats, and the coalition led by the Socialist Movement for Integration (SMI) taking 4 seats. None received a sufficient number of seats to form a government.” [9b] (p53)

### FREEDOM OF ASSOCIATION AND ASSEMBLY

- 16.03 The USSD Report 2009 added:

“The constitution and law provide for freedom of assembly and association, and the government generally respected these rights in practice. The law requires organizers of gatherings in public places to notify police three days in advance; there were no reports that police arbitrarily denied such gatherings. On the eve of the June elections, however, the government used police to obstruct the opposition's preparations for its final campaign rally. The dispute was resolved only through international intercession. The law prohibits the formation of any political party or organization that is nontransparent or secretive; there were no reports that the government used this provision against any group during the year.” [2b] (Section 2)

### OPPOSITION GROUPS AND POLITICAL ACTIVISTS

- 16.04 The Freedom House report, *Freedom in the World – 2010 (Albania)*, published 1 June 2010, stated that:

“Albania is an electoral democracy. International observers of the 2009 parliamentary elections hailed improvements in a number of areas, but also cited problems including media bias, abuse of state resources, political pressure on public employees, and flaws in the tabulation process. Under a new electoral code passed in late 2008, the unicameral, 140-member Kuvendi Popullor (People’s Assembly) was elected through proportional representation in 12 regional districts of varying size. All members serve four-year terms....

“Despite their sharp, personality-driven rivalry, the two major political parties, the PD and the PS, ran on nearly identical platforms and pledges of EU integration. They also cooperated in 2008 to pass the new electoral rules, which, as expected, strongly disadvantaged smaller parties. Minor parties held some 40 seats after the 2005 elections, but this fell to just seven seats—split among four parties—in 2009.” [9a]

- 16.05 CSIS Center for Strategic and International Studies (CSIS) in an article ‘Albania’ in the [Western Balkans Policy Review 2010](#), September 2010 provides a helpful political overview since the demise of the Communist regime. [29a] (p45)

See [Political system](#), [Freedom of speech and media](#)

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## 17. FREEDOM OF SPEECH AND MEDIA

- 17.01 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), published on 11 March 2010, stated:

“The constitution and law provide for freedom of speech and of the press. While the government generally respected these rights, there were reports that the government and businesses exerted covert pressure on the media. While the media were active and largely unrestrained, there were serious problems with the misuse of the media for political purposes. These problems worsened during and after the election campaign, with most media outlets showing clear bias towards the two largest political parties and public media outlets showing a distinct bias toward the ruling Democratic Party. Individuals could generally criticize the government publicly or privately without reprisal, although there were some exceptions.” [2b] (Section 2)

- 17.02 Freedom House, in the *Nations in Transit 2010 – Albania* report of 29 June 2010, noted that:

“Albanian media have advanced in terms of technology, but the legislative framework covering free media is not yet complete. This lack of legal framework combined with little transparency in the funding of print and electronic media favors the interests of media owners and politicians rather than the public interest, and similarly hampers editorial quality. Media coverage of the June 2009 electoral campaign was divided in favor of the ruling party and the main opposition party, and smaller parties did not receive the coverage entitled to them under the electoral code. Reform of the public service broadcaster has stalled. Cases of violence against journalists have been sporadic, yet investigative journalism remains under threat, as demonstrated by the physical assault on Tema editor/journalist Mero Baze. [9b] (p51)

- 17.03 The Committee to Protect Journalists (CPJ), in *Attacks on the Press 2009: Europe and Central Asia Developments: Albania*, 16 February 2010 reported that:

“The independent daily Tema was abruptly evicted from its offices in a state-owned building in Tirana. Police barred staffers from entering the offices on January 8 on the orders of the Ministry of Interior, said Publisher Mero Baze, who noted that the newspaper had signed a 20-year lease in 2007. He said he believed the government had acted in retaliation for a series of articles published in fall 2008 that alleged high-level government corruption. (In December 2008, after the stories were published, Baze’s car caught fire and exploded, the Tirana-based Albanian Media Institute reported.)” [77a]

## INTERNET FREEDOM

- 17.04 The USSD Report 2009 noted that:

“There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. Access to the Internet increased exponentially during the year, but remained limited, particularly



outside major urban areas. According to International Telecommunication Union statistics for 2008, approximately 15 percent of the country's inhabitants used the Internet; however, there were other reports that usage could be as high as 30 percent.” [2b] (Section 2)

See [Political affiliation](#)

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## 18. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

18.01 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), published on 11 March 2010, stated:

“A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally cooperated and responded to their views. A group of human rights NGOs collaborated to produce a human rights report on the country that was published in December. The government cooperated with international organizations, such as the UNHCR and the International Organization for Migration, and did not restrict their access. [2b] (Section 5)

18.02 Freedom House in *Freedom in the World - Albania (2010)* stated that:

“Independent NGOs are active even if underfunded, and their influence on the government is slowly growing. [9a]

18.03 Freedom House in the *Nations in Transit 2010 – Albania*, 29 June 2010 report however, further noted that:

“Civil society in Albania is generally free from state interference, but it continues to face many challenges. The public is skeptical of the role of civil society, which is mostly represented by small nongovernmental organizations (NGOs) that are fragmented and lack cooperation. Citizens are largely apathetic, with modest to low rates of participation in civic activities, volunteering, or membership in associations and networks. Consequently, Albania’s NGO sector is considered to be in a period of ‘slippage,’ resulting in part from a lack of sufficient financial support and administrative sustainability. The central and local levels of government in Albania do not yet provide financial support for NGOs, which are concentrated in the capital city, Tirana. Civil society is strongly dependent on foreign donors, whose agendas set the priorities of local NGOs.” [9b] (p56)

18.04 The report continued:

“NGOs in Albania have played a limited role in the EU integration process by stimulating public debate on sensitive issues such as visa liberalization, human rights, and antidiscrimination. A new law on antidiscrimination drafted by NGOs has the full support of the government. Likewise, the government has started to consult a number of these organizations on draft laws, although their comments are not always taken into consideration. Human rights and watchdog NGOs have encountered difficulties in gaining cooperation from governmental structures as they monitor and report their activities. ... The legal framework on civil society organizations remains ambiguous regarding taxation. In order to be tax exempt, NGOs must receive a confirmation from

the Ministry of Finance. Although the measure is not enforced and NGOs have not had to pay taxes, this requirement maintains a certain level of pressure and legal uncertainty on Albanian civil society groups.” [9b] (p57)

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## 19. CORRUPTION

- 19.01 The European University Institute, in a working paper, RSCAS No 2006/18 – [The Balkanisation of Politics: Crime and Corruption in Albania](#) dated May 2006 stated:

“As we have already seen, political corruption is one of the most important problems in the country and influences its international position in a critical way. The competent organisations agree on this finding. ... It is very hard to make a survey on such issues because there are few people who have correct understanding of what corruption is and are, consequently, able to answer accurately” [66a]

- 19.02 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), published on 11 March 2010, stated:

“The law provides criminal penalties for official corruption; however, despite several arrests of high-level local and central government officials, government corruption remained a major obstacle to meaningful reform. World Bank governance indices for 2008 indicated that corruption was a serious problem. The government prosecuted corrupt officials and managed complaints regarding corrupt police through the ombudsman.

“During the year the government's anticorruption task force against organized crime continued to coordinate anticorruption activities. The task force, headed by the prime minister, included several ministers and heads of independent state-owned agencies, such as the public electricity company and representatives of the police and intelligence organizations.

“During the year the Ministry of Interior reported that the state police investigated 1,610 cases related to corruption and financial crimes. Authorities arrested 2,049 persons. ... The Joint Investigative Unit to Fight Economic Crime and Corruption (JIU) investigated and prosecuted public corruption and other financial crimes, although its ability to investigate and prosecute corrupt judges, members of parliament, and other high officials was hampered by broad immunity from criminal prosecution granted by the constitution.” [2b] (Section 4)

### THE JOINT INVESTIGATIVE UNIT TO FIGHT ECONOMIC CRIME AND CORRUPTION (JIU)

- 19.03 Global Security.org in *Albania – corruption* described JIU as:

“The Joint Investigative Unit to Fight Economic Crime and Corruption (JIU) investigated and prosecuted public corruption and other financial crimes, although its ability to investigate and prosecute corrupt judges, members of parliament, and other high officials was hampered by broad immunity from criminal prosecution granted by the constitution. The JIU was composed of the prosecutor general, the ministers of interior and finance, and the director of SHISH. The JIU used a team structure to concentrate capacity and foster communication necessary for effective investigations and prosecutions. The JIU received direct referrals from citizens.

“During 2009 the JIU prosecuted two former mayors of a commune near Tirana for a property fraud scheme. They were convicted of corruption, money laundering, and other charges along with three other officials and two citizens. The trial court imposed sentences ranging from three to six years in prison; however, the Court of Appeals subsequently reduced some of the charges and most of the sentences, cutting the longest sentence to three years.” [84a]

See [Security forces - Avenues of complaint](#)

- 19.04 Freedom House, in the *Freedom in the World – Albania* (2010) report, dated 1 June 2010, stated that:

“Corruption is pervasive, and the EU has called for rigorous implementation of anticorruption measures. However, Prime Minister Sali Berisha has refused to dismiss key allies facing indictments by Prosecutor General Ina Rama, who has resisted government pressure with support from U.S. and EU officials. Fatmir Mediu, leader of the Republican Party, resigned as defense minister after the 2008 depot explosion, and his parliamentary immunity was lifted that year. He was indicted along with 28 other defendants in the depot case in early 2009, but the Supreme Court ruled in September that his re-election to the parliament in June effectively restored his immunity, and he was named environment minister in Berisha’s new government. Similarly, Foreign Minister Lulzim Basha was indicted for corruption related to road-building projects, but he remained in government as interior minister after the elections. Former deputy transport minister Nikolin Jaka had been sentenced for related crimes in 2008, but was acquitted on appeal in 2009. In a survey released in 2009, 52 percent of respondents said they had to pay a bribe within the last year. Albania was ranked 95 out of 180 countries surveyed in Transparency International’s 2009 Corruption Perceptions Index.” [9a]

- 19.05 Freedom House in its *Nations in Transit 2010 – Albania*, 29 June 2010, stated that:

“Corruption continues to be a widespread phenomenon in Albania, and the perception of corruption in various public services remains high. Government efforts to tackle corruption have stalled at the strategy stage or are only selectively applied. Furthermore, the government’s anticorruption strategy lacks a concrete timetable and mechanisms. Immunity of high officials continues to be an obstacle in the fight against corruption. Immunity served as grounds for dismissing the criminal case against Minister of the Environment Fatmir Mediu, accused in relation to the Gërdec ammunition plant explosion that killed 26 in 2008. Albania’s corruption rating remains at 5.00.” [9b]

- 19.06 The Council of Europe, in a report [Project against Corruption in Albania \(PACA\), Technical Paper - Preliminary analysis on Albanian health system financing and corruption](#) dated July 2010 stated that;

“There is a widespread perception that informal payments are the main type of corruption within the Albanian Health Care System. However, other types of corruption also exist. The SIDA Albania Anti Corruption Study (2008) distinguishes three different types of corruption:

“In the Albanian health sector, there seems to be three main manifestations of corruption: i) informal payments to doctors and nurses; ii) doctors’ and nurses’ misuse of power and iii) corruption in the procurement of drugs and equipment.” [52b] (p12)

19.07 The report continued:

“Corruption in the health sector is not an isolated phenomenon, but occurs in other public structures causing a general service failure. Addressing irregularities such as informal payments, improving procurement and distribution of drugs and supplies, increasing staff salaries/wages and so on requires an integrated anti-corruption strategy and strong political backing.

“Any health reform to be undertaken has to take into consideration the existing informal payments, as gifts or as unofficial payments, made by own willingness or not. Recently the rules for formal payments from the uninsured persons are being enforced, this is supposed to decrease the informal payments, but at the same time this carries the risk of excluding the poorest from health care service. Reforms should provide protection to the most vulnerable social groups, as poor, elderly, Roma and Egyptian minority, etc.

“Some of the current reforms undertaken or envisaged by the government are: the patient referral system; introduction of official fees; calculation of service costs; and digitalization and ‘informatization’ of the health care system.” [52b] (p14)

See [Medical issues](#)

See [Corruption in Albania, Perception and Experience, Survey 2009, Summary of findings, 2009](#) for further information. [83a]

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## 20. FREEDOM OF RELIGION

20.01 The US State Department 2009 Human Rights Report: Albania (USSD Report 2009), published on 11 March 2010, stated:

“The constitution and law provide for freedom of religion, and the government generally respected this right in practice. The predominant religious communities--Sunni Muslim, Bektashi Muslim, Orthodox, and Roman Catholic--enjoyed a greater degree of official recognition (for example, national holidays) and social status than some other religious groups. The government does not require registration or licensing of religious groups.

“The constitution calls for separate bilateral agreements to regulate relations between the government and religious communities. In October 2008 the government signed agreements with the Muslim, Orthodox, and Bektashi communities. The Catholic Church has had such an agreement with the government since 2002. VUSH, a Protestant umbrella organization, has asked to conclude a bilateral agreement. Among the advantages of having an agreement are official recognition of the community, prioritized property restitution, and tax exemptions. Government financial support and state-subsidized clergy salaries are to be implemented, based on a law on the financing of religious communities passed on June 5.” [2b] (Section 2)

20.02 The US State Department, *International Religious Freedom Report 2010*, published 17 November 2010, stated that:

44 The main text of this COI Report contains the most up to date publicly available information as at 28 February 2011. Further brief information on recent events and reports has been provided in the Latest News section to 25 March 2011.

“By law the country is secular. According to the constitution, there is no official religion and all religions are equal; however, the predominant religious communities (Sunni Muslim, Bektashi, Orthodox, and Catholic) enjoy a greater degree of official recognition (e.g., national holidays) and social status based on their historical presence in the country.

“The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. There is no law prohibiting the wearing of religious clothing or symbols. School principals have the right to set standards for “appropriate clothing,” which at times included restrictions on public displays of religious symbols. During the reporting period, there were reports school officials prevented female public high school students wearing Islamic headscarves from attending classes.

“There were no reports of forced religious conversion. There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice, nor were any substantial acts of vandalism reported.” [2c]

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## 21. ETHNIC GROUPS

21.01 The Encyclopaedia of the Nations, in its *Albania – Ethnic groups*, undated, stated that:

“Generally regarded as descendants of the ancient Illyrians, the Albanians make up about 95% of the population. Ethnic Greeks comprise as much as 3% of the populace. Other groups, including Gypsies, Vlachs, Bulgarians, and Serbs, make up the remaining 2%. The Albanians themselves fall into two major groups: the Ghegs in the north and the Tosks in the south, divided by the Shkumbin River.” [63a]

21.02 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), released on 11 March 2010, noted:

“There were reports of societal discrimination. As visible minorities, members of the Romani and Balkan Egyptian communities suffered significant societal abuse and discrimination. The law permits official minority status for national groups and separately for ethno-linguistic groups. The government defined Greeks, Macedonians, and Montenegrins as national groups; Greeks constituted the largest of these. The law defined Aromanians (Vlachs) and Roma as ethno-linguistic minority groups. In October the Council of Ministers approved the National Action Plan for the Roma and Egyptian Involvement Decade for the 2010-15 period. The total budget for implementing the five-year plan was expected to be nearly 2.5 billion lek (\$25 million).” [2b] (Section 5)

21.03 Freedom House, in the *Freedom in the World – Albania* (2010) report stated that:

“Roma face significant social and economic marginalization, but other minorities are generally well integrated. In 2009, an ethnic Greek mayor who has advocated regional autonomy was sentenced to six months in jail and a fine for removing road signs on the grounds that they did not include Greek translations! [9a]

21.04 The USSD Report 2009 continued:



“The ethnic Greek minority pursued grievances with the government regarding electoral zones, Greek-language education, property rights, and government documents. Minority leaders cited the government's unwillingness to recognize ethnic Greek towns outside Communist-era "minority zones"; to utilize Greek in official documents and on public signs in ethnic Greek areas; to ascertain the size of the ethnic Greek population; or to include a higher number of ethnic Greeks in public administration.

