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Background and methodology

1.1 Background

OVER RECENT YEARS, much work has been undertaken in Albania by both the Government and the international community to address the main SALW problems. Since the crisis in 1997, during which hundreds of thousands of weapons were looted from state stockpiles, a number of weapons collections have been organised, both by the Government and through a series of UNDP programmes; various awareness and education campaigns have been implemented; border controls are being strengthened and destruction of ammunition is ongoing.

Following preliminary research and discussions that took place between the Government of the Republic of Albania and Saferworld between September and December 2004, it emerged that much still remained to be done, and that progress towards the full and successful implementation of Albania's commitments would be seriously hindered without first understanding the full scope and nature of the small arms problem in Albania by conducting a comprehensive national small arms assessment.

With funding from the UK Government's Global Conflict Prevention Pool, a six-month research phase commenced in April 2005 and was completed in September of the same year. The aim of the research was to:

- Assess and highlight the geographic and demographic extent of small arms possession and use;
- Assess and highlight the nature of small arms trafficking and circulation;
- Demonstrate the human and social impact of small arms use;
- Outline measures established and needed to control small arms use;
- Outline the scale and scope of the small arms problem vis-à-vis other socio-economic and political issues.

It was also envisaged that the Survey would form the first stage of a wider process of developing a co-ordinated response to SALW issues. The drafting phase of the Survey was accompanied by in-depth discussion of the findings generated by the research, and of possible policy responses to them. A separate document containing the preliminary findings and recommendations was submitted to all the relevant Government ministries and some international bodies. Their comments were solicited in a series of individual meetings, and in writing. Finally, an inter-ministerial roundtable was held in October 2005 to discuss the findings and to enable the different ministries to co-ordinate their response. The comments received are reflected in the final recommendations document as well as in the relevant sections of the Survey.

1.2 Methodology

To gather the data required for a comprehensive survey, the Saferworld team used a wide variety of sources with a view to ensuring a higher level of accuracy, as well as to allow for deeper analysis of factors and dynamics relevant to SALW. The sources included:

- A nation-wide **household survey**, conducted in partnership with the Institute of Surveys and Opinions, a Tirana based market-research organisation. The questionnaire was developed on the basis of the SEESAC Survey Protocols, adapted to take into account the specific environment and issues present in Albania. A sample of 1200 respondents was drawn up, allowing for a margin error of less than 2% with a confidence level of 95% and representing the proportional distribution of the population.

In order to develop the sample, the municipality was selected as the basic stratum and a fixed number of sampling points were then drawn up, using the Enumeration Areas (EAs) from the 2001 Population Census. This technique was considered to be the most scientific and random that could be performed with the current status of registers in Albania. To select cases, the random walk technique was used. Instead of selecting families from a nominative register, e.g. the Population Census, the random walk involves interviewers starting from the central point of each EA and selecting every 3rd house, or every 5th apartment in tall buildings. This technique allows for the random selection of people living in the specified area at that time. If the nominative technique had been applied it would have been extremely difficult to find the selected names due to internal population movement.

- **Case studies** of seven towns (Berat, Fier, Gjirokastra, Korca, Kukes, Shkodra and Tirana). When selecting case study locations, the following criteria were taken into consideration:
 - Proximity to stockpiles
 - Previous existence of SALW industry
 - Trafficking/border issues
 - Level of international interest
 - Historical or contemporary gun culture
 - Levels of poverty
 - Crime rates
 - Presence of Internally Displaced Persons (IDPs)
 - Ethnic minority populations

Within each town, between seven to fourteen people were interviewed, including the mayor, the head of the district council, relevant representatives of the local police directorate, judges or chief prosecutors, NGO representatives, hospital directors and directors of local schools. Topics covered in the interviews included the impact of SALW, the distribution of SALW, weapons collection programmes and issues related to trafficking. Besides interviews, local level statistics were collected, in order to compare against, or supplement, national level statistics.

- **Six focus groups.** In three case study locations, Fier, Shkodra and Tirana, focus groups were organised with a group of men and a second group of women. The age of participants in the focus groups ranged from 18 to 57. Topics covered included experience of crime, both in general and SALW related, perceptions of SALW possession, options for SALW collection and personal experience of SALW possession. In Shkodra an emphasis was also placed on tradition and its impact on SALW possession.
- **53 key informant interviews** to access information on, and assess, state capacities and resources, official data, policy, practice, identified problems, past measures and initiatives relevant to SALW control. Key informants included Government officials, police, international actors, NGO representatives, former army officers and journalists.

- A **desk review** of relevant research (both international and national) published on SALW or associated issues, including for example, previous small-scale surveys on SALW, research on military reform and security, human rights reports, etc.
- **Media monitoring** of articles appearing in the national news paper Shekulli between January 2002 and May 2005. During this period, articles were analysed for events such as murders, attempted murders, illegal weapon possession, armed assault and armed threats, in order to develop a picture of the frequency of such events. Shekulli was the sole source used for this research component, as it is the only national newspaper in Albania with an electronic archive.
- **Official statistics** to support information provided in interviews and to provide a picture of the impacts of SALW in Albania. Given current limitations to data collection in Albania, for example the lack of computerised databases, this research component was of restricted value to the Survey, in particular the impact section.

1.3 Introduction

Accounts of Albania generally highlight the economic underdevelopment, international isolation and domestic repression of the communist regime of Enver Hoxha (1946–1985) and the continuing struggle to overcome these legacies in one of the smallest, poorest and least developed states in Europe.¹ In 2003, Albania had the second lowest GDP per capita of the seven Balkan states considered by the International Commission on the Balkans, at €1709, and the second lowest net inflow of Foreign Direct Investment (FDI) at €158 million.² At the same time, however, between 1998 and 2001 it was reported to have had the highest growth rate of any Balkan state, averaging eight percent per year,³ and six percent in 2003.⁴ While growth rates do not tell the full tale of the low base level of development, these macroeconomic statistics also mask the considerable regional disparities that exist in Albania. There is reported to be a huge gulf between the capital of Tirana and wealthy coastal cities such as the port city of Durres, and the rest of the Albanian hinterland. Furthermore, they do not reveal the extent to which remittances, grey and black market activities contribute towards the living standards of Albania's population.⁵

Albania was the first former communist state to apply to join NATO, has been active in its Partnership for Peace (PfP) programme and praised for its progress in reforming the military and improving parliamentary oversight.⁶ In 1992 it became the first west Balkan state to sign a trade and co-operation agreement with the European Community, although progress on the Stabilisation and Association Agreement (SAA) between Albania and the European Union (EU) has been problematic for a number of reasons. Albania must overcome a number of serious challenges to stand any chance of meeting EU and NATO membership requirements, with the European Commission (EC) SAA reports highlighting a number of issues that are directly and indirectly related to the SALW situation in Albania:

The EC's SAA report lists the following priorities for Albania:

- Enhance the fight against organised crime and corruption;
- Strengthen border and customs controls;

¹ Biberaj E, *Albania in Transition: The Rocky Road to Democracy*, (Westview Press, 1999); NGO representative P, *The Search for Greater Albania*, (C. Hurst & Co., 2003); Saltmarsh D, *Identity in a Post-Communist Balkan State: An Albanian Village Study*, (Ashgate, 2001). These sentiments are regularly echoed in international media reports on Albania.

² Bosnia was reported to have the lowest per capita GDP in the region on €1611, while Macedonia had the lowest net FDI inflows on €83.5 million. *The Balkans in Europe's Future* (Report of the International Commission on the Balkans, Sofia, April 2005), p 39.

³ Pettifer J, *Albania, FYROM & Kosovo: Evolving states and the European Union*, (Conflict Studies Research Centre G116, 2002), p 5.

⁴ *Albania in Figures 2004*, (Tirana: INSTAT), p 35.

⁵ One analyst has suggested that more than 40 percent of Albania's real GDP is located within the grey and black spheres of the economy. See: Moustakis F, 'Soft Security Threats in the New Europe: The Case of the Balkan Region', *European Security*, 13(1–2), 2004, p 149.

⁶ Boyne S, 'Albanian communists paying for the past', *Jane's Intelligence Review*, 8(10), October 1996, pp 440–1.

- Strengthen the judiciary and administrative capacity;
- Improve the democratic process and political stability to carry out reforms;
- Improve the human and minority rights situation;
- Formalise and reform the economy.⁷

In recent years, Albania has taken many important steps to address its SALW problems. These include weapons collection, destruction of surplus, enhanced stock-pile management and better international/regional intelligence and law enforcement co-operation. As time has passed, dynamics of the problem have changed from an immediate threat to national security in 1997 to the current situation where illicit weapons fuel crime and trafficking and where security concerns of the population are manifested in a lack of trust in the state and its institutions, economic uncertainty, poor access to justice and decision making. It is therefore critical that SALW problems continue to be tackled in all their manifestations in Albania.

1.4 Albania in the twentieth century

Ever since Albania's borders were drawn in 1912, they have been regarded as a potential source of regional instability as they failed to satisfy Albanian, Greek and Serbian nationalists. Fears arose throughout the twentieth century that Greek or Serbian claims on territory recognised as Albanian would lead to inter-state violence. The presence of sizeable ethnic Albanian minorities in parts of the former Federal Republic of Yugoslavia (FRY), especially Kosovo and western Macedonia, prompted concerns that Tirana would seek to establish a 'Greater Albania' by incorporating these neighbouring territories through force.⁸ Although statements have occasionally been made in the distant and recent past along these lines,⁹ no mainstream political party in Albania openly associates itself with such a position today.¹⁰

The task of modernising Albania and forging a common national identity within the existing borders of Albania has been regarded by a number of commentators as a far more pