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Freedom in the World - Albania (2008)

Capital: Tirana

Population:
3,200,000

Political Rights Score: 3

Civil Liberties Score: 3

Status: Partly Free

Overview

A partisan dispute over preparations for local elections continued through January 2007, and when the vote finally took place in February, it fell short of international standards. In July, Bamir Topi, the former deputy leader of the Democratic Party (PD), was elected by parliament as Albania's next president.

Ruling from World War II until his death in 1985, Communist dictator Enver Hoxha turned Albania into the most isolated country in Europe. The Communist regime began to adopt more liberal policies in the late 1980s, and in March 1992, multiparty elections 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 arms looting and violence.

From 1997 to 2005, Albania was ruled by the Socialist Party (PS), led by Prime Minister Fatos Nano. The July 2005 legislative elections, in which more than 20 parties fielded candidates, were considered the most unpredictable since 1991. Although the opposition PD won a clear victory, the ruling PS contested the results in many constituencies, delaying the formation of a new Berisha government until September. The PD ultimately obtained 56 of 140 seats, with a further 24 controlled by its allies. The PS was perceived to have lost support due to the country's corruption, internal party disputes, and voters' desire for change. While the election was not free from fraud, it was praised for bringing Albania's first rotation of power without significant violence in the post-Communist era.

The adversarial relationship between the PD and PS in recent years has negatively affected the country's reform process. Although in the majority, the PD and its coalition partners have been short of the three-fifths supermajority necessary to pass key legislation. Consequently, the opposition in 2006 was able to block any amendments to the Electoral Code they disliked, causing systematic paralysis in advance of the local elections in early 2007. The political impasse was resolved on January 12, 2007, and although the resulting constitutional and electoral reforms were generally seen as an improvement, their late timing placed a serious logistical

burden on the Central Electoral Commission. The local elections took place in February and were criticized by the Organization for Security and Cooperation in Europe (OSCE) for failing to fully comply with international standards. Although the PD won in most races, the PS overwhelmingly won mayoral posts in larger cities, including Tirana.

In July 2007, the parliament elected PD candidate Bamir Topi as Albania's new president. Topi won in the fourth round of voting; failure to elect a president in five rounds would have triggered an early general election. Topi's victory was perceived as a major upset for the PS's leader, Edi Rama, because several members of the party (those loyal to Fatos Nano) actually voted for Topi. The presidential vote solidified the PD's control over the country's major political offices.

The European Union, which had signed a Stabilization and Association Agreement with Albania in 2006, continued to pressure the government to accelerate judicial reforms and anticorruption efforts in 2007. As a result, the authorities improved institutional capacity to investigate and prosecute corruption, leading to several high-level arrests. However, corruption and judicial shortcomings remain serious problems.

Political Rights and Civil Liberties

Albania is an electoral democracy. However, elections held in July 2005 for the 140-seat Kuvendi Popullor (People's Assembly) were judged to have complied only partially with international standards. Observers noted flawed procedures, including multiple voting and violations of secrecy. Violence was minimal compared with previous elections. Single-member districts comprise 100 of the parliamentary seats; the remaining 40 are filled 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 members of the judiciary—is chosen by the parliament for a five-year term.

A number of political parties operate throughout the country. The two major parties, the PD and the PS, differ more with regard to the personalities of their respective leaders than their political platforms or ideologies. In September 2007, Fatos Nano announced the formation of a new political party, the Movement for Solidarity. The Greek minority is represented mostly through the Union for Human Rights, which has three seats in the parliament. Other minorities are poorly represented and participate minimally in public life.

Although corruption pervades all areas of life, the government appears to be making some efforts to address the problem. The European Commission reported in November 2007 that Albania had adopted public procurement legislation, passed legislation on bribery, and improved its institutional capacity by creating a new task force within the chief prosecutor's office to combat corruption and financial

crime. Furthermore, over 20 senior government officials were arrested in 2007 as part of the anticorruption campaign. Albania was ranked 105 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

While the constitution guarantees freedom of expression, and freedom of the press has improved since the fall of communism, problems remain. The intermingling of powerful business, political, and media interests inhibits the development of independent outlets, and suits against journalists for legitimate criticism are common. Journalists are still subject to intimidation and attacks, although the identity and motives of the perpetrators are not always clear. In July 2007, the Southeast Europe Media Organization alleged that the government had increased economic pressures on the media, citing as an example the 12 million euro fine imposed on the popular television station Top Channel for unpaid taxes. The government does not limit internet access.

The constitution provides for freedom of religion and religious practice, and Albania has avoided the interreligious turmoil suffered by its neighbors. The government does not require registration of religious groups and has been reasonably accommodating in recognizing religious minorities. Jehovah's Witnesses, who were subjected to negative media coverage in previous years, received government cooperation in efforts to improve their image. The government generally does not limit academic freedom, although it has interfered with appointments at educational institutions.

Freedoms of association and assembly are generally respected. Independent nongovernmental organizations 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 union contracts are often difficult to enforce.

The constitution provides for an independent judiciary, but the structure of the judicial system leaves room for government 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 November 2007, the minister of justice, Ilir Rusmajli, resigned amid allegations of corruption. He later admitted to promoting his brother's construction company in a bid to build a new prison.

In a controversial move in late November 2007, Prime Minister Sali Berisha fired the country's prosecutor general, Theodhori Sollaku, accusing him of inadequate job performance and the premature release of 22 prisoners. However, critics suggested that the firing was politically motivated; Sollaku had focused on prosecuting government corruption, even when it put him at odds with the prime minister. For example, Berisha openly tried to thwart Sollaku's investigation of a

suspicious, open-ended contract between the government and the firm Bechtel-Enka, which was awarded without an open tender and was set to cost the state four times the original 200 million euro estimate.

Lawlessness plagues large parts of Albania. Weak state institutions have augmented the power of crime syndicates, and international law enforcement officials claim that Albania has become an important transshipment point for drug smugglers. In the north, traditional tribal law and revenge killings have come to fill the void left by the state.

Although Albania has created a basic framework to protect ethnic minorities, implementation of many measures is incomplete. The country's 95,000 Roma face significant discrimination and social and political marginalization. According to a 2007 European Commission report, less than 50 percent of Romany children attend elementary school, and only 25 percent complete primary education. The state has taken some steps to improve housing and employment opportunities for the Roma, but very little real-life progress has been achieved thus far. Other minorities, including the Greeks, Serbs, Montenegrins, and Aromanians, are well integrated socially and economically. The constitution mandates that all minorities have the right to receive education in their native language.

The constitution places no legal restraints on women's role in politics and society, but women are vastly underrepresented in most governmental institutions. At the end of 2007, only one of 15 government ministers and 10 of 140 members of parliament were women. Traditional patriarchal social mores impose significant limits on the position of women in society. A gender equality law was adopted in 2004, but the situation for women has improved only slightly. Domestic violence is common and is not a criminal offense. 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. As the result of a national strategy to combat the problem, there has been a reduction in trafficking across the Adriatic and Ionian seas over the last few years. Moreover, a number of traffickers have been successfully tried and convicted in Albanian courts. Due to weak witness-protection programs, however, only about 10 percent of victims have been willing to testify against trafficking defendants.