

Commentary on the March 2011 Country of Origin Information (COI) report on Albania

Prepared for the Independent Advisory Group on Country Information
(IAGCI)

Dr Julie Vullnetari, Sussex Centre for Migration Research, University of Sussex¹
Olsi Vullnetari MA, Independent Consultant

May 2011

¹ This report is written in a personal capacity and therefore does not represent the views of these or other institutions. The authors have more than ten years of professional knowledge and research experience of Albania and Albanian society. They have previously researched and written on a range of issues relevant to the Albania COI report such as internal and international migration and development; trafficking for sexual exploitation; ethnic minorities, especially the Roma and Balkan Egyptians; gender issues and the position of women in Albanian society, with specific reference to domestic violence; policies and institutions on gender, human rights, development, and migration; diasporas and citizenship etc. More recently they have also worked on forced migration and conflict from the Western Balkans to the UK. They have both spent extensive time in Albania and are therefore, able to draw on that knowledge for the purposes of the present evaluation.

Table of Contents

Introduction	3
Summary of Findings.....	5
Methodology.....	6
Issues and Findings	7
1.1 Blood feuds	7
1.2 Medical infrastructure and general availability of treatment	9
1.3 People trafficking.....	11
1.4 Political rights and civil liberties	13
1.5 Social groups (Transgendered persons, Roma)	16
1.6 Other errors or omissions	18
1.6.1 Other parts of the report	18
1.6.2 Spelling errors, page numbers and other omissions.....	31

Introduction

In the early 1990s Albania emerged from behind the Iron Curtain as the poorest country in Europe. Perhaps the most bitter legacy from the almost half a century of communist rule and isolation was its government's track record of abuses of human rights matched today by states such as North Korea. A culture of intolerance, brutal suppression of dissent and opposing voices were intertwined with secrecy, strong patriarchy and authoritarianism. Some of these had their roots in the pre-communist past, as Albania had hardly time or occasion to develop its own experience of democracy after barely surviving as a stump territory, the dissolution of the Ottoman Empire. Forming a state was not an easy task considering that even the Ottomans had not been able to draw most Albanians away from their clan loyalty and disregard for central power. Although the communist state generally succeeded in enforcing central power to the furthest corners of the country, its own rule was a clan-like formation, whereby top official of the party and the government were linked through blood relations or marriage.

This brief look into the past is important to understand how these social and historical dynamics have strongly shaped events in the present. The political elite that emerged in the 1990s had no other experience of democracy and democratic principles, since the majority of them – including the most prominent figures of the last 20 years, Sali Berisha and Fatos Nano – had spent almost their entire life going through the various mechanisms of the communist system.² As such, the features of authoritarianism, suppression of opposing voices and intolerance have been part and parcel of the mode of governance in the country. In line with previous practice, governance in the last two decades has also been characterised by a web of loyalist and nepotistic networks, which undermines the independence of various institutions such as public servants, the police and even the judiciary.

Twenty years on and Albania seems to be making one step ahead and two steps back on the road to becoming a country with a functioning democracy and respect for human rights. For instance, The Economist Intelligence Unit (EIU)'s 2010 democracy index ranked Albania 84th out of 167 countries – down from 81st place in 2008 – placing it near the top of the list of states which are considered hybrid regimes.³ While foreign financial and technical assistance has been crucial in ensuring a set of legislation that is very contemporary, law enforcement and implementation remain highly problematic. The most recent example is the set of events of 21 January 2011 when an anti-government protest turned violent and four protesters were shot dead, apparently by the Republican Guard who protect senior officials and who were on duty at the Prime Minister's compound at the time. The General Prosecutor's detention orders issued the next day for the six chief officers involved were first met with a flat refusal by the police chief, but were – after external pressure – executed on 8 February, and even then only partially.⁴

As this report is being finalised Albanians are voting for their local government representatives, 'following a campaign marred by political violence, including explosions, shootouts, stabbings and clashes between rival supporters'.⁵

² Both former members of the communist party, they have dominated the political scene in the post-1990 years.

³ The Economist Intelligence Unit (EIU), 'Country Report Albania, February 2011'. London: 2011.

⁴ Thomas Hammarberg, Council of Europe Commissioner for Human Rights, 'Special Report following the visit to Albania to assess the human rights aspects of the events of 21 January 2011 in Tirana', CommDH(2011)9. Strasbourg: February 2011, p4.

⁵ 'Albanians vote in local elections', 8 May 2011, <<http://blogs.voanews.com/breaking-news/2011/05/08/albanians-vote-in-local-elections>>, accessed May 2011.

For the purposes of asylum applications and decisions in the UK, Albania is considered as an NSA (non-suspensive appeal) country, and 'for some time has not featured in the top 20 asylum intake countries'. For example, UKBA received some 170 asylum claims in 2010 from Albanians or less than 1 per cent of a total of around 18,000. For this reason, the UKBA has not considered producing a full report on Albania as a priority, but has addressed demands from staff through Key Documents and the information generated by some of the cases litigated through the courts, such as on issues of Blood Feuds. Therefore, the last full country report was dated April 2004 (when COIS was still CIPU).⁶

The March 2011 COI report, which is the focus of this commentary, thus comes after an important time gap of nearly a decade, rendering the two reports difficult to compare, because of the rapid and significant changes that Albania has gone through. The structure and overall organisation of the country reports has also changed over these years. However, in the course of preparing this review, we have consulted the COI 2004 report and its 2004 evaluation, as well as COI Key Documents for 2008 and 2009. For the purposes of the present review, we were asked to do four things:

- assess the extent to which information from source documents has been appropriately and accurately reflected in the COI Report;
- identify additional sources detailing the current human rights situation in the country;
- note and correct any specific errors or omissions;
- make recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach.

The principles related to these four requirements are applied throughout the review.

⁶ From e-mail correspondence with Richard Lederle, Head of COI Service, UKBA, 4 May 2011.

Summary of Findings

The March 2011 COI report on Albania is generally representative, easy to use and up to date. Significant work and effort seems to have gone into preparing it. Given that the last COI report was published some years ago (in 2004) it was not deemed practical to compare the two, since Albania has changed significantly in the meantime. However, the 2004 COI report, its review and the COI Key Documents have been consulted in the process.

Although a number of issues have been covered quite extensively, there remain a number of areas which merit further attention. This commentary points out the issues where this is needed and makes recommendations of how to achieve balance and accuracy where this is problematic. The main focus of the commentary consists of the three areas which have generated the most asylum applications amongst Albanian citizens in recent years: i) *blood feuds*; ii) *medical infrastructure and general availability of treatment*; and iii) *people trafficking*. However, the report also draws specific attention to two topics which have not been sufficiently appraised, but which have stirred concern amongst Albanian individuals and human rights organisations in recent years, namely i) *political rights and civil liberties*; and ii) *social groups, with specific reference to Transgendered persons and the Romani community*. Other issues in the report have been dealt with in the order in which they appear in the report. Finally, a list of minor spelling errors and other omissions is supplied.

Blood feuds continue to remain a problem in the Albanian context and no matter how they are started their end is generally loss of life. The report makes a good case of presenting the material, but misses the urgency, severity and its meaning, by giving more weight to statistics, while protection from state authorities is dealt with by simply describing the legislation. Three illustrative cases are therefore brought to the discussion in order to emphasise the impact in the everyday life of real people, in a place where state authorities can and do little.

As far as the *medical infrastructure and general availability of treatment is concerned*, there is an over-reliance on material produced by Albania's Ministry of Health. Attention is drawn here to mental health in particular, where stigmatisation is one factor affecting a deplorable level of care.

The section on *people trafficking* is dealt with extensively in the report, but once again there is an over-reliance on one particular source: the US TIP reports, while the discussion on prosecution and protection focuses primarily on legislation and initiatives. However, the crucial problem in Albania is implementation of legislation, combined with corruption, both of which cripple results. These need to be acknowledged more openly in the report to ensure that an accurate and balanced picture is presented.

The growing concern for some years has been a deterioration of *political rights and civil liberties* in a society which is considered by some analysts as a 'hybrid regime'. The issue seems to have been missed overall in the report, but we believe that it should be included, particularly in the light of recent events of 21 January 2011.

The report author(s) should be commended for dealing responsibly with a number of the topics in the report, such as the position of the LGBT community, women, children and the issue of corruption. However, the severity of the persecution of *transgendered persons* needs to be represented in a more accurate way, as does the situation of the *Roma*.

In conclusion, while the report has generally presented a positive view of Albania, a more nuanced use of some of the references and an inclusion of missing information as suggested in this commentary would ensure the required accuracy and balance.

Methodology

The COI reports issued by the UKBA aim to present an impartial, balanced and accurate summary of key source documents on human rights in each country covered – in this case Albania – and ensure that the information is updated with each new report. Our task, therefore, was to evaluate the extent to which this was achieved in the case of Albania report of March 2011, offer additional relevant sources to be used in the future, and make recommendations for further improvements. The Albania report is 105 pages long containing some 130 sources from 85 outlets. Although checking each and every information source was a lengthy task, we were able to do this. However, specific attention was paid to the three areas which were emphasised as having particular importance in asylum claims presented by Albanian citizens in the UK. These were identified in a briefing letter received from Richard Lederle as being:

- blood feuds
- medical infrastructure and general availability of treatment
- people trafficking

Therefore, evaluation of sources in these three areas forms the core of this review. Every reference related to these three areas has been double checked against its original source for accuracy and consistency. Depending on the degree to which this consistency exists, observations are made on missing information, and additional sources are suggested, where this was necessary.

In addition to these, we have also identified at least two other areas in which the extent to which human rights are observed needs to be taken more seriously into account, related to:

- political rights and civil liberties
- social groups, with specific reference to Transgendered persons and the Romani community

A final sub-section of the review is dedicated to addressing missing or incomplete information in other parts of the report, and overall errors in spelling or referencing.

In addition to the cross-checking of information accessible through the reference system of the report and other relevant publications, this evaluation has also benefited from our insider – yet independent – knowledge of Albania and Albanian society.

A final word on the *presentation*: quotations that appear in the COI report have been italicised, while others added/suggested for inclusion are in regular font. All quotations have been indented. Page numbers (eg. p.12), and paragraph numbers are used to help trace the relevant comment/suggestion.

Issues and Findings

1.1 Blood feuds

This is a well-covered issue in the report, and is well-sourced including reports from NGO's who are active on the ground in Albania, as well as government institutions and independent international observers. However, there are a few things that merit emphasis and inclusion for a more accurate view of the situation. We also provide three case illustrations, sourced from Albanian independent daily newspapers and the BBC.

pp.25, end of third paragraph in 9.05: the paragraph should be continued to include the omitted sentences which explain why caution should be practiced when considering government statistics on blood feuds, as follows:

'This is not to say that the Government statistics are definitive. Their accuracy is qualified by inadequate data-gathering and recording techniques, and insufficient coordination. These problems were underscored by the inconsistency of various official figures provided to me. I am also not aware of any sustained Government effort to reconcile the competing statistics.'

'Four factors account for the discrepancies among the various figures: definitional differences: underreporting; limited coverage of issues; and incentives to overstate.'

H.O: Thank you. This will be added in the next version.

pp.27, paragraph 9.12: however, see Corruption and my comments on it earlier.

H.O: This will be addressed in the next version.

The remainder of the report⁷ which deals with this issue goes on to discuss the assessment that in spite of efforts made, the government has had a limited impact on both limiting the cases of blood feuds and changing the mentality of local communities surrounding the phenomenon. The latter is particularly problematic because of the

'... lingering notions that collective punishment is acceptable', 'notions which are utterly incompatible with the... human rights of all individuals'. In some cases '[A] number of interlocutors informed me that they had approached the Government for assistance to end their self-isolation through reconciliation, but the State did little in response' (p.7).

H.O: We will use the report to provide further context in the manner suggested.

Two cases reported in the local media (in Albanian) and one on the BBC news are presented below to illustrate the realities of this phenomenon in Albania today.

⁷ Report of the Special Rapporteur on extrajudicial, summary and arbitrary executions, Philip Aston; Addendum; 'Preliminary note on the mission to Albania (15-23 February 2010)', 20 May 2010, (source 13d of the COI report).

The first, concerns the killing of 26 year old Dritan Prroni, in Shkodër in October 2010. According to the story reported in the Albanian daily 'Gazeta Shqip',⁸ five years earlier (September 2005) Dritan's paternal uncle who owned a bar in Shkodër had shot dead a 21 year old man called Sokol Njemza as both had a brawl in the bar under the influence of alcohol. After the event, all males of the Prroni extended family – including Dritan who was also 21 years old at the time – were sequestered indoors in their house in Shkodër for fear of revenge, while the killer went into hiding and is still on the 'wanted' list of the police. Both families originate in the Dukagjin region, the heartland of the *Kanun* of Lek Dukagjin. After five years of isolation, Dritan decided to defy the threat and started going out of the house, attending the local protestant church where he had become a pastor recently. Until October 2010 when the 21 year old brother of the murdered man (Sokol) hunted him down and shot him dead in one of the main streets of the city of Shkodër, in broad daylight, also wounding a passer-by in the process.

The second case took place in March 2011. The Albanian daily BalkanWeb⁹ reported that Astrit Kurmemaj, who was serving his 20 years jail sentence for a murder he committed in April 2003, was on a short leave in March 2011 to visit his family in Shkodër. On the last day before he was due to return to prison, he was shot dead near his home. Police are looking for the killer, but suspect the case is a revenge/blood-feud case related to Astrit's victim of 2003. Astrit allegedly also killed his victim because of a blood feud after his brother had been killed some years earlier by a cousin of Astrit's victim. Moreover, in January 2011 there was a failed attempt to kill Astrit's 16 year old son who also lived in Shkodër.

The third case, although somewhat distant in time (2005), is presented here to illustrate the extent to which individuals will go to 'uphold their family's honour' by ensuring that the 'owed' blood is taken. In this story reported by the BBC, the brother of the victim of a killing came to 'avenge his brother's blood' in the UK, where he hunted down and then killed the young man who had allegedly committed the first murder in 2000 in a central town in Albania and who had subsequently fled the country and settled in the UK.¹⁰ As the second murder took place in the UK, this received some attention from the UK media at the time.

In the post-communist years the killings often do not adhere to the tenets of the *Kanun*, but the latter is used as a tool to justify murder that may take place for a variety of reasons, at times involving rival gangs in cities and districts. Some of these allegations were part of the second illustrative case above. In a BBC report in 2005,¹¹ Tonin Gjuraj, who was a university lecturer in the city of Shkodra and who had researched the issue of blood feud commented on the UK blood-feud related murder (third illustrative case in this review): 'Acts of revenge justified on the basis of the Kanun are often nothing more than common criminal offences in an area where law enforcement remains weak.' The impact, however, is the same in terms of isolating male members of the family and holding the (extended) family collectively responsible for a crime an individual has committed. As such, definitions of revenge or blood

⁸ Our paraphrasing from Albanian of the article titled 'Blood Feud: the 26 year-old pastor is executed in central Shkodër', by Ardi Hoti, 9 October 2010, <<http://www.gazeta-shqip.com/index/index/ba164fd866d7653f8356d27538fb82c1.html>>, accessed April 2011.

⁹ Our paraphrasing from Albanian of the article titled 'Shkodër, the prisoner of Shënkoll is executed with a fire weapon', 14 March 2011, <<http://shqip.time.mk/read/8044bfdd07/a0d081f8b9/index.html>>, accessed April 2011.

¹⁰ 'When a blood feud came to Britain', by Chris Summers, BBC News, 17 October 2005, <http://news.bbc.co.uk/2/hi/uk_news/4621523.stm>, accessed April 2011.

¹¹ 'Eye for an eye, life for a life', by Chris Summers and Paulin Kola, BBC News, 17 October 2005, <<http://news.bbc.co.uk/1/hi/world/europe/4614123.stm>>, accessed April 2011.

feuds often overlap, since they would both be considered as 'honour killing' of males. Clarissa de Waal, A Cambridge-based anthropologist who has also carried out research in northern parts of Albania, further elaborated in the same BBC report¹² that: '...blood feuds were linked to a concept of "neighbourhood opinion" strong in Albanian communities... families often get involved in blood feuds because if they did not avenge their loss they would be perceived as cowards locally' and that '... in some cases killers have paid corrupt officials to secure freedom...'.

H.O: COIS would be happy to utilise the above sources in particular the Albanian language sources. (Your review, when published would become a source for future reports.)

An understanding of the of the principles and meanings of blood feuds in the Albanian context are essential for any fair decision on related asylum claims. The COI 2009 Key Documents contained insightful information (pp.14-15) from key experts in the field, and we recommend that those continue to be used in conjunction with the 2011 COI report.

H.O: COIS will cross-reference and utilise where appropriate.

1.2 Medical infrastructure and general availability of treatment

This section of the report relies heavy – in certain parts – on documents produced by the government of Albania, Ministry of Health, although World Health Organisation (WHO) and UNAIDS reports are also used. In p.52, section on disability, for instance, only one source of information is consulted. The key recommendation here is therefore, for the use of a broader range of sources and independent reports, which do not only give quantitative descriptions of health facilities, but engage more in depth with the quality of service provision as well. The report fails to mention, for instance, that there are entire rural areas where health care centres have closed and health personnel only visits occasionally, if at all. Depopulation and lack of public investment are both influencing factors.

H.O: Thank you, COIS would be interested in receiving details of any further sources so that we can address these points in the next version.

On specific areas of health care, the situation on mental health needs to receive particular attention. The following two paragraphs from a 'Carnegie Council' publication¹³ on the situation of disabled people in Albania are recommended for inclusion in order to balance the COI report.

'... Despite an alleged commitment to human rights and the ratification of major human rights instruments, the Republic of Albania does not take seriously its commitments to the rights of people with mental disabilities. Albanians have little awareness of human rights principles and their own domestic laws protecting the mentally disabled. Under Article 41 of the Mental Health Law of Albania, "persons with mental disorders who have committed a penal act and are condemned by the Court to suffer the punishment in psychiatric institutions, benefit from medical care

¹² 'Eye for an eye, life for a life', op. cit.

¹³ 'Protecting the mentally disabled' by Harvey Weinstein, Ira Burnim and Robert Okin of 'The Carnegie Council', published on 06 May 2001 http://www.carnegiecouncil.org/resources/publications/dialogue/2_06/online_exclusive/654.html , accessed May 2011.

according to the dispositions of this law." The Prison Hospital in Tirana illustrates some of the more egregious human rights violations against the mentally disabled. Although Albanian law stipulates one year of treatment to be followed by a re-evaluation, the average length of stay is five years'.

The report continues that:

'The general conditions in this psychiatric unit are appalling. This is not a treatment facility; it is a unit within the prison where those prisoners with mental illness are warehoused. Patients live five to a room and spend most of their days in their cells. There is one bathroom for twenty-five people and showers are available twice a week. Family contact is rare. The rules of the hospital are the same as those of the prison. As with other prisoners, individuals with mental disability are not allowed any music or reading material other than religious tracts. The administration of the health facility is under the Director of Prisons-not the Ministry of Health. Appropriate treatment is thus not a high priority. Health providers are doing their best under circumstances that violate all ethical principles. Our observations suggest that the law is not being observed'.

Although this report was written some years ago, it reflects many of the facets of this type of care in the last two years as well.

H.O: Thank you COIS will utilise this 2001 report.

Disabled individuals remain a marginalised group in Albania, especially in practical terms as access to various services and resources does not comply even with the minimum of the limited standards which have only very recently been approved by government. For example, a 2010 United States Department of State (USDoS) report states that:

'The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities; however, employers, schools, health care providers, and providers of other state services sometimes discriminated against persons with disabilities. The law mandates that new public buildings be accessible to persons with disabilities, but the government only sporadically enforced the law. Widespread poverty, unregulated working conditions, and poor medical care posed significant problems for many persons with disabilities.'

H.O: COIS will utilise this new report in the next version.

The issue of mental health becomes even more pressing when it concerns children and young people. The following quotes from WHO's *National Survey on Public Attitudes to Mental Health – 2009*,¹⁴ can be added in p.69, below paragraph 25.32:

'... 20 % of the adolescents under the age of 18 suffer from developmental, emotional or behavioral problems, and one in eight has a mental disorder. Among adolescents and children from poor communities, this rate is one in five. In young

¹⁴ WHO's 'National Survey on Public Attitudes to Mental Health – 2009', <http://www.moh.gov.al/konferenca/pdf/Albania%20Survey%20on%20Public%20Attitudes%20to%20Mental%20Health.pdf>, accessed May 2011.

people, depression and low self-esteem are linked with smoking, binge drinking, eating disorders and unsafe sex, putting them at risk of a range of diseases including sexually transmitted diseases such as AIDS.' (p.19)

The report continues:

'A considerable portion of these children don't take or have no access in proper care because of the lack of specialized services. Most of the interventions available have been traditionally focused on the adult patients, disregarding the need of early interventions during childhood. In Albania mental health services for children are centralized only in Tirana, not facilitating the access to them of the largest percentage of children in the country.' (p.20)

H.O: Thank you, COIS will include the suggested quotes in the next version of the report.

