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Freedom in the World 2010 - Albania

Capital: Tirana

Population: 3,196,000

Political Rights Score: 3 *

Civil Liberties Score: 3 *

Status: Partly Free

Overview

Prime Minister Sali Berisha retained his post after his Democratic Party won parliamentary elections in June. However, the opposition Socialist Party mounted protests to demand a recount and boycotted the new parliament through the end of the year. Albania achieved a major goal in April, when it formally joined NATO; it filed an application to join the European Union later that month.

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 postcommunist 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, 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.

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.

Political Rights and Civil Liberties

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. The prime minister is designated by the majority party or coalition, and the president – who does not hold executive powers but heads the military and plays an important role in selecting senior judges – is chosen by the parliament for a five-year term.

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.

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 reelection 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.

While the constitution guarantees freedom of expression, the intermingling of powerful business, political, and media interests inhibits the development of independent outlets. During the 2009 campaign period, most outlets were seen as biased toward either the PS or PD. Reporters have little job security and remain subject to lawsuits, intimidation, and in some cases physical attacks by those facing media scrutiny. Berisha routinely denigrates the media, and his government has placed financial pressure on critical outlets. In January, the authorities evicted a critical newspaper, *Tema*, from its offices in a state-owned building despite a court order to halt the action. In February, an editorial in a paper that was close to Berisha called for the murder of Mero Baze, *Tema's* publisher. Baze was allegedly beaten severely in November by oil magnate and Berisha associate Rezart Taci and his bodyguards, after the journalist accused Taci of tax evasion on his television show. Taci and two of his guards were subsequently arrested for the attack, and the case was pending at year's end. The government does not limit internet access.

The constitution provides for freedom of religion, and it is usually upheld in practice. In October 2009, an imam in Durres was arrested for allegedly inciting terrorism. The government generally does not limit academic freedom, although both students and teachers were reportedly pressured to support the PD ahead of the 2009 elections.

Freedoms of association and assembly are generally respected. Independent NGOs are

active even if underfunded, and their influence on the government is slowly growing. The constitution guarantees workers the rights to organize and bargain collectively, and most have the right to strike. However, effective collective bargaining remains limited, and contracts are often difficult to enforce. Child labor is a problem, particularly in the garment industry.

The constitution provides for an independent judiciary, but the courts are subject to political pressure. The judiciary and law enforcement agencies are inefficient and prone to corruption, and judicial proceedings can be unjustifiably delayed. Enforcement of court decisions is weak, especially when they go against government interests. In February 2009, the Constitutional Court suspended a controversial new lustration law pending a ruling on its constitutionality. The law, passed in December 2008, would allow a special commission to purge judges and prosecutors based on their role in the communist regime. Opponents said it could result in the dismissal of many top judges and cripple ongoing corruption cases.

Police reportedly engage in abuse of suspects during arrest and interrogation, and such ill-treatment is lightly if ever punished despite vigorous criticism from the country's human rights ombudsman. New prison facilities have been constructed, but inmates continue to suffer from overcrowding and lack of adequate medical treatment.

High-level crimes associated with the Balkan wars of the 1990s have gone unpunished. In 2009, former security service commander Arben Sefgjini and three former colleagues were on trial for the 1995 torture and murder of a man who may have witnessed conversations between then president Berisha and Yugoslav leader Slobodan Milosevic about oil smuggling. Berisha fired Sefgjini as head of the tax service in January.

Weak state institutions have augmented the power of crime syndicates, and Albania is reportedly a key transshipment point for drug smugglers. Traditional tribal law and revenge killings are practiced in parts of the north. In two high-profile crimes in 2009, Supreme Court judge Ardian Nuni was shot and seriously wounded in February, and PS lawmaker Fatmir Xhindi was assassinated by two gunmen in May. The cases remained unsolved at year's end, and Nuni reportedly sought asylum in the United States.

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.

Berisha announced plans in July to legalize gay marriage, drawing objections from religious leaders. Homosexuality was decriminalized in 1995, but discrimination in society and by law enforcement officials remains strong.

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. 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.

**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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