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Freedom in the World 2009 - Albania

Capital: Tirana

Population: 3,200,000

Political Rights Score: 3

Civil Liberties Score: 3

Status: Partly Free

Overview

The government of Prime Minister Sali Berisha was shaken in March 2008 by twin scandals involving Albania's stockpile of aging munitions. Defense Minister Fatmir Mediu resigned that month, and his parliamentary immunity was lifted in June. As prosecutors pursued that and other cases against senior officials, the parliament in December passed two laws that could increase political control over the criminal justice system, as well as an electoral code that would bolster larger parties and their leaders.

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 weakened Berisha's government, and in 1997, the collapse of several popular pyramid investment schemes resulted in widespread violence.

From 1997 to 2005, Albania was ruled by the Socialist Party (PS). In the 2005 legislative elections, the opposition PD ultimately obtained 56 of 140 seats, with another 24 controlled by its allies. While the poll was not free from fraud, it was praised for bringing Albania's first post-communist rotation of power without significant violence.

The intense rivalry between the PD and PS caused systematic paralysis in advance of the February 2007 local elections, and the voting was criticized by the Organization for Security and Cooperation in Europe (OSCE). Although the PD won in most races, the PS overwhelmingly won mayoral posts in larger cities. In July 2007, the parliament elected PD candidate Bamir Topi as Albania's new president.

Berisha's government was plagued throughout 2008 by corruption scandals, including two involving Albania's Hoxha-era munitions stockpile. On March 15, a series of explosions at a weapons depot near Tirana killed 26 people, injured 300, and displaced some 3,000 others. Later that month, press reports implicated the leadership in an illegal scheme to export aging Chinese-made ammunition to Afghanistan as part of a U.S. government contract. Facing considerable international pressure, the parliament in June lifted the immunity of Fatmir Mediu, who had resigned as defense minister in March. In July, Prosecutor General Ina Rama filed murder charges against the head of Albania's arms-trading agency and two private contractors for the depot explosions. The death of a key

witness in the export scandal in September fed the opposition's claims of a government cover-up, though an investigation later deemed the death accidental. Critics of two bills passed with government support in December said they would undermine judicial independence and hamstring the ongoing corruption probes.

The proper dismantling of the munitions stockpile was one of the conditions for accession to NATO. Nevertheless, the alliance formally invited Albania to join in April 2008, and induction was expected in 2009. Meanwhile, the country was attempting to implement judicial and anticorruption reforms as part of a 2006 Stabilization and Association Agreement with the European Union (EU). An EU progress report in November 2008 found that corruption, including in the judiciary, remained a serious challenge.

Political Rights and Civil Liberties

Albania is an electoral democracy. However, parliamentary elections held in 2005 were judged to have complied only partially with international standards. Of the 140 seats in the current unicameral Kuvendi Popullor (People's Assembly), 100 were filled through single-member district races and 40 by proportional representation. 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, cooperated in April 2008 to pass constitutional amendments replacing the parliament's single-member districts with a regional proportional-representation system that would disadvantage smaller parties. The electoral commission in June rejected a bid by opponents of the changes to submit them to a referendum. A new electoral code was passed in December, implementing the new system and stipulating that party leaders would select the slates of candidates. In the last elections, the PD and PS took a combined 98 of the 140 seats. The new code also allowed for the election of the president by a simple majority – rather than the previous supermajority – of the parliament, reducing the need for multiparty consensus. The country's Greek minority is represented mostly through the Union for Human Rights party, which has three seats. Other minorities are poorly represented and participate minimally in public life.

Corruption is pervasive, and the EU called for rigorous implementation of anticorruption measures in its 2008 progress report. Prime Minister Sali Berisha, his family, and other top officials were suspected of profiting from the arms-export scheme unveiled in March 2008. In separate cases of corruption related to road-building projects, former deputy transport minister Nikolin Jaka and several other officials received short prison sentences in May, and former transport minister Lulzim Basha – the current foreign minister – was charged in November. Prosecutor General Ina Rama has pursued these and other corruption cases despite government resistance; her predecessor was removed by Berisha and the parliament in 2007 after he sought to lift Basha's parliamentary immunity. In December 2008, the parliament passed a bill that granted the government and legislature more oversight of prosecutors and their investigations, potentially limiting the independence of Rama's office. Albania was ranked 85 out of 180 countries surveyed in Transparency International's 2008 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. Suits against journalists for legitimate criticism are common, and reporters are still subject to intimidation and physical attacks by those facing media scrutiny. Berisha routinely denigrates the media, and his government has placed financial pressure on critical outlets. In September 2008, broadcast regulators fined television station News 24 for airing an advertisement by a nongovernmental organization (NGO) that derided Berisha's use of public funds to produce progovernment ads. The station was accused of violating a law banning political ads outside campaign periods. In December, the government moved to evict a critical newspaper, *Tema*, from its offices in a state-owned building. The government does not limit internet access.

The constitution provides for freedom of religion, and it is usually upheld in practice. The government generally does not limit academic freedom, although the education

minister controls the appointment of university officials. It was reported in March 2008 that the Education Ministry had certified fake degrees, including a law degree for a member of parliament; the politician allegedly assaulted a reporter who confronted him on the issue.

Freedoms of association and assembly are generally respected. Independent NGOs are active, and their influence on the government is slowly growing. The constitution guarantees workers the rights to organize and bargain collectively, and with the exception of military personnel, civil servants, and the police, all workers have the right to strike. However, effective collective bargaining remains limited, and contracts are often difficult to enforce.

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; President Bamir Topi has reportedly complained that a third of all court orders are not enforced. In December, the parliament narrowly passed a vaguely worded lustration law that would allow a five-member commission to purge judges and prosecutors based on their role in the communist regime. Opposition lawmakers boycotted the vote, and the bill was criticized by the Council of Europe and the OSCE. Opponents said it could result in the unconstitutional dismissal of many top judges and cripple ongoing corruption cases.

The 2008 EU progress report found that much greater enforcement was needed to reduce excessive force and ill-treatment by police. It also noted very poor prison conditions, including overcrowding, and praised Albania's human rights ombudsman, who had clashed with police over brutality cases.

High-level crimes associated with the Balkan wars of the 1990s have gone unpunished. In 2008, current tax-service chief Arben Sefgjini was facing trial along with three former security-service colleagues 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. In May 2008, Berisha appeared to admit to Italian journalists that he had violated a UN arms embargo by shipping munitions to friendly parties during the Balkan wars.

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.

Roma face significant social and economic marginalization, but other minorities are well integrated. The constitution mandates that all minorities have the right to receive education in their native language. In 2008, an ethnic Greek mayor who has advocated regional autonomy was indicted for removing road signs on the grounds that they were not bilingual.

Women are vastly underrepresented in most governmental institutions. As of 2008, only 2 of 14 government ministers and 9 of 140 members of parliament were women. Women who seek redress against domestic abuse are often ignored by the authorities, who generally lack training on such issues. Albania is a source country for trafficking in women and children, with the latter accounting for as many as half of those sent abroad. In June 2008, two teachers' unions reported that there were more than 40,000 child workers in Albania who had dropped out of school. Untrained women and children were reportedly employed at the munitions depot that exploded in March, and dozens of Romany women and children were later arrested for scavenging metal at the blast site.

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