In particular, it is concerning that the COI report relies almost entirely on information from the Albanian government in the sub-section which discusses children's health (pp.68-69), thus giving the impression that the situation is as good as it can be. We would urge caution in adopting the information found on the government of Albania website uncritically, as appears to be the case in these sections. Please use other independent sources to balance the report.

H.O: COIS recognises the concerns raised. Any recommendations for such alternative sources would be appreciated.

p.77, section 27 on people living with HIV/AIDS: this is a vulnerable group in Albania as there is a strong stigma and discrimination attached to HIV/AIDS. This comes not only from the general society, but even from those who have a professional duty to test and treat them, such as doctors and nurses. Because of this, reporting of HIV/AIDS cases is a rather delicate issue, resulting in people being deprived of the chances to treat their condition in time, and thus live longer and better. More information sources should be used in this section of the report.

H.O: COIS recognises the concerns raised. Any recommendations for such alternative sources would be appreciated.

1.3 People trafficking

The section on trafficking is rather brief and clinical, especially when considering that this is one of the three areas identified by the report users as bringing in a significant number of asylum claims amongst Albanian nationals. There are a number of missing issues which we discuss below. In addition, there is an over reliance on two sources only, both of which come from the USDoS, namely the 'US State Department 2009 Human Rights Report: Albania', published on 11 March 2010 and the 'US Department of State Trafficking in Persons Report 2010: Albania', published on 14 June 2010. Especially the latter is considered by independent researchers as being biased, its categorisation of countries along the trafficking tiers allegedly reflecting the relationship of the US government with the relevant country categorised, rather than the trafficking situation there. For instance, since the

Albanian government – of any political colour – is generally pro-American and relies heavily on US support, it is portrayed in a positive light in the TIP Reports. Thus according to these reports, Albania climbed from Tier 2 Watch List in 2008 to Tier 2 in 2009, although in practice wide-spread corruption has seriously impeded trials of traffickers – where these have been caught – adequate witness protection for victims and a prevention of re-trafficking. Telling in this respect (i.e. the bias of TIP reports) is also the fact that the USA was including in the country list of tiers only in 2009 for the first time since in the history of these reports.

The section on ‘Prosecution’ simply reports on what legislation there is in place rather than what the practice in reality is. This section gives the impression that things are under control in Albania, which is definitely not the case. While there may be a range of legislative acts and provisions, a number of governmental and non-governmental organisations engaged on the issue of trafficking, the implementation of the legislation and the hard results on the ground are very different.

Therefore, in order to avoid potential for misleading, we recommend that the section includes a sub-heading on Legislation on Prosecution, and Implementation.

Reference to work by Stephanie Schwandner-Sievers is to be commended as being one of the few sources of independent research on this issue, and more can be drawn on it.

Amongst ‘other common factors’ for trafficking it is important to include the position of women – especially rural women – in society, practically as ‘second-class citizens’, at times as chattel which are traded between the men of the parental and spousal family, especially in the north and north-east of the country. In such an environment, there is a significant stigmatisation of divorced and separated women, which makes their lives unbearable in the areas they live in and which fuels their need to escape the country at any cost.

The major issue is the safety of persons who have denounced their traffickers – whether abroad or in Albania – especially in the case of trafficking for sexual exploitation.

One issue which is not mentioned in the report is that about re-trafficking. This is when a trafficked person is repatriated to Albania and after a certain time in a shelter, police station, or other place is re-trafficked again abroad. The main cause for this is the difficult life the individual faces upon return to Albania. During such returns, police notify the parents or in their absence other close relative of the individual they hold. This is the first moment of the breach of privacy as these relatives generally are not aware of the activities the person was engaged in abroad – especially when this involves work in the sex industry. Second, because Albania is such a small country where families are closely related to each-other and trace relations and acquaintances in various parts of the country, there is a significant and real danger that the police officers handling the case will either know the person, or relatives of the person, or know someone who knows the person. As such, the return of an individual who has been a trafficking victim to Albania is generally not an anonymous event; information about spreads around quickly, with the result that stigmatisation of the individual and the family prejudices the return to their area of origin. This stigmatisation means that the individual cannot lead a meaningful life and participate in activities such as going outside the compounds of the house – not even in the garden – go to work, to school, etc. They effectively live imprisoned. Some years ago a returned young woman committed suicide after a few months of living in her parental home under such conditions, as her life had become unbearable.

Regarding prosecution and witness protection, an Amnesty International (AI) report of 2010 on Human Rights in Albania¹⁵ stated that:

‘Prosecutions remained scarce because victims feared reprisals by their traffickers, or were pressured by their families to withdraw complaints. During 2009 the Serious Crimes Court convicted five people of trafficking women for prostitution and four of trafficking children.’

In another instance, AI reported¹⁶ that:

‘The trafficking of women and children for forced prostitution and cheap labor continued, although arrests and prosecutions for trafficking markedly increased. The law, however, did not adequately protect victims, for whom there were limited support services provided by non-governmental organizations.’

H.O: COIS will address the comments made above concerning the issue of trafficking. Any recommendations regarding sound and unbiased sourceing would be welcomed.

1.4 Political rights and civil liberties

House of Freedom materials are heavily used in sections 17 and 18 of the report, alongside others from the USDoS. However, the passages selected for quotation in the report do not reveal the true extent of the problems existing in Albania in this area of human rights and give a glossy impression of the situation. We recommend that the following be considered/ added for a balanced and more accurate view.

[p.39, section on Freedom of association and assembly.](#)

It is important and very pertinent that this section includes information on recent events of 21 January 2011 and its aftermath. The response to the anti-government protest on 21 January 2011 has been considered by numerous international human rights organisations such as AI as disproportionate. The response left four unarmed protesters dead while detaining 113 individuals including 19 minors.¹⁷ The EU Commissioner’s report in February 2011¹⁸ stated that:

‘10. The Prime Minister and the Minister of the Interior informed the Commissioner that the Guard of the Republic was entitled to use lethal force under specific circumstances once the security perimeter of government buildings was breached. While the Commissioner understood that all four killings in fact occurred outside the security perimeter of the Prime Minister’s Office building, the Ministers maintained that there were attempts from the protesters to enter the yard. (p.3)

‘13. According to the information provided by the Ombudsman’s Office, all detainees were first brought to police stations and then transferred to pre-trial detention centres, since there would be overcrowding in the police detention facilities had the

¹⁵ AI, ‘Human Rights in Republic of Albania 2010’, <<http://www.amnesty.org/en/region/albania/report-2010>>, accessed May 2011.

¹⁶ <<http://www.amnestyusa.org/all-countries/albania/page.do?id=1011102>>, accessed April 2011.

¹⁷ Thomas Hammarberg, 2011, op. cit.

¹⁸ Thomas Hammarberg, 2011, op. cit.

detainees be kept there. All detainees maintained that they had been subjected to ill-treatment during their arrest and during their transfer to the detention facilities. They further contended that although documents concerning their detention bore the signature of lawyers, and in the case of minors, of psychologists, they had not been provided with legal assistance in reality. All detainees noted that they had signed the documents in question under psychological duress. The Commissioner learnt that two detainees visited by the Ombudsman's Office had signs of ill-treatment on their persons at the time of the visit. Finally, certain detainees complained about their inability to have access to their family members.' (pp.3-4).

H.O: Thank you, COIS will incorporate the information above in the next version.

Other unpublished accusations suggest that detainees included individuals who happened to be passing by at the place of protest, not necessarily having participated in any way in it.

H.O: Thank you, COIS may consider this as a source for future reports.

A second issue which is important to keep in mind regarding this basic democratic freedom of the right of assembly is the widespread occurrence of what can be coined as 'coerced assembly'. This means that individuals employed in the public sector – which includes teaching, medical and social services, ministries and public companies – are put under pressure to attend election rallies of the ruling party at threat of being fired from their jobs. Personal communication with a number of such individuals employed in various levels of public service revealed that they are required to sign attendance lists, while photographic images and video film are used as proof of compliance. Those in the teaching profession are put under pressure to ensure that their students participate in the rallies while threats for student non-participation include their expulsion from school as a final measure.

These tendencies were generally reported as practices during the 2009 general elections, as reported also in the *Freedom in the World – 2010 (Albania)*, published 1 June 2010,¹⁹ which stated that:

'International observers of the 2009 parliamentary elections hailed improvements in a number of areas, but also cited problems including media bias, abuse of state resources, political pressure on public employees...'

'The government generally does not limit academic freedom, although both students and teachers were reportedly pressured to support the PD ahead of the 2009 elections.'

Such incidence has continued in the current local election campaign, but open reporting of such cases is rare because of fear from further intimidation. Local Albanian media, for instance, reported on the case of the secondary school's director for the commune of Petrela, near Tirana, who claimed to have been fired from his job because of refusing to follow instructions from his superiors to take disciplinary measures against his students who in their free time supported the campaign of the opposition candidate. These acts seriously limit an individual's freedom to willingly participate or not in an assembly.

H.O: COIS will expand on these points in the next version of the Report.

¹⁹ Freedom House, 'Freedom in the world – 2010 (Albania)', published 1 June 2010,

p.39, section on Opposition groups and political activists

The *Freedom in the World – 2010 (Albania)*, published 1 June 2010, stated that:

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

(Please cross-reference this with the section on Corruption and the Independence of the Judiciary).

H.O: COIS will incorporate the recommendations in the next version of the report.

p.39 and onwards, section on Freedom of expression

The quoted paragraphs used in this section of the report generally reflect the situation, but there is a need for a more balanced view. We recommend the following extracts from human rights organisations and independent media outlets which would reveal a more accurate picture on the ground.

