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COUNTRY OF ORIGIN INFORMATION KEY DOCUMENTS

ALBANIA

23 NOVEMBER 2009

Contents

	Page
1. PREFACE	4
2. BACKGROUND INFORMATION ON ALBANIA	6
Geography.....	6
Map.....	6
Recent history.....	7
Recent events and political developments	8
Economy	10
3. HUMAN RIGHTS	11
Overview	11
Trafficking	11
Blood Feuds.....	14
Organised crime	15
Lesbian, gay, bisexual and transgender persons	16
Ethnic Groups.....	17
Women	18
Violence against women	18
4. INDEX TO KEY SOURCE DOCUMENTS	21
Key facts and geography	21
Map	21
History.....	21
Politics and recent developments	22
Human Rights – general.....	23
Human Rights – specific issues	23
Arrest and detention – legal rights.....	23
Blood feuds.....	23
Children	24
Citizenship and Nationality	25
Corruption	26
Death Penalty	26
Disability	26
Employment rights	27
Ethnic groups	27
Exit and Return	28
Foreign refugees.....	28
Freedom of movement	28
Freedom of religion	28
Freedom of speech and media.....	28
Human Rights institutions, organisations and activists	29
Judiciary.....	29
Lesbian, gay, bisexual and transgender persons.....	30
Medical issues	30
Military service	31
Political affiliation.....	31
Prison conditions.....	32
Security forces	32
Trafficking	33

Women 33

4. REFERENCES TO SOURCE MATERIAL..... 35

1. Preface

- i This Country of Origin Information Key Documents (COI Key Documents) on Albania has been produced by COI Service, UK Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The COI Key Documents includes information available up to 1 November 2009. It was issued on 23 November 2009.
- ii The COI Key Documents is an indexed list of key reports, papers and articles produced by a wide range of recognised external information sources. It does not contain any UKBA opinion or policy.
- iii For UK Border Agency users, the COI Key Documents provides direct electronic access to each source referred to in the document, via a link on the source numbers in the index and list of sources. For the benefit of external users, the relevant web link has also been included, together with the date that the link was accessed.
- iv As noted above, the documents identified concentrate mainly on human rights issues. By way of introduction, brief background information on Albania is also provided. Please note, this background material is not intended to provide a summary of the material contained in the documents listed.
- v This COI Key Documents and the documents listed are publicly disclosable.
- vi Any comments regarding this COI Key Documents or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

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INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

- vii The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>

- viii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>
- ix Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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Return to Contents
Go to sources

2. Background information

Full Country Name: The Republic of Albania

Area: 28,748 sq km (10,822 sq miles)

Population: 3.619.778 million (2008 est)

Capital city: Tirana (pop: 400,000)

People: Albanian 95%, Greeks 3% and others 2% (Vlachs, Roma (Gypsy), Serb, Macedonians, Bulgarian Balkans Egyptians, (1989 est). note: in 1989, other estimates of the Greek population ranged from 1% (official Albanian statistics) to 12% (from a Greek organization)

Languages: Albanian, Greek, Vlach, Romani, Slavic dialects.

Religion: Sunni Muslim (70%), Albanian Orthodox (20%), Roman Catholic (10%)

Currency: Lek

Major political parties: Socialist Party, Democratic Party, Social Democratic Party, Republican Party, Socialist Movement for Integration, Demo-Christian Party.

Government: Parliamentary Democracy

Head of State: Bamir Topi

Prime Minister: Dr Sali Berisha (Democratic Party)

Foreign Minister: Lulzim Basha

Membership of international organisations: United Nations, South East Europe Cooperation Process, Organisation for Co-operation and Security in Europe (OSCE), Council of Europe (COE), World Trade Organisation (WTO) (Foreign and Commonwealth Office (FCO) Country Profile: Albania, last updated 16 March 2009) [4a] (Albania today)

The Economist Intelligence Unit (EIU) *Country Profile – Main Report 2009*, updated 12 February 2009, stated:

“Albania has a young but ageing population. Emigration and lower birth rates have caused the percentage of the population aged under 35 to decrease markedly, from 69.2% in 1990 to 57.8% in 2007. Average life expectancy at birth was 76.3 years in 2007 – the highest in the Balkans after Greece. However, the Albanian population is young by European standards; the average age in 2007 was 32.5 years (32.1 years for men and 33 years for women).” [36b] (p10)

GEOGRAPHY

The FCO Country Profile on Albania, updated 16 March 2009, noted “Albania lies on the eastern Adriatic coastline, bordered by Montenegro to the north, Serbia/Kosovo to the north east, Macedonia to the east, and Greece to the south and south-east.” [4a] (Geography)

MAP

See the following site for a map of Albania:

<http://www.un.org/Depts/Cartographic/map/profile/albania.pdf>

RECENT HISTORY

The Freedom House report, *Freedom in the World 2009*, covering events in 2008, released in July 2009, stated:

“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.” [22d] (Overview)

Jane's Sentinel recorded, on 26 October 2009:

“Since the fall of communism, the country has suffered a series of economic and political crises, most notably the pyramid investment schemes collapse of 1997 and the resultant descent into anarchy. The large Albanian populations in neighbouring countries have often led to strained relations, particularly during the 1999 Kosovo conflict, when as many as 600,000 small-arms looted from Albania made their way into Kosovo. Despite efforts at reforming the economy, politics and the judiciary, and the government's policy of moving towards Euro-Atlantic integration, Albania remained politically unstable and mired in corruption and crime at all levels of society. Elections in 2005 saw the peaceful democratic transfer of power for the first time, through elections deemed free and fair by international observers. The government is now attempting to tackle corruption, which is the major plague of Albanian society. Albania joined NATO in April 2009 and in the same month it announced its formal application for EU membership, which is a top priority for the government. Early general elections were narrowly averted in 2007 after the eventual election (at the fourth attempt) of Bamir Topi as president. The June 2009 parliamentary elections were the closest fought in Albania's democratic history, and the incumbent Democratic Party of Albania (Partia Demokratike e Shqipërisë: PDS) was forced to form a coalition with the small Socialist Movement for Integration (Lëvizja Socialiste për Integritet: LSI) party in order to achieve a parliamentary majority, albeit a very slim one of 10 seats.” [37a] (National overview)

Amnesty International's (AI) 2009 Annual Report, covering events of 2008, recorded:

“An investigation was initiated after an explosion in March [2008] at a depot where obsolete munitions were being dismantled. The Minister of Defence was dismissed and lost his immunity while several officials from the Ministry of Defence were arrested. The explosion resulted in 26 deaths, over 300 people injured and the destruction or damage

of hundreds of houses. It also gave rise to allegations of corruption and irregular arms trading.” [11a] (p1, Background)

The Freedom House report, *Freedom in the World 2009*, further stated:

“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.” [22d] (Overview)

[Return to Contents](#)
[Go to sources](#)

RECENT EVENTS AND POLITICAL DEVELOPMENTS

AI recorded, in their Annual Report covering events of 2008, that “In April [2008], constitutional amendments were adopted, including changes to the electoral system. In November, a new electoral code was adopted. Amendments to the criminal code reinforcing protection for children and a law on gender equality aimed at increasing the representation of women in public life were also adopted.” [11a] (p1, Legal, constitutional or institutional developments)

EIU's Country Report, August 2009, stated:

“The trial of a former defence minister, Fatmir Mediu, who has been indicted over the deaths of 26 people in a series of explosions at the Gerdec ammunition depot in March 2008, was postponed for the third time on July 6th [2009]. Mr Mediu, who is the leader of the RP, is the most prominent figure among the 29 individuals indicted over the Gerdec tragedy, in which more than 300 people were injured as old ammunition was being dismantled. The latest postponement of Mr Mediu's trial, until September 14th [2009], will lead to considerable further delays, because by then the newly elected parliament will have convened, and it will need to lift Mr Mediu's parliamentary immunity – as the previous parliament did – if the judicial proceedings against him are to continue.” [36a] (p19)

A report by the European Union European Commission, *Commission Staff Working Document: Albania 2009 Progress Report*, published 14 October 2009, stated:

“On 29 January, parliament approved unanimously a resolution calling on the Government to apply for EU membership. In the resolution, Albania committed to conducting free and fair parliamentary elections and to approximating its legislation with the EU.

“The parliamentary elections of 28 June were assessed by the OSCE Office for Democratic Institutions and Human rights (ODIHR) as meeting most OSCE commitments whilst not fully realising Albania's potential to adhere to the highest standards for democratic elections. Tangible progress with regard to voter identification, legal framework and voting took place but the politicisation of technical processes, such as the vote count, remains to be addressed in future elections.” [38a] (p6)

The EIU report, August 2009, stated the next election was due in mid-2013. [36a] (p5)
Further:

“The centre-right Democratic Party of Albania (DPA) of the prime minister, Sali Berisha, came first in the election held on June 28th [2009], when the Alliance of Change, the electoral coalition led by the DPA, won 70 of the 140 parliamentary seats. The main opposition grouping, the Union for Change, led by the Socialist Party of Albania (SPA), gained 66 seats. The remaining four seats went to the Socialist Movement for Integration (SMI), whose leader, Ilir Meta, left the SPA to form his own party in 2004.” [36a] (p15)