“In April, Vasil Bollano, the ethnic Greek mayor of Himara was found guilty of abuse of office. He was sentenced to six months in prison, fined an estimated \$5,000, and prohibited from holding public office for three years. The case was under appeal at year's end. The case originated in 2008, when Bollano was charged with destruction of government property after he ordered the removal of several new road signs in the Himara district because they were written in Albanian and English but not Greek.” [2b] (Section 5)

See The Unrepresented Peoples and Nations Organization (UNPO) - [The Greek Minority in Albania](#), for further background. [67a]

See [Citizenship and Nationality](#)

## Roma

21.05 The European Roma Rights Centre (ERRC), in *Basic Facts on Roma – Albania*, dated 28 August 2010, stated that:

“Roma in Albania are recognised as an ethnic-linguistic minority. Official sources say that there are about 1,300 Roma in Albania, however other sources estimate that there are up to 120,000 Roma in Albania; ... Official censuses in Albania acknowledge the Roma. Romani communities are found all over the country; the largest are found in central and southeast Albania in regions like Tirana, Durrresi, Elbasan, Fieri, Berati, Korca, Pogradeci, Bilishti, Gjirokastra, Delvina, Kruja, Shkodra, etc....

“Government policies or initiatives on Roma: Albania joined the Decade of Roma Inclusion in 2008; within this framework the Government adopted a National Action Plan which focuses on education, employment and social protection, housing and infrastructure, health, social infrastructure and equal opportunities and cultural heritage ... Roma in Albania live in poor conditions in settlements, lacking connections to basic infrastructure like water, electric and public services. There have been cases of forced evictions and instances in which Albanian authorities have discriminated against Roma in the provision of social services, social welfare payments, the provision of municipal infrastructure and health care.” [65a]

21.06 The report continued:

“In accordance with the Law on Education, school attendance is mandatory for all children in Albania above the age of six. Unfortunately, many Romani children drop out of school before completing the eight years of mandatory schooling. ... Romani families have difficulties accessing adequate healthcare. Only 76% of Roma, compared to 93% of non-Roma, have been immunised against polio, diphtheria, tetanus and whooping cough. There are reports that Roma are sometimes forced to pay bribes to receive proper medical treatment. ... Many Roma are unable to access employment in Albania



due to low educational qualifications and discrimination. There are no elected Romani officials at the national level in Albania; or are there any known to have been elected at the local level.” [65a]

21.07 The USSD Report 2009 stated that:

“Child marriage remained a problem in many Roma families and typically occurred when children were 13 or 14 years old.” [2b] (Section 6)

See [Children](#)

See [‘The Center of Documentation and Information on Minorities in Europe - Southeast Europe’](#) [64a] and Minorities Rights International Group, [World Directory of Minorities, Albania Overview](#) for further background information on minorities in Albania. [68a]

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## 22. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

### LEGAL RIGHTS

22.01 The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), ILGA Europe, summarised the legal position thus:

**International human rights documents:** Albania has ratified Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms; moreover Albania was a signatory to the 2007 UN Declaration on Sexual Orientation and Gender Identity.

**Criminal law:** Consenting same-sex sexual acts are legal. The age of consent is equal for all sexual acts.

**Anti-discrimination:** Discrimination on the basis of sexual orientation is prohibited in areas of employment, goods and services.

**Partnership recognition:** Albania does not provide any legal recognition of same-sex partnerships.

**Parenting rights:** Neither joint nor second parent adoption is available to same-sex couples in Albania.

**Law on hate and violence:** Laws on hate and violence do not refer to sexual orientation or gender identity and do not recognise sexual orientation neither gender identity as aggravating factor.” [58a]

22.02 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), released on 11 March 2010, noted:

“There are no laws criminalizing sexual orientation, and the law does not differentiate between types of sexual relationships.” [2b] (Section 6)

22.03 The USSD Report 2009 continued:

“There were few lesbian, gay, bisexual, and transgender (LGBT) organizations in the country, although their numbers and activities were starting to grow. The groups operated without interference from police or other state actors, largely because they generally were discrete. There were repeated reports that individuals were beaten, fired from their employment, or subjected to discrimination due to their sexual orientation. Often these cases went unreported.” [2b] (Section 6)

See [Support services](#)

22.04 PinkPaper.com in an article, *Albania passes model law against discrimination* dated 8 February 2010, reported that:

“Albania's Parliament banned discrimination and harassment based on sexual orientation and gender identity, last week. The law covers employment, housing, provision of goods and services, education and access to public places. It also specifically mentions health care, banking, transportation, entertainment and social protection. The vote was 71 to 0. Prime Minister Sali Berisha strongly backs the measure. 'It's a pretty strong law and covers both 'direct' and 'indirect' discrimination,' said Tirana activist Mindy Michaels from the Alliance against Discrimination of LGBT... The measure establishes an independent Commissioner for Protection from Discrimination to monitor implementation of the law and accept and investigate complaints...Announcing support for the law last July, Berisha also said that Albania will legalize same-sex marriage.” [61a]

See paragraph [22.07](#)

## TREATMENT BY, AND ATTITUDE OF, STATE AUTHORITIES

22.05 Amnesty International's Concerns in Albania: January-June 2009, September 2009, September 2009 stated:

“On 17 May, the International Day against Homophobia, some 20 Albania NGOs and the Ombudsperson's Office issued an open appeal to the Albanian government, state institutions, civil society, the general public and families to combine efforts to stop discrimination against people on the basis of their sexual orientation.” [26e] (p4)

22.06 The USSD Report 2009 reported that:

“In June a man allegedly murdered his brother due to his sexual orientation. The murderer pled guilty and was sentenced to eight years in prison. In August four men were arrested in Durrës for prostitution and engaging in public sexual activity. The men claimed police discriminated against them, since police officers often did not arrest female prostitutes and their clients when apprehended. Without an antidiscrimination law, societal discrimination based on sexual orientation was a constant. There were several informal reports of harassment, denial of service, and employment discrimination due to sexual orientation. For example, homosexual customers were sometimes denied service in bars and restaurants. There were reports of LGBT persons being harassed on the streets. They often did not report criminal or civil offenses committed against them from fear of economic and physical reprisals. LGBT persons are not a protected class under the law. NGOs claimed that police routinely harassed homosexual persons.” [2b] (Section 6)

22.07 The Immigration and Refugee Board of Canada (IRB), in a response to an enquiry on the situation and treatment of homosexuals, dated 28 September 2010, reported that:

“According to the LGBT Rights Activist, whether there is willingness to implement the anti-discrimination law remains questionable since Albanian laws are sometimes not implemented (10 Sept. 2010). She noted that the new legislation has not yet had an effect on the day-to-day lives of LGBT people in Albania, has not increased their sense of security, nor changed the possibility of discrimination in employment, housing, healthcare, or other sectors (LGBT Rights Activist 10 Sept. 2010).

“She stated that as of August 2010, the government had appointed the Commissioner for Protection from Discrimination, but that there was no office or supporting staff for the Commissioner (ibid.). She was not aware of any training sessions for police regarding the anti-discrimination law or LGBT rights (ibid.). Further information on government actions to implement the new legislation could not be found among the sources consulted by the Research Directorate.” [13i]

22.08 The IRB report also stated that:

“Country Reports 2009 indicates that, according to NGOs, the police ‘routinely harassed’ homosexual persons (US 11 Mar. 2010, Sec. 6). Similarly, the Council of Europe’s Commissioner for Human Rights reports that LGBT people have been subject to ‘mistreatment’ by police (Council of Europe 18 June 2008, No. 96). Freedom House notes that discrimination against homosexuals by law enforcement ‘remains strong’ (Freedom House 2010). A 2007 Balkan Insight article provides details on two cases in which homosexuals were subject to mistreatment by Albanian police (5 Dec. 2007). In one example, a member of the LGBT community stated that police officers dragged him away from a park and kicked him repeatedly while calling him a “faggot” (Balkan Insight 5 Dec. 2007). In another example, the Director of the Albanian Human Rights Group (AHRG), a non-profit and non-governmental organization (NGO) based in Tirana (AHRG n.d.), cited a case where a person was ‘harassed and tortured by police’ and prevented from attending school (Balkan Insight 5 Dec. 2007). The LGBT Rights Activist stated that LGBT people are still reluctant to go to the police with their problems and view the police as a source of harassment rather than protection (LGBT Rights Activist 10 Sept. 2010).” [13j]

## SOCIETAL TREATMENT AND ATTITUDES

22.09 The Lesbian, Gay, Bisexual & Transgender US Peace Corps Alumni, in an article *LGBT Advocacy in Albania* dated August 2009 stated that:

“So what is the LGBT community in Albania like? The good news is that from a legal perspective, homosexuality in Albania became legal in 1994. Therefore, Albanian gay or lesbian individuals cannot legally be imprisoned for their sexual orientation. However, do not be misled by the legality of homosexuality. Generally Albanians are sadly, deeply homophobic and generally never discuss the topic.

“The LGBT community in Albania is very underground and there are no gay bars in any city in Albania including the capital city, Tirana. It is very difficult to even find any information about the LGBT community there. Similar to many other developing countries, the term ‘gay’ is generally not used in Albania but instead it’s ‘men who have sex with men.’ Although homosexuality exists in Albania, few individuals have a ‘gay’ identity ...” [60a]

22.10 Pink Embassy in its *Shadow report: Lesbian, Bisexual and Transgender Community Situation in Albania, 2010* stated that:

“LGBT issues in the Albanian society remain a very sensitive taboo. Although the Albanian Constitution guarantees the rights and the freedoms of every individual, still LGBT community is facing discrimination and intolerance. In February 2010 the law ‘On the Protection from Discrimination’ was adopted by the Albanian Parliament, which is a significant step forward for eliminating the discrimination in Albania. Nevertheless, its complete implementation has yet to come and remains a concern for the civil society.” [62a]

22.11 The Canadian (IRB), in a response to an enquiry on the situation and treatment of homosexuals, dated 28 September 2010, reported that:

“Media sources and human rights organizations indicate that there are high levels of homophobia in Albania (Human Rights Watch 16 Feb. 2010; The Human Rights Brief 3 Mar. 2010; Balkan Insight 5 Dec. 2007). Media sources report that the gay community has been primarily underground (BBC 30 July 2009; Reuters 5 Feb. 2010). In a telephone interview with the Research Directorate on 10 September 2010, an LGBT rights activist ... stated that there are no gay clubs or neighbourhoods in Albania and that hardly anyone is public about being LGBT. According to Balkan Insight, an online publication produced by the Balkan Investigative Reporting Network (BIRN), most homosexuals in Albania do not reveal their sexual orientation, ‘fearing that if it is discovered their safety will be endangered’ (24 June 2010).” [13i]

22.12 The same report continued:

“According to human rights observers, LGBT people in Albania are subject to “intolerance, physical and psychological violence” (Balkan Insight 24 June 2010; Human Rights Brief 3 Mar. 2010; Council of Europe 18 June 2008, No. 96). ... Balkan Insight similarly states that those who are open about their sexual orientation have faced job loss, threats and possible rejection from their families (5 Dec. 2007).” [13i]

## SUPPORT SERVICES

22.13 The Canadian (IRB), in a response to an enquiry on the situation and treatment of homosexuals, dated 28 September 2010, reported that:

“According to the LGBT Rights Activist, services for LGBT people in Tirana are very limited; there are no social supports or counsellors and little assistance for people facing difficulty ... According to the LGBT Rights Activist, there are no LGBT organizations outside Tirana, and the current LGBT organizations have little capacity to do outreach beyond Tirana (LGBT Rights Activist 10 Sept. 2010). She characterized the situation for LGBT people in these areas as “bleak” (ibid.). The LGBT Rights Activist expressed the opinion that someone facing threats because of his or her sexual orientation would have difficulty finding security in a different region or city of Albania (ibid.). In her view, Albania is a small country which is ‘intensely social networked,’ and people are identified by their accents and recognized through connections with their hometowns and families (ibid.). She believes that it would be difficult for someone to remain anonymous and find a way to make a living, since unemployment is high and most jobs are found through social connections rather than based on merit (ibid.). This information could not be corroborated by the sources consulted by the Research Directorate.” [13i]

**LESBIANS**

22.14 The Pink Embassy report also noted that:

“Even though Albanian society sometimes viewed as somewhat tolerant towards lesbians and bisexual woman, the everyday reality has not shown this. Most lesbians have to hide their sexual orientation. The few that have the courage to be out and be physically affectionate towards one another in public spaces have experienced verbal and physical abuse and have been thrown out of bars or restaurants. Some of the main concerns of the lesbian and bisexual woman are:

- “Family pressure: Because of Albanian traditions and the economic situation, most young and unmarried (to a man) lesbian and bisexual women live with their family. Due to social pressure, the fear of stigmatization and the fear of losing their families (by being thrown out of the house) most are not out. One of the main concerns of the lesbian and bisexual women is the pressure they face from the family to have a fiancé and get married. This social obligation intensifies with age. This pressure forces them to repress their sexual orientation and do what is more accepted by society. Some lesbians and bisexual women get engaged or married but continue having relationships with other women.
- Discrimination in employment: Lesbians who do not conform to societal gender norms report that it is almost impossible to get a job.
- Societal pressure and attitudes, combined with internal struggles with sexual orientation can combine to create difficult situations for lesbian and bisexual women. As mentioned earlier, some women cope with the social expectations and internal conflict by getting engaged and marrying men.” [62a]

**TRANSGENDER PERSONS**

22.15 The Immigration and Refugee Board of Canada (IRB), in a response to an enquiry: *Situation and treatment of homosexuals; state protection and support services (2007-September 2010)*, dated 28 September 2010 stated that:

“According to the LGBT Rights Activist, transgender people face particular difficulties in Albania; the few people who are visibly transgender are regularly denied services and have few opportunities for employment other than prostitution.” [10g]

22.16 Pink Embassy in its Shadow report, 2010 reported that:

“Testimonies of transvestites clearly show that they frequently receive death threats.

“On September 2009 a transgender, named Kristina was killed by a man who declared: “I took him for a woman, but it turned out to be a man and in the heat of the moment I killed him and I don’t know what I did.