The *Freedom in the World – 2010 (Albania)*, published 1 June 2010, stated that:

‘While the constitution guarantees freedom of expression, the intermingling of powerful business, political, and media interests inhibits the development of independent outlets. During the 2009 campaign period, most outlets were seen as biased toward either the PS or PD. Reporters have little job security and remain subject to lawsuits, intimidation, and in some cases physical attacks by those facing media scrutiny. Berisha routinely denigrates the media, and his government has placed financial pressure on critical outlets. In January, the authorities evicted a critical newspaper, Tema, from its offices in a state-owned building despite a court order to halt the action. In February, an editorial in a paper that was close to Berisha called for the murder of Mero Baze, Tema’s publisher. Baze was allegedly beaten severely in November by oil magnate and Berisha associate Rezart Taci and his bodyguards, after the journalist accused Taci of tax evasion on his television show. Taci and two of his guards were subsequently arrested for the attack, and the case was pending at year’s end.’

A USDoS report²⁰ – quoted as source [2b] (Section 2) in the COI 2011 report – adds further information by stating that:

‘In December [2010] businessman Rezart Taçi, who was accused of assaulting journalist Mero Baze in November 2009 for Baze's reporting on alleged corruption in the privatization of ARMO, the country's state-owned oil refinery, was acquitted. His two bodyguards were each fined 350,000 leks (\$3,500).

The report continues that:

²⁰ USDoS, ‘Country report on human rights practices 2010’, published 08 April 2011, <http://www.ecoi.net/local_link/158251/260688_en.html>, accessed May 2011.

‘Various forms of media intimidation continued. Journalists continued to complain that publishers and editors censored their work, either directly or indirectly in response to political and commercial pressures. Many journalists complained that their lack of employment contracts frequently hindered their ability to report objectively.’

‘On November 14, a Gjirokaster correspondent of the daily Panorama newspaper was reportedly assaulted by two persons. The assailants reportedly told the reporter to stop writing in the newspaper. Before the assault, the reporter had printed an interview with an unnamed woman who reportedly worked in drug plantations in Lazarat. The reporter filed a criminal suit with the Prosecutor's Office. The case was ongoing at year's end.’

‘The investigative role of the media continued during the year. Leading broadcaster Top Channel's popular investigative satirical show, *Fiks Fare*, led to dismissals and criminal cases against corrupt public officials. In 2009 hidden camera footage led to the dismissal of former-minister of culture, youth, and sports Ylli Pango who was accused of sexual misconduct. On June 18, the Tirana District Court heard Pango's lawsuit and decided to fine the broadcaster 51 million leks (\$500,000) for "harming the ex-minister's moral stature and causing anxiety and grief." The station appealed the ruling, and the case was pending at year's end.’²¹

In a report of 31 January 2011 linked to the violent anti-government protest, the independent online BalkanInsight²² stated that:

‘A parliamentary commission set up by the ruling party will probe the phone records of four Albanian journalists accused of being conspirators in what it says was an attempt to overthrow the government. [...] All four journalists are considered government critics.’

H.O: Thank you, COIS will incorporate the recommendations in the next version of the report.

p.42 and onwards, section 19 on Corruption

This section is balanced and accurate and reflects the situation well as it describes low-level corruption and that amongst top-level officials. It would be good to cross-reference it with the Independence of Judiciary.

H.O: COIS will action as recommended.

1.5 Social groups (Transgendered persons, Roma)

The section on GLBT has been discussed comprehensively in the report and in a balanced and accurate way. However, we wanted to draw attention in particular to those most at risk in that group, namely transgendered persons, the persecution of whom needs to be better

²¹ The undercover journalist reportedly sought asylum in France as her safety could not be guaranteed in Albania, while Prof. Pango – who has always contested his innocence – was appointed in February 2010 General Director of the quasi-governmental Agency for Research, Technology and Innovation. See also the article in BalkanInsight: <http://www.balkaninsight.com/en/article/albania-tv-fined-4-over-sex-scandal> , accessed April 2011.

²² See Balkaninsight, date 31 January 2011: ‘[Albania journalists investigated for ‘failed coup’](http://www.balkaninsight.com/en/article/albania-journalists-under-investigation-for-coup-d-etat)’. <<http://www.balkaninsight.com/en/article/albania-journalists-under-investigation-for-coup-d-etat>>, date of access 30 April 2010.

understood, and therefore better reflected in the COI report. For this reason, we recommend the inclusion in the COI report of the following extract from a June 2010 report²³ of Albanian NGOs which expresses serious concern about the lives of these individuals:

‘Testimonies of transgender community clearly show that they are frequently receiving death threats.

‘**In September 2009** a transgender, named Kristina, was murdered in Tirana. This was the first case of killing a transgender woman in Albania and was a key fact that indicates the increasing of transphobia of the Albanian society. During the process in the Court the perpetrator based his defense by stating that he was not aware that the victim was a woman.

‘**On 1st June 2010** another transgender, named Anxhela, was stabbed by a young man, few weeks before the finalization of this report. The medical staff of the Military Hospital of Tirana, where the victim was sent for treatment, refused to cure Angela on the grounds of her gender identity. Under police pressure the medical staff accepted to treat the victim. The transgender community, mainly based in Tirana is a systematical victim of psychological and physical violence exercised not only by homophobic people but by the police as well. Most of its members live in extreme poverty and based on first-hand accounts they spend days without food due to lack of income. Unemployment because of their gender identity forces them to work as sex workers.

‘Some of the major problems of the transgender community in Albania reviewed for this report, included:

- a) **Lack of housing**. Most of them do not have a shelter since they cannot provide one. In cases they do afford an accommodation, people almost never rent them one;
- b) Continuous **persecution** from society and lack of support by the public institutions;
- c) **Multiple discriminations**: discriminated not only because of being transvestite but also racial discrimination due to being Roma.
- d) **Arrests and convicted** without evidence, simply because of being transgender;
- e) **Media** in many cases **has not been professional** in reporting cases of violence against transvestites.
- f) **No measures taken by governmental structures** to address the needs of this community’

HO. Thank you, COIS will utilise this source in the next review of the report.

pp.45-46, section 21 on Ethnic groups: contains a good number of reputable sources of information regarding the situation of ethnic groups in Albania. However, the situation of Roma remains underrepresented and needs therefore more attention for a more accurate picture. The following quote from the Minority Rights Group International website²⁴ reflects their situation quite clearly:

²³ CEDAW shadow report ‘Report of NGOs on the situation of women and girls in Republic of Albania’, edited by Altin Hazizaj on behalf of the Albanian Coalition for the Preparation of Alternative Reports, June 2010, Tirana, available online from: <<http://www.cra.org.al/faqja>>, accessed April 2011.

²⁴ <<http://www.minorityrights.org/1398/albania/roma.html>>, accessed April 2011.

‘... discrimination is still widespread. In January 2005, the Tirana municipality demolished the homes of 18 Roma families comprising 150 persons, reportedly without warning, leaving them homeless in the middle of winter. The municipality demolished the homes, located in a settlement close to the Lana river, because they blocked its territory regulation plan and were illegal. A similar case resulted in the eviction of 51 Roma families in June 2004.’

Although this refers to a situation prior to the two years that the COI report covers, it is important in that it shows that little progress has been made in the way Roma are treated by local and central authorities in Albania, and that the problems of forced evictions continue as the following quote from a more recent news report²⁵ indicates:

‘The ambassadors of the European Union and United States, along with the head of the OSCE office in Tirana, have called on Albanian authorities to investigate February 2011 incidents in which dozens of Roma families were forcibly evicted from their settlements in the centre of the capital city and were left homeless after their housing was set on fire.’

“We note that these actions resulted in some serious injuries and the displacement of large numbers of people, including many children,” the joint statement said.’

The passage below is recommended to be included in p.47, at the top of the page. The extract comes from the EU report on Albania,²⁶ thus providing an additional and alternative source to the only two others used in this section of the report. The report stated that:

‘... the Roma community constitutes the most vulnerable minority group in Albania, facing widespread poverty, socioeconomic marginalisation and frequent discrimination, particularly regarding access to education, social protection, health, employment and adequate housing. Implementation of the national strategy has been slow, due to insufficient human and financial resources, inadequate coordination of all institutions involved at local and central level, and deficiencies in the monitoring and evaluation mechanisms.’ (p.32).

H.O: Thank you. COIS will revisit the subject of the Roma, utilising the above suggested sources.

1.6 Other errors or omissions

This section is divided into two parts. The first, discusses errors or omission in other parts of the report than those dealt with so far, indicating these in the relevant sections according to their order in the COI report. The second section lists very minor errors in spelling or referencing.

²⁵ ‘EU, US call for probe into violence against Roma in Albania’, published on 17 March 2011, <http://sofiaecho.com/2011/03/17/1060685_eu-us-call-for-probe-into-violence-against-roma-in-albania>, accessed May 2011.

²⁶ Analytical Report, ‘Commission opinion on Albania's application for membership of the European Union’, 9 November 2010, <http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/al_rapport_2010_en.pdf>, accessed May 2011.

1.6.1 Other parts of the report

p.8 – Latest News

'18 March EULEX confirmed that nine people were arrested on March 16 as part of an investigation on war crimes.

Albeu Online Media

The latest arrests, EULEX reacts, 18 March 2011

<http://english.albeu.com/albania-news/the-latest-arrests,-eulex-reacts-/32259/>

The link to this news article does not yield results and the article was not accessible on the site through the word search operation. Therefore, we could not determine the accuracy of the citation in the report. However, from the title it appears that the news is about Kosovo rather than the Republic of Albania. We have checked other news sources such as BalkanInsights, which reported on the event on that same date – 18 March 2011 – and the arrest of 12 (according to this source) Kosovar Albanian individuals including high-level government officials, by EULEX. However, EULEX's authority extends only within Kosovo and therefore, this event/piece of news has limited relevance to Albania if at all, in as much as the arrested individuals were not linked – at least openly and directly – to the Albanian political scene, which is not suggested by these other sources. We recommend that the news does not feature in the report.

H.O: Thank you. This item will be removed.

'Economist: east Media Group – EMG.rs

Albania lurches on way to Brussels, 7 March 2011

<http://www.emg.rs/en/news/region/149211.html>

This source can be substituted for the original source of the news which is also a more prestigious media outlet – The Economist – and offers a more in-depth analysis in its original form. Web link –

<http://www.economist.com/node/18289153?story_id=18289153>, date of access 29 April 2011

H.O: Thank you COIS will consider this recommendation. The purpose of the latest news section is to list any new news reports of the most recent events occurring between the cut off date and the publication date of the report.

'Albeu Online Media

Assembly adopts 11 laws without opposition, 3 March 2011

<http://english.albeu.com/albania-news/assembly-adopts-11-laws-without-opposition/30911/>

The title of this article has a double meaning: a) everyone voted in favour of the laws; or, b) without the votes of the opposition MPs. Only the last line of the article makes it clear that it is the latter scenario. The article generally is barely a paragraph, and a rather superficial numbering of some of the things taking place in parliament on 3 March 2011, without much analysis to allow the reader to understand the significance of these events and what they

might mean in the wider context of informing their decision-making process for asylum claims.

H.O: Noted.

The 'News Section' seems to rely heavily on very brief, superficial paragraphs of news snippets, which are less than even digests. It is unclear whether this results from the media sources used – such as 'Ekonom:ist Media Group' or the 'Albeu Online Media' – in particular. The style of reporting and the use of English used in these sources appear to be rather poor and not always accurate, perhaps from poor translations.²⁷ In our opinion it is important to rectify this with more professional sources which supply in-depth and analytical journalism. There are a number of well-established and independent media outlets that cover events in Albania more professionally including the BalkanInsight, SETimes and Voice of America (two of which have been used in other parts of the report).

We recommended that the 'News' section refers to sources which provide more in-depth coverage to events, and a certain level of analysis, rather than simply descriptive snippets of 'reader's digest' information.

H.O: Thank you. COIS wil consider this recommendation for the next version of the report.

p.11 – Background Information – Geography

This section on geography would be better titled: 'Geography and Population' to reflect its content.

H.O: COIS wil consider this recommendation for the next version of the report.

paragraph 1.2: the shares cited for different religious groups are not accurate. The last population census which included questions of religious participation or membership was in 1939²⁸ (or 1942 depending on sources). Therefore, the report authors need to add an explanation here – perhaps in a footnote – as to the year these percentages cover. If they are accurate, they leave no room for the group that has seen perhaps the biggest relative increase (from almost zero) in its size in the last two decades in Albania, the Christian Protestants, who are spread around the country. Moreover, there are also groups of atheists and agnostics who are not accounted for by these statistics. Considering the legacy of 23 years of official abolition of religion during the communist years (in 1967), the existence of the latter two cannot be dismissed, yet statistics on them are again missing. A question on religious and ethnic belonging is planned to be included in this year's (2011) population census, initially scheduled for April 2011 but now postponed for October or November 2011 because of controversies raised by various groups in the country surrounding precisely these two questions, but especially that on ethnicity.²⁹

H.O: COIS will consider addition further qualification and clarification in the next version of the report.

²⁷ The 2004 COI reviewer raised similar concerns about sources which offer inadequate translations.

²⁸ USDoS, '2010 Report on International Religious Freedom – Albania', 17 November 2010, <<http://www.unhcr.org/refworld/docid/4cf2d0bbc.html>>, April 2011.

²⁹ The issue of religious belonging was also raised by the reviewer of the 2004 COI report, when exactly the same percentages were presented in that report too.

p.11, *Geography, paragraph 1.03*: more accurate data regarding population can be found in the 2001 World Bank's *Migration and Remittances Factbook*, p.54,³⁰ as well as the latest INSTAT – *Albania in Figures 2010*, pp.9-10.³¹ Both sources put the figure of total population by the end of 2009 at just below 3.2 million (vs. 3.6 million in the COI report). Similar figures are reported by the EIU report of February 2011, as well as CIA country profile for Albania (the latter is 2.9 million). Even population projections by INSTAT up to 2021 do not put the figure much higher than 3.2 million (p.10). Furthermore, according to the WB Factbook, the average population growth rate was 0.3 per cent (vs. 0.56 per cent for 2009 in the COI report).

H.O: COIS will consider additional further qualification and clarification in the next version of the report.

Also, please cross-check this section with 21.01 on ethnic groups because there is a discrepancy in the percentages.

H.O: COIS will action as recommended.

p.15 *History – 1912-2009, paragraph 3.01*: the first part of the quote until 'independence' in this page gives the reader the impression that Albania's independence was a result of the armed struggle of the Serbian and Greek armies against the [Ottoman] Turks. This is a very simplistic one-sided version of the history of a complicated part of the Balkans. Indeed, there is another version according to which if it was left up to the Serb and Greek armies of the time, there would be no Albania to speak of today! If the report aims to be impartial and balanced, we recommend the report authors to substantiate such claims with reference to independent historical texts and scholars. In the absence of such reference, we would suggest that the second part of the second sentence of this quote, namely: 'when the greater part of Albania was overrun by the Serbian and Greek armies during their successful campaign against the Turks' be removed. This would avoid controversy and attention being drawn to elements which are not essential to the aims of this report. While we understand that this result in meaning may not have been the intention of the report authors, who may have simply quoted the history section from the FCO website on Albania without further research or questioning, and while this may not be an essential section for the decision-making process on asylum applications by 2011, offering such a (poorly informed?) version of the most basic and at the same time most important historical facts about the country has the potential to undermine the credibility of the report more generally.

H.O: COIS appreciates the points raised and as surmised relied on the FCO source with a view to simplicity and concision. COIS will be happy to amend the entry as suggested above.

p.16, *paragraph 3.03 on the issue of Albania's accession to the EU*: please update the information provided in the report to reflect that Albania's application to join the EU filed on 28 April 2009 was rejected by the commission on 9 November 2009, the first such case of

³⁰ World Bank (2011) 'Migration and Remittances Factbook 2011, 2nd edition', Washington DC: World Bank.

³¹ INSTAT (Albanian Institute of Statistics) (2010) 'Albania in Figures 2010'. Tirana: INSTAT. Available also online at: <http://www.instat.gov.al/graphics/doc/downloads/publikime/2010/Shqiperia_ne_shifra%202010.pdf>, accessed April 2011.

refusal of a Western Balkan candidate application. The EU commission report³² emphasised that

‘the effectiveness and stability of democratic institutions is not sufficiently achieved. Parliamentary institutions and procedures do not function properly. As a result, parliament does not exercise effective oversight and control over the government and its scrutiny of legislative development is weak.’

Also, a BBC article of 26 April 2011 on EU enlargement, including Albania:
<<http://www.bbc.co.uk/news/world-europe-11283616>>, accessed May 2011.

H.O: Thank you, COIS will action as recommended in the next version of the report.

p.17, paragraph 4.01: had doubts on the relevance to the report to start with – especially as the issue is given more importance in this section in terms of space allocated, than other internal affairs that affect asylum applications directly, such as the Gërdec explosion in March 2008, the ‘accidental death’ of whistle-blower Kosta Trebicka in September 2008,³³ corruption allegations of top officials and the killing of the four demonstrators on 21 January 2011. However, on deeper reflections, it is pertinent to the report in two ways: first, it reflects the knee-jerk reaction of the government vis-à-vis accusations of human rights abuses; and, secondly, asylum claims might be coming from individuals who have been involved in some way or have key information about this particular issue and might be in fear of their life.

H.O: Noted.

p.18, paragraph 4.05: first sentence of second paragraph should be followed by a ‘...’ to denote that a sentence has been left out here (‘Given the SMI’s ‘Kingmaker’ status in parliament ... etc.’). A similar comment applies also to a follow-up sentence ending in the report with ‘the sale of shares in a company’. This should be followed by ‘...’ because it is not the end of the sentence in the original Economic Intelligence Unit report. These seemingly minor technical points are important to present a report that shows to have followed widely accepted quotation rules. Please be consistent in this throughout the report.

H.O: Noted.

Furthermore, the end of this section (4.05 of the COI report) should be continued with the sentences which have been omitted as part of the original paragraph of the EIU report, namely:

‘Explaining the reasons for his resignation, Mr Prifti said that he had been subjected to pressures from his party over tender procedures, and over the granting of licences and concessions. Some of Mr Prifti’s claims about the involvement of police officers in fuel smuggling are currently being investigated by prosecutors.’

The inclusion of this part of the paragraph is important because it illustrates claims about endemic corruption being present not only at low levels of everyday life and governance, but

³² <<http://euobserver.com/887/31237>>, accessed May 2011.

³³ See for instance, ‘Speculation surrounds case of Albanian whistle-blower’s death’, by Nicholas Kulish, 7 October 2008, <http://www.nytimes.com/2008/10/08/world/europe/08albania.html>, accessed May 2011.

also amongst top-level officials. The rest of the section in the Economist report goes on to describe more accusations and counter accusations of corruption and slander by both the ruling and the opposition party members. This is relevant to asylum decision-making because with such wide-spread corruption levels, there is very limited justice, or a justice system that people living in Albania can believe in. The result then is to take the law into their own hands as they perceive that justice is not being carried out (e.g. see section on Blood Feuds), or to seek protection and justice elsewhere, such as in the UK.

Indeed, the hold that crime and corruption has in Albania is often associated with threats to life and even deaths of particular individuals such as the death of Kosta Trebicka in September 2008, who according to a New York Times article was a 'whistle-blower', 'a witness in the investigation into the [Gërdec] explosion', who 'uncovered evidence of public corruption in the export of ammunition from the Communist era' (see also the section on Armed Forces).³⁴ In another article of the BalkanInsight soon after the cabinet reshuffle of September 2010, Mr Prifti claimed that 'he and his family faced death threats during his time in office'.³⁵

H.O: Noted. COIS will consider inclusion in the next version of the report.

We also recommend including the following passage from an article in BalkanInsight in January of 2011,³⁶ of a story which continues this saga of corruption and accusations. It is important for inclusion because the airing of the video in question was essentially the trigger for the anti-government protest of 21 January 2011, which set Albania steps back in its path towards building democracy and democratic institutions:

'Prosecutors launched a corruption probe on Wednesday after the broadcast of a videotape allegedly showing Deputy Prime Minister Ilir Meta and former minister of economy Dritan Prifti discussing corrupt deals... The transcripts of the videotape, the authenticity of which has not been verified, allegedly show Meta asking the former Minister of Economy Dritan Prifti to intervene over a hydropower plant concession tender, naming an alleged recompense by a businessman of a seven per cent stake and €700,000 bribe... Meta, who is the LSI head and at the time of the recording served as deputy prime minister and minister of foreign affairs, also allegedly brags in the videotape about influencing a Supreme Court trial over the same hydro-power plant concession... Meta is overheard saying that because he is on good terms with Chief Justice Shpresa Becaj after having hired her daughter as a diplomat at an embassy, he can influence the decision of the court. He then asks Prifti to keep the affair quiet because he is afraid the prosecutor's office might open an investigation if it learns about it... In a press conference on Wednesday, Meta denied any wrongdoing and said that he was "intervening in the name of a business because after an Appeals Court ruling in favor of the company, it was being stalled by the ministry of economy," then headed by Prifti... He added that the video was "a disgusting political bluff that was made by organised crime as blackmail against me".'