“The election was held under the tight scrutiny of Albania's international partners, which considered the vote an important test of Albania's political maturity, as a new member of NATO and as an aspiring candidate for EU membership. In its preliminary assessment of the election, the main international election monitoring body, the Office for Democratic Institutions and Human Right (ODIHR) of the Organisation for Security and Co-operation in Europe (OSCE), noted that ‘tangible progress’ had been made in some important areas, including voter registration and identification. However, it noted that these improvements were overshadowed by the politicisation of many technical aspects of the election, with members of the Central Election Commission (CEC) split along party political lines. The ODIHR said that it would be publishing its final conclusions only after the entire process of dealing with appeals and verifying the process of voting had been completed. NATO was less cautious in its assessment, noting that although the election had marked a step forward, Albania had failed to reach the standards expected from a NATO member state.” [36a] (p16)

The EIU report further mentioned:

“The European Commission decided on July 15th to exclude Albania – and Bosnia and Hercegovina (BiH) – from the list of western Balkan countries whose citizens should benefit from the abolition of visa requirements when travelling to countries within the Schengen zone from the beginning of 2010. The Commission explained its recommendation to the EU countries' home affairs ministers by saying that Albania had failed to meet the conditions set by the EU's roadmap, especially regarding the fight against organised crime and corruption, and the upgrading of border and document security.” [36a] (p20)

Return to Contents
Go to sources

ECONOMY

GDP: \$21.81 billion (2008 est.)

GDP per capita: \$6,000 (2008 est.)

Annual growth (GDP - real growth rate): 6.1% (2008 est.)

Inflation rate: 3.4% (2008 est.) (CIA World Factbook, 28 October 2009) [10a]

Major industries: Cement, Oil, Chromium, nickel, copper, hydroelectric power

Major trading partners: Italy, Greece, Germany, Bulgaria, Turkey, Macedonia. (FCO, 16 March 2009) [4a] (Economy)

Exchange rate: £1 = 154.234 ALL (XE.com, accessed 11 November 2009) [24]

On the economy of Albania, the FCO Country Profile, dated 16 March 2009, further stated:

“Albania is one of the poorest countries in Europe. Since 1990, the economy has struggled to recover from the distortions of the communist regime, the impact of the move to a market economy and the 1997 Pyramid Crisis. Growth is strong albeit from a very low base. Energy provision remains a serious problem as a result of under investment and low water levels in the reservoirs on which hydroelectric production depends. The maintenance of law and order remains a problem in Albania. There are high levels of organised crime and corruption.” [4a] (Economy)

Amnesty International’s (AI) 2009 Annual Report, covering events of 2008, recorded that “Unemployment levels remained high, despite continued economic progress. More than 18 per cent of the population were estimated to be living below the national poverty line of US\$2 a day. This sector of the population also suffered most acutely from limited access to education, water and health and social care.” [11a] (p1, Background)

The EIU country profile 2009 stated “The economy remains heavily reliant on agriculture, which in 2008 accounted for an estimated 21% of GDP (at current prices). The farming sector has been dominated by small private holdings since the collapse of the communist state in 1991, when peasant farmers disbanded the collective farms.

“Industry accounted for about 20% of GDP in 2008, down from an average of about 45% in the late 1980s. This shift reflects the reduced importance of the mining and manufacturing sectors since the communist period, when the authorities pursued a policy of aggressive industrialisation. Textiles and footwear are Albania’s principal exports, and generate about 43% of total export revenue. The services sector is a smaller part of the economy than in most other post-communist countries in eastern Europe.

“Albania remains one of the poorest transition economies outside the Commonwealth of Independent States (CIS). In 2008 the country had an estimated GDP per head, at purchasing power parity (PPP) exchange rates, of US\$6,774.” [36b] (p13)

The EIU country profile 2009 further mentioned “The level of economic participation is low. Labour force participation and employment have tended to lag behind population growth. The domestic labour force was 67.4% of the working-age population in 2007, with men having a considerably higher participation rate (75.1%) than women. The official unemployment rate was 12.6% at end-September 2008.” [36b] (p10)

[Return to Contents](#)
[Go to sources](#)

3. Human Rights

OVERVIEW

The US State Department *Country Reports on Human Rights 2008*, Albania, covering events in 2008 (USSD report for 2008) published 25 February 2009, stated:

“While the government generally respected the human rights of its citizens, there were problems in some areas. During the year the government attempted to assert greater control over independent institutions such as the judiciary, the Office of the Prosecutor General, and the media. The government interfered in the ongoing investigation into the March 15 Gerdec arms depot explosion. Security forces abused prisoners and detainees and prison and pretrial detention conditions remained poor. Police corruption and impunity continued, as did discrimination against women, children, and minorities. While some progress was made toward combating human trafficking, it remained a problem.” [2a] (p1)

In the FCO’s 2008 Annual Report on Human Rights, released in March 2009, the overview of Albania noted that although it was party to several international agreements on human rights, Albania continued to have difficulty implementing legislation and reform in some areas. [4c] (p54)

Amnesty International’s (AI) 2009 Annual Report, covering events of 2008, stated: “Domestic violence was widespread. The trafficking of women and children for forced prostitution or other forms of exploitation continued. There were incidents of torture and other ill-treatment of detainees in police stations and prisons. Detention conditions for remand and convicted prisoners sometimes amounted to inhuman and degrading treatment. Adult orphans were denied their legal right to adequate housing.” [11a] (p1)

[Return to Contents](#)
[Go to sources](#)

TRAFFICKING

The Freedom House report, *Freedom in the World 2009*, Albania, (Freedom House 2009) released in July 2009, covering events in 2008, stated: “Albania is a source country for trafficking in women and children, with the latter accounting for as many as half of those sent abroad.” [22c] The FCO noted in the overview on Albania in their 2008 Annual Report on Human Rights, released in March 2009, that: “Human trafficking remains a problem, and recent international reports suggest there is more the government could be doing to tackle it.” [4c] (p54)

The Council of Europe Report by the Commissioner for Human Rights, published 18 June 2008, stated:

“Although the numbers of trafficked Albanian women and children appears to be decreasing, credible reports indicate that many still are faced with the danger of simply being recycled into trafficking. Owing to the illicit nature of the act, the extent to which re-trafficking exists is undocumented and unclear... Tackling the widespread problem of victim identification, the government has stepped up its efforts in the course of the last year to secure effective identification of victims through initiating interviewing procedures in the presence of not only border, migration and/or anti-trafficking police officers, but reinforced with representatives from the social services and specialised

NGO's. However, representatives of specialised anti-trafficking NGOs told the Commissioner that the inclusion of NGOs does not happen on an institutionalised and regular basis and needs to be improved." [27a] (p20)

The USSD Trafficking in Persons report, covering the period from April 2008 to March 2009, published 4 June 2009, commented:

"The Government of Albania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increased political will to combat human trafficking over the last year, particularly through progress made in its efforts to identify victims of trafficking. Concerns remained regarding whether the government vigorously prosecuted labor trafficking offenders and public officials who participated in or facilitated human trafficking." [2d] (p2)

The USSD Trafficking in Persons report, published 4 June 2009, also stated:

"The Government of Albania made some progress in its anti-trafficking law enforcement efforts during 2008. Albania criminally prohibits sex and labor trafficking through its penal code, which prescribes penalties of five to 15 years' imprisonment. These penalties are sufficiently stringent and exceed those prescribed for rape. In 2008, Albania prosecuted 22 trafficking cases, compared with 49 in 2007, and convicted 26 trafficking offenders, compared with seven in 2007. All of the prosecutions and convictions involved sex trafficking of women or children. In 2008, sentences for convicted trafficking offenders ranged from two to 25 years' imprisonment. The government instituted routine anti-trafficking training for police recruits and current police officers, and organized additional training for judges and social service providers. In an outreach effort to potential female victims, in 2008 the government assigned approximately 20 female anti-trafficking police officers to organized crime police units throughout the country. Pervasive corruption at all levels and sectors of Albanian society remained an obstacle to reducing human trafficking in Albania. The government reported that the cases of official complicity referenced in the 2008 Report were determined to have involved smuggling, not human trafficking." [2d] (p3, **Prosecution**)

The USSD Trafficking in Persons report, published 4 June 2009, further noted:

"The Government of Albania boosted efforts to provide victims of trafficking with protection and assistance in 2008. Officials improved the functioning of the national victim referral mechanism and, as a result, identified 108 victims of trafficking in 2008, a five-fold increase from the previous year. The government provided approximately \$262,000 in funding to the government-operated victim care shelter, an increase of 16 percent over the previous year; it also provided occasional in-kind assistance, such as use of government buildings and land, to four additional NGO-managed shelters. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders; however, victims often refused to testify, or they changed their testimony as a result of intimidation from traffickers or fear of intimidation. Victims were not penalized in Albania for unlawful acts committed as a direct result of their being trafficked. Albanian law provides for legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution." [2d] (p3, **Protection**)

The USSD Trafficking in Persons report, published 4 June 2009, commented:

“The Government of Albania implemented several anti-trafficking prevention activities during the reporting period. International organizations fund the majority of prevention campaigns, but the Ministry of Interior has funded the national toll-free, 24-hour hotline for victims and potential victims of trafficking since November 2007. The Ministry of Education includes in its high school curriculum awareness-raising of the dangers of trafficking. Senior government officials spoke out against human trafficking, and the government provided tax breaks to businesses that employ people at-risk for trafficking. In 2008, the government approved a new national action plan on combating trafficking, which specifically addressed issues related to child trafficking. The Ministry of Tourism took the lead in monitoring a code of conduct for the prevention of child sex tourism that 24 tourist agencies and hotels signed. There was no evidence that the government undertook prevention activities specifically targeted at reducing the demand for commercial sex acts or forced labor.” [2d] (p3, Prevention)

AI reported in their 2009 annual report, covering events in 2008:

“Women and girls continued to be trafficked for forced prostitution, and children for exploitation as beggars, generally to Greece and Italy. Victim protection remained weak, and police largely relied on the victims themselves to report trafficking. During the year, the Serious Crimes Court tried 30 defendants on charges of trafficking women for sexual exploitation and six defendants charged with trafficking children. [11a] (p2, Trafficking in human beings)

The Information on Return and Reintegration in the Countries of Origin (IRRICO) country sheet for Albania, latest updated on 6 April 2009, recorded there were shelters available to victims of trafficking and ‘vulnerable cases’. [1] (p7-8) The report further noted some other organizations offering assistance to such cases:

“The state initiatives to prevent trafficking of human beings are supported by national and international NGOs. The organizations that have had more impact in this area are the ‘Vatra’ Centre (supported financially and technically by the project ‘Promotion of Regular Migration and Prevention of Trafficking of Human Beings in Albania’), Tjeter Vizion, Different and Equal, Sherbimi Social Nderkombetar (International Social Service), Terre des Hommes, Ndhme per Femijet (Help for Children), Qendra Komunitare Ballsh (Community Centre of Ballsh), Komisioni Nderkombetar Katolik per Migracionin (International Catholic Commission for Migration), Save the Children, Klinika Ligjore per te Miturit (Legal Clinic for Minors), Sherbimi Social Nderkombetar (International Social Service), Ne dobi te gruas (For the benefit of women), Strehezat (Shelters), Organizata nderkombetare per migracionin (IOM), Linja e keshillimit per gra dhe vajza (Counselling line for women and girls), Qendra Shqiptare per mbrojtjen e te drejtave te femijeve (Albanian centre for protection of child rights), the coalition of NGOs ‘Bashke kunder trafikimit te femijeve’ (Together against child trafficking – BKTF).” [1] (p7-8)

See also section on Women below and in the index

[Return to Contents](#)
[Go to sources](#)

BLOOD FEUDS

The Immigration and Refugee Board of Canada's *Issue Paper, Albania Blood Feuds*, May 2008, observed:

"The Albanian blood feud is a centuries-old custom that draws on tribal tradition and customary law. In a report by the International Centre for Minority Studies and Intercultural Relations (IMIR) in Sofia, Bulgaria, blood feud, or *gjakmarrya*, is defined as 'a system of reciprocal 'honour killing'. The Albanian Institute for International Studies (AIIS), an independent policy research institute, refers to blood feud as a self-governing practice that 'exist[s] parallel to the state authority'. Stéphane Voell, a professor specializing in Albania at Philipps Universität (Germany), stated that 'blood feud is a culturally embedded action of groups, contrar[y] to vengeance, where individuals take [the] law in their own hands' (12 Jan. 2008).

"Alex Standish, Honorary Research Associate in the Department of Anthropology at Durham University (UK) and recognized expert on blood feuds (Durham University 21 Mar. 2007), stated in a telephone interview with the Research Directorate that a distinguishing feature of blood feuds that differentiates them from other crimes is that the perpetrators of blood feud killings want people in their community to know they are responsible (20 Nov. 2007). Standish explained that, in ethnic Albanian society, it is extremely important that blood feuds be carried out publicly and not privately (20 Nov. 2007). Professor Roland Littlewood of University College London's (UCL) Centre for Behavioural and Social Sciences in Medicine and the Department of Anthropology states the following on the UCL website: 'However the feud starts, from quarrels over boundaries or insults to women, its continuation has an almost inexorable public form. The blood feud is a collective concept involving the whole community' (Oct. 2004)." [8t] (2. Defining blood feuds, 2.1. Definitions)

The paper further stated "Kanuni I Lekë Dukagjinit (Kanuni 1989), or Kanun, is the code of customary laws passed down mostly by oral tradition that 'prescribes practices of daily life,' including rules governing blood feuds. Lek Dukagjini, a 15th -century feudal leader, is credited with crafting the code.

"Besjan Pesha, co-founder of the Albanian non-governmental organization (NGO) MJAFI!, stated in a telephone interview with the Research Directorate that northern Albanians, in particular, have enormous respect for the Kanun and have transmitted its prescriptions from generation to generation for hundreds of years. According to Pesha, there is 'no respect for the laws of the Albanian state'. Voell states that 'even if kanun is often not considered as useful anymore, the virtues of kanun are often highlighted'." [8t] (2. Defining blood feuds, 2.2. The Kanun)

The USSD report for 2008 noted societal killings, including both generational "blood feud" killings and revenge killings, had continued to occur in 2008.

"Statistics varied on blood feud activity. According to the Interior Ministry, there were four blood feud related killings, out of a total of 85 murders during the year, a decrease from previous years. According to the Ministry of the Interior, this is the lowest number in 18 years. Police restarted investigations in some older cases, and uncovered the perpetrators of 81 murder cases from previous years. Nongovernmental organizations (NGOs) cited higher levels of blood feud activity and numbers of families effectively imprisoned in their homes out of fear of blood feud reprisals. The tradition of blood feuds stems from a traditional code of honor that is followed in only a few isolated communities. In 2007 the parliament amended the criminal code to criminalize blood

feuds and make them punishable by a three-year sentence. The Court of Serious Crimes tried blood feud cases. The law punishes premeditated murder, when committed for revenge or a blood feud, with 20 years' or life imprisonment." [2a] (Section 1a)

The same report added:

"As in previous years, some children were unable to leave their homes, including for school, due to fear of reprisal from blood feuds. Figures on the numbers of affected children varied; the latest figures of the Ministry of Interior indicate an estimated 20 children permanently sequestered, while NGOs cite a figure as high as a few hundred. According to the National Reconciliation Committee, nearly 1,000 children were deprived of schooling due to self-imprisonment. As many as 182 children remained endangered by blood feuds involving their families; 86 of these were in particularly dangerous circumstances. Parents generally homeschooled these children. In September the government began offering home-based schooling to 52 children of the self-imprisoned families in the district of Shkoder." [2a] (Section 5)

The Freedom House 2009 report, published in July 2009, stated that "Traditional tribal law and revenge killings are practiced in parts of the north." [22d]

For further information see [blood feuds in the index list below](#).

[Return to Contents](#)
[Go to sources](#)

ORGANISED CRIME

The CIA World Factbook, updated on 28 October 2009, stated Albania was an:

"increasingly active transshipment point for Southwest Asian opiates, hashish, and cannabis transiting the Balkan route and - to a lesser extent - cocaine from South America destined for Western Europe; limited opium and expanding cannabis production; ethnic Albanian narcotrafficking organizations active and expanding in Europe; vulnerable to money laundering associated with regional trafficking in narcotics, arms, contraband, and illegal aliens." [10a] (Transnational Issues, Illicit drugs)

The European Union European Commission, *Commission Staff Working Document: Albania 2009 Progress Report*, published 14 October 2009, stated:

"Limited progress has been made in the fight against organised crime. It remains a key European Partnership priority to be addressed. A specific action plan to implement the national strategy against organised crime, trafficking and terrorism remains to be adopted. Organised crime remains an issue of serious concern in Albania."

"The fight against organised crime continues to be hampered by the lack of effective cooperation at operational level between law enforcement bodies, the judiciary and the prosecution. Case reporting and investigations coordination between Prosecutor and Police, continue to be issues of concern. The investigative capacity of the police and prosecution remains weak. The establishment of joint investigation units to target organised crime groups and their assets, can help to improve cooperation between the relevant authorities." [38a] (p48-49, Section 4.3.5)

The European Union European Commission report recorded “Moderate progress can be reported in the fight against money laundering, which continues to be a major problem.

“The Law on Money Laundering and Financing of Terrorism entered into force in September 2008 and implementing legislation has been adopted. Further efforts are needed to incorporate international standards (FATF recommendations, UN and Council of Europe Conventions) into national law. A strategy and an action plan on the prevention of money laundering have not yet been adopted.” [38a] (p46, Section 4.3.2)

The European Union European Commission report further commented:

“There has been limited progress in the fight against drugs. Cannabis continues to be produced domestically for markets in Europe, and Albania remains a transit country for narcotics traffickers moving from Central Asia to destinations in Western Europe.