“This was the first case of killing a transgender woman in Albania and was a key fact that indicates the increasing of Trans phobia, into Albanian society.” [62a]

22.17 The same report listed various areas of concern such as:



- “Psychological and physical violence systematically exercised on them not only by clients and homophobic people but by the police as well; Police have apparently used Kristina’s murder as an excuse to persecute trans people and sex workers in the area.
- Extreme poverty. They claim that they spend days without food due to lack of income.
- Unemployment because of their gender identity forces them to work as sex workers.
- Lack of housing. Most of them do not have a shelter since they cannot provide one. In cases they do afford an accommodation, people almost never rent them one;
- Continuous persecution from society and lack of support by the public institutions;
- Multiple discrimination: discriminated not only because of being transvestite but also racial discrimination due to being Roma.
- Arrested and convicted without evidence, simply because of being transgender;
- Media in many cases has not been professional in reporting cases of violence against transvestites.
- No measures taken by governmental structures to address the needs of this community.” [62a]

22.18 Pink Embassy in its Shadow report, 2010 reported that:

“In general, the LGBT Community in Albania faces a homophobic environment as well as the lack of state mechanisms to address their needs and problems. Consequently, they often become subject of discrimination while at times of physical or psychological violence. A movement of this community in Albania is developing and has begun to provide support for LGBT Community members, to advocate for their rights, and to empower individuals to protect their own rights and dignity. Still, the challenges are significant, both for individuals and for the movement, and committed work from LGBT organizations, other civil society organizations, and from the Albanian government will be needed to transform the overall situation for lesbian, bisexual, and transgender women in Albania.” [62a]

See [Women](#)

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## 23. DISABILITY

23.01 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), released on 11 March 2010, noted:

“The constitution and law prohibit discrimination against persons with disabilities; however, employers, schools, health care providers, and providers of other state

52 The main text of this COI Report contains the most up to date publicly available information as at 28 February 2011. Further brief information on recent events and reports has been provided in the Latest News section to 25 March 2011.



services sometimes discriminated against persons with disabilities. The law mandates that new public buildings be accessible to persons with disabilities, but the government only sporadically enforced the law. Widespread poverty, unregulated working conditions, and poor medical care posed significant problems for many persons with disabilities.

"During the year the ombudsman continued to inspect mental health institutions and found that physical conditions in facilities in Vlora and Shkoder were improved. However, the ombudsman also found these same facilities were understaffed and poorly supplied and that hygienic and sanitary conditions were unacceptable. The ombudsman, who conducted inspections in 2008 and 2009 in Elbasan, Shkoder, and Vlore, recommended a major legal, organizational, and budgetary review of the country's mental health care system. A special report on the status of mental health treatment was sent to parliament in June 2008; however, no action had been taken. The admission and release of patients at mental health institutions was a problem due to lack of sufficient financial resources to provide adequate psychiatric evaluations.

"The electoral code provides for wheelchair-accessible voting booths and special accommodations for blind persons to vote. According to ODIHR, more than 2,000 voters with disabilities who lacked a valid passport could not apply for a new identification card because application centers were difficult or impossible to access. Homebound voters also were not able to apply, as there were no mobile application workstations. After a slow start, ballots for the blind were available for the June 28 elections but were missing in some voting centers." [2b] (Section 6)

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## 24. WOMEN

### OVERVIEW

24.01 The Japan International Cooperation Agency, in its *Albania: Country Gender Profile – February 2010* reported that:

"In Albania, patrilineal and patrilocal social organization have dominated gender relationships in the private sphere. During the communist era, the Albanian state imposed another structure within the public sphere, one that promoted equal opportunities for men and women in education and the labour market. Women were given a number of key, high-level positions. As a result, literacy rates rose from low levels at the beginning of the communist regime to nearly 100 percent by 1989. Nonetheless, women in the communist regime had a double burden: at home they had complete responsibility for childcare and housework while men contributed much less; and women were expected to contribute at work as much time and effort as men. The socio-economic changes during 1990 highlighted several stereotypes of gender roles and the patriarchal nature. Still many women and men do not recognize gender discrimination as it is, but see it as a "way of life. ... "While there is an increased understanding among decision-makers about the linkages between the advancement of gender equality and the realization of democratic governance there remains a lot to be done." [23a] (p4)

24.02 The report continued:

- There are 3.1 million people living in Albania; 49 percent are women
- More than half of Albania's population lives in rural areas - 57 percent of them women
- Poverty is more widespread in rural areas, where 4 out of 5 people are poor
- Unemployment affects 21 percent of women and 16 percent of men
- About 70 percent of employed women work in agriculture, 20 percent in the public sector, and about 10 percent in the private sector
- Only 18 percent of managers are women
- On average, a woman in Albania earns 20 percent less than a man
- Women occupy less than 10 percent of Albania's assembly seats, down from 30 percent in the 1970s
- More trafficked women come from Albania than any other country in southeastern Europe
- Widowed women and women living alone are 60 percent closer to the poverty line than households

Source: Japan International Cooperation Agency: Albania: Country Gender Profile – February 2010 [23a] (p5)

24.03 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), released on 11 March 2010, noted:

“In many communities, particularly those in the northeast, women were subjected to societal discrimination as a result of traditional social norms that considered women to be subordinate to men.” [2b] (Section 6)

24.04 According to the OECD Social Institutions and Gender Index (accessed on 1 October 2010):

“The Albanian Constitution states that all individuals are equal before the law and that “no person will be unjustly discriminated against due to his or her sex”. Legislation makes provisions for treaties to supersede national law and the parliament has ratified the Convention on the Elimination of All Forms of Discrimination against Women (Article 18, 2003 CEDAW). Despite these signs of progress, Albanian society remains essentially patriarchal.” [21a]

24.05 A *Shadow Report on the Implementation of the CEDAW Convention in Albania - June 2010* prepared by the Gender Alliance for Development Center (GADC) in collaboration with a number of non-profit organisations stated that:

“Albania ratified the CEDAW Convention about seventeen years ago [Law 1769 of 9.11.1993] while its Optional Protocol adopted by the General Assembly in its 54th Session on 6 October 1999, which entered in force on 22 December 2000, was ratified in Albania a few years later, in 2003 [Law 9052 of 17.4.2003]. Pursuant to the Constitution of the Republic of Albania [Article 122/1], ‘Any international agreement that has been ratified constitutes part of the internal juridical system after it has been published in the Official Journal of the Republic of Albania’. The official CEDAW text was first published in the Official Gazette **about 15 years after its ratification**. This happened on 15 October 2008 in Official Gazette No. 33 (a supplemental edition – for unpublished acts). Therefore, from 1993, the year of its ratification, CEDAW officially became an integral part of the juridical system in the country only on 30 October 2008 (i.e. fifteen days after publication in the Official Gazette).” [22a] (p6)

24.06 The Global Gender Gap Report 2010 was published by the World Economic Forum on 12 October 2010: it measured gender-based gaps in access to economic, educational, health and political resources and opportunities in 134 countries. Albania's ranking in the Gender Gap Index slipped from 91st place in 2009 to 78th place in 2010 (out of 134 countries). Within specific categories, relative access to resources/opportunities in Albania was assessed as follows:

<b>Gender Gap Index 2010</b>			<b>78</b> (out of 134 countries)			<b>0.673</b> (0.00 = inequality, 1.00 = equality)
<b>Gender Gap Sub indexes</b>	<b>Rank</b>	<b>Score</b>	<b>sample average</b>	<b>Female</b>	<b>Male</b>	<b>female to male ratio</b>
<b>Economic Participation and Opportunity</b>	<b>51</b>	<b>0.681</b>	<b>0.590</b>			
Labour force participation	81	0.73	0.69	56	76	0.73
Wage equality for similar work (survey)	24	0.75	0.65	–	–	0.75
Estimated earned income (PPP US\$)	83	0.54	0.53	4954	9143	0.54
Legislators, senior officials, and managers	–	–	0.27	–	–	–
Professional and technical workers	–	–	0.64	–	–	–
<b>Educational Attainment</b>	<b>52</b>	<b>0.994</b>	<b>0.929</b>			
Literacy rate	60	0.99	0.86	99	99	0.99
Enrolment in primary education	1	1.00	0.98	91	91	1.00
Enrolment in secondary education	90	0.98	0.92	73	75	0.98
Enrolment in tertiary education	1	1.00	0.86	23	15	1.57
<b>Health and Survival</b>	<b>131</b>	<b>0.937</b>	<b>0.955</b>			
Sex ratio at birth (female/male)	128	0.91	0.92	–	–	0.91
Healthy life expectancy	117	1.00	1.04	64	64	1.00
<b>Political Empowerment</b>	<b>97</b>	<b>0.079</b>	<b>0.179</b>			
Women in parliament	73	0.20	0.22	16	84	0.20
Women in ministerial positions	107	0.07	0.18	7	93	0.07
Years with female head of state (last 50)	44	0.00	0.15	0	50	0.00

Source: [Global Gender Gap Report 2010](#), 12 October 2010: Albania. [24a]

## LEGAL RIGHTS

24.07 The Shadow Report on the Implementation of the CEDAW Convention, June 2010 recorded that:

“In the period from the previous national report submitted to the CEDAW Committee (i.e. from 2003 to present) Albania has adopted new laws and made improvements to the existing ones, where alignment with CEDAW and other important international standards is evident. Worthy of mention are:

- Adoption of the Law “[On Gender Equality in Society](#)” [No.9970/24.07.2008] which, among other things, addresses the areas of labour and employment, and the adoption

of the National Strategy on Gender Equality and Domestic Violence (NSGEDV), and its accompanying Action Plan, 2007-2010 (CMD Nr.913/19.12.2007);

- Adoption of the Law “On Measures Against Violence in Family Relations” [No. 9669/23.12. 2006].
- The recent adoption of Law “On Health and Safety at Work” [No. 10237/18.2.2010] which brings issues such as the protection of pregnant and lactating women from hazardous substances, hard working conditions more in line with CEDAW and EU standards<sup>4</sup>;
- Adoption of the Law “On Protection from Discrimination” [No.10221/4.2.2010], which marks a concrete step forward and reinforces the law on Gender Equality. It includes the establishment of new independent mechanisms, such as the newly established Office of the Commissioner for the Protection against Discrimination, which was not envisaged under the Law on Gender Equality.” [22a] (p8)

24.08 The report also stated that:

“It has to be pointed out that the obligations deriving from ratified international instruments have not always been adequately implemented.” [22a] (p8)

24.09 The USSD Report 2009 stated that:

“The law provides equal rights for men and women under family law, property law, and in the judicial system. Neither the law nor practice excluded women from any occupation; however, they were not well represented at the highest levels of their fields. The law mandates equal pay for equal work; however, the government and employers did not fully implement this provision.” [2b] (Section 6)

24.10 The same report recorded that:

“The law prohibits prostitution; however, it remained a problem. The law prohibits sexual harassment; however, officials rarely enforced the law.” [2b] (Section 6)

24.11 The Shadow Report continued:

“There is still lack of harmonisation among the various Albanian laws. Given that the legislation is still in process, sometimes there is lack of coherence or relation between them. This is the case with provisions of the Civil Code (which predates the Family Code by about nine years) and the Family Code provisions, especially as regards: the ability to act, matrimonial property regime, administration and representation between spouses, donations between spouses and joint ownership, inheritance, etc., as well as the harmonisation of the provisions of the law “On Entrepreneurs and Companies” with the FC and CC, etc., because these laws and their application cause infringements of women’s rights. [22a] (p53)

## POLITICAL RIGHTS

24.12 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), released on 11 March 2010, noted that:

“Overall, women were poorly represented at the national and local levels of government, despite commitments by the major political parties to increase their representation. After the June 28 elections, there were 23 women in the 140-seat parliament, an increase

from nine in the previous parliament. These included the speaker and one woman on the Council of Ministers.

“The law mandates that women fill 30 percent of appointed and elected positions, and the electoral code provides that 30 percent of candidates should be women. However, not all parties followed the electoral code and many placed women's names in low spots on the ballot, virtually assuring that they would not win a seat in parliament under the country's regional proportional parliamentary system in which votes are allocated to candidates in order of their appearance on the ballot.” [2b] (Section 2)

24.13 The *Freedom in the World 2010* report, published by Freedom House on 3 May 2010, stated:

“Women are underrepresented in most governmental institutions. A new 30 percent quota for party candidate lists helped to raise women's presence in the parliament to 23 seats in 2009, from 10 in 2005, though the quota rules contained a number of loopholes.” [9a]

## SOCIAL AND ECONOMIC RIGHTS

### Family code (FC)

24.14 According to the OECD Social Institutions and Gender Index (accessed on 1 October 2010):

“Albania's [Family code \(FC\)](#), which is currently in review, generally provides a favourable level of protection to Albanian women. The legal age of marriage is 16 years for women and 18 years for men and the average age of marriage is close to the global average. Early marriage is not widespread in Albania, but does occur. A 2004 United Nations report estimated that 8 per cent of girls between 15 and 19 years of age were married, divorced or widowed. Despite the legislation in place, forced marriages are frequent. Polygamy is not a common practice in Albania.

“Albanian parents share more or less equal parental authority, as long as both spouses are alive and the couple stays together. If the father dies, Albanian custom typically awards custody of children to the paternal family, rather than to the mother. In the event of divorce, judges grant custody to men in four out of five cases. In rural areas, male domination is very prominent, both over the household and over women more generally.” [21a]

24.15 The Shadow Report on the Implementation of the CEDAW Convention, June 2010 recorded that:

“... Albanian law lacks an instrument that provides for the interests of the wife and child/ren, in cases of donation contracts, which has led to their discrimination. The same can be said in relation to the relinquishing property rights by one of the spouses to a third person who is not the other spouse, or the child/ren, before the dissolution or termination of the marriage.” [22a] (p19)

24.16 The Shadow Report further stated that:

“Economic discrimination goes beyond the area of labour relations. In this respect, the legislation is generally in line with the CEDAW, but its implementation in practice, and



sometimes, the lack of clarity in certain provisions or the lack of awareness among women about their own rights, allow for women's discrimination in real life.

"Thus, while the [Civil Code \[CC\]](#) is generally in line with the contemporary standards laid down in the CEDAW and European documents, there is still room for improvement of technical and linguistic nature, in order to prevent and avoid discrimination situations in practice." [22a] (p52)

24.17 The Shadow CEDAW Report 2010 stated that:

"Women rarely apply for credit, because they are usually perceived as having a supporting role in business activities. In addition, the credit rating policies of many banks require the applicant to own capital, which very few women possess. Women's property rights usually cease when the property is registered under the name of the husband." [22a] (p54)

## **VIOLENCE AGAINST WOMEN**

24.18 The OECD Social Institutions and Gender Index 2010 stated that:

"The physical integrity of Albanian women is poorly protected. The Albanian Constitution does not contain any specific provisions regarding domestic violence, spousal rape, sexual harassment or female genital mutilation, although Albanian law does condemn these practices. Violence against women is very prevalent in Albania. Many men, especially in the northeast, still adhere to a traditional code (known as Kanun) that establishes the superiority of men over women." [21a]

## **RAPE**

24.19 The USSD Report 2009 stated that:

"The criminal code penalizes rape, including spousal rape; however, victims rarely reported spousal abuse, and officials did not prosecute spousal rape in practice. The concept of spousal rape was not well established, and authorities and the public often did not consider it a crime. The law imposes penalties for rape and assault depending on the age of the victim. For rape of an adult, the prison term is three to 10 years; for rape of an adolescent between the ages of 14 and 18, the term is five to 15 years and, for rape of a child under age 14, the sentence is seven to 15 years." [2b] (Section 6)

24.20 The OECD Gender Index report records that:

"...women seldom press charges. According to ethnic Albanian values, rape is considered a dishonour to the families of the victims, who receive little support." [21a]

24.21 The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) its *Concluding observations of the Committee on the Elimination of Discrimination against Women* dated 30 July 2010 stated that:

"The Committee recognizes the progress made by the Government in combating violence against women, including domestic violence and violence outside domestic relationships, such as rape and other forms of sexual violence, stalking and sexual harassment, inter alia, through the enactment of the Law on Measures against Violence in Family Relations, the adoption of the National Strategy and Action Plan on Gender



Equality and Domestic Violence 2007-2010, the opening of the first government-run shelter for victims of domestic violence, and the establishment of a referral system of cases of domestic violence. The Committee, however, remains concerned about the continued high prevalence of violence against women in Albania. It is particularly concerned that domestic violence is not appropriately sanctioned and criminalized, and that marital rape is not defined as a specific offence under the new Penal Code, about the high rate of suicides of female victims of domestic violence, about gaps in the Law on Measures against Violence in Family Relations and its implementation, and the lack of statistical data.” [13b] (p6)

## DOMESTIC VIOLENCE

24.22 The United Nations in Albania website, accessed 12 February 2011, in outlining its program to assist the implementation of the governments NSGEDV strategy reported that:

“Through the support of the UN, INSTAT [Albanian Institute of Statistics] conducted the first national population-based survey on Domestic Violence in Albania (March 2009). The survey found that domestic violence against women and children is a widespread problem in families and communities throughout Albania. For example, of the 2,590 women surveyed, 50.6 per cent of surveyed women self-reported experiencing emotional abuse in their marriage or intimate, 39.1 per cent experienced psychological abuse, 31.2 per cent experienced physical violence, and 12.7 per cent experienced sexual violence. Depending upon the type of domestic violence experienced by women there were some significant differences based upon women’s level of education, work status, age group, and marital status. There were also significant differences based between urban and rural areas and across districts. Among the 991 children surveyed, 57.7 per cent reported being physically battered by a family member. Moreover, this survey illustrates that battered women and children suffer physical injuries and serious health problems related to the violence, and the injuries often disrupt women’s ability to work. These findings demonstrate that domestic violence has negative effects on the physical health and well-being of battered women and children, and the overall health and well-being of families and communities. In light of these findings, prevention of domestic violence should rank high on the national public health agenda of the Government of Albania.” [25a]

24.23 Amnesty International, in a report *Ending Domestic Violence in Albania – The Next Steps*, dated March 2010 stated that:

“The Domestic Violence Law was adopted by the Albanian parliament in December 2006 and entered into force on 1 June 2007. The law was the result of a long campaign by a coalition of non-governmental organizations (NGOs), resulting in a petition to the Albanian parliament signed by over 10,000 people. This civil law represented significant progress towards the prevention of family violence in Albania, in particular through the introduction of protection orders. ...

“Since the introduction of the Domestic Violence Law, there has been a significant increase in reported incidents of domestic violence. In 2007 the police reportedly received 274 reports of family violence after the law came into force in June. Comparable figures exist for the first nine months of each subsequent year: between Protection orders January and September 2008, police registered 614 reports. By September 2009, some 993 cases had been reported. Both Albanian women’s NGOs and the police interpret this increase as a greater willingness and confidence on the part

of abused women to report domestic violence. Reports received by the police reflect only a very small proportion of the true number of cases of domestic violence. The majority of women, particularly in rural areas, where the taboo against even talking about domestic violence remains strong, are still reluctant to report domestic violence to the authorities.” [26a] (p2)

24.24 The USSD Report 2009 stated that:

“Domestic violence against women, including spousal abuse, remained a serious problem. During the year police reported 1,063 cases of domestic violence and the government pressed charges in 747 cases. The department of equal opportunities at the Ministry of Labor, Social Affairs, and Equal Opportunity covers women's issues, including domestic violence.

“The government did not fund specific programs to combat domestic violence or assist victims, although non-profit organizations provided assistance. NGOs reported that an estimated eight domestic violence hotlines operated. The hotlines, serving mainly the northern part of the country, each received approximately 25 calls per month from women reporting some form of violence. NGOs operated four shelters for battered women in Tirana, Vlora, Elbasan, and Gjirokaster. NGOs noted an increase in reports of domestic violence, primarily due to increased awareness of services.” [2b] (Section 6)

24.25 The *Freedom in the World 2010* report stated that:

“Domestic violence, which is believed to be widespread, is rarely punished by the authorities. Albania is a source country for trafficking in women and children, with the latter typically exploited as beggars in European countries. The EU reported in 2009 that the government has made an effort to combat the practice, but that human and financial resources remain insufficient.” [9a]

24.26 The CEDAW *Concluding observations* report further stated that:

“... the Committee is concerned about the legal and practical obstacles faced by women seeking redress for acts of discrimination based on sex and gender under the new legislative anti-discrimination framework, as well as the lack of counselling and legal aid services available to women, especially women belonging to ethnic and linguistic minorities, women in rural areas and women belonging to other disadvantaged groups. It is particularly concerned about complainant women bearing the burden of proof in cases of alleged discrimination on the grounds of sex, including in cases of sexual harassment at the workplace.” [13b] (p3)

## HONOUR KILLINGS

24.27 An article in *Transcultural Psychiatry*, *Karo-Kari: A Form of Honour Killing in Pakistan* dated December 2008, stated that:

“While generally categorized as unlawful, homicide has been justified under particular circumstances by some social and cultural groups. This includes the cultural sanctioning of premeditated killings of women perceived to have brought dishonour to their families, often by engaging in illicit relations with men. ... Over the past decade, human rights groups have increasingly exposed various forms of gender-biased ‘honour killing’. A number of countries have legislative positions that allow for partial or complete criminal defence against criminal charges on the basis of honour killing, including those of

Argentina, Bangladesh, Ecuador, Guatemala, Turkey, Jordan, Syria, Egypt, Lebanon, Iran, Israel, Peru, Venezuela and the Palestinian National Authority (UNCHR, 2002). Honour killings have continued to occur in countries where they have been explicitly outlawed, such as Albania, Brazil, India, Iraq, Uganda and Morocco, as well as in immigrant communities in Europe and North America (UNCHR, 2002).” [46a] (p683)

See also [Amnesty International submission to the UN Universal Periodic Review Sixth session of the UPR Working Group, November-December 2009](#), 20 April 2009. [26d]

See [Blood feuds](#), [Trafficking](#) and [Crime –Witness protection program](#)

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## 25. CHILDREN

### OVERVIEW

25.01 The Albanian Overview, on the United Nations Children’s Fund (UNICEF) website, accessed 21 February 2011, summarised the position of children in Albania:

“Albania has showed its commitment to its children by its early ratification of the Convention on the Rights of the Child in 1992, and it is working hard to realize the Millennium Development Goals agreed at the United Nations Millennium Summit in 2000. The past two years have generated optimism about realization of child rights as real progress has been seen around the country. ... The government recently initiated a process to update the national strategy on children and an action plan to implement it, based on child rights principles.” [30a] (Overview)

25.02 The same source indicated that children face considerable difficulties in Albania. It observed that:

“Infant mortality rate is 18 per 1,000 live births. More than 95 per cent of children are immunized against ten vaccine-preventable diseases, 56 per cent of children aged between 3 and 6 have no access to pre-school education and only 60.3 per cent of households use adequately iodized salt.

“Albania is the ‘youngest’ country in Europe, with 40 per cent of the population 18 and younger. Children are generally getting healthier year by year, but the country still has the highest child and maternal death rates in Europe. Infant mortality rate and nutrition status are closely linked to poverty level. ... Malnutrition is a serious concern affecting 22% of children. Although government action in health promotion and preventive care is improving, the primary health care system still suffers from limited resources, poor financing mechanisms, unreliable data and lack of standards and equipment. Health is especially poor in the north and in rural areas due to poverty and inadequate health facilities.” [30a] (The children)

See subsection [Health and welfare](#)

25.03 Albania signed the UN Convention on the Rights of the Child (UNCRC) on 26 January 1990 and it was ratified on 27 February 1992 entering into force on 28 March 1992. On 5 February 2008, Albania signed the Optional Protocol to the UNCRC on the Sale of Children, Child Prostitution and Child Pornography, which was ratified on 5 March 2008

and the Optional Protocol on Involvement of Children in Armed Conflict, signed on 9 December 2008 and ratified on 5 March 2008. (UN Treaty Body Database, accessed 22 February 2011) [10c]

## Basic legal information

### National law and policies on minimum ages

25.04 The Right to Education project (RTE), on its Albania country page recorded the following:

#### **“Minimum age for the end of compulsory education**

47. [...] A child finishes obligatory education at the age of fourteen or fifteen years, depending on the age when he has started school.

388. The preparation of children to pursue compulsory 8-year education takes place while they go to kindergartens [...] to which children aged 3-6 are admitted.

396. Children pursue compulsory education after they attain the age of 6 years.

#### **“Minimum age for admission to employment**

48. Under Articles 98 and 99 of the Labour Code, children are admitted for employment at the minimum age of 16 years. Children aged 14-18 may be employed to do light work during school vacations. The Council of Ministers defines light work and establishes the working hours.

#### **“Minimum age for marriage**

47. [...] Under the family law, any female who has attained the age of sixteen years and any male who has attained the age of eighteen years are entitled to marry.

#### **“Minimum age for criminal responsibility**

52. A child faces criminal responsibility for criminal offences after he attains the age of fourteen years, and for criminal transgressions after he attains the age of sixteen years.” [32a]

#### **“Minimum age for voting**

Every Albanian citizen who has reached the age of 18 on or before the election date.” (The electoral code of the republic of Albania, Accessed 22 February 2011) [33a]

25.05 The Coalition to Stop the Use of Child Soldiers, in ‘The Child Soldiers Global Report 2008’, undated, reported that the:

“Voluntary recruitment age was 18; that the compulsory recruitment age was 19 and that there were no reports of under-18s serving in the armed forces.” [35a]

25.06 War Resisters’ International (WRI) reported on 22 August 2008 that:

“From 1 January 2010, Albania will no longer have compulsory military service. The initiative is part of the reforms required by NATO, which the country hopes to join after meeting the Alliance's requirements.” [37a]

See [Military service](#)

## LEGAL RIGHTS

25.07 The US Department of Labor's [2008 Findings on the Worst Forms of Child Labor](#), released 10 September 2009 stated that:

“The law sets the minimum age of employment at 16 years, at which time individuals may perform “easy jobs” not harmful to their health and growth ... Children as young as 14 years may receive vocational training and may be employed during school holidays... Difficult jobs, those that pose danger to an individual's “health and personality,” are prohibited for anyone under 18 years of age, as is work from 10 p.m. to 6 a.m. ... Those who employ persons under 18 years to work longer than 6 hours per day or who employ those 16 to 18 years of age to jobs that harm their health and growth are subject to fines.” [31a] (p4)

“The law forbids forced labor by any person, except in cases of the execution of a judicial decision, military service, or for service during a state emergency or war. [31a] (p5)

See paragraph [26.06](#) and [Military service](#)

25.08 The US Department of Labor stated that:

“Intercourse with minor girls, child sex abuse, prostitution with minors, and child pornography are all prohibited, with fines and terms of imprisonment. The punishment for child prostitution in Albania is 7 to 15 years imprisonment. The law prohibits child trafficking with penalties of 7 to 15 years imprisonment. In January, the Penal Code was amended, which, according to ILO-IPEC, includes clear penalties for perpetrators of certain acts involving children, including trafficking, child labor, pornography, and maltreatment. According to USDOS, the Code now categorizes “exploitation of children for labor or forced services” as a penal crime.” [31a] (p5)

See also [Legislation of Interpol member states on sexual offences against children](#) [34a]

25.09 UNICEF, in a media release dated 4 November 2010 stated that:

“Today the Albania Parliament approved the ‘Law on the protection of the Rights of the Child’, with 131 votes in favor. There were no objections or abstentions. It translates the CRC into domestic law and defines mechanisms for its monitoring. Chairpersons of the various involved parliamentary committees, the Minister of Social Affairs and the Minister of Education, as well as delegates from across the political spectrum took the floor in support.

Speakers noted that in passing of this law:

- Albania's moves forward in meeting its obligations towards CRC implementation;
- A recommendation of the UN Committee on the Rights of the Child is being fulfilled;



- The rights of the child are now linked to specific institutional obligations.” [30c]

25.10 The media release continued:

“The child rights law deal with the rights to good education, quality health services, social and legal services; prohibition of all forms of discrimination and abuses against children; justice for children; and effective data collection and information systems to track progress and inform policy related to children. “ [30c]

25.11 The Albanian Coalition “All Together Against Child Trafficking” (BKTF), in a press release dated 5 November 2010 stated that:

“The approval of this law marks a significant achievement for the protection of the rights of all the Albanian children through a complete legal and institutional framework in accordance to the Albanian Constitution and the Convention on the Rights of the Child (CRC), The Law lays the ground for the establishment of the appropriate institutional mechanisms that will guarantee and ensure respect for the rights of children by the individual, the family, the state or other third party entities.