³⁴ 'Speculation surrounds case of Albanian whistle-blower's death', by Nicholas Kulish, 7 October 2008, <<http://www.nytimes.com/2008/10/08/world/europe/08albania.html>>, accessed May 2011.

³⁵ 'Sacked Albanian minister 'faced death threats'', by Besar Likmeta, 15 September 2010, <<http://www.balkaninsight.com/en/article/sacked-albanian-minister-faced-death-threats>>, accessed May 2010.

³⁶ 'Albania hit by video corruption scandal', by Besar Likmeta, 12 January 2011, <<http://www.balkaninsight.com/en/article/albania-hit-by-video-corruption-scandal>>, accessed May 2011.

(please also cross-reference with Corruption and Independence of Judiciary)

H.O: COIS will consider inclusion in the next version of the report.

A SETimes article³⁷ later reported that:

‘Meta... has resigned his posts in the current cabinet following the broadcast of a video that purportedly shows him trying to rig a public tender... Announcing his move on Friday (January 14th), two days after the footage was aired, Meta said he wished to face justice as an independent citizen and not as an official with government duties... He denied any wrongdoing and lashed out at political rivals, whom he accused of staging the scandal.’

(please also cross-reference with Corruption).

H.O: COIS will consider inclusion in the next version of the report.

p.19, paragraph 4.07: please check that last sentence is correctly quoted. This part ‘The political crises escalates after violent protests’ should be removed as it is not part of the original quote which links ‘coup d’état’ with ‘during which some opposition supporters... etc.’

H.O: Thank you, this will be removed.

Furthermore, the end of this paragraph should be followed by the next paragraph as in the EIU report which further explains the degree to which the government has attempted to control independent institutions, therefore bringing into question issues of democracy:

‘The accusations levelled against Ms Rama followed her move to initiate an investigation into the killings of the demonstrators and her issuing of arrest warrants against six members of the Republican Guard, including its four senior commanders, on the grounds that they had overstepped their authority. In an unprecedented development, the police, with the public backing of Mr Berisha, refused to execute the arrest warrants. After a two-week stand-off, the guardsmen handed themselves in. The tensions between the government and other institutions of the state intensified with the parliamentary commission calling on Mr Topi, Ms Rama and Mr Shaqiri to testify at its public hearings. The commission also asked mobile telephone companies for their records relating to the telephone conversations of these three officials although only prosecutors have the legal authority to make such a request’.

H.O: This will be considered for inclusion in the next version of the report.

p.20 – Political system, paragraphs in 6.01: please update the last date of review by the FCO as 20 January 2011, which falls well within the cut-off date for the report, although the text remains the same. See also for consistency 8.01.

³⁷ ‘Meta scandal prompts calls for a fair investigation’, by Linda Karadaku, 17 January 2011, <http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/01/17/feature-01>, accessed May 2011.

H.O: Thank you, this will be updated.

p.22, paragraph 7.03: quoted from the information source 8a should have been quoted in full as expressed in the same information source. Paragraph in the report:

“Respect for human rights and the protection of minorities are enshrined in the Constitution and in a number of legislative provisions. Albania has ratified most human rights instruments; these are part of the internal judicial system and are directly applicable after publication in the Official Journal. Albania joined the Council of Europe in 1995, and ratified the European Convention on Human Rights in 1996.” [8a] (p24)

The following should be added:

‘To date, the European Court of Human Rights (ECtHR) has delivered 29 judgments concerning Albania. The Court mainly found breaches of the right to a fair trial within a reasonable time, the right to an effective remedy and the right to peaceful enjoyment of possessions. As of September 2010, there were 287 cases pending before the ECtHR regarding Albania.’

This part of the paragraph needs to be included in the report because it provides a more accurate picture on the situation regarding the reality of human rights in Albania, rather than what is only on paper in legislation.

H.O: This will be included in the next version of the report.

In the section on Crime and Witness protection: please also add the following passage from Freedom House *Nations in Transit 2010* (p.62):

‘During 2009, Parliament passed laws related to legal aid and witness protection to improve the protection of citizens and witnesses in criminal trials. The law on legal aid is supposed to provide citizens with the right to legal defense, but has not yet been implemented and no budget has been allocated to support this.’

H.O: This will be included in the next version of the report.

A shadow report to CEDAW (p.15),³⁸ prepared by a coalition of NGOs in Albania, states that:

‘Many NGO’s also have publically complained for the difficulty that many victims have encountered to receive the appropriate health and legal documentation from the local and national authorities throughout Albania. In 2008 Albania approved a new law for free legal aid. Two years after the approval of the law none of the organisations offering free legal aid have been able to receive any funding from the responsible authorities. From many accounts women victims of violence in the family looking for free legal aid haven’t been able to enjoy the provisions of the law as the law hasn’t been implemented by the Ministry of Justice and other legal-related.’

³⁸ CEDAW shadow report ‘Report of NGOs on the situation of women and girls in Republic of Albania’, edited by Altin Hazizaj on behalf of the Albanian Coalition for the Preparation of Alternative Reports, June 2010, Tirana. Available online from: <http://www.crca.org.al/faqja>, accessed April 2011.

H.O:This will be included in the next version of the report.

p.29, **Police, paragraph 10.02**: please cross-reference with the events of 21 January 2011 in section on 'Recent Developments – January 2010-January 2011', regarding the role of the Republican Guard in the anti-government demonstrations of 21 January 2011 as they are accused of having killed the four demonstrators of the day.

H.O:This will be included in the next version of the report.

p.30, **paragraphs 10.05 and 10.06**: these should not come under the heading of the Municipal Police Force, but should be positioned before this section, as they discuss issues related to the functioning (or not) of the police force in general, rather than the municipal police *per se*. The user of the COI report may not be interested to read the municipal police section, as that might not be relevant for their case work, thus missing the two paragraphs on the treatment of detainees by the police generally, which is discussed in the two said paragraph.

H.O:This will be included in the next version of the report.

p.31, **Armed Forces**. This section has not mentioned the involvement of the armed forces in the Gërdec explosion of March 2008, when an arms decommissioning facility near Tirana airport exploded, killing at least 26 people and injuring many others. Although the events took place in 2008 it is imperative that they are included in the report, for two reasons. First, because there has not been a COI report on Albania since 2004 and thus a historical and political background on events taking place in 2009-2010 is essential. Second, the events illustrate the degree to which Albanian government and other institutions adhere to principles of human rights and the building of democracy. The following two passages borrowed from your 2009 Key Documents are recommended to be included here:

AI's *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. (p.1)'

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.'

By 2011, the trial is continuing as non-appearance of legal advisors for both the defence and the prosecution have dragged the process on in the last three years. Meanwhile, all those arrested have been released on bail or given home arrest orders, while the former Minister of Justice was reinstated as Minister of Environment.

(Please cross-reference also with Corruption, sections 19.04 and 19.05.)

H.O: Thank you, This will be included in the next version of the report.

p.32. paragraph 10.14 on NIS: the EIU report of February 2011³⁹ states that '... in July 2010, Mr Berisha's attempt to pass a new law on the State Intelligence Service' (SIS) was blocked by the SMI members of parliament (p.9). There were allegations that the law would limit the independence of the SIS from the government. The head of the SIS is Mr Bahri Shaqiri.

H.O: This will be included in the next version of the report.

pp.32-33, section on Human rights violations by government forces: torture

This section of the report contains only one paragraph quoted from the information source [8a] (p.26) highlighting only the measures taken by the Albanian government to address torture and ill-treatment by police and prison staff. Except for a link to the 'Prison Condition' of the same report there are no references to other sources of publication. The following references and quotations taken from the AI's websites⁴⁰ are recommended for inclusion in this section with the intention of presenting a fairer and more balanced view of the situation.

'Amnesty International remains concerned that torture and ill-treatment of detainees are common in Albania. Investigations into some complaints were started, but tended to be delayed and inconclusive. Detention conditions, particularly for remand prisoners held in police stations, remain harsh, although steps have been taken to reduce overcrowding. Domestic violence is widespread and significant reforms are needed to protect victims.'

In its 2010 country report for Albania, AI⁴¹ stated that:

'Police and prison guards allegedly tortured or otherwise ill-treated detainees. In January the European Committee for the Prevention of Torture's report on its visit to Albania in June 2008 stated that "ill-treatment by the police... often appears to be related to an overemphasis on confessions during criminal investigations". The Committee had received allegations of serious ill-treatment in police stations in

³⁹ EIU, February 2011, op. cit.

⁴⁰ AI, 'Albania human rights, human rights concerns', undated, <<http://www.amnestyusa.org/all-countries/albania/page.do?id=1011102>>, accessed April 2011.

⁴¹ Amnesty International Report 2010, 'Human Rights in Republic of Albania', <<http://www.amnesty.org/en/region/albania/report-2010>>, accessed April 2011.

Korça, Pogradec and Elbasan, and at Korça remand centre. The authorities subsequently said that disciplinary measures had been taken against several officials at Korça remand centre.

'In April Edison Lleshi, aged 15, threw himself out of a window of the police station in Peshkopi, breaking a leg and sustaining other injuries. The Ombudsperson concluded that he did this after being beaten and threatened by police officers who had questioned him about a theft. Disciplinary measures were taken against seven police officers, and a criminal investigation was started against one of them.'

While Freedom House reported in its 2010 country report⁴² that:

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

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

Further allegations of police abuse took place after the 21 January 2011 demonstrations, when police were reported to have beat individuals they arrested during the arrest and while in detention (see also our comments earlier on the section of Freedom of Speech and Assembly and please cross-reference with that section as well).

H.O: Thank you, The above recommendations will be included in the next version of the report.

p.34, section 12 on Judiciary: please cross-reference paragraph 7.03, and our recommendations for paragraph on Opposition groups and political activists. Please also cross-reference with section on Corruption, and passage from the article in BalkanInsight of January of 2011 (footnote 36 in this review).

H.O: The above recommendations will be included in the next version of the report.

Also, please note in this section that there is no Administrative Court in Albania. A bill drafted in early 2009 failed to pass through parliament because of the boycott of parliamentary sessions by the opposition MPs due to failure of the ruling and opposition parties to agree on the electoral reform. See EIU November 2010 report.⁴³

H.O: thank you, Noted.

⁴² Freedom House, 'Albania, country report 2010', <<http://www.freedomhouse.org/template.cfm?page=22&country=7766&year=2010>>, accessed April 2011.

⁴³ Economist Intelligence Unit, 'Albania Country Report November 2010'. London: EIU.

In addition, in the section on Organisation, the following passage from Freedom House *Nations in Transit 2010* report (p.62) is recommended for inclusion:

‘The effectiveness of the judiciary remains a problem. Court reorganization began two years ago with the abolishment of eight courts in outlying areas of the country; the premises were preserved and judges were flown in from central courts as needed. In January 2009, Minister of Justice Bujar Nishani issued a decision closing court branches, with all sessions to be held instead at the central court building. This might have a negative impact on access to justice, as citizens are now obliged to travel long distances to have their cases adjudicated.’

H.O: Thank you, The above recommendations will be included in the next version of the report.

p.36, section 13 on Arrest and detention – Legal rights

Under this section we recommend as necessary that additional information be included in the report. For example, the USDoS *2009 Human Rights Report: Albania*, published on 11 March 2010, stated that:

‘The court must decide within 48 hours whether to place a suspect in detention, require bail, prohibit travel, or require the defendant to report regularly to the police. In practice prosecutors requested and courts routinely ordered detention....’

and

‘...Courts must provide indigent defendants with free legal counsel. Police often failed to inform defendants of this right.’

H.O: The above recommendations will be included in the next version of the report.

p.37, paragraph 14.04: quote from the USDoS *2009 Human Rights Report: Albania*, published on 11 March 2010, has not been fully represented in that the first part of the quote has been omitted. It could be argued that the trimmed quote contributes to presenting a ‘milder’ view of the prison conditions in Albania by focusing overwhelmingly on the actions taken, while conditions in prison could be said to amount to inhumane treatment of the prisoners with implications for some asylum claims. We recommend that this first part of the quote be added to the already existing part in the report as follows:

“In its January 21 report on conditions of detention in the country, the CPT delegation noted that, with the exception of provision of food, hardly any progress had been made at the time of its June 2008 visit to improve physical conditions of detention in police detention facilities. In particular it found that detention conditions at the Police Directorate General in Tirana were “totally unacceptable.” It found all cells to be very small, in a poor state of repair and hygiene, and to have little or no access to natural light and fresh air. There were also reports of prison overcrowding.” [2b]

H.O: The above recommendations will be included in the next version of the report.

p.59, on domestic violence: the section on women including this sub-section is comprehensive and balanced. However, in order to grasp the depth of gender discrimination and suffering of Albanian women expressed through domestic violence it is essential to

understand the meaning of this violence in the context of Albanian society, where the wider public considers it as ‘normal, as a means of education and a form of communication within the family’, while law enforcement authorities widely condone such acts.⁴⁴ Violence is especially condoned by the public when the woman is thought to have brought shame to her family through behaviour particularly related to her sexuality and any assertion of independence which challenges patriarchal authority.⁴⁵ The most recent AI report on Albania⁴⁶ on the issue states that:

‘Press reports suggest that relatively few complaints of domestic violence lead to criminal prosecutions, unless they result in death, serious injury or threats to life, in which case there is a duty on the prosecutor to initiate a prosecution (p.14).

‘According to a local NGO, in January 2008 there were 12 registered cases of attempted suicide by female victims of domestic violence in Elbasan district alone. In November 2009, the Kukës Counselling Centre for women and Girls reported five suicides and 13 cases of attempted suicide due to domestic violence in their district over the past two years. In December 2009, Petrit Goga was prosecuted for inducing his wife Mimoza to commit suicide, through repeated ill-treatment. According to reports in the daily newspaper Metropol his sister-in law, a witness at the trial at Tirana District Court, told the judge: “You know, sir, that all women in our country are beaten by their husbands. It’s normal...Your husband comes home in a bad mood, or tired from work, and when he isn’t pleased, he beats you. That’s what Petrit did to his wife. He beat her late at night. He sometimes came home from work drunk. He bolted the door and then he would beat his wife.” She told the judge that Mimoza had been beaten the night before she drowned herself. The judge asked her if her own husband beat her. “Well, you know the answer. It’s pointless to tell you twice. I’m also beaten by my husband.” (p.14).

AI concludes that:

‘The fact that domestic violence has not been recognized as a specific criminal offence in Albania has serious consequences. It results in the continued violation of women’s rights to physical and mental integrity and in some cases a violation of their right to life.’

H.O: Thank you, The above recommendations will be considered for inclusion in the next version of the report.

p.62, section on Basic legal information for children: the information quoted from the RTE is sourced from a 2004 report. In 2004–05 compulsory education was extended by one year (to a total of nine years), and in 2009–10 upper secondary level – which is not compulsory – was reduced by one year (to a total of three years). Please cross-check for consistency with section 25.27 in p.68.

⁴⁴ Ekonomi, M., Gjermeni, E., Danaj, E., Lula, E. and Beci, L. (2006) ‘The creation of economic opportunities for women and girls in Albania. A strategy for the prevention of trafficking’ [in Albanian]. Tirana: Gender Alliance for Development, p.4.

⁴⁵ Nicola Nixon (2009) “You can’t eat shame with bread”: gender and collective shame in Albanian society, *Southeast European and Black Sea Studies*, 9(1): 105–21.

⁴⁶ AI, ‘Ending domestic violence in Albania: the next steps’, March 2010.

H.O: Thank you, this will be cross referenced..

pp.64-65, section on Child labour: one of the worst instances of child labour was taking place in the ammunition dismantling factory in Gërdec and came to light only when the explosions took place in March 2008. Not only were some children illegally employed in the factory, whereby they were required to fulfil difficult daily work quotas, but other children were always around in this dangerous environment to help their parents with the work, thereby also handling dangerous items.

H.O: This will be considered for inclusion in the next version of the report.

p.80, section 29 on Freedom of movement: please cross-reference this with Blood Feuds and lack of freedom of movement for those who are embroiled in a vendetta. You can also cross-reference this with children, as boys are amongst those affected by self-incarceration indoors because of blood-feuds.

H.O: Agreed

p.80, section 30 on Foreign refugees: please cross-reference this with sections 13 and 14 on Arrest and Detention, and Prison Conditions. 'Although see...' in order to balance the discussion here and acknowledge concerns regarding human rights abuses in these state facilities as has been shown in the relevant sections referred to.

H.O: Agreed

p.81, section on Passports and ID Cards: the information which the report has on this section can be updated with the following extract from the Albanian government e-portal: <http://www.e-albania.al/web/Application_for_Identity_Documents_188_2.php>, accessed May 2011.

- 'Every citizen at the age of 16 and above, has to be equipped with the Electronic Identity Card;
- The citizen can carry out a single application to be equipped simultaneously with an electronic identity card and biometric passport;
- Any citizen can apply for biometric passport. Citizens that are at the age of 16 and over can apply, only after they are equipped with an electronic identity card;
- Citizens can re-apply for these two documents.'

The web link reference [79a] directs the intended user to the main page of the General Director of the Civil Status and not to the section where the examples of the Albanian ID documents can be seen. The following more precise link takes the user directly to the ID Card page and can be added alongside or replace the existing link for [79a] <<http://dpgjc.moi.gov.al/media/shart/aID/135/gj/gj1/title/Leternjoftimi>>.

H.O: The above recommendations will be included in the next version of the report.

pp.82-83, section 33 on Exit and return:

Please add this information⁴⁷ here for balance:

‘The only reported problem entering the country is the still widespread corruption among the border police. Especially while crossing the land borders, travellers are often forced to pay bribes’.

H.O: Thank you, The above recommendations will be included in the next version of the report.

p.82, **Forged and fraudulently obtained official documents**: please cross-reference this with p.81, paragraph 31.02 on passports and ID cards. Please add here for balance that one of the key requirements for easing visa restrictions for Albanians in December 2010 was the equipment of individuals who want to travel abroad with biometric passport and ID cards which need to meet certain security and quality criteria. The biometric passports are the only ones accepted to be used by those travelling without a visa in the Schengen area. These appear to be of high quality and are claimed to be difficult to forge. Furthermore, the basic population registers are since 2008 being digitalised and brought under a centralised and computerised system, within the Ministry of Interior. In fact, the concern now is not so much the ability to forge these documents, as is the data protection and political interference in the use of such centralised personal data.

H.O: Thank you, The above recommendations will be included in the next version of the report.

p.83, **section 34 on Employment rights**: this is fine, but we would like to recommend the inclusion of two paragraphs below from the USDoS Report 2010⁴⁸ in order to present a more balanced view of information it provides:

‘The law establishes a 40-hour workweek; however, individual or collective agreements typically set the actual workweek. Many persons worked six days a week. The law requires payment of overtime and rest periods; however, employers did not always observe these provisions in practice. The government had no standards for a minimum number of rest periods per week, no limits on the maximum number of hours worked per week, and no regulations regarding premium pay for overtime; it did not prohibit excessive compulsory overtime.’

‘Several accidents in the Bulqiza mines were reported during the year. Most accidents involved collapses in the mines and were due to a lack of adequate safety measures and procedures. In May a 65-year-old mineworker was reported to have died in a work-related accident while working in one of the Bulqiza mines. During the year media outlets continued to report that women and minors collected chromium from mines to support their families.’

Furthermore, various researchers and other observers have reported political interference with public administration employees, especially as only a small share of them have been given the status of civil servant, while the employment of the remainder is influenced by political motivations. As such, there is a high turnover amongst staff working in various ministries and other public service institutions – whether at central or local level – and

⁴⁷ The Country of Return Information (CRI) Project, in the ‘Country Sheet: Albania’, December 2008, available at: <<http://www.unhcr.org/refworld/docid/49afa1390.html>>, accessed May 2011.

⁴⁸ USDoS, ‘Country report on Human Rights practices 2010’, 08 April 2011, <http://www.ecoi.net/local_link/158251/260688_en.html>, accessed May 2011.

political loyalty becomes paramount in carrying out one's duties. The Freedom House *Nations in Transit 2010* (p.63) reported that:

'... an increasing number of complaints (up to 200 in 2009) over the state's failure to implement court decisions have been submitted to the European Court of Human Rights. These unimplemented decisions are often related to property issues and illegal dismissals from the civil service.'