“Albania is making efforts to curb the production of drugs more effectively. An action plan for the prevention of cannabis cultivation was adopted in April 2009 and is currently under implementation, in cooperation with local governments. [38a]] (p47, Section 4.3.3)

LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

Global Gayz reported, in an undated article, accessed 1 August 2009:

“In the summer of 1994 the Government of Albania put forward a draft penal code under which homosexuality would have remained illegal, but with the maximum sentence reduced to three years. A campaign by the Gay Albania Society within Albania, and international pressure orchestrated by ILGA, in which the Council of Europe played an important role, led to the withdrawal of this draft law. On January 20, 1995 the Albanian Parliament legalized homosexual relations in Albania. Article 137 of the old Penal Code promulgated under socialist Albania, which offered ten years of prison for simply ‘being homosexual’ has thus been done away with completely.” [32]

The Council of Europe Report by the Commissioner for Human Rights, published 18 June 2008, stated:

“Same-sex consensual relations have been decriminalised by the Albanian Parliament but an open discussion regarding homosexuality remains taboo in Albania. Since 2004 the age of consent for heterosexual and homosexuals is 14. Albania does not recognise marriages or civil unions of any kind between same sex partners. A draft antidiscrimination law has been submitted to the parliament; among its provisions it addresses equal opportunities for all irrespective of sexual orientation.

“LGBT persons are routinely subject to intolerance, physical and psychological violence and seen by many persons suffering from an ‘illness’. There were reports from the OSCE Mission, human rights NGO’s and LGBT groups whom the Commissioner met that the LGBT community suffers abuses not only from the general public, but that there have also been cases of mistreatment by the police. The recent Naser Muhed Saidik Almalak case (relating to the arrest of five individuals in Tirana) highlighted shortcomings in police arrest and detention procedures when dealing with LGBT persons, but also discrimination, arbitrariness, maltreatment and the public disclosure of the health status of some of the arrested persons.” [27a] (p18)

The USSD report for 2008 noted:

“The government has not taken any actions to protect the rights of homosexuals. As in previous years, NGOs claimed that police targeted the homosexual community for abuse.

“The Albanian Human Rights Group reported that during the year, police harassed members of the Albanian Gay and Lesbian Association and other known homosexuals.” [2a] (Section 5, Other Societal Abuses and Discrimination)

On 30 July 2009, BBC News reported:

“Albanian Prime Minister Sali Berisha has announced his party will propose a law legalising same-sex marriage. It is an unexpected move in a country that is still one of the most conservative in Europe and where homosexuality was illegal until 1995. Mr Berisha acknowledged the proposed law might provoke debate but maintained that discrimination in modern Albania had to end. The bill was drawn up by a group of non-governmental organisations. It has been accepted by Mr Berisha's Democratic Party and will now come before parliament in the autumn. In a predominantly Muslim country with almost no open homosexual community, the announcement by a conservative PM has taken people by surprise.” [7c]

[Return to Contents](#)
[Go to sources](#)

ETHNIC GROUPS

The Freedom House 2009 report, covering events in 2008, published July 2009 further stated: “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.” [22d]

The USSD report for 2008, commented:

“There were no reports of police violence against members of minority groups, but there were reports of societal discrimination. As visible minorities, members of the Romani and Balkan Egyptian communities suffered significant societal abuse and discrimination.

“The law permits official minority status for national groups and separately for ethnolinguistic groups. The government defined Greeks, Macedonians, and Montenegrins as national groups; Greeks constituted the largest of these. The law defined Aromanians (Vlachs) and Roma as ethnolinguistic minority groups.

“Unlike in previous years, there were no reports of cases of central government displacement of Roma.

“The government did not fund its National Roma Strategy, which sought to improve the livelihood of the community. It did not have a defined strategy for other minority or ethnolinguistic groups.

“The ethnic Greek minority pursued grievances with the government regarding electoral zones, Greek-language education, property rights, and government documents.

Minority leaders cited the government's unwillingness to recognize ethnic Greek towns outside communist-era 'minority zones'; to utilize Greek on official documents and on public signs in ethnic Greek areas; to ascertain the size of the ethnic Greek population; or to include a higher number of ethnic Greeks in public administration." [2d] (Section 5, National/Racial/Ethnic Minorities)

A report by Refugees International, 11 March 2009, stated:

"An unknown number of the Greek minority in Albania lack citizenship. Most of them live in a southern region called Northern Epiros, referring to the historical state of Epiros which was divided between Albania and Greece in 1913. Greeks were harshly affected by the communist regime's attempts to homogenize the population. In 2006, the Greek government decided to allow Greeks in Albania to obtain dual citizenship. The number who has obtained Greek passports as a result of the decision is not known. Information on Roma who may be stateless because of discrimination and lack of basic infrastructure and public services is unavailable." [25a] (p44)

The EIU country profile 2009 recorded:

"Greeks form the largest national minority. Albania has three national minorities: Greeks, ethnic (Slavic-speaking) Macedonians and Montenegrins. It also has two ethno-linguistic minorities, Vlach and Roma. The largest and best organised group is the Greek minority, which is represented by an association called Omonia. The European Commission has said that the lack of reliable statistical data on the size of minorities – ethnic origin was not included in the 2001 census – hinders the development of policies to protect them." [36b] (p10)

