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Albania

Country Reports on Human Rights Practices - 2001

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Albania is a republic with a multiparty parliament, a Prime Minister, and a President, elected by the Parliament. The Prime Minister heads the Government; the presidency is a largely ceremonial position with limited executive power. The Socialist Party (SP) and its allies won 87 of 140 parliamentary seats in general elections held from June through August that were conducted in a peaceful atmosphere. The Organization for Security and Cooperation in Europe (OSCE)'s Office for Democratic Institutions and Human Rights (ODIHR) judged the elections to have improved over past elections in terms of the conduct of the campaign; however, ODIHR noted some serious irregularities in the voting process. The Constitution provides for an independent judiciary; however, the judiciary remained hampered by a lack of resources and inexperienced and untrained personnel and was subject to political pressure, intimidation, and widespread corruption that weakened its ability to function independently and efficiently.

Local police units that report to the Ministry of Public Order are responsible principally for internal security. The Ministry also has a small force of police officers organized into special forces units to combat organized crime. The military has a special 120-man "commando" unit, which operates in an antiterrorist role under the Minister of Defense. During times of domestic crisis, the law allows the Minister of Public Order to request authority over this unit. The National Intelligence Service (SHIK) is responsible for both internal and external intelligence gathering and counterintelligence. One of the most serious problems involving public order and internal security is the fact that police officers largely are untrained, ill paid, and often unreliable. The international community continued to provide training, advice, and equipment to improve the quality of the police forces; however, unprofessional behavior and corruption remained a major impediment to the development of an effective, civilian police force. The police committed human rights abuses.

The country is poor, and is in transition from central economic planning to a free market system; many questions related to privatization, property ownership claims, and the appropriate regulation of business remained unresolved. The country continued to experience slow but stable economic progress; however, 29.6 percent of the country's population of approximately 3.5 million live below the poverty line, with poverty greater in rural areas. Inflation was negligible during the year. The gross domestic product (GDP) grew by about 7.5 percent to an estimated \$4.3 billion (602 billion lek). The official unemployment rate was 16 percent, a slight decrease from the 17.5 percent of the previous year. With two-thirds of all workers employed in agriculture—mostly at the subsistence level—remittances from citizens working abroad remained extremely important, as did foreign assistance. The agricultural sector counts for 52.9 percent of GDP with industry and services contributing 25.2 and 21.9 percent respectively. The GDP may be underestimated because considerable income is believed to be derived from various organized and semiorganized criminal activities. A variety of other unreported gray and black market activities, such as unlicensed small businesses, along with the Government's inability to collect fully accurate statistics, also contributed to the underestimation of the GDP.

The Government's human rights record was poor in many areas; however, there were some improvements. The opposition Democratic Party (DP) alleged that the Government was responsible for the killing of one of its members while in police custody at the Rreshen police station, although a government medical team confirmed that the death was a suicide. Police beat and otherwise abused suspects, detainees, and prisoners. The DP credibly reported some incidents of police harassment of its members and of the dismissal of some of its members from official positions for political reasons. Prison conditions remained poor. The police arbitrarily arrested and detained persons, and prolonged pretrial detention was a problem. The judiciary is inefficient, subject to corruption, and executive pressure on the judiciary remained a serious problem. The Government occasionally infringed on citizens' privacy rights. The Government limited freedom of the press, although there were some improvements. Police on at least one occasion beat and detained journalists. There were a few limits on the right to freedom of assembly. Violence and discrimination against women and child abuse were serious problems. Vigilante action, mostly related to traditional blood feuds, resulted in many killings. Societal discrimination against religious and ethnic minorities, particularly against Roma and Egyptians, persisted. Child labor was a problem. Trafficking in persons, particularly of women and children, remained a serious problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no confirmed cases of political killings by the Government or its agents; however, the main

opposition party, the DP, claimed that several of its members were harassed, beaten, and in one case, killed by government agents while in custody. In March police arrested Gjon Gjonaj, a resident of Lezhe and a DP supporter, and detained him for verification purposes in the Rreshen police station pre-detention center; Gjonaj later was found dead in his prison cell. The police insisted that Gjonaj had committed suicide with a knife he possessed, which the police had not detected. A group of government medical and legal experts confirmed that Gjonaj's death was by suicide; however, his family members and the DP dismissed this explanation. The Albanian Helsinki Committee (AHC) and the Albanian Human Rights Group (AHRG) both called attention to the case and requested that law enforcement officials institute more effective procedures to prevent future incidents of this kind.

There was no further action taken to investigate the 2000 killing of a DP activist in Vlora following a party rally, or to investigate the allegations that more than 21 DP members, supporters, local government officials, and former national party officials were killed from 1997 to 1999. The DP accused the Government of failing to investigate these crimes adequately, noting that no suspects had been tried for the killings. The Government completed its investigation into the 1998 murder of DP leader Azem Hajdari, and during the year, police arrested several individuals believed to have played a role in his killing; their trial remained ongoing at year's end.

During the year, explosions of landmines, most of which were believed to have been placed by the former Yugoslav Army against the Kosovo Liberation Army in 1998 and 1999, killed 22 individuals and injured 219 civilians and 3 military personnel.

The country continued to experience high levels of violent crime, although statistics indicated a decrease in the number of violent incidents from the previous year. Many killings continued to occur throughout the country as the result of individual or clan vigilante actions connected to traditional "blood feuds" or criminal gang conflicts (see Section 5). According to the Ministry of Public Order, more than 14 individuals were killed in blood feuds, which are based on the medieval Code of Lek Dukagjini (the "Kanun"), which is practiced by individuals particularly in the northern part of the country. Under the Kanun, only adult males are acceptable targets for blood feuds, but women and children often were killed or injured in the attacks. The AHRG reported that during the year, 2,750 families were self-imprisoned at home and that 900 children were prevented from attending school due to fear of revenge.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution stipulates that "no one can be subject to torture, or cruel and brutal treatment;" however, the police often beat suspects in the process of arresting them. The Penal Code makes the use of torture a crime punishable by up to 10 years' imprisonment; however, the three main human rights groups—the AHC, the AHRG, and the Albanian Center for Human Rights (ACHR)—in addition to other nongovernmental organizations (NGO's), continued to report that police forces nationwide used torture, and inhumane or excessive treatment. According to the AHC, major police stations were the sites of the worse abuses of detainees, and all stations were overcrowded. Police physically abused minors in detention. In January police arrested and assaulted the local head of the DP branch in Tropoja, Azgan Haklaj, in connection with his role in a November 2000 attack on a police station and other public buildings by DP supporters, which resulted in the death of one individual. OSCE officials, the People's Advocate, the AHC, and the AHRG, among others, confirmed that Haklaj had been assaulted by the police; the police did not conduct an investigation or take any action against the responsible officers.

In February the head of the Lezha criminal police division physically abused a 16-year-old girl during questioning. In accordance with a proposal from the People's Advocate, the officer was disciplined, but was not dismissed.

In March police arrested Clirim Proko in the town of Lazarat (in southern Albania) in connection with a September 2000 incident involving the then-Deputy Prime Minister/Minister of Labor and Social Affairs; members of the Gjirokastra police physically mistreated Proko and denied him access to his lawyer for 2 days. A doctor and the AHRG visited Proko and confirmed signs of this mistreatment. Also in March, a police officer in Pogradec reportedly beat Lorenc Callo in custody. The People's Advocate recommended that the officer, who at the time was Head of the Public Police in Pogradec, be dismissed. The officer was demoted to the level of Head of Police Check Point.

In April members of the Republican Guard, responsible for protecting senior public officials and institutions, were accused of physically assaulting two homosexuals. Nasser Almalak, a foreign citizen, and Amanta Bakalli, an Albanian, were attacked outside of the main barracks of the Republican Guard. Both men reported the incident despite receiving threats. Bakalli left the country soon after. No action had been taken against the Republican Guard members by year's end.

In June police arrested and beat an 11-year-old orphan in Saranda (see Section 1.d.). The child alleged that a police officer beat him with a rubber truncheon, cut him on the arm, and burned him with a cigarette. The Ministry of Public Order reportedly dismissed the officer, but the Saranda District Prosecutor dismissed the case against him. With the involvement of the People's Advocate, the General Prosecutor ordered the District Prosecutor's Office to reopen the case, which remained pending at year's end. The officer was not permitted to resume his duties.

On December 22, Col. Edmond Koseni, the Director of Police of Elbasan District, beat a taxi driver so severely that the driver was hospitalized. Koseni later went to the hospital and assaulted the driver again. The Minister of Public Order dismissed Koseni, and the General Prosecutor's Office issued a warrant for his arrest. Koseni and other members of his staff had a history of physical abuse against members of the public; there were at least five cases of abuse pending against police officers in Elbasan at the time of Koseni's dismissal.

Police on at least one occasion beat journalists (see Section 2.a.).

Police officers often were involved in cases of trafficking in persons (see Section 6.f.).

Most of the country's 13,000-member police force still remained largely untrained despite efforts by foreign governments to provide training or equipment. Foreign governments continued police training programs aimed at improving technical expertise, operational procedures, and respect for human rights, and 432 police officers, Judicial Police Officers, and Prosecutors received such training during the year. However, the overall performance of law enforcement remained weak. Prior to the elections, training by foreign governments was provided to the police on how to handle election security and to respond to the needs of election observers. The ACHR was particularly active in providing seminars and publishing texts to educate the police about the importance of respecting human rights. In addition to such training, the Ministry of Public Order started to revamp and update the Police Academy's curriculum and promote sound and effective teaching practices of instructors. The Academy trained 125 new officers candidates during the year.

Prison conditions remained poor and overcrowding remained a serious problem. Lack of space in prisons led to the detention of convicted criminals in pretrial detention centers rather than prisons, causing significant security problems for the police forces. For example, the AHC cited a case at the Lushnje police station when a detainee, who was to be transferred to prison, escaped; the AHC claims that the case is not an isolated incident and that by maintaining this practice, the Government violated the law on Executing Penal Decisions. One of the AHC's fact-finding missions found that 299 inmates were being held in police pretrial detention sites rather than serving their terms in prisons. In police detention centers, women often were held with men; however, women are not held with men in prisons.

A large number of Albanian prisoners also are held in prisons in Greece and Italy due to overcrowding. According to Greek Ministry of Justice sources, more than 3,500 Albanians are in pretrial detention centers and 1,890 are serving prison sentences in Greece, 200 of whom are juveniles. The education of these young Albanian prisoners remained a problem. There were no classes offered to these juveniles in Greek prisons. It is estimated that 2,000 prisoners were serving sentences in Italian prisons.

The country has no juvenile justice system and children's cases frequently were presented to judges who had not received any education in juvenile justice. More than 40 children are serving sentences in Vauqarr prison, the only prison for juveniles in the country, and more than 100 are in pretrial detention centers. According to the AHC, there were 91 juveniles, aged 14 to 18, including 13 girls, in pretrial detention centers. Several NGO's noted that in various police districts nationwide, minors often were kept in the same cells as adults and that sanitary conditions were generally poor.

The Government made attempts to address prison problems such as poor facilities and overcrowding within prisons. The Government, with international assistance, financed many improvements, including the continued construction of a new prison in Peqin, financed by the Italian Government, which is expected to house 250 to 300 inmates. Three other prisons in the towns of Rrogozhina and Tepelena are scheduled to be built. The new prison in Rrogozhine is scheduled to be built with financial support from the Government and to house approximately 700 inmates.

The Government cooperated well with the International Committee of the Red Cross and with other NGO's and there were no reports of refusals to permit access for prison inspections by either domestic or international independent human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

The Constitution forbids arbitrary arrest and detention; however, the police arbitrarily arrested and detained persons.

The 1995 Penal Procedures Code sets out the rights of detained and arrested persons. By law, a police officer or prosecutor may order a suspect into custody. Detained persons must be informed immediately of the charges against them and of their rights. A prosecutor must be notified immediately after the police detain a suspect. Within 48 hours of the arrest or detention, a court must decide in the presence of the prosecutor, the suspect, and the suspect's lawyer the type of detention to be imposed. Legal counsel must be provided free of charge if the defendant cannot afford a private attorney; however, this right to legal counsel is not widely known and police often fail to inform suspects of it. Access to legal information remained difficult for citizens, including legal professionals and, at times, judges.

There were numerous cases in which persons were illegally detained and were unable to contact their private attorneys. The AHC sought to bring to the attention of the authorities a number of cases in Gjirokastra, in which defense attorneys had failed several times to make contact with their clients. In some cases, the detainees had been interrogated without their defense attorneys being present.

Bail in the form of money or property may be required if the judge believes that the accused otherwise may not appear for trial. Alternatively a suspect may be placed under house arrest. The court may order pretrial confinement in cases where there is reason to believe that the accused may flee the country or pose a danger to society. The Penal Procedures Code requires completion of pretrial investigations within 3 months. The prosecutor may extend this period by 3-month intervals in especially difficult cases. The accused and the injured party have the right to appeal these extensions to the district court. Lengthy pretrial detention as a result of delayed investigations remained a serious problem. In January the AHC conducted a fact-finding mission that monitored the conditions of prisoners in a Tirana prison and learned that three individuals, Sali Lushaj, Dem Dollapi, and Vlash Ndoi, had been detained past the legal limits. Lushaj and Dollapi claimed to be detained on political grounds; they were charged with participation in an armed uprising to overthrow the constitutional order, and their trial was ongoing at year's end. The men remained in detention at year's end.