H.O: The above recommendations will be included in the next version of the report.

1.6.2 Spelling errors, page numbers and other omissions

p.13, link below second map: *Relief Web's Map Centre* – please update this link as it seems to be broken

H.O: Thank you, agreed..

p.15, paragraph 2.06: the following passage can be deleted because this is no longer the case.

'If a public holiday falls on a Saturday, the previous Friday is taken as a non-working day; if a public holiday falls on a Sunday, the following Monday is a non-working day.'

The decree regulating public holidays has been changed several times since 1992 thus bearing the stamp of one ruling party/coalition or another. The latest one was in late December 2010 adding one additional day (to those mentioned in the 2011 COI report) to public holidays: 8 December, declared as Youth Day in memory of the December 1990 students' demonstrations. Otherwise, religious days (with the exception of Nevruz) may change each year according to the lunar calendar, while the Summer Day is 14 March (not 15). Therefore, official public holidays for 2011 were:

1 & 2 January (New Year), 14 March (Summer Day), 22 March (Nevruz), 24 April (Orthodox and Catholic Easter), 1 May (International Labour Day), 30 August (Greater Bajram), 19 October (Mother Tereza's Beatification), 6 November (Lesser Bajram), 28 November (Independence Day), 29 November (Liberation Day), 8 December (National Day of Youth), and 25 December (Christmas Day).⁴⁹

H.O: This will be amended in the next version of the report.

The web link (3a) referring to the paragraph 3.01 is not accurate. The correct link is: http://www.fco.gov.uk/content/en/country-profile/europe/fco_cp_albania?profile=history, accessed April 2011.

H.O: This will be amended in the next version of the report.

p.19: only paragraph 4.06 falls under the heading: Floods in Albania 2010. Please make sure that it is clear to the reader that the subsequent paragraphs (4.07 and onwards) on this section 4 do not relate to this sub-heading.

⁴⁹ <http://www.bankofalbania.org/web/holiday_schedule_2381_2.php>, accessed May 2011.

H.O: Agreed.

p.21, paragraph 7.02: spelling error in 'proper functioning of stated institutions, [etc...].' This should be 'proper functioning of state institutions'.

H.O: This will be amended in the next version of the report.

pp.22-23, paragraph 8.01: the information in this paragraph is not part of the information accessed by visiting the link for source (3a). For this information, the link should be: http://www.fco.gov.uk/content/en/country-profile/europe/fco_cp_albania?profile=economy, accessed April 2011

H.O: Thank you. This will be amended in the next version of the report.

p.27, paragraph 9.10: the web link (10b) is not accurate and should be changed to: <http://www.unhcr.org/refworld/country,,,ALB,,4d5a71982,0.html>, accessed April 2011

H.O: This will be amended in the next version of the report.

p.32, paragraph 10.13: refers to a document [73a] (p.40). The web link given is correct but the document seems to have only 36 pages. After closer examination the paragraph quoted originates from page 23 of the document. Therefore the reference should be [73] (p.23) instead. The same error seems to have been made in the reference of paragraph 10.14 where the reference should be [73a] (24) instead of [73a](42).

H.O: Thank you, This will be amended in the next version of the report.

pp.40-50, paragraph 22.10: page number can be added to facilitate access of the quotation, page number assigned by Acrobat Reader, as [62a] (p.1)

H.O: Agreed,

p.42, last paragraph of 19.02: only the first two sentences can be left here. The rest of the paragraph starting with 'The Joint Investigative Unit...' is a repetition of parts of 19.03, and therefore not necessary, since 19.03 comes immediately in the next section.

H.O: This will be amended in the next version of the report.

p.42, paragraph 19.01: to facilitate easy access to the quotation, please add page number to the source as [66a] (p.8)

H.O: Noted.

p.43, paragraph 19.05: similar comment as immediately above; reference should be [9b] (p.52)

H.O: Noted.

p43, paragraph 19.05: end of paragraph which denotes Albania's corruption rating at 5.00 – it is important to provide the scale for this in order to understand what the rating means. The Freedom House report where the passage for the COI report is taken from states that '[The

ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest.' Perhaps this can be put in a footnote on the relevant page of the COI report.

H.O: Thank you, This will be included in the next version of the report.

p.45, paragraph 21.02: the reference source should be [2b] (Section 6) instead of [2b] (Section 5)

H.O: Thank you.

pp.50-51, paragraph 22.14: same comment as immediately above: [62a] (p.2)

H.O: Thank you

p.51, paragraph 22.15: source reference should be [13i] as [10g] does not exist

H.O: Thank you

p.51, paragraph 22.16: could have page indicator added as [62a] (p.3), as paragraphs 22.10 and 22.14 above

H.O: Thank you.

pp.51-52, paragraph 22.17: could have page indicator added as [62a] (p.4)

H.O: Noted.

p.52, paragraph 22.18: could have page indicator added as [62a] (p.1)

H.O: Noted.

pp.56-57, paragraph 24.12: reference to the information quoted should be changed to [2b] (Section 3) instead of [2b] (Section 2)

H.O: Thank you

pp.52-53: cross-reference Disability with Health Issues

H.O: Noted.

p.56, paragraph 24.12: reference of the information quoted should be changed into [2b] (Section 3) instead of [2b] (Section 2)

H.O: Noted.

p.62, paragraph of the minimum age for voting: reference to the information can be specified for easier access as [33a] (Article9)

H.O: Noted.

p.62, paragraph 25.05: quotation [35a] from the 'The Child Soldiers Global Report 2008' can be specified with a page number for easier use as [35a] (p.43)

H.O: Noted.

p.68, paragraph 25.28: the information source reference can be adjusted to help find the exact paragraph easier as [30a] (children/adolescents)

H.O: Noted.

p.69, paragraph 25.32: the information source reference can be adjusted to help find the exact paragraph easier as [30a] (overview)

H.O: Noted.

HO: Thank you, all the above recommendations will be included in the next version of the report.

pp.84-88: Annex A – Chronology of Events, BBC Timeline

This is generally accurate, but some clarification/corrections are necessary as below:

1999 October, last sentence: name of 30-year old prime minister is 'Ilir Meta' not 'Iler Meta'.

2008 March: the arms depot blast killed 26 not 16 people. See for example:

'Consequences still resonate three months after Gerdec blast', 23 June 2008, <http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/articles/2008/06/23/reportage-01>, accessed May 2011. Or: 'Justice in Albania, The final mystery: Finding the perpetrators of a lethal explosion could polish Albania's image', 9 October 2008, <<http://www.economist.com/node/12376927>>, accessed May 2011. See also section 19.05 of the report.

(for consistency please also cross-check p.16, 3rd paragraph in 3.02).

Please add:

'2011 February - 20th anniversary of fall of Communism marked with celebrations, amid tension between the government and opposition.'

and update source 15b as:

Timeline: Albania, updated 16 March 2011

<http://news.bbc.co.uk/1/hi/world/europe/country_profiles/1004984.stm>, accessed May 2011

H.O: Thank you , all above recommendations will be amended in the next report. .

pp.89-90: Annex B:

Spelling corrections:

Albanian Green Party – is: (Partia Gjëlberite e Shqipërisë); must be: (Partia e Gjëlber e Shqipërisë)

Justice and Unity Party – is: (Partisë për Drejtësi dhe Unitet); must be: (Partia për Drejtësi dhe Unitet)

Republican Party of Albania (RPA) – is: (Partia Republika e Shqipërisë) (PRSh); must be: (Partia Republikane e Shqipërisë) (PRSh)

H.O: Thank you. Above amendments will be made to the next version of the report.

Please note that:

Justice and Unity Party and Party for Justice and Integration merged to create the Justice, Integration and Unity Party (JIUP). A key focus of the new party and its former constituent parties is the Cham issue.

Founded: 17 February 2011

Leader: Shpëtim Idrizi (former leader of JUP)

Honorary President: Tahir Muhedini (former leader of PJI)

Some of the parties have been added value-laden attributes. For example, the DPA is described as *being* ‘pro-democracy, pro-market’ etc., whereas the SPA as *claiming to be* committed to ‘democratic socialism and a market economy’. We recommend that if such qualifications are to be made, the authors of the report need to be consistent and do this for each party mentioned, or not do it at all. What is more important, such attributes risk presenting the report in an ideologically and politically biased light, while the issuing authority is concerned to prove the opposite is the case.

H.O: Above comments noted.

p.91- Annex C, Prominent people:

The following corrections need to be made to this section of the report, in view of recent changes that have taken place in the cabinet as a result of some ministers vacating their posts to participate as candidates in the 8 May 2011 local elections. We accept that some of this information might be beyond the 28 February cut-off date, but if possible to amend it would prove useful in making the report retain currency.

The Party for Justice and Integration (PJI – now the JIUP, see earlier) should be added as the fourth member of the ruling coalition in government. See <http://www.fco.gov.uk/content/en/country-profile/europe/fco_cp_albania?profile=politics>, updated 21 January 2011, accessed May 2011.

(for consistency please also cross-check p.16, 3rd paragraph in 3.02).

Deputy Prime Minister and Minister of Foreign Affairs: Mr Edmond Haxhinasto (SMI). The Council of Ministers’ official website: < <http://www.keshilliministrave.al/?fq=showcabzvm>>, accessed: May 2011.

Minister of Economy, Trade and Energy: Mr Nasip Naço (as of January 2011) – (SMI). The Council of Ministers’ official website: < <http://www.keshilliministrave.al/?fq=showcabzvm>>, accessed: May 2011.

Minister of Interior: Mr Bujar Nishani, former Minister of Justice (DPA) took over from Mr Lulzim Basha (DPA) after the latter vacated this post in order to run for mayor of Tirana in the 8 May 2011 local elections.

Minister of Justice: vacant (see immediately above)

Minister of Culture: vacant since Mr Ferdinand Xhaferraj is running for mayor of Durrës in the 8 May 2011 local elections. The Council of Ministers' official website: <<http://www.keshilliministrave.al/?fq=showcabzvm>>, accessed May 2011.

Government Spokesperson: Ms Erla Mëhilli, appointed on 15 July 2010, previously working as the spokeswoman for the DPA, and Ministry of Public Works and Transport. However, according to the Council of Ministers' website, the spokesperson is still Majlinda Bregu.

H.O: COIS will update and amend the above as necessary in the next version of the report.