“The Law provides all the necessary measures for guaranteeing the survival, life and the development of the child through a coordinated approach amongst various child rights and child protection stakeholders. It is expected that this law will significantly improve the child protection system in Albania by institutionalizing the Child Protection Units as the apposite local level structures responsible for coordinating the provision of child protection services and case management, in collaboration with a number of multi-disciplinary actors. Child Protection Units have been successfully piloted over the last three years by civil society organizations and are already functioning in 13 municipalities and 4 communes around Albania.” [43a]

For further information, see [Child Rights Information Network \(CRIN\): Albania](#). [36a]

## VIOLENCE AGAINST CHILDREN

25.12 The USSD Report 2009 stated that:

“As in previous years, child abuse, including sexual abuse, occurred occasionally, although victims rarely reported it. Trafficking of girls for commercial sexual exploitation was a problem. Children were also trafficked to Greece and Kosovo and within the country for begging and other forms of child labor in both formal and informal sectors.” [2b] (Section 6)

See [Legal rights](#) and [Trafficking](#)

## CHILD LABOUR

25.13 The US Department of Labor stated that:

“Children in Albania work as street or shop vendors, farmers or shepherds, vehicle washers, textile factory workers, or shoeshine boys. Children can also be found working as beggars and drug runners. In Bater, Bulqiza, Borje, and Klos, children 16 and 17 years of age work in chromium mines. The majority of children working on the streets are boys, and the majority of children working in factories are girls. In inspected factories, more than 70 percent of underage workers were girls.” [31a] (p4)



See [Legal rights](#)

25.14 Regarding child labour, the USSD Report 2009 stated that:

“The law criminalizes exploitation of children for labor or forced services; however, the government did not enforce the law effectively. According to a CRCA estimate released during the year, more than 50,000 children under 18 years of age worked either full or part time. The CRCA reported that the majority of child laborers worked as street or shop vendors, beggars, farmers or shepherds, drug runners, vehicle washers, textile factory workers, miners, or shoeshine boys. Research suggested that begging, whether forced or not, started at a young age--as early as four or five years--and was related to poverty and discrimination. Police generally ignored these practices. In January 2008 the criminal code was amended to include the exploitation of children for begging as a separate criminal offense.” [2b] (Section 7)

25.15 The same report continued:

“The law sets the minimum age of employment at 14 years and regulates the amount and type of labor that children under the age of 18 may perform. Children between the ages of 14 and 16 may work legally in part-time jobs during summer vacation; children between the ages of 16 and 18 can work throughout the year in certain specified jobs. The law provides that the Ministry of Labor, Social Affairs, and Equal Opportunity is responsible for enforcing minimum age requirements through the courts; however, there were no reports that enforcement took place. Labor inspectors generally only investigated the formal labor sector, whereas most child labor occurred in the informal sector. The majority that they inspected were shoe and textile factories. ... The government, together with several NGOs and international donors, had some specific programs aimed at preventing illegal child labor.” [2b] (Section 7)

## CHILDCARE AND PROTECTION

25.16 The US Department of Labor’s [2008 Findings on the Worst Forms of Child Labor](#), released 10 September 2009 stated that:

“Albania is a source country for children trafficked for commercial sexual exploitation and forced labor. Albanian children are trafficked domestically and to Greece for begging and other forms of child labor. Roma and Egyptian children are at greatest risk for trafficking. Reports indicate that street children may be involved in forced prostitution.” [31a] (p4)

25.17 The NGO, End child prostitution child pornography and trafficking of children for sexual purposes (ECPAT International), in a report dated September 2009 stated that:

“In Albania, due to the strengthening of law enforcement agencies via trainings, coordination has improved among government agencies.” [38a] (p46)

25.18 The USSD Report 2009 stated that:

“Displaced and street children remained a problem, particularly Romani children, who made up 90 percent of street children. Street children begged or did petty work; some migrated to neighboring countries, particularly during the summer. These children were at highest risk of internal trafficking and some became trafficking victims.” [2b] (Section 6)

- 25.19 The Mario Project, in an [Observation report: Exploitation of Albanian children in street situation in Kosovo](#), December 2010, stated that:

“After the 1999 Kosovo war, a new phenomenon of Albanian children in street situations moving from Albania to Kosovo was noticed. These children and their families, who migrate to Kosovo mainly for begging or collecting metals purposes face challenging socio-economic situations that compound their further marginalization, social exclusion and deprivation from proper child protection and access to social services. These children are also likely to be exposed to the risk of exploitation by organized crime circles for sexual and forced labor purposes. This phenomenon however has not been properly documented by any comprehensive data and/or analysis in either Albania or Kosovo.” [39a] (p2)

- 25.20 The report continued:

“Albanian and Kosovo authorities will often cooperate when the issue of an Albanian child begging becomes an issue for deportation; however the institutional cooperation between the two countries should take the form of an integrated approach towards managing the cases of these children in order to effectively prevent and address this phenomenon. In both countries, Terre des homes (Tdh) delegations and Save the Children Albania are working to develop coordinated child protection safety nets that offer protection to children against various forms of abuse including violence, neglect, exploitation, and/or trafficking. Tdh supports the child protection work and efforts of the national duty-bearers through capacity-building and via encouragement of synergies between the various protection actions undertaken by a diverse number of multi-disciplinary actors.” [39a] (p2)

See [Trafficking, Children - Childcare and protection](#) and

See also the [Regional report on the implementation of UNICEF Guidelines on the protection of the rights of child victims of trafficking: Assessment of the situation in Albania, Kosovo and the Former Yugoslav Republic of Macedonia, 2010](#) for further information. [39b]

## ORPHANS

- 25.21 Amnesty International, in a report *In Search of Shelter: Leaving Social Care in Albania, 20 May 2010*, stated that:

“In the Albanian language, the word for orphan (jetim) has a range of meanings. A child is an orphan if both parents have died or one parent has died, especially if the dead parent is the father (often the family’s only breadwinner). In addition, in colloquial use all children in state orphanages (Children’s Homes) or private institutions providing residential care are generally referred to as orphans (and often refer to themselves as orphans), although the more accurate term is “children deprived temporarily or permanently of parental care”. Nowadays the great majority of these children have a living parent or parents, who for various reasons are temporarily or permanently unable or unwilling to care for them. Children whose parents have both died (in Albania sometimes referred to as “biological orphans”) are generally adopted.

“Further, in Albanian colloquial use and in legal terminology an orphan is not necessarily a child (a person under 18 years), but may also be an adult. Albanian law recognizes orphan status and grants certain rights, including the right to priority with housing, to

people with this status up to the age of 25 (and beyond this age, in certain circumstances). Orphan status and the rights deriving from it are not granted to children with a living parent or parents, unless the latter have been deprived of their parental rights by a court, or have abandoned the child.” [26f] (p5)

25.22 The same report, in its concluding remarks stated that;

“International law makes the state responsible for providing “special protection and assistance” to children deprived of parental care. International standards, as set out in the UN Guidelines on Alternative Care for Children, also require states to provide individual assistance to such children in their transition to independence and to give them the educational and vocational means to become financially independent. In practice, in Albania the failure to fully meet these standards means that as they reach adulthood many cannot, without state assistance, obtain adequate housing. Employment and housing are both scarce, and many do not have the qualifications and skills to obtain employment providing a salary that enables them to afford adequate housing on the open market, as well as other living expenses. These disadvantages are common not only to young people raised in state orphanages and sent to vocational boarding schools, but also to a significant number of young people raised in private institutions.” [26f] (p33)

25.23 While there have been improvements in the treatment of ‘orphans’, for example, Law No. 9355, dated 10.03.2005 “On Social Aid and Services” which defines measures to provide assistance and social services to individuals and groups in need due to limited economic opportunities and their limited, physical, psychological and social skills, including children [22B] (P58) and a Decision of the Council of Ministers (DCM) No. 419, dated 19.06.2003, ‘For Treatment of Orphans with Healthcare and Medications’, which stipulated that persons who have the status of an orphan and are not employed, are entitled to free healthcare and free medications. [22b](p93)

25.24 As a result of its research, Amnesty International sent a memorandum to the Albanian government in November 2009, [Orphans and other children deprived of parental care – Amnesty International’s concerns](#) in which, while recognising that some progress had been made also outlined continuing concerns. [26g]

## EDUCATION

25.25 UNICEF, on the Albania country page stated that:

“Many parents do not understand the importance of children’s pre-school years, especially in poor areas of the north and overcrowded informal settlements that have sprung up around the capital since 1991. Believing that education begins at school, they fail to offer appropriate stimulation for young children, and physical punishment is common. Children’s access to quality pre-school education has fallen dramatically.

“Since the 1990s, 15,000 pre-school teachers have been dismissed and 1,736 pre-schools have closed nationwide, 72 per cent of them in rural areas. Almost every child attended pre-school during the Communist period, but in 2003, only 44 per cent of children attend nationwide.

“This figure falls to 13 per cent in rural areas. As funding and standards have declined, so has the quality of services in crèches and kindergartens. Inadequate pre-schooling

reduces primary school enrolment, undermines children's healthy development and hinders their ability to succeed in school." [30a] (The children)

25.26 In its Country Profile for Albania, accessed on 10 December 2010, Europa World noted:

"Education in Albania is free and compulsory for children between the ages of six and 14 years. Enrolment at pre-primary schools included 47% of children in the relevant age-group (males 47%; females 47%) in 2004. In that year enrolment at primary schools included 94% of children in the relevant age-group (males 94%; females 93%), while, according to UNESCO estimates, secondary education enrolment included 73% of children in the appropriate age-group (males 74%; females 72%). In 2007/08 a total of 90,202 students were enrolled at Albania's institutions of higher education. Spending on education accounted for some 10.6% of government expenditure in 2004 (equivalent to some 3.0% of GDP). In October 2006 the European Investment Bank announced that it was to provide funds of €12.5m. to support the reform of education infrastructure and management in Albania." [1a] (education)

25.27 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), released on 11 March 2010, noted:

"The law provides for nine years of free education and authorizes private schools. School attendance is mandatory through the ninth grade or until age 16, whichever comes first; however, in practice many children left school earlier than the law allowed to work with their families, particularly in rural areas. Parents had to purchase supplies, books, uniforms, and space heaters for some classrooms, which was prohibitively expensive for many families, particularly Roma and other minorities. Many families also cited these costs as a reason for not sending girls to school.

"According to 2007-08 Ministry of Education figures, public school secondary school enrollment (ages 15 to 18 years) for both boys and girls was 96.7 percent, primary school attendance (ages six to 14 years) was 99.1 percent, and the school dropout rate was 0.9 percent. In December the ministry announced a new program designed to decrease the dropout rate further by providing textbooks on a reimbursement basis for qualifying families and transportation to and from school." [2b] (Section 6)

25.28 UNICEF, in discussing the situation in regards to adolescents reported that:

"Enrolment in vocational secondary schools has fallen by 89 per cent, while in general secondary schools it has increased by 24 per cent

40 per cent of employed young people have only temporary or occasional jobs

The percentage of juvenile offenders (14-to-18-year-olds) declined from 1 per cent in 1992 to 0.3 per cent in 2002

2001 population census suggest that 20 per cent of the 15-24 age group has left the country." [30a]

## HEALTH AND WELFARE

25.29 The Republic of Albania, Ministry of Foreign Affairs, *Convention on the Rights of the Child, Second, Third and Fourth Periodic Report*, November 2009 stated that:

“Health care is provided through a vast network of primary health care centers, polyclinics and hospitals for outpatient specialized cases in 36 districts of the country. Public health services and promotion of health education are offered in the context of primary health, and are supported and supervised by the Institute of Public Health (IPH). In the primary care system, service for children starts in the rural areas where ambulances employ mid-level qualified staff, such as nurses and midwives. These ambulances provide basic health services in prevention and treatment of diseases of the rural population, including children. The package of these services, which was revised in January of 2009, included care for mothers and children. The ambulances provide regular care for women during pregnancy, child birth at the birth home (if there is one at these ambulances), care after birth, vaccinations, first aid emergency and referral services, home visits, health promotion and health education for these categories, etc.” [22b] (p82)

25.30 The report continued:

“For the first time ever, health centers have been established which serve the local populations through teams of specialized doctors contracted by the health insurance system. These teams offer a package of well-defined health services. The goal of these health centers is to provide quality health services to all the population in the area covered by the center. In accordance DCM No. 857, dated 20.12.2006, care for mothers and children, and health education and promotion should be a part of this package.” [22b] (p82)

25.31 A report from the Xinhua News Agency dated 21 November 2009 reported that:

“The United Nations Children's Fund (UNICEF) praised Albania for what it has done to protect and promote children's rights during the past 20 years. “There are many improvements, including improved health services for children and higher enrolment in schools,” UNICEF's Albanian branch said in a press release. However, there is much more to be done, especially when Albania is preparing for European integration, the release said. A latest living standard survey indicated that 12.4 percent of all Albanians still live in poverty, and half of them are children. One recent demographic and health survey found that one out of six children in Albania are stunted or too short for their age.” [44a]

25.32 UNICEF, on its Albania country page, undated, reported that “Health statistics show real improvement over the past several years, and health professionals are increasingly adopting holistic and preventive care strategies.” [30a]

See [Medical issues – Mental health](#)

A comprehensive collection of data including mortality rates and the effect of common illnesses on specific [population groups can be found on the World Health Organisation (WHO) - [European health for all database \(HFA-DB\)](#) [45a]

## DOCUMENTATION

25.33 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), published on 11 March 2010, stated:

“In general, parents must register their children in the same community where they registered. However, according to the Children's Rights Center of Albania (CRCA),



children born to internal migrants frequently had no birth certificates or other legal documentation and, as a result, were unable to attend school.” [2b] (Section 6)

25.34 Immigration Translation Services, a company that provides certified translations for the U.S. Immigration (U.S. Citizenship and Immigration Services – USCIS) stated that:

“A typical Albanian birth certificate contains your first, middle, and last name, maiden name (if you married and changed your last name), sex (gender – male or female, or boy or girl), your father’s and mother’s name, date of birth, place of birth, name of issuing agency and place of registration, name and title of signing officer.

“Some Albanian birth certificates may have additional information and data such as: nationality, ages, and professions of father and mother, paternal and maternal grandfather and grandmother information, addresses (residences) of father, mother, and grandparents.

“In many cases, civil service office of municipality is authorized to issue birth certificates, marriage certificates, and similar civil registration documents in Tirana, Skopje, or in other cities.

“If you lost your Albanian birth certificate or need a new certificate of birth for a newborn, you may contact Consular Services...” [40a]

Further background information on registration documents can be found at <http://www.unhcr.org/refworld/country,,IRBC,,ALB,4562d8b62,474e89541e,0.html> [10d] and The University of Geneva report [Demographic Data in Albania, Results of an Assessment](#), 10 January 2008. [42a]

25.35 Further information, including relevant data can be found at the following.

See [Albania: Children's Rights References in the Universal Periodic Review](#), 2 December 2009, for a useful compilation of extracts featuring child-rights issues from the reports submitted to the United Nations first Universal Periodic Review. [36b]

See the [Annex](#) to the First, Second, Third and Fourth Periodic Report, November 2009 (see paragraph [26.28](#)) which contains relevant data concerning the situation of children in Albania. [22c]

A wide range of demographic data, updated 3 March 2010, with particular reference to children can be found at [UNICEF – statistics](#). [30b]

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## 26. TRAFFICKING

26.01 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), published on 11 March 2010, stated:

“The law prohibits trafficking in persons for all purposes and provides penalties for traffickers; however, individuals and organized crime syndicates trafficked persons, particularly women and children, from and within the country. The country was a source country for men, women, and children trafficked for the purposes of sexual exploitation



and forced labor, including forced begging and agricultural work. Victims were trafficked primarily to Greece, but also to Italy, Macedonia, Kosovo, Spain, France, the United Kingdom, and other West European countries as well as within the country.

“Trafficking in persons is punishable by law, with criminal penalties ranging from five to 15 years in prison for sex trafficking offenses and from four to 15 years for labor trafficking. Fines from 50,000 to four million lek (\$500 to \$40,000) accompany prison sentences in criminal cases. Civil remedies are also available. During the year the government increased its investigations and prosecutions for trafficking in persons offenses.” [2b] (Section 6)

See paragraph [26.07](#)

26.02 The report continued:

“The government continued its slow implementation of the national action plan to provide services to victims of trafficking. The government provided limited services to trafficking victims, operating a shelter near Tirana; however, it did not provide financial assistance to the four nongovernment shelters.