NGO's claimed that prostitutes and trafficked women have been kept in detention for more than 48 hours without charges being brought against them (see Section 6.f.). In February a fact-finding mission of the AHC, the AHRG and the International Helsinki Federation discovered that five trafficked Moldovan women were detained in prison cells in Tirana on charges of illegal crossing of borders and prostitution (see Section 6.f.). They were kept in pretrial detention for over 6 months, and three did not have a defense attorney either in their initial hearing or during their detention. One detainee's trial was postponed more than 15 times for illegitimate reasons.

A fact-finding mission by the AHRG to the Vaqarr prison observed that many detained minors were not informed of their rights or the reasons for their arrest, that their relatives were notified only after a delay, that no prosecutor had been present during their interrogation, that public defenders did not visit them sufficiently to investigate their cases, and that they were abused physically by the authorities. Juveniles kept at Pretrial Detention Center 313 in Tirana made similar complaints. A wider study conducted by the Peace for Justice Center inspecting Vaqarr prison, Pretrial Detention Center 313, and seven district police stations reached the same conclusions.

In June police arrested, detained, and beat an 11-year-old orphan in Saranda (see Section 1.c.). He was detained on theft charges (later proved to be false) for 20 hours, although the Penal Code prohibits detention of children under 14 years of age. No lawyer or adult guardian was present during his detention.

There were no confirmed cases of detainees being held strictly for political reasons. The trial of Ekrem Spahia, the Chairman of the Legality Party, and the trials of 12 of his supporters for participation in the events of September 1998 which followed the killing of the DP parliamentarian Azem Hajdari by unknown persons were ongoing at year's end.

The Constitution prohibits forced exile, and the Government does not use it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, because of political pressure, intimidation, endemic corruption and bribery, and limited resources, the judiciary was unable to function independently and efficiently.

The judicial system is composed of district courts of the first instance, military courts, six courts of appeal, and the Supreme Court. There also is a separate and independent Constitutional Court. The Supreme Court hears appeals from the Courts of Appeal, while the Constitutional Court reviews those cases requiring constitutional interpretation. Constitutional Court justices serve maximum 9-year terms, with three justices rotating every 3 years. Justices of the Supreme Court serve for 7 years.

The President heads the High Council of Justice, which has authority to appoint, discipline, and dismiss judges of the courts of first instance and of the courts of appeal. Judges who are dismissed have the right to appeal to the Supreme Court. In addition to the President, the Council consists of the Minister of Justice, the head of the Supreme Court, six judges (chosen by sitting judges), two prosecutors (selected by the prosecutors), and four independent lawyers named by the Parliament.

The President of the Republic nominates the President and Vice President of the Supreme Court, and the Parliament elects all of the Supreme Court's justices. The President selects four of the nine members of the Constitutional Court; five are elected by the Parliament. Parliament has the authority to approve and dismiss the judges of the Constitutional Court and the members of the Supreme Court. According to the law, dismissal only may be ordered after conviction for a serious crime or for mental incompetence. There were no new developments in the 1999 appeal of the former Chief Judge of the Supreme Court, who was dismissed from his position 3 years before the expiration of his mandate for technical reasons.

Under the 1998 Constitution, the President appoints the Prosecutor General with the consent of the Parliament. The President appoints and dismisses other prosecutors on the recommendation of the Prosecutor General.

Parliament approves the courts' budgets and allocates funds. The Judicial Budget Office, a separate, independent body, administers court budgets, but each court may decide how to spend the money allocated to it. A board chaired by the Chief Justice of the Supreme Court runs the Judicial Budget Office; all other board members are judges. The Ministry of Justice provides and approves administrative personnel. The Ministry of

Justice also supervises the Bailiffs' Office, the body that ensures that civil judgements are enforced. A school for magistrates was established in 1999.

During the year, the High Council of Justice punished nine judges, including for the first time, four Appellate Court judges; they were punished for infractions such as giving light sentences for serious crimes, shortening sentences in exchange for guilty pleas, releasing prisoners on their own recognizance to await trial, changing sentences from imprisonment to house arrest, delaying cases, and other ethics violations. Out of the four Appellate Court judges, three were dismissed and one received disciplinary measures. Two other judges were fired and three were given warnings.

For the first time, parliament members attempted to impeach three members of the High Council of Justice over their conduct in a high-profile case of trafficking in persons, which allowed a suspect to get out on bail and flee the country (see Section 6.f.); however, the impeachment failed, in part due to lack of adequate evidence. In August a district judge in Pogradac, in contradiction of the country's rules of procedure, struck down a suspected car smuggler's pretrial detention, allowing the suspect to go free and presumably flee the country; the High Council of Justice dismissed the judge, but he was not prosecuted.

The Constitution provides that all citizens enjoy the right to a fair, speedy, and public trial, except in cases where the necessities of public order, national security, or the interests of minors or other private parties mandate restrictions. However, due to limited material resources, in many instances the court system is unable to process cases in a timely fashion. Many court buildings were destroyed in the civil unrest in

1997, and although all have reopened, important records and legal materials were lost permanently. Long case backlogs are typical, and resulted in suspects being detained for longer than legal limits (see Section 1.d.). Defendants, witnesses, and others who do not speak Albanian are entitled to the services of a translator. Defendants are entitled to a lawyer, and the Government respects this right in practice. Under the law, the Government provides lawyers for indigent defendants. If convicted the accused has the right to appeal the decision within 5 days to the Court of Appeals.

Public opinion holds the judiciary, in particular, responsible for the Government's failure to stop criminal activity. Tension continued between the police and the judiciary, despite some improvement in relations between police and prosecutors, especially outside Tirana. Each side cites the failures of the other as the reason criminals avoid imprisonment. The courts accuse the police of failing to provide the solid investigation and evidence necessary to prosecute successfully, and the police allege that corruption and bribery taint the courts. The Judicial Police are responsible, under the direction of prosecutors, for developing investigations initially conducted by the police.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Law on Fundamental Human Rights and Freedoms provides for the inviolability of the person, of dwellings, and for the privacy of correspondence; however, at times the Government infringed on these rights. For example, in January during the arrest of Azgan Haklaj, the local head of the Tropoja DP, police violated procedures to obtain entry into his residence to arrest him. Individuals often complain to the People's Advocate that police typically carry out operations late at night, at times without proper authorization. The AHRG also noted that in February the police had improperly searched the house of Alberia Hadergjonaj while in pursuit of her husband, whom they suspected of being involved in a drug ring.