[Return to Contents](#)
[Go to sources](#)

WOMEN

The Freedom House 2008 report, published July 2008, covering events in 2007, reported that "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." [22a]

The Freedom House 2009 report published August 2009 stated that "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." [22d]

[Return to Contents](#)
[Go to sources](#)

Violence against women

The Council of Europe Report by the Commissioner for Human Rights, published 18 June 2008, stated "Violence against women, particularly domestic violence is a widespread human rights violation which is under-reported, under-investigated, under-prosecuted and under-sentenced in Albania. There is [sic] an un-qualified number of

offenders enjoying impunity as the crime is still seen as a private issue and therefore seldom reported.” [27a] (p17)

The USSD report for 2008 commented that:

“The criminal code penalizes rape, including spousal rape; however, victims rarely reported spousal abuse nor did officials prosecute spousal rape in practice. The concept of spousal rape was not well established, and often neither authorities nor the public considered it a crime. The law imposes penalties for rape and assault depending on the age of the victim. For rape of an adult, the prison term is three to 10 years; for rape of an adolescent aged 14-18, the term is five to 15 years and, for rape of a child under 14, seven to 15 years.

“Domestic violence against women, including spousal abuse, remained a serious problem. In November 2007 the OSCE noted that ‘domestic violence was under-reported, under-investigated, under-prosecuted, and under-sentenced’ and that officials granted immunity to the overwhelming majority of perpetrators. The government has a department of equal opportunities at the Ministry of Labor, Social Affairs and Equal Opportunity that covers women's issues, including domestic violence.

“The government did not fund specific programs to combat domestic violence or assist victims, although non-profit organizations did. Women to Women, a Swedish NGO, reported that there were approximately six domestic violence hot lines that operated throughout the country. The hot lines, serving mainly the northern part of the country received approximately 24 calls per month from women reporting some form of violence. Shtreheza, an NGO that operated two shelters for battered women in Tirana, reported an increase in cases of domestic violence, primarily due to increased awareness of services.

“In many communities, particularly those in the northeast, women were subject to societal discrimination as a result of traditional social norms that considered women to be subordinate to men.” [2a] (Section 5, Women)

The USSD report for 2008 also noted that:

“In 2006 the parliament, with the assistance of the Women's Legal Rights Project, enacted an expansion of the law against domestic violence, adding administrative penalties such as protection orders. This law helped raise awareness of the issue and assistance available for victims through the legal system and nonprofit organizations. Implementation of the law is still in the nascent stages, and has been sporadically enforced. The government reported greater awareness of this issue by the population, and 466 complaints were made by citizens regarding domestic violence. Implementation of the restriction orders started during the year with 340 requests for restrictions and 740 citizens placed under police protection. The Ministry of Interior reported 17 murder cases in families occurred during the year.” [2a] (Section 5)

The USSD report for 2008 further mentioned:

“The law prohibits prostitution; however, it remained a problem.

“The law prohibits sexual harassment; however, officials rarely enforced the law.

“The law provides equal rights for men and women under family law, property law, and in the judicial system. In practice cultural traditions often favored men over women.

“Neither the law nor practice excluded women from any occupation; however, they were not well represented at the highest levels of their fields. The law mandates equal pay for equal work; however, the government and employers did not fully implement this provision.” [2a] (Section 5, Women)

The AI annual report 2009 recorded that:

“Domestic violence was widespread, and was believed to affect about one in three women. In the first nine months of 2008 the police registered 612 incidents of domestic violence, although many others were believed to have gone unreported. The authorities took measures to increase protection for victims, the great majority of them women.

“Few cases involving domestic violence were criminally prosecuted unless they involved threats to life, or resulted in serious injury or death. Nonetheless, victims increasingly sought protection from their abusers. Between January and September, police reportedly assisted 253 victims in applying to courts for protection orders under civil legislation adopted in 2007. However, courts often did not issue these orders because victims withdrew their complaints or failed to appear in court.” [11a] (Violence against women and girls)

[Return to Contents](#)
[Go to sources](#)

4. Index to key source documents

(KB users - click source number to access document directly)

KEY FACTS AND GEOGRAPHY	[1a]	Europa World Online, Location, Climate, Language, Religion, Flag, Capital (accessed on 30 July 2009)
	[2a]	United States Department of State, Report on Human Rights Practices 2008: Albania, published 25 February 2009 http://www.state.gov/g/drl/rls/hrrpt/2008/eur/119064.htm
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(IN ADDITION TO GENERAL REPORTS ABOVE, INFORMATION ON THE FOLLOWING ISSUES IS PROVIDED IN THE DOCUMENTS LISTED BELOW)		
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Return to Contents
Go to sources

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Return to Contents