“The National Strategy on the Fight against Trafficking in Human Beings was the primary vehicle through which the government addressed trafficking. Through the strategy, the government offered training to 270 personnel and sponsored dozens of public awareness campaigns during the year to prevent trafficking.” [2b] (Section 6)

26.03 The US Department of State *Trafficking in Persons Report 2010* (USSD TIP Report 2010): Albania, published on 14 June 2010, reported in greater depth and stated that:

“Albania is a source country for men, women, and children subjected to trafficking in persons, specifically forced prostitution and forced labor, including the forced begging of children. Albanian victims are subjected to conditions of forced labor and sex trafficking within Albania and Greece, Italy, Macedonia, Kosovo, and Western Europe. Approximately half of the victims referred for care within the country in 2009 were Albanian; these were primarily women and girls subjected to conditions of forced prostitution in hotels and private residences in Tirana, Durrës, and Vlora. Children were primarily exploited for begging and other forms of forced labor. There is evidence that Albanian men have been subjected to conditions of forced labor in the agricultural sector of Greece and other neighboring countries.

“The Government of Albania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to improve its capacity to identify, protect, and reintegrate trafficking victims. It also successfully prosecuted some sex trafficking offenders, leading to significant penalties imposed on them during the reporting period. In March 2009, the government approved an amendment to the Social Assistance law which will provide victims of trafficking with the same social benefits accorded to other at-risk groups in Albania and provide government funding for shelters.” [2d]

## Trafficking Routes

26.04 The Protection Project, in its report *A Human Rights Report on Trafficking in Persons, Especially Women and Children*, 5 October 2010 stated that:

“Albania is a country of origin of trafficking victims, mainly to Greece, Italy, Belgium, United Kingdom, as well as within Albania. In the last few years, Albania has increasingly become a transit country for men, women, and children, recruited into the trafficking chain, coming from Eastern Europe. In 2007; Greece was reported as the main destination for trafficked victims transited, from or through, Albania. The traffickers primarily use land routes and falsified documents to transfer their victims across borders. Kidnapping and deception of young women and girls for commercial sexual exploitation remains the main “recruiting” method used by traffickers. Once transported to the destination country, they are forced into prostitution and are brutally abused. The trafficking in children to Greece can be divided in trafficking for sexual exploitation and begging related forms of labor.” [47a]

26.05 The report continued:

“Due to its vicinity to Western Europe, especially Greece and Italy, and its proximity to North Eastern bordering countries, Albania has been used as a main trafficking route and hub for traffickers.... Other common factors contributing to trafficking in persons in Albania are economic disparity, inadequate border control, widespread corruption, and lack of opportunities and education for young people, particularly women. The poverty—especially in rural areas—has created a sense of desperation and hopelessness among young women and girls, making them vulnerable to the false promises and deception used by traffickers. [47a]

## Prosecution

26.06 The USSD TIP Report 2010 observed that:

“The Government of Albania sustained its anti-trafficking law enforcement efforts during the reporting period. Albania criminally prohibits sex and labor trafficking through its penal code, which prescribes penalties of 5 to 15 years’ imprisonment. These penalties are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. The State Police and Serious Crimes Prosecution division reported investigating a combined 35 suspected traffickers in 2009. The government prosecuted 31 suspected trafficking offenders in 2009, convicting 11 of them; this contrasts with 26 trafficking offenders convicted in 2008 and seven in 2007. All of the prosecutions and convictions involved sex trafficking of women or children. In 2009, sentences imposed on convicted trafficking offenders ranged from 5 to 16 years’ imprisonment. Pervasive corruption in all levels and sectors of Albanian society seriously hampered the government’s ability to address its human trafficking problem, according to local observers. While there were no prosecutions of trafficking-related complicity initiated, the Supreme Court overturned convictions of traffickers in two cases in 2009, raising concerns regarding the court’s impartiality. In January 2009, the government reported it doubled the number of police investigators to investigate trafficking.... The government also continued its anti-trafficking training for 200 judges, prosecutors, and judicial police officers.” [2d]

26.07 The Protection Project report noted that:

“The Criminal Code of the Republic of Albania, which was enacted in a consolidated version in 2004, recognizes trafficking in persons as a criminal offense. Article 110/1 defines trafficking as ““Recruitment, transport, transfer, hiding, or reception of persons through threat or the use of force or other forms of compulsion, kidnapping, fraud, abuse of office, or taking advantage of social, physical, or psychological condition or the giving or receipt of payments or benefits in order to get the consent of a person who

controls another person, with the purpose of exploitation of prostitution of others or other forms of sexual exploitation, forced services or work, slavery or forms similar to slavery, putting to use or transplanting organs, as well as other forms of exploitation.” The punishment for this crime is imprisonment for 5 to 15 years, with a fine of 2 million to 5 million lek. The organization, management, and financing of the trafficking of persons are punishable by imprisonment of 7 to 15 years, with a fine of 4 to 6 million lek.

“The exploitation of children for labor, begging, or other forced services are also criminalized under the 2004 Criminal Code. Exploiting a child to forced labor or similar occupation is a criminal act and is punished by imprisonment for a term up to one year and a fine ranging from 50 thousand to 1 million lek. This article also criminalizes the sale of a child as means for organ donation, or illegal adoption, for purposes of profit. The crime is punished by imprisonment of up to 7 years.” [47a]

### **Assistance to victims of trafficking**

26.08 The USSD TIP Report 2010 stated that:

“The Government of Albania took some steps to improve its efforts to identify and protect victims of trafficking victims in 2009. The government implemented its National Referral Mechanism and conducted meetings with relevant stakeholders to improve its functioning. ... In January 2010, it approved a draft law to provide social assistance to trafficking victims bridging the time that they leave the shelters until they find employment. NGO-managed shelters continued to rely primarily on international donor funds in order to provide comprehensive services to trafficking victims. The government continued to fund and operate a reception center that housed both victims of trafficking and irregular foreign migrants identified within Albanian territory; however, victims’ freedom of movement is often restricted in this high-security center. ...” [2d]

26.09 The report continued:

“The government encouraged victims to participate in investigations and prosecutions of trafficking offenders; however, victims often refused to testify, or they changed their testimony as a result of intimidation from traffickers or fear of intimidation. In some cases in 2009, the police offered no protections to trafficking victims when testifying against their traffickers, forcing victims to rely exclusively on NGOs for protection. ... The General Prosecutor’s office did not request witness protection for victims of trafficking in 2009.” [2d]

26.10 With regards to the prevention of trafficking, the USSD TIP Report 2010 noted that:

“The National Coordinator’s office continued to manage regional anti-trafficking working groups comprised of relevant stakeholders in 2009. These working groups, however, reportedly do not always include civil society actors and they did not efficiently address trafficking cases brought to their attention.... In November 2009, the government passed legislation to improve the registration process for new births and individuals in the Roma community; previous cumbersome procedures rendered unregistered Albanians and ethnic Roma highly vulnerable to trafficking.” [2d]

26.11 In regard to the situation concerning trafficked women who have returned or, been returned, to Albania, in a searching publication ‘Trafficking and Human Rights: European and Asia-Pacific Perspectives’ 30 September 2010: Edited by Leslie Holmes,

Chapter 6. 'Between Social Opprobrium and Repeat Trafficking: Chances and Choices of Albanian Women Deported from the UK' by Stephanie Schwandner-Sievers stated that:

"Available figures and estimates regarding the Albanian trafficking issue sometimes appear to be stretched in opposite directions, according to conflicting political or other interests and sometimes to moralising attitudes that often bear little relation to the actual situation of transnational Albanian trafficking victims and sex workers. However, stereotypical attitudes, image anxieties and politically driven estimates can have a profound effect on the situation of those attempting to extricate themselves from their predicament and hoping to be given protection by the authorities back home after trafficking episodes. They can also be symptomatic of deeper problems, such as weak governance, that may affect the likelihood of protection. In particular, in Albania – as with many other countries – there still exists a problem of social 'shame' that causes discomfort within families, in wider society, and even on the national level, resulting in a preference for silence over open discussion of the serious issues ..." [48a]

26.12 The same publication continued:

"...the effects of deeply culturally embedded familism and corresponding stigma for Albanian women outside family protection and control, which effectively trap them in a 'social opprobrium' that renders the question of 'willing' or 'voluntary' re-trafficking redundant. The notion of victimhood in relation to trafficked women appears as the result of modernisation processes in Albania. Attitudes informed by cultural 'shame' that both criminalise and direct the blame onto the 'whores' themselves, regardless of a history of coercion or consensus, are still ubiquitous in wider social attitudes.

"Yet because of the prevalence of engrained corruption in conjunction with cultural familism there appear, so far, to be no alternative forms of societal or state protection and security options available to trafficked persons after their return to Albania – other than family reintegration. This is seen by all Albanian stakeholders in the anti-trafficking fight, as well as by the women themselves, as the only long-term option apart from remarriage or success in the asylum system." [48a]

See the [National strategy on combating trafficking in persons 2008-2010](#) [49a]

See [Women](#) and [Crime - Witness protection program](#)

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## 27. MEDICAL ISSUES

### OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

27.01 The Institute of Statistics, Institute of Public Health [Albania] and ICF Macro, in the *Albania Demographic and Health Survey (ADH) 2008-09* published in March 2010 stated that:

"The health system in Albania is mainly public. The state is the major provider of health services, health promotion, prevention, diagnosis and treatment. The private sector, which is still developing, covers most of the pharmaceutical and dental services, as well as some clinics for highly specialized diagnosis, mostly in Tirana and one or two other

major cities. The Ministry of Health (MoH) is the leader in health policy development and planning and in the implementation of health strategies.

“Diagnostic and curative health services in Albania are organized in three levels: primary health care, secondary hospital services, and tertiary hospital services. The public health services are provided within the framework of primary health care and are coordinated and supervised by the Institute of Public Health. Other national health institutions that report to the MoH and that provide specific services are: the National Centre for Blood Transfusion, the Centre for Child Development and Growth, the National Centre for the Quality, Safety and Accreditation of Health Institutions, the National Centre for Drug Control, the Centre the Continuing Education, and the National Centre of Biomedical Engineering.” [50] (p4)

#### 27.02 The ADH Survey continued:

“The main mission of the Primary Health Care (PHC) system in Albania is to ensure that the population has the best possible health conditions, in accordance with the main goal of the MoH, ‘Health for All’. PHC services at the community level represent the first level of access to health care. ... the second level of health care is provided by hospitals. There are over forty public hospitals in the country, including 22 District Hospitals, 11 Regional Hospitals, 4 University Hospitals, 1 University Trauma Centre, 2 Psychiatric Hospitals, and 1 National Centre for Child Development and Growth. With continuous support from both the government and donors, hospital infrastructure and medical equipment and supplies have improved substantially in recent years.” [50] (p5)

### PHARMACEUTICAL SERVICE

#### 27.03 The Ministry of Health in *An Overview of the Health Care System in Albania*, dated January 2009, reported that:

“The pharmaceutical service in Albania is mainly private. Essential parts of these services ... are: 3 local private manufacturers, 216 pharmaceutical warehouse, 1020 pharmacies, 210 pharmaceutical private agencies, 42 hospital pharmacies (which are the only ones that offer public service). This service aims to a rational usage of a number of effective drugs, safe and with high quality and to the availability and reasonable prices for all the population. Although this service is private, it is monitored rigorously from the Ministry of Health and National Center of Drugs Control. Compared to the past, Albania has now a high number of registered drugs. This number is being increasing in continuation. Up to now, are registered 3400 drug form-doses. (sic)

“Within the Ministry of Health ... [there are] two important Commissions ...

- the Drug Commission on Drafting and Reviewing the Reimbursement List, which once a year selects the drugs that are going to be reimbursed by the Health Insurance Institution (HII),
- The Drug Pricing Commission which, once a year approve(s) the maximal CIF (cost, insurance, freight) prices of imported drugs and for local manufactured drugs.

“As mentioned above, in Albania [there] exists the Reimbursement System, part of which is the Reimbursement List. The number of reimbursement drugs is 450.” [51a](p13)



27.04 A report from the Council of Europe, *Synthetic report on the national law of the beneficiary parties as to the tension between healthcare as a human right of all persons and the organisation of the coverage via social insurance* dated 29 September 2009, discussed the presence of a social health care scheme in which it stated that:

“In Albania, the social health care system is conceived as a social insurance. The law provides that health insurance is compulsory and covers all the citizens permanently living in the Republic of Albania as well as foreigners who work and have their insurance in Albania. Compulsory health insurance is non-profit and covers the following:

a) 50-100% of the drug price for drugs on the supported price list at the open pharmaceutical network;

b) The primary and secondary health care sectors (health centres and hospitals, both secondary and tertiary level). The financing of the primary health care is based on a “minimum benefit package” that health centre should deliver to the population in their area. The hospital sector is financed according to a historical budget. Capital investments are under the authority of the Ministry of Health.

“According to the law, the Health Insurance Institution (HII) is in charge to manage compulsory insurance money and to finance the public health sector. Private health insurances are presumed to offer supplementary coverage for co-payment of drugs, prosthesis, optic glasses, dental services and other ambulatory services, which are not covered by compulsory insurance. Private health insurance also covers the expenditures for treatment abroad. Actually, insurance commercial companies tend to create private health insurances, but there is not yet a real market of private health insurances.” [52a] (p2)

See [Pharmaceutical Pricing and Reimbursement Information - Albania 2009](#) [56a] and *Eurohealth* Volume 13 Number 1, 2007 [57a] for further background.

For further information on the Health service –overall situation, see: [Healthcare in Albania](#) [53a] and [Medical Services in Albania](#) [54a]

See [‘Health and Social Conditions of Older People in Albania: Baseline Data from a National Survey, 2010’](#) for information regarding treatment of the elderly in the health system. [55a]

See [Corruption](#)

## HEALTH SECTOR TRENDS IN ALBANIA

27.05 According to the Ministry of Health (MoH) *Health in Albania, National background report*, dated 2 April 2009:

“Albania seems not to have experienced a fall in life expectancy after dramatic political and economic changes. Despite the fact, that life expectancy at birth is lower than most of developed European countries, it is somewhat higher than most of the countries of Eastern and Central Europe. Healthy life expectancy is lower compared to EU countries, including the new members after 2004. Infant mortality remains high by EU standards, but is decreasing steadily. The same is true for child (under 5) mortality rate(s), while maternal mortality remains a concern and doesn’t show clear trends of decreasing. Infant mortality shows significant differences among districts. ...



“The epidemiological profile is changing: Levels of cardiovascular diseases, cancer and external causes of death are increasing. The burden of communicable diseases is decreasing in general terms, but some infections as HIV/AIDS are increasing. These diseases cause 0.5% of all deaths. There are 18 new cases of tuberculosis per 100 000. There are 0.7 new cases of HIV infection per 100 000. The rates of sexually transmitted infections (per 100 000 per year) are low compared to EU figures .... Brucellosis remains stable during the last two years after more than ten years of an apparent epidemic increase. Most of the vaccine preventable diseases are under control with several of them in the way of eradication. During the last year, anyway, were reported some cases of measles after four years of 0 cases. Viral Hepatitis is still a problem for the country. Gastroenteritis in children is decreasing with rates getting close to those of EU; the rate of children under 5 dying from diarrhea is 0.4 per 100 000.” [51b] (p13)

27.06 The report continued:

“Cardiovascular diseases are the leading causes of death; 52% of the total number of deaths. Within this group, the major killers are – ischemic heart disease: cause of 7% of the disease burden and 15% of all deaths: 128 deaths per 100 000; the indicator is lower than those reported by central and eastern European countries but higher than western European countries. Cancer is responsible for 14% of all deaths. ...