Individuals also reported to the People's Advocate that they were not adequately compensated for some private land taken for public use during the Communist regime.

In January three female Muslim students reported to the People's Advocate that their schools had prohibited them from wearing headscarves (see Section 2.c.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Law on Fundamental Human Rights and Freedoms provides for freedom of speech and of the press and the media is active and unrestrained; however, there are serious, fundamental problems with the blatant use of the media for political purposes. Libel carries criminal sentences, and during the year, there were incidents of journalists being fined under criminal libel charges brought by high-level officials. The punishment for libel varies from a fine to 2 years' imprisonment. Political interference in the media remained a problem. Publishers and newspaper owners often edit news stories to serve their own political and economic interests.

The total daily circulation of all newspapers was estimated at 50,000 in 2000, but during the year continued to fall. Political parties, trade unions, and various societies and groups publish their own newspapers or magazines. The opposition media is active, but is constrained by limited professionalism and lack of finances. An estimated 200 publications were available, including daily and weekly newspapers, magazines, newsletters, and pamphlets. At least 2 newspapers were published in Greek in the south of Albania, and 15 Greek papers and magazines were distributed throughout the south. The print media made some improvements during the year; for example, internationally funded training has had an impact in improving professionalism, and private advertising revenues have increased significantly. However, the print media

continued to face formidable obstacles, including a poor distribution network, high production costs, low circulation, limited editorial standards, and low credibility.

Sensationalism is the norm in the newspapers, and the political party-oriented newspapers print gossip, unsubstantiated accusations, and outright fabrications. The print media is extremely polarized, and with few exceptions, the print media lack a mature, trained, professional staff. These dailies and weeklies have very small circulation figures, and have low credibility with the general public. However, several publications continued to make efforts to improve professional standards and to provide more balanced, professional and accurate reporting.

Albanian Radio and Television (RTVSh) is the sole public broadcaster in the country. RTVSh is composed of a national television station and a national radio station. National television broadcasts 17 hours a day and reaches 94 percent of the population. National television also broadcasts a 2-hour, Albanian-language regional satellite program that is viewed widely throughout Europe. National radio broadcasts on two channels: The first channel broadcasts 19 hours per day and the second channel broadcasts 5 hours per day. National radio operates a foreign language service that broadcasts in 7 languages: English, Serbo-Croatian, Turkish, Italian, French, German, and Greek. Radio Gjirokastra, located in southern Albania, broadcasts a 45-minute daily news and entertainment program in Greek, and Radio Tirana broadcasts a Greek program for 30 minutes daily. Radio Korca, located in southwestern Albania, broadcasts a weekly 40-minute Macedonian language. Both stations are affiliates of RTVSh.

Television is highly influential; it is estimated that as much as 80 percent of the public obtain their news and information from television. Television programming includes some responsible journalism; however, political affiliation was pervasive in programming. The majority of stations were blatantly one-sided in their political coverage.

Broadcasting issues are governed by the National Council of Radio and Television (NCRT), a seven-member bipartisan body elected by the Parliament, with one appointment by the President. In 2000 the NCRT awarded broadcasting licenses to 2 national television stations, 50 local television stations, 31 local radio stations, and 1 national radio station. Several broadcasters failed to pay for their licenses or abide by the regulations governing the licenses; however, these regulations were enforced weakly.

On February 16, a policeman in Korca reportedly kicked and punched Pellumb Cuni, a reporter for the newspaper 55.

Access to the Internet is available and unrestricted; however, the Internet is too expensive for the majority of citizens.

Academic freedom, while generally respected, is constrained by lack of resources; public academic institutions do not receive adequate funding.

b. Freedom of Peaceful Assembly and Association

The Law on Fundamental Human Rights and Freedoms provides for the right of peaceful assembly and the Government generally respected this right in practice, although there were a few limits. In some cases, individuals claimed that the police or agents of the SHIK intimidated them because of their participation in opposition rallies, while others claimed that they were fired from their jobs because they participated in opposition rallies.

According to the law, organizers must obtain permits for gatherings in public places, which the police may refuse to issue for reasons such as security and traffic. However, there were no reports that such permits were withheld arbitrarily. In practice rallies and demonstrations took place during the year and the Government made no concerted efforts to prevent them. The police generally maintained order with due respect for citizens' rights.

In June the SP held a major election rally in Tirana that was met with a counterrally by the DP. The police detained more than a dozen DP supporters after they allegedly began attacking the police. However, the DP charged that it was their supporters who were attacked by the police. Various human rights groups called on all parties to respect law and order and the right to freely assemble.

The Law on Fundamental Human Rights and Freedoms provides for the right of association, and the Government generally respected this right. However, the Constitution prohibits the formation of any political party or organization that is totalitarian; incites and supports racial, religious, or ethnic hatred; uses violence to take power or influence state policies; or is nontransparent or secretive in character. There were no reports that this provision was used against any group. A political party must apply to the Ministry of Justice for official certification, and it must declare an aim or purpose that is not anticonstitutional or otherwise contrary to law, describe its organizational structure, and account for all public and private funds it receives. Such certification is granted routinely.

c. Freedom of Religion

The Constitution provides for freedom of religion and the Government generally respects this right in practice. According to the Constitution, there is no official religion and all religions are equal; however, the predominant religious communities (Muslim, Orthodox, and Roman Catholic) enjoy de facto recognition by the authorities

that gives them the legal right to hold bank accounts, own property and buildings, and to function as legal entities based on their historical presence in the country.

Religious movements—with the exception of the three de facto recognized religions—may acquire the official status of a legal entity by registering under the Law on Associations, which recognizes the status of a nonprofit association irrespective of whether the organization has a cultural, recreational, religious, or humanitarian character. All religious communities have criticized the Government for its unwillingness to grant them tax-exempt status.

The State Committee on Cults is the government body that addresses religious affairs and groups; the chairman of the committee has the status of a deputy minister. There is no law on religious communities, although one is mandated by the Constitution. Most religious communities have expressed the need for such a law to clarify their rights and responsibilities and relationship to the Government.

The Albanian Evangelical Alliance, an association of more than 100 Protestant Churches, has complained that it has encountered administrative obstacles to building churches, accessing the media, obtaining residence permits, and receiving exemptions from customs duties. The growing evangelical community continued to seek similar official recognition as bonafide religious institutions as that enjoyed by the three main groups.

While the Government does not require registration or licensing of religious groups, the State Committee on Cults was in the process of registering all foreign religious organizations. The Committee claims that registration facilitates the granting of residence permits by police to foreign employees of various religious organizations; however, some foreign religious organizations have complained that obtaining registration has not made gaining residence permits any less cumbersome administratively.

Students are not allowed to demonstrate their religious affiliations in public schools. In January three female Muslim students, Miralda Gjoka, Ermira Dani, and Edlira Dymishaj, presented a case to the People's Advocate, claiming that their schools had prohibited them from wearing their headscarves. The Ministry of Education contended that public schools in the country were secular and that Albanian law prohibited ideological and religious indoctrination. The case appeared to have been dropped by year's end.

The Government has failed to return to the various religious communities all of the properties and religious objects that were confiscated under the Communist regime in 1967. In cases where religious buildings were returned, the Government often did not return the land surrounding the buildings or provide comparable compensation. In addition, the Government was unable to compensate churches adequately for the extensive damage that many religious properties suffered. The Orthodox Autocephalous Church of Albania has complained that it has had difficulty in recovering some religious icons for restoration and safekeeping.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Law on Fundamental Human Rights and Freedoms provides for these rights, and the Government generally respects them in practice.

As a result of significant internal migration, thousands of citizens no longer have local registration and status, which has led to a loss of access to basic services such as education and medical care. In many educational institutions, students must have, among other documents, an official document from the district authorities that acknowledges that they are inhabitants of the district. The lack of these documents prevents many students from attending school.

Citizens who fled the country during or after the Communist regime are able to return, and if they lost their citizenship, they are able to have it restored. Citizens born in the country who emigrate may hold dual citizenship.

The Constitution and a 1998 asylum law provide for the granting of asylee or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1961 Protocol. The Government accepts the entry of refugees, does not expel those with valid claims to refugee status, and works with the international community to provide housing and support for them. The Government provides for first asylum, but no appeals procedure was in place at year's end.

The Government cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The country hosted approximately 359 registered refugees during the year, the majority of whom are Macedonian-Albanians fleeing the conflict in Macedonia. Another 108 Macedonian-Albanians did not apply for asylum but were assisted by the Red Cross. The UNHCR provided social service support for the refugee community and coordinated further assistance through a network of NGO's that provide health care coverage, insurance, and limited training. The Government's Office of Refugees at the Ministry of Local Government continued to play a key role in facilitating and coordinating the work of these groups. In May the UNHCR closed the last refugee camp for Kosovars.

Organized criminal gangs have made the smuggling of illegal immigrants—Albanians, Kurds, Pakistanis, Chinese, Turks, and others from the Middle East and Asia—a lucrative business. Due to its proximity to Albania, Italy (which is a 90-minute speedboat ride from Vlora to Bari) remained the preferred destination. The Government took a number of measures to stop the illegal flow of economic migrants; however, a lack of resources and corruption among law enforcement forces hindered its efforts. Italian military and border patrol squads operated in various coastal zones in Albania in an effort to stop the flow of illegal immigrants.

Individuals who have become stranded in Albania while trying to use this illegal pipeline are eligible for a "care and maintenance" program run by the UNHCR and the Albanian Red Cross and can have their cases evaluated by UNHCR officials.

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully and citizens exercise this right in practice through periodic elections held on the basis of universal suffrage. General elections, which began in June and ended in August, were deemed by international monitoring organizations to be an improvement over past contests; however, some serious irregularities occurred, and problems worsened during each round of voting. Five rounds of voting, beginning in June and ending in August, were required to complete the process. The Council of Europe's Parliamentary Assembly commended political parties for processing their complaints through internationally accepted frameworks. The OSCE's ODIHR, which observed the elections, noted that there was progress in the areas of election administration, media coverage, and campaign conduct; however, ODIHR's final report noted that the election process was "protracted, uncertain, and fragmented." It also noted some serious irregularities in the voting process, including ballot box stuffing; fraud in a limited number of constituencies; political pressure exercised at times that compromised the performance of the Central Elections Commission (CEC); inadequate handling of key elections complaints by the CEC; police interference in a limited number of instances; and a dubious appeals process, particularly with regard to the Constitutional Court. In a number of cases, the courts failed to fully investigate election appeals. Coverage by the state television station, RTVSh, deteriorated after the first round, favoring the governing party.

The percentage of women in government and politics does not correspond to their percentage of the population, although no legal impediments hinder the full participation of women and minorities in government. In Parliament only 8 of 140 members were female. In the Government, one woman serves as Minister of Foreign Affairs and another served as the Minister of Economic Trade and Development. The major political parties have women's organizations and have women serving on their central committees. Despite the prominence of a few women in positions of power in the Government, many NGO's also point to the general decrease of women in politics.

The percentage of minorities in government and politics does not correspond to their percentage of the population, although no legal impediments hinder their full participation. Ethnic Greeks constitute the largest minority group. They are represented in the Government and participate actively in various political parties, particularly the Human Rights Union Party. There were three ethnic Greek ministers in the Government.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups in general operate without government restriction, investigating and publishing their findings on human rights cases. Government officials are somewhat cooperative but minimally responsive to their views. The Albanian Helsinki Committee, the Albanian Human Rights Group, the Albanian Center for Human Rights, the Society for Democratic Culture, the Albanian Media Institute, SOROS Foundation, the Albanian Institute for Contemporary Studies, the Women's Center, and Women in Development were among the most active domestic NGO's involved in addressing human rights problems. Despite the assistance of international donors, the work of these organizations was hampered by a shortage of funds and equipment.

The People's Advocate (Ombudsman), an institution that became operational in July 2000, investigates inappropriate, inadequate, or illegal actions on the part of the Government. Although it lacks the power to enforce decisions, the People's Advocate acts a watchdog for human rights violations. Its most common cases include citizen complaints of police and military abuse of power, lack of enforcement of court judgments in civil cases, wrongful dismissal, and land disputes (see Sections 1.c., 1.e., and 1.f.). The caseload of the People's Advocate office continued to increase as the public became more aware of the services provided. While the People's Advocate enjoyed the political support of the highest ranking members of the Government and is authorized to receive information from all public agencies, there were reports that some officials often tried to impede the work of the People's Advocate in its investigations. For example, government entities did not always provide requested information in a timely manner.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The law prohibits discrimination based on sex, race, ethnicity, language, or religion; however, discrimination against women and some minority groups persisted.

Women

Violence against women and spousal abuse remained serious problems. In the country's traditionally male-dominated society, cultural acceptance and lax police response resulted in most abuse going unreported. Rape is punishable by law, as is spousal rape; however, in practice, spousal rape is not reported or prosecuted. The concepts of spousal rape and sexual harassment are not well established, and, consequently, such acts often are not considered crimes by the authorities or the public. In 1999 the Advice Center for Women and Girls, an NGO, conducted a poll which showed that 64 percent of women surveyed had experienced some form of physical, emotional, or sexual abuse. Later statistics were not available. The State Committee on Women and Children is the primary government agency that addresses the status of women;

however, it is underfunded and lacks political influence.