- There are 4 suicides or self-inflicted injuries per 100 000.
- Unintentional injuries are responsible for 43 deaths per 100 000 per year, a figure much higher than rates of western European countries.
- Injuries from road traffic accidents cause 12 deaths per 100 000.
- Respiratory diseases cause 6% of all deaths: 47 deaths per 100 000 populations.
- Smoking accounts for 22% of the disease burden. Alcohol consumption causes 6% of the disease burden. Obesity causes an estimated 10% of the disease burden, and physical inactivity, 5.3%.” [51b] (p14)

For further relevant statistical information see the European health for all database ([HFA-DB](#)), World Health Organization Regional Office for Europe, Updated: January 2011. [45a]

## HIV/AIDS – ANTI-RETROVIRAL TREATMENT

27.07 The Joint United Nations Programme on HIV/AIDS (UNAIDS) reported that:

“UNAIDS is present in Albania through the UN Theme Group on HIV/AIDS which was established in 2000. The Theme Group coordinates UNAIDS policies with country priorities and ensures that UNAIDS policies and best practices are adapted for Albanian needs and included in national policies and actions. Support is directed at HIV/AIDS national strategic planning, which resulted in the revision of the National Strategy on prevention of HIV/AIDS in Albania 2004-2010 which informed a new strategy 2009-2014, a law on HIV/AIDS prevention and the Technical Support Plan for HIV/AIDS in Albania. [25b]

## Prevention

“Albania is a low prevalence country with 290 reported cases as of the end 2008. However, Albania could face a rapid spread of the virus. The Albanian Government, in close collaboration with the UN and other partners, works to keep Albania a low HIV/AIDS prevalence country. UN technical and financial support to Government is focused on technical assistance, capacity building and preventive programmes. Expertise includes needs assessments, studies on bio-behavioral surveillance, reproductive health and also on support to resource mobilization. Albania receives financial support for prevention from the Global Fund Fifth Round and expertise is provided to the government for their new application. Improvement of surveillance and voluntary counseling and testing centres as well as awareness raising for risk groups need further support and attention. [25b]

## Treatment and care

“The UN in Albania is assisting Albanian Health Authorities to provide accessible, affordable and acceptable treatment for people living with HIV. Antiretroviral treatment is free of charge and offered only at the University Hospital Centre in Tirana. Technical assistance was provided to define appropriate antiretroviral therapy in line with the country’s epidemiological profile and available funds. Treatment is procured through UNICEF Albania Office at a discount price. Medical personnel are trained in Albania and abroad for treatment and care protocol. Training courses are also provided on HIV/AIDS surveillance and how to adapt treatment guidelines for the country.” [25b]

See [National AIDS Program, UNGASS \(United Nations Special Session on HIV/AIDS\), Country Progress Report, Reporting period: January 2008-December 2010](#) for further information. [59a]

## MENTAL HEALTH

### Mental health legislation

27.08 The WHO, in its report [National Survey on Public Attitudes to Mental Health - Albania 2009](#), undated, stated that:

“The Mental Health Act was approved by the Albanian Parliament in 1996. In that period it was considered to be a big step toward the institutional awareness on human rights of people with mental disorders. It provides a framework for compulsory examinations, admissions and treatment. Even though the public and institutional awareness on the importance of human rights in mental health has increased during the last years, the Act encounters considerable difficulties for implementation. After more than a decade from its approval, the legislative framework on mental health in Albania requires (a) revision, (b) development of normative acts and (c) awareness among key stakeholders in order to be implemented. [45c] (p25)

27.09 The latest WHO-AIMS report on the mental health system in Albania was published in 2006, it reported that:

“In Albania, the network of mental health facilities was composed of 2 mental hospitals, 34 outpatient facilities (2 of them for children and adolescents), 2 psychiatric wards in general hospitals, 5 day treatment facilities (3 of them for children and adolescents) and 2 community residential facilities. The number of beds in mental health facilities was 30.3 per 100.000 general population (Figure 1): 43% of all beds, the majority, were in mental hospitals (18.9 beds per 100.000); 15% were in general hospitals (6.5 beds); 1%

were in community residential facilities (0.5 beds); and 11% were in secure units (5 beds). The number of beds in mental hospitals decreased in the last four years (-13%). While no beds were reserved for children and adolescents in the mental hospitals and community residential facilities, 15 were set aside (0.5 per 100.000) in general hospitals for this population. In addition to beds in mental health facilities, there were also 424 beds (13.6 per 100.000) in residential facilities within or outside the health system that provide care for people with mental retardation and for people with substance abuse (including alcohol) problems.” [45b]

- 27.10 The WHO, in its report *National Survey on Public Attitudes to Mental Health - Albania 2009* outlined the existing situation:

“The mental health (psychiatric) services are organized in primary, secondary and tertiary health care sector. Traditionally, in Albania, the mental health care has been offered by centralized, biologically oriented and symptoms’ focused services. These services have been offering care mostly focused on inpatient services, not only as a technical approach, but also as a human resource allocation. During recent years, the typology of the existing psychiatric service network has started to change as a result of the Mental Health Sector Reform. New services, not known before, i.e. community mental health centers, supported accommodation homes, day care centers, etc., have been included as part of the public health care system. Also, changes have affected the responsibilities of existing staff, doctors and nurses, which have been joined by new professional profiles, such as psychologists, social workers, occupational therapists, etc. ...” [45c] (p21)

- 27.11 The report continued:

“Mental Health Services for Children and Adolescents, of all levels, are centralized only in Tirana, covering in this way only 1% of the children with mental health problems. Limited and centralized services, together with the lack of the specialized human resources in this field, are among the most important barriers towards effective treatment of mental health problems in children and adolescents, reducing also the possibility for promotion and prevention in this area. [45c] (p23)

See [Children – Health and welfare](#)

- 27.12 According to the Ministry of Health (MoH) *Health in Albania, National background report*, dated 2 April 2009:

“Mental health is another dimension of health affected by changes in Albanian population. Suicide rates, despite being lower than those reported by EU countries are steadily increasing. Neuropsychiatry disorders account for 20% of the total disease burden and 3% of all deaths.” [51b] (p14)

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## 28. HUMANITARIAN ISSUES

See [Recent developments - Floods in Albania - 2010](#)

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## 29. FREEDOM OF MOVEMENT

29.01 The US State Department *2009 Human Rights Report: Albania* (USSD Report 2009), published on 11 March 2010, stated:

“The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. ... Internal migrants must transfer their civil registration to their new community of residence to receive government services and must prove they are legally domiciled through property ownership, a property rental agreement, or utility bills. Many persons could not provide this proof and thus lacked access to essential services. Other citizens lacked formal registration in the communities in which they resided, particularly Roma and Balkan Egyptians. The law prohibits forced exile, and the government did not employ it.” [2b] (Section 2)

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## 30. FOREIGN REFUGEES

30.01 The US State Department 2009 Human Rights Report: Albania (USSD Report 2009), published on 11 March 2010, stated:

“The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.” [2b] (Section 2)

30.02 The United Nations High Commissioner for Refugees (UNHCR), provided statistical information which illustrated the numbers involved in terms of refugees and internally displaced persons (IDPs):

<b>Statistical Snapshot*</b>	
* As at January 2010	
<b>Residing in Albania [1]</b>	
<b>Refugees [2]</b>	70
<b>Asylum Seekers [3]</b>	20
<b>Returned Refugees [4]</b>	0
<b>Internally Displaced Persons (IDPS) [5]</b>	0
<b>Returned IDPs [6]</b>	0
<b>Stateless Persons [7]</b>	0
<b>Various [8]</b>	0
<b>Total Population of Concern</b>	90
<b>Originating from Albania [1]</b>	
<b>Refugees [2]</b>	15,711
<b>Asylum Seekers [3]</b>	1,592

80 The main text of this COI Report contains the most up to date publicly available information as at 28 February 2011. Further brief information on recent events and reports has been provided in the Latest News section to 25 March 2011.

<b>Returned Refugees [4]</b>	0
<b>Internally Displaced Persons (IDPS) [5]</b>	0
<b>Returned IDPs [6]</b>	0
<b>Various [8]</b>	0
<b>Total Population of Concern</b>	<b>17,303</b>

1. Country or territory of asylum or residence. In the absence of Government estimates, UNHCR has estimated the refugee population in most industrialized countries based on 10 years of asylum-seekers recognition.

2. Persons recognized as refugees under the 1951 UN Convention/1967 Protocol, the 1969 OAU Convention, in accordance with the UNHCR Statute, persons granted a complementary form of protection and those granted temporary protection. It also includes persons in a refugee-like situation whose status has not yet been verified.

3. Persons whose application for asylum or refugee status is pending at any stage in the procedure.

4. Refugees who have returned to their place of origin during the calendar year. Source: Country of origin and asylum.

5. Persons who are displaced within their country and to whom UNHCR extends protection and/or assistance. It also includes persons who are in an IDP-like situation.

6. IDPs protected/assisted by UNHCR who have returned to their place of origin during the calendar year.

7. Refers to persons who are not considered nationals by any country under the operation of its laws.

8. Persons of concern to UNHCR not included in the previous columns but to whom UNHCR extends protection and/or assistance.

9. The category of people in a refugee-like situation is descriptive in nature and includes groups of people who are outside their country of origin and who face protection risks similar to those of refugees, but for whom refugee status has, for practical or other reasons, not been ascertained. The data are generally provided by Governments, based on their own definitions and methods of data collection. A dash (-) indicates that the value is zero, not available or not applicable.

Source: UNHCR/Governments.

Compiled by: UNHCR, FICSS. [10e]

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## 31. CITIZENSHIP AND NATIONALITY

31.01 Albanian citizenship is determined according to the [Law on Albanian Citizenship](#), No. 8389, dated 5 August 1998. (LegislationOnline, accessed 22 February 2011) [75b]

### Passports and ID cards

31.02 An article in SETimes.com. dated 15 July 2008, accessed 22 February 2011) stated that:

“Interior Minister Bujar Nishani announced on Monday (July 14th) that Albanians will receive new electronic ID cards and biometric passports by February.”We are ready to start issuing these important documents early next year, and they will be needed by any citizen who wants to obtain an official document from state institutions," Nishani said during a meeting of the parliament's integration committee. Provision of electronic IDs and of biometric passports is among the tasks Albania must fulfil to meet the European Commission's definition of democratic elections and the free movement of people outside the country.” [72b]

Examples of current Albanian passports and Identity cards can be found at [Albania: General Directorate of Civil Status at the Interior Ministry](#) (Drejtoria e Pergjithshme e Gjendjes Civile). [79a]

## Greeks

31. 03 The International Observatory on Statelessness reported that:

“An unknown number of the Greek minority in Albania lack citizenship. Most of them live in a southern region called northern Epiros, referring to the historical state of Epirus which was divided between Albania and Greece in 1913. Greeks were harshly affected by the communist regime’s attempts to homogenize the population. In 2006, the Greek government decided to allow Greeks in Albania to obtain dual citizenship. The number who has obtained Greek passports as a result of the decision is not known.” [41a]

See the EUDO Citizenship Observatory [Country Report: Albania](#) for comprehensive information on Citizenship both current and historical. [78a]

See [Constitution](#)

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## 32. FORGED AND FRAUDULENTLY OBTAINED OFFICIAL DOCUMENTS

32.01 The Immigration and Refugee Board of Canada (IRB) noted in a Response to Information Request (RIR), dated 16 October 2006, that:

“In October 2005, the Albanian Telegraphic Agency (ATA) reported the takedown of a "mega laboratory" in Albania that was forging various travel documents, including passports and visas, as well as American Green Cards, unspecified ID cards, bank cards and telephone cards (7 Oct. 2005). During the raid about 1,000 passports from 29 countries, including Canada, the United States, and Australia were confiscated (ATA 7 Oct. 2005). Additionally, a number of border passage stamps for Greece and Italy were found, as well as stamps from the Albanian consulate in Washington, other unnamed Albanian ministries, and entry and exit stamps for Rinas Airport (ibid.). The Associated Press (AP) also reported that the same police operation involved the arrest of nine individuals, including four Tirana airport law enforcement agents, three other airport officials and two tourism agency owners who were all charged for forging travel documents and selling them to prospective illegal migrants (7 Oct. 2005).” [10f]

See [Corruption](#) and [Trafficking](#)

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## 33. EXIT AND RETURN

33.01 The Country of Return Information (CRI) Project, in the *Albania: Country Sheet*, May 2009, stated that:

“In March 2005, Albania signed the agreement between the European Community and the Republic of Albania on the readmission of persons residing without permission (illegal residents), through which an EU Member State can ask Albania to readmit any of its nationals. The purpose of the agreement is to establish rapid and effective procedures for the identification and return of persons residing without authorization on



the territories of one of the Member States. Since 1 January 2008, Albanian citizens enjoy the benefits of a visa facilitation agreement with the European Union. This agreement provides simplified procedures for issuing visas, including a visa fee waiver for a broad range of categories of citizens including students, sportsmen and sportswomen, cultural workers, journalists, people visiting family members living in the EU, people in need of medical treatment, businessmen etc. ...The EU initiated further steps towards the liberalisation of its visa regulations when on 28 January 2008 the General Affairs and External Relations Council asked the Commission to present a detailed roadmap. The roadmap should set clear and transparent conditions for countries in the region to get further visa alleviations. In March 2008, the dialogue on visa liberalisation with Albania was launched, and in June 2008 the Roadmap document was officially installed.” [80a]

33.02 An article in SETimes.com. dated 15 December 2010, accessed 22 February 2011) stated that:

“Bosnian and Albanian citizens are free to travel without visas within Schengen Zone countries as of Wednesday (December 15th). All holders of biometric passports are eligible for the visa-free regime, which does not give them right to settle or work in these countries. The EU decided to scrap visa requirements for citizens of BiH and Albania on November 8th. Thus, Kosovars are the only people in the Western Balkans who need visas to enter the EU. Macedonia and Serbia were included in the regime last December.” [72c]

See [Freedom of movement](#)

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## 34. EMPLOYMENT RIGHTS

34.01 The US State Department 2009 Human Rights Report: Albania (USSD Report 2009), published on 11 March 2010, stated that:

“Workers have the right to form independent unions and they exercised this right in practice ... The law provides the right to strike for all workers except civil servants, and workers exercised this right in practice. ... The law prohibits strikes that courts judge to be political. Citizens in all fields of civilian employment have the constitutional right to organize and bargain collectively, and the law establishes procedures for the protection of workers' rights through collective bargaining agreements. ... The law does not prohibit anti-union discrimination, and there were some reports of such occurrences.” [2b] (Section 7) Quote” [1a]

34.02 The USSD Report 2009 continued:

“The law prohibits forced or compulsory labor, including by children; however, women and children were trafficked for sexual exploitation and labor. The law criminalizes exploitation of children for labor or forced services; however, the government did not enforce the law effectively.” [2b] (Section 7)

See [Children – Child labour](#)

## Annex A

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### CHRONOLOGY OF MAJOR EVENTS

Source - British Broadcasting Corporation (BBC) [Timeline](#), a chronology of key events: updated on 21 January 2011 [15b], unless otherwise stated.