An NGO maintains a shelter in Tirana for abused women, but the facility has the capacity to house only a few victims at a time. The same NGO also operates a hot line that provides advice and counseling to women and girls.

Many men, especially those from the northeastern part of the country, still follow the traditional code known as the "kanun," in which women are considered to be, and are treated as, chattel. Under the kanun, a woman's duty is to serve her husband, and to be subordinate to him in all matters. The kanun has contributed significantly to attitudes in the region espousing the subordination of women.

The law prohibits prostitution, but it was a problem. Trafficking in women for the purpose of sexual exploitation remained a serious problem (see Section 6.f.).

Women are not excluded, by law or in practice, from any occupation; however, they are not well represented at the highest levels of their fields. The Labor Code mandates equal pay for equal work; however, while women continued to gradually gain economic power this provision was not fully implemented. Women enjoy equal access to higher education, but they are not accorded full and equal opportunity in their careers, and it is common for well-educated women to be underemployed or to work outside their field of training. An increasing number of women continued to open shops and small businesses. Many women migrated along with men to Greece and Italy to seek employment.

Various groups such as the Women's Center, the Family Planning Association, Useful to Albanian Women, the Independent Women's Forum, Women in Development, the Millennium Coalition, the Women's Advocacy Center, the Association of Women's Lawyers, Refleksione, and the three main human rights groups work to promote women's rights. Some of these groups have been successful in promoting public awareness regarding domestic violence and implementing programs to empower women; however, their ability to lobby the Government and other prominent individuals to institute actual change in government policies and practices remained negligible.

Children

The Government's commitment to children's rights and welfare is codified in domestic law. The law provides for the right to at least 8 years of free education and also authorizes private schools. School attendance is mandatory through the eighth grade (or until age 18, whichever comes first). However, in practice many children leave school earlier than allowed by law in order to work with their families, especially in rural areas (see Section 6.d.). According to a Save the Children 2000 report, in some rural areas approximately 90 percent of adolescent girls drop out of secondary school. The lack of proper documents—many of which have been lost due to internal migration—prevented many students from attending school (see Section 2.d.). The State Committee on Women and Children is responsible for children's issues; however, it is underfunded and lacks political influence.

According to 2000 statistics issued by the Ministry of Public Order and the Commission for Reconciliation of Blood Feuds, more than 2,000 children remained endangered by blood feuds involving their families (see Section 1.a.).

Child abuse, including sexual abuse, rarely is reported, but authorities and NGO's believe that it exists. According to the Ministry of Public Order, more than 300 cases of child sexual abuse were reported in 2000. According to the Center for the Protection of Children's Rights (CRCA), more than 2,000 children between the ages of 13 and 18 are involved in prostitution rings. According to the same organization, a large number of Albanian children (as many as 4,000) work as child prostitutes in Greece, and trafficking in children was a serious problem (see Section 6.f.). Criminals may kidnap children from families or orphanages to be sold to prostitution or pedophilia rings abroad. Child labor continued to be a problem (see Section 6.d.).

Various organizations work on children's issues including the Children's Human Right's Center in Albania, the Albanian Children's Alliance, which is made up of 150 organizations across the country, and Useful to Albanian Women. The international organizations active in this area include UNICEF, Save the Children, Caritas, and Catholic Relief Services.

Persons With Disabilities

There is some discrimination against persons with disabilities in employment, education, and the provision of other state services. Widespread poverty, unregulated working conditions, and poor medical care pose significant problems for many persons with disabilities. They are eligible for various forms of public assistance, but budgetary constraints mean the amounts that they receive are very low. No law mandates accessibility to public buildings for persons with disabilities, and little has been done in this regard.

Religious Minorities

Relations among the various religious groups are generally amicable, and tolerance is widespread in the country's largely secular society. Inter-marriage among religious groups is extremely common. Unlike the previous year, there were no reports of vandalism of Orthodox churches and buildings.

National/Racial/Ethnic Minorities

The Constitution provides for national minorities' "pluralism, national identity and inheritance, and religious coexistence." The Constitution also provides for minorities the right to "freely express, without prohibition or compulsion, their ethnic, cultural, religious and linguistic belonging" and the right "to preserve and develop them, to study and be taught in their mother tongue, and to unite in organizations and associations for the protection of their interests and identity." A National Minorities Section in the Department of Prefectures in the Ministry of Local Government monitors the participation of national minorities in policymaking both at the local and national levels, while the Office of National Minorities, established at the Ministry of Foreign Affairs in 2000, monitors Albania's compliance with international obligations and commitments as they relate to minority issues.

No recent official statistics exist regarding the size of the various ethnic communities. The Government omitted questions regarding ethnicity and religion in the April census, which caused some ethnic Greeks to boycott the process. Of all minority groups, ethnic Greeks are the largest and best organized and receive the most attention and assistance from abroad. There also are small groups of Macedonians, Montenegrins, Vlachs, Roma, and Egyptians.

The ethnic Greek minority, led by their cultural association Omonia, have a variety of complaints against the Government. Minority leaders cite the Government's unwillingness to recognize the existence of ethnic Greek towns, such as Himara, that are not considered part of communist-era "minority zones"; to utilize Greek on official documents and on public signs in ethnic Greek areas; to address effectively crimes committed against ethnic Greeks, particularly allegations that communal property is being taken illegally by means of fraudulent documents and in some cases with complicity of the courts; to ascertain the size of the ethnic Greek population; and to include a higher number of ethnic Greeks in public administration. Omonia is also concerned about the lack of access to Greek-language education. Greek-language public elementary schools are common in much of the southern part of the country, where almost all ethnic Greeks live. Every village in this zone has its own elementary-middle (8-year) school in the Greek language, regardless of the number of students. There also is a Greek chair at the University of Gjirokaster. However, there are no Greek-language high schools and Omonia complains that the ethnic Greeks need more classes both within and outside the so-called minority zones. Ethnic Greeks enjoy access to Greek language media (see Section 2.a.). Ethnic Macedonians live primarily in the Pogradec and Devoll and the Prespa area bordering Macedonia. Their interests are represented by Society Prespa. Classes in Macedonian are available to students in the area; the Macedonian Government provides texts for these classes free of charge. A considerable number of students from this area study at the universities of Skopje and Bitola. A small group of ethnic Montenegrins and Serbs live north of Shkoder. Persons from this area received scholarships from the Montenegrin government for their children to study in Montenegro. Montenegrin interests are represented by the Association of Montenegrins. There are no reports of discrimination against ethnic Montenegrins. Vlachs, also known as Aromanians, speak their own Romanian-related language as well as Albanian and live primarily in the southern part of the country. No discrimination has been reported by the Vlachs, who are represented by the groups Armeni-Alban, The Aromanian Association Voskopoja, and Aefallofisi.

The Roma, and the Egyptians, who trace their roots back to Egypt, are among the most neglected groups in the country. The Egyptians tend to settle in urban areas and generally are more integrated into the economy than the Roma. In addition to widespread societal discrimination, these groups generally suffer from high illiteracy, poor health conditions, lack of education, and marked economic disadvantages. The interests of the Egyptians are represented by the Association Socio-Humanitarian Vllazerimi, the Roma by the Association Amaro Drom, Amaro Divas, Romani Baxt, and the Group for the Development of Roma Culture. The Soros Foundation supported various initiatives sponsored by the Association Amaro Drom, particularly in the field of education.

Section 6 Worker Rights

a. The Right of Association

Workers have the right to form independent trade unions and workers exercise this right in practice. Two major federations act as umbrella organizations for most of the country's unions: The Independent Confederation of Trade Unions of Albania (membership around 75,000) and the Albanian Confederation of Trade Unions (membership around 100,000). Both organizations experienced another drop in membership during the year due to harsh economic reforms that have left many individuals unemployed. Some unions chose not to join either of the federations. No union has an official political affiliation, and the Government does not provide any financial support for unions.

The Law on Major Constitutional Provisions and other legislation provides that all workers, except the uniformed military, the police, and some court officials, have the right to strike. The law forbids strikes that are declared openly to be political or that are judged by the courts to be political. During the year, the Confederation of Trade Unions organized a general 1-hour strike with employees of the education system. This strike was followed 1 week later with a general 1-day strike; the union claimed that 70 percent of schools nationwide participated.

Unions are free to join and maintain ties with international organizations. Twelve federations, which are part of the Albanian Confederation of Trade Unions, are members of the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively

Citizens in all fields of employment, except uniformed members of the armed forces, police officers, and some court employees, have the constitutional right to organize and bargain collectively, and the Labor Code establishes procedures for the protection of workers' rights through collective bargaining agreements. In practice, unions representing public sector employees negotiate directly with the Government. However, labor unions operate from a weak position, given the country's very high level of unemployment. Effective collective bargaining remained difficult, and agreements were difficult to enforce.

The law does not prohibit antiunion discrimination; however, there was no such discrimination in practice.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Law on Major Constitutional Provisions and the Labor Code prohibit forced or compulsory labor; however, trafficking in women for sexual exploitation was a serious problem (see Section 6.f.).

The law forbids forced or bonded labor by children; however, trafficking in children for sexual exploitation or begging were serious problems (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Code sets the minimum age of employment at 16 years and limits the amount and type of labor that can be performed by children under the age of 18. Children between the ages of 14 and 16 legally may work in part-time jobs during summer vacation. The Ministry of Labor may enforce minimum age requirements through the courts; however, there were no reports that this enforcement took place. According to the CRCA, an estimated 30,000 to 50,000 children under the age of 18 work either full or part time; some children as young as 4 years of age were employed, and some children work as many as 16 hours a day. According to the CRCA, the majority of child laborers find work as street or shop vendors, farmers or shepherds, drug runners, textile factory workers, shoeshine boys, or prostitutes (see Section 5). In Tirana and other cities, it is common to see children, mostly Roma, working as beggars or selling cigarettes and other items on the street; the police generally ignored this practice. According to NGO reports, labor inspectors who are charged with investigating child labor complaints have not given out any fines, penalties, or convictions to those who violate child labor laws.

The CRCA noted that in a March 1998 study carried out with the Ministry of Education in 11 cities throughout the country, more than 17 percent of children surveyed had abandoned their studies in order to work. The State Committee on Children also noted that there are approximately 800 street children in Tirana. According to unofficial statistics provided by UNICEF, there are more than 2,000 Albanian children in Thessaloniki, and approximately 6,000 children all over Greece; most of these children work or beg. Italian sources believe that there are more than 6,000 unaccompanied minors in Italian institutions such as orphanages and child centers.

In April the Government ratified ILO Convention 182 on the worst forms of child labor.

The law forbids forced or bonded labor by children; however, trafficking in children for sexual exploitation and to a lesser degree for begging rings was a serious problem (see Section 6.f.).

e. Acceptable Conditions of Work

The legal minimum wage for all workers over the age of 16 was approximately \$50 (6,380 lek) per month, which is not sufficient to provide a decent standard of living for a worker and family. Many workers look for second jobs, which are difficult to find. Remittances from those working abroad are very important for many families. The law provides for social assistance (income support) and unemployment compensation, but these are very limited, both in terms of the amounts received and the number of persons actually covered. The average wage for workers in the public sector was approximately \$100 (14,000 lek) per month. Persons who work and live in urban areas earn almost 50 percent more than those who live and work in rural areas, and poverty is greater in rural areas. Nationwide more than 17 percent of the population lives under the official poverty line. No data is available for private sector wages, but they are believed to be considerably higher than in the public sector.

The legal maximum workweek is 48 hours, although in practice, hours typically are set by individual or collective agreements. Many persons work 6 days a week. By law overtime pay must be provided and there are mandated rest periods; however, these are not always observed in practice.

The Government sets occupational health and safety standards; however, it had limited funds to make improvements in the remaining state-owned enterprises and a limited ability to enforce standards in the private sector. Actual conditions in the workplace generally were very poor and often dangerous. A number of job-related deaths were reported in the press during the year, especially in the construction industry. In such cases, the victims' families did not receive any financial support from the state social security administration because the workers often were not insured. The Labor Code lists the safety obligations of employers and

employees but does not provide workers with the right to leave a hazardous workplace without jeopardy to their continued employment.

f. Trafficking in Persons

New legislation passed in January criminalizes trafficking in persons and provides penalties for traffickers; however, trafficking in persons, particularly women and children, remained serious problems. Albania is a country of origin and a transit country for trafficking. Police corruption and involvement in trafficking was a problem.

Although the number of Albanians subjected to trafficking to other countries has decreased, Albania remained a significant country of origin. Most trafficked women and young girls are transported to Italy, Greece, and to a lesser extent, other European countries such as Belgium and the Netherlands. Due to the poor economic situation, many women and young girls from all over the country—particularly Berat, Fier, Lushnje, Shkoder, and Vlora—were lured by men and women working in organized criminal groups who promised them jobs in Italy and Greece. Some men, primarily in the north of the country, also marry women and girls under false pretenses and take them abroad as prostitutes. Other forms of recruitment include promises of marriage, and to a lesser extent, the selling of victims to traffickers by family members, or kidnapping, including from orphanages. Most of these victims were taken to the southern port city of Vlora for transport by speedboat to Italy, although the port of Durres increasingly was a transport point.

Most trafficked Albanians increasingly fall into the 14 to 17-year-old age group; according to the AHRG, 25 percent of Albanian trafficking victims were minors. The CRCA reported in 2000 that statistics offered by the Italian census showed that there were more than 900 children (girls aged 14-18) who worked as prostitutes in Italy. A daily paper referred to one specific case in September in which the Director of the Orphanage in Korca was accused of selling young girls for prostitution to foreign citizens and was detained temporarily. The press published several cases involving minors who were victims of trafficking throughout the year. Children, including boys, also were trafficked for begging. Such children often were bought from families and even kidnapped. There are rumors that some children are sold to pedophilia rings abroad, although such reports have decreased from 1997.

The country also was a major transit country for trafficked women and girls, due to weak border controls, corruption, and proximity to Italy. Foreign women and girls in transit mostly originate from Moldova and Romania and to a lesser extent, Ukraine, Russia, Yugoslavia (Kosovo), Bulgaria, and other countries. These victims usually entered Albania through Montenegro, then passed through the northern Albanian city of Shkoder before heading for the southern port city of Vlora. From Vlora, they were transported by speedboat to Italy. Others were taken farther south to Greece. Traffickers typically confiscated victims' documents, physically and sexually abused them, and often forced them to work as prostitutes before they left Albania. Both Albanian and foreign women trafficked by Albanian organized crime networks are abused, tortured, and raped. Traffickers also may threaten their family members.

The police were often directly or indirectly involved in trafficking. The Ministry of Public Order has established an Anti-Trafficking Unit, an Organized Crime Section, and an Office of Internal Control which pays particular attention to police involvement in human trafficking; however, these structures were largely ineffectual for most of the year due to lack of staffing and corruption. By year's end, the Ministry of Public Order had increased staffing to antitrafficking units at its headquarters and installed regional chiefs in 10 of the country's 12 prefectures. Nevertheless, the Ministry of Public Order failed to follow up on high-profile trafficking and corruption investigations, and the Office of Internal Control did not prosecute any police officers for corruption. Local police often tip off traffickers when raids are scheduled. In the fall, nine police officers were dismissed, including five for trafficking. In one case, a police officer allegedly raped a 15-year-old girl that he intended to traffic; he was arrested but no further information on the case was available at year's end.

In January Parliament passed changes to the Criminal Code, introducing specific articles on trafficking. Under the new articles, penalties for trafficking in persons are 5 to 15 years' imprisonment, penalties for trafficking of women for prostitution are 7 to 15 years' imprisonment, and the penalty for trafficking in minors is a minimum of 15 years' imprisonment. The General Prosecutor's office was in the process of establishing an Organized Crime Strike force, made up of prosecutors and police officers, to handle high profile and sensitive cases; however, the lack of prosecution of traffickers remained a problem. Although police detained persons in 116 cases of trafficking in persons during the year, less than 10 percent of those arrested ever are convicted and sentenced. Only 22 traffickers were imprisoned during the year; almost all were sentenced to only 2 to 3 years imprisonment, because their crimes were committed before harsher sentences came into effect on March 14. When they were arrested, traffickers often were released because of insufficient evidence. If they were prosecuted, they often were charged for lesser crimes or were given less than the minimum sentence for trafficking. The absence of a witness protection program also impeded the Government's ability to build strong cases against traffickers. Victims often do not identify themselves as trafficked persons and are unwilling to testify due to fear of retribution from traffickers and because of distrust of the police. Cooperation between the police and prosecutors remained weak.

Parliament members attempted to impeach three members of the Supreme Court over their conduct in a high-profile case of trafficking in persons, which allowed a suspect to get out on bail and flee the country; however, the impeachment failed, in part due to lack of adequate evidence and proper investigation by prosecutors.

On October 21, police arrested a couple suspected of having trafficked 12 minors to Italy for use as beggars. The couple was caught with two children, aged 11 and 12, whom they had kidnapped from a family in Durres. The couple has been charged with trafficking children; their case was sent to court but remained pending at year's end.

The Government began reforms in the Ministry of Public Order and the General Prosecutor's Office to better enable it to address human trafficking and other organized crime activity; however, these efforts have not yielded concrete results. In July the Government established an Inter-Ministerial Commission on Human Trafficking, which was tasked with drafting a National Strategy on Anti-Trafficking, and has appointed a Minister to serve as the National Anti-Trafficking Coordinator. The draft National Strategy was completed in December. The Government, with the assistance of foreign governments, inaugurated the Vlora Anti-Trafficking Center on October 15; however, the center remained unstaffed at year's end.

The Government's State Committee on Women and Children provided limited trafficking prevention education; however, this office was underfunded and politically weak. The bulk of many awareness campaigns were carried out by various national and international NGO's and organizations.

Police treatment of trafficked women remained a problem. Police often treated trafficked women like criminals rather than victims. Foreign women who were detained at times lacked translation services, or were not given a choice of lawyers. Those detained by the police often were kept in the corridors of overcrowded, unsanitary detention centers (where they reportedly may be subject to verbal and sexual abuse by their traffickers, who are kept in cells nearby) and often were charged for crimes (illegal entry, prostitution); foreign victims at times were detained for extended periods of time (see Section 1.d.). In one case, the OSCE, the Albanian Helsinki Committee, and the Albanian Human Rights Group complained to the authorities regarding the lengthy detention of six foreign women (four Moldovans and two Romanians,) who were held in a pretrial detention center in Tirana for over 6 months (see Section 1.d.). Women who reject voluntary repatriation were deported at the nearest border, where they often were trafficked again.

However, in one case in Vlora, police gave a young girl refuge at the police station for more than 2 months after she gave evidence against more than 10 individuals who were part of a trafficking ring. She later received refuge with an organization in Italy.

Albanian victims of trafficking often face significant stigmatization from their families and society. The Government did not offer any assistance programs to victims, including repatriated Albanian victims. The Government does not provide any psychological counseling services. Several NGO's address the issue on a case by case basis; however, given the scope of the trafficking problem and limited resources to address reintegration, most victims of trafficking receive little or no assistance. The lack of a functioning and effective reintegration system often results in women being returned to the family members who sold them to traffickers previously. In late December a shelter for Albanian trafficked women and victims of domestic violence opened, and had helped six trafficked women by year's end.

The Ministry of Public Order provided assistance in referring foreign victims to a shelter administered jointly by the International Organization for Migration (IOM) and the International Catholic Migration Commission (ICMC). Foreign trafficked victims, if they so desired, benefited from an interagency referral system, a temporary social assistance program supported by a group of local NGO's, and a shelter, all organized by IOM and ICMC. From January to early October, 46 women were repatriated by the program.

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