- 1939** Shortly before the start of World War II, Italy invades. King Zog flees to Greece.
- 1940** Italian army attacks Greece through Albania.
- 1941** Enver Hoxha becomes head of new Albanian Communist Party.
- 1943** German forces invade and occupy Albania following Italian surrender.
- 1944** Germans withdraw after Communist resistance. Enver Hoxha installed as new leader.
- 1945** Tribunals begin against thousands of "war criminals".
- 1946** Purges of non-communists from government positions.
- 1948** Albania breaks ties with Yugoslavia; Soviet Union begins economic aid to Albania.
- 1950** Britain and US back landings by right-wing guerrillas, who fail to topple communists.
- 1955** Albania becomes a founding member of the Warsaw Pact.

### Isolationist state

- 1961** Albania allies itself with China, after Soviet Union breaks diplomatic relations over ideological rift.
- 1967** Violent clampdown on religious activity. Albania declared the world's first atheist state.
- 1968** Albania withdraws from Warsaw Pact over Soviet-led invasion of Czechoslovakia.
- 1978** China ends economic and military aid to Albania after relations become strained by China's reconciliation with the US.
- 1985** Hoxha dies, replaced by Ramiz Alia.

**Political upheavals**

- 1989** Communist rule in Eastern Europe collapses. Ramiz Alia signals changes to economic system.
- 1990** Independent political parties formed. Albanians granted right to travel abroad. Thousands try to flee through Western embassies. Thousands more seize ships at port and sail illegally to Italy.
- 1991** In multiparty elections, the Communist Party and allies win 169 of the 250 seats, the newly-formed Democratic Party takes 75. General amnesty for political prisoners. First opposition newspaper published. Alia re-elected president. Prime Minister Fatos Nano resigns after protests at economic conditions and killing of opposition demonstrators. New government headed by Vilson Ahmeti.
- 1992** Democratic Party wins elections. Party leader Sali Berisha, a former cardiologist, becomes first elected president. Aleksander Meksi is prime minister.
- 1993** Ex-communist leaders, including Fatos Nano and Ramiz Alia, convicted and jailed for corruption.

**Anger on streets**

- 1994** National referendum rejects new constitution which opponents said allowed president too much power.
- 1995** Alia released from prison following appeal-court ruling.
- 1996** Democratic Party general election victory tainted by accusations of fraud.
- 1997** Leka, son of late King Zog, returns from exile in bid to take throne. Referendum on restoration of monarchy fails. He is accused of trying to stir up an armed insurrection and flees back into exile. Kosovo Albanian refugees poured across the border into Albania. Fraudulent pyramid investment schemes collapse, costing thousands of Albanians their savings and triggering anti-government protests. Up to a million weapons are looted from army stores as angry mobs take to the streets. Government resigns and Socialist-led coalition sweeps to power. Fatos Nano, now released from prison, returns as prime minister. Sali Berisha resigns as president in wake of financial crisis, succeeded by Socialist leader Rexhep Mejdani. Convictions of communist-era leaders overturned.
- 1998** Escalating unrest in Kosovo sends refugees across border into Albania.
- September Violent anti-government street protests after prominent opposition Democratic Party politician, Azem Hajdari, shot dead by unidentified gunmen.

PM Fatos Nano quits. Former student activist, Pandeli Majko, named as new prime minister.

### Refugee influx

**1999** Nato air strikes against Yugoslav military targets. In Kosovo thousands flee attacks by Serb forces. Mass refugee exodus into Albania.

October Majko resigns as prime minister in October 1999, after losing Socialist Party leadership vote. 30-year-old Iler Meta becomes Europe's youngest prime minister.

### 2001

January Albania and Yugoslavia re-establish diplomatic relations broken off during the Kosovo crisis in 1999.

### 2001

April UN says thousands of Albanians are being poisoned by fatal toxins in their environment, urges international community to help.

### 2001

July Ruling Socialist Party secures second term in office by winning general elections. PM Meta names European integration and an end to energy shortages as his priorities. Meta heads a new coalition government from September.

### 2001

December Rift widens between Meta and his Socialist Party Chairman Fatos Nano. Nano prompts three ministers to resign and blocks the appointment of their replacements.

### 2002

January Meta resigns as prime minister after failing to resolve party feud.

### 2002

February Pandeli Majko becomes premier and forms new government as rival factions in Socialist Party pledge to end infighting.

### 2002

June Parliament elects Alfred Moisiu president after rival political leaders Nano and Berisha reach compromise, easing months of tension. Royal family returns from exile.

### 2002

August Fatos Nano becomes prime minister after the ruling Socialist Party decides to merge the roles of premier and party chairman. It is Nano's fourth time as premier.

## Steps towards EU

### 2003

January Albania and EU begin Stabilisation and Association Agreement talks, seen as possible first step in long road to EU membership.

### 2004

January Day of mourning declared after at least 20 people die when the boat on which they were trying to cross to Italy illegally breaks down in mid-Adriatic.

### 2004

February Opposition stages angry demonstration in Tirana to demand Mr Nano's resignation and protest against government failure to improve living standards.

### 2005

September After two months of political wrangling, former President Sali Berisha emerges as the victor in July's general election.

### 2006

April Parliament imposes ban on speedboats in coastal waters in bid to crackdown on people and drug smuggling.

### 2006

June Stabilisation and Association agreement signed with EU.

### 2007

June President George W Bush becomes the first US leader to visit Albania, highlighting its position as a close ally of Washington.

July Parliament elects ruling party chairman Bamir Topi president, after three failed rounds of voting made a snap election look possible.

### 2008

March Defence Minister Fatmir Mediu resigns over arms depot blasts that killed 16 and damaged Tirana airport.

### 2009



April Albania officially joins NATO and formally applies for membership of the European Union. Albania is not expected to join the EU until 2015 at the earliest.

### **Berisha re-elected**

#### **2009**

July Sali Berisha's centre-right Democratic Party wins parliamentary elections by a narrow margin.

#### **2009**

November Opposition Socialist Party begins series of demonstrations in Tirana in protest against alleged vote-rigging in the 2009 election.

#### **2010**

May Socialist leader Edi Rama calls for a campaign of civil disobedience to continue until government agrees to a partial recount of 2009 election.

#### **2010**

November European Union rejects Albania's request for EU candidate status, but eases visa requirements for Albanians.

#### **2011**

January Deadly clashes between anti-government protesters and police outside the prime minister's office in Tirana.

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## Annex B

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Source - Europa World Online, accessed 12 December 2010) [1a] (Political organisations) unless otherwise stated.

### POLITICAL ORGANISATIONS

#### **Albanian Communist Party (ACP) (Partia Komuniste e Shqipërisë) (PKSh)**

Founded 1991; granted legal recognition 1998.

Chair. Hysni Millosi. (

#### **Albanian Green Party (Partia Gjelbërite e Shqipërisë)**

Founded 2001; ecologist; observer mem. of European Greens; contested 2009 legislative elections as mem. of Socialist Alliance.

Chair. Edlir Petanaj.

#### **Christian Democratic Party of Albania (CDPA) (Partia Demokristiane e Shqipërisë) (PDK)**

Founded 1991; contested 2009 legislative elections as mem. of Pole of Freedom.

Leader Nard Ndoka.

#### **Democratic Alliance Party (DAP) (Partia Aleanca Demokratike) (PAD)**

Founded 1992 by fmr mems of the Democratic Party of Albania; contested 2009 legislative elections as mem. of Alliance for Change.

Chair. Neritan Ceka.

Sec.-Gen. Edmond Dragoti.

#### **Democratic Party of Albania (DPA) (Partia Demokratike e Shqipërisë) (PDSH)**

Founded 1990; centre-right, pro-democracy, pro-market; merged with the New Democratic Party (f. 2001 by fmr mems of the DPA) in 2008; contested 2009 legislative elections as mem. of Alliance for Change.

Chair. Prof. Sali Berisha.

Sec.-Gen. Ridvan Bode.

#### **Environmental Agrarian Party (EAP) (Partia Agrare Ambientaliste) (PAA)**

Founded 1991;

Chair. Lufter Xhuveli.

#### **Justice and Unity Party (Partisë për Drejtësi dhe Unitet)**

Founded 2009;

Chair. Shpëtim Idrizi.

#### **Liberal Democratic Union Party (LDUP) (Partia Bashkimi Liberal Demokrat) (PBLD)**

contested 2009 legislative elections as mem. of Alliance for Change.

Chair. Arjan Starova.

#### **Movement for Solidarity**

Founded Sept. 2007 by fmr leader of the SPA;

Leader Fatos Nano.

#### **Movement of Legality Party (MLP) (Partia Lëvizja e Legalitetit) (PLL)**

Founded 1992; monarchist; contested 2009 legislative elections as mem. of Alliance for Change.

Chair. Ekrem Spahia.  
Sec.-Gen. Artan Tujani.

**Party for Justice and Integration (PJI) (Partia për Drejtësi dhe Integrim) (PDI)**

Founded 2005; centre-right; contested 2009 legislative elections as mem. of Alliance for Change.

Chair. Tahir Muhedini.

**Republican Party of Albania (RPA) (Partia Republika e Shqipërisë) (PRSh)**

Founded 1991; contested 2009 legislative elections as mem. of Alliance for Change.

Chair. Fatmir Mediu.

**Social Democracy Party (Partia Demokracia Sociale)**

Founded 2003 by breakaway faction of the SDP; contested 2009 legislative elections as mem. of Unification for Change.

Chair. Prof. Dr Paskal Milo.

**Social Democratic Party (SDP) (Partia Socialdemokrate) (PSD)**

Founded 1991; contested 2009 legislative elections as mem. of Unification for Change.

Chair. Skënder Gjinushi.

**Socialist Movement for Integration (SMI) (Lëvizja Socialiste për Integrim) (LSI)**

Founded 2004 by fmr mems of the SPA; moderate socialist; contested 2009 legislative elections as mem. of Socialist Alliance.

Chair. Ilir Meta.

c. 40,000 mems (April 2005)

**Socialist Party of Albania (SPA) (Partia Socialiste e Shqipërisë) (PSSh)**

Founded 1941 as Albanian Communist Party; renamed Party of Labour of Albania in 1948, adopted present name in 1991; now rejects Marxism-Leninism and claims commitment to democratic socialism and a market economy; contested 2009 legislative elections as mem. of Unification for Change.

Chair. Edi Rama.

Sec.-Gen. Andis Harasani.

110,000 mems

**Union for Human Rights Party (UHRP) (Partia Bashkimi për të Drejtat e Njeriut) (PBDNj)**

Founded 1992; represents the Greek and Macedonian minorities; contested 2009 legislative elections as mem. of Unification for Change.

Leader Vangjel Dule.

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## Annex C

Source - Europa World Online, accessed 12 December 2010) [1a] (Directory: Government and Politics) unless otherwise stated.

### PROMINENT PEOPLE

#### President

Bamir Topi (elected by vote of the Kuvendi Popullor 20 July 2007; inaugurated 24 July 2007).

A coalition of the Democratic Party of Albania (DPA), the Socialist Movement for Integration (SMI) and the Republican Party of Albania (RPA). January 2011.

#### Prime Minister

Prof. Sali Berisha (DPA).  
(vacant)

#### Deputy Prime Minister and Minister of Economy, Trade and Energy:

Majlinda Bregu (DPA).

#### Minister of European Integration, Government Spokesman:

#### Minister of the Interior:

Lulzim Basha (DPA).

#### Minister of Defence:

Arben Imami (DPA)

#### Minister of Finance:

Ridvan Bode (DPA).

#### Minister of Foreign Affairs:

Edmond Haxhinasto (SMI).

#### Minister of Justice:

Bujar Nishani (DPA).

#### Minister of Public Works and Transport:

Sokol Olldashy (DPA).

#### Minister of Education and Science:

Myqerem Tafaj (DPA).

#### Minister of Health:

Petrit Vasili (SMI).

#### Minister of Labour, Social Affairs and Equal Opportunities:

Spiro Ksera (SMI).

#### Minister of Agriculture, Food and

Genc Ruli (DPA).

#### Consumer Protection:

#### Minister of Tourism, Culture, Youth and Sports:

Ferdinand Xhaferaj (DPA).

#### Minister of the Environment, Forestry and Water Administration:

Fatmir Mediu (RPA).

#### Minister of Innovation and Information and Communication Technologies:

Genc Pollo (DPA).

### PROMINENT PEOPLE OUTSIDE OF THE GOVERNMENT

A comprehensive list of prominent people, past and present, can be found at: [List of famous Albanian People](#). [81a]

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## Annex D

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### LIST OF ABBREVIATIONS

<b>AI</b>	Amnesty International
<b>CEDAW</b>	Committee on the Elimination of All Forms of Discrimination Against Women
<b>CPJ</b>	Committee to Protect Journalists
<b>EU</b>	European Union
<b>EBRD</b>	European Bank for Reconstruction and Development
<b>FCO</b>	Foreign and Commonwealth Office (UK)
<b>FH</b>	Freedom House
<b>GDP</b>	Gross Domestic Product
<b>HIV/AIDS</b>	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
<b>HRW</b>	Human Rights Watch
<b>ICG</b>	International Crisis Group
<b>ICRC</b>	International Committee for Red Cross
<b>IDP</b>	Internally Displaced Person
<b>IFRC</b>	International Federation of Red Cross and Red Crescent Societies
<b>IMF</b>	International Monetary Fund
<b>IOM</b>	International Organisation for Migration
<b>MSF</b>	Médecins sans Frontières
<b>NATO</b>	North Atlantic Treaty Organisation
<b>NGO</b>	Non Governmental Organisation
<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>ODIHR</b>	Office for Democratic Institutions and Human Rights
<b>ODPR</b>	Office for Displaced Persons and Refugees
<b>OECD</b>	Organisation of Economic Cooperation and Development
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>OSCE</b>	Organisation for Security and Cooperation in Europe
<b>RSF</b>	Reporters sans Frontières
<b>STD</b>	Sexually Transmitted Disease
<b>STC</b>	Save The Children
<b>TB</b>	Tuberculosis
<b>TI</b>	Transparency International
<b>UN</b>	United Nations
<b>UNAIDS</b>	Joint United Nations Programme on HIV/AIDS
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNHCHR</b>	United Nations High Commissioner for Human Rights
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>USAID</b>	United States Agency for International Development
<b>USSD</b>	United States State Department
<b>WFP</b>	World Food Programme
<b>WHO</b>	World Health Organization

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## Annex E

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### REFERENCES TO SOURCE MATERIAL

*The Home Office is not responsible for the content of external websites.*

- 1 **Europa World Plus** <http://www.europaworld.com/pub/>  
 a Europa World, Country Profile: Albania  
[http://www.europaworld.com/entry?id=al&go\\_country=GO](http://www.europaworld.com/entry?id=al&go_country=GO)  
 Date accessed 12 December 2010
  
- 2 **United States Department of State (USSD)** <http://www.state.gov>  
 a Background Note: Albania, 4 January 2011  
<http://www.state.gov/r/pa/ei/bgn/3235.htm>  
 Date accessed 4 January 2011  
 b Country Report on Human Rights Practices 2009: Albania, 11 March 2010  
<http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136016.htm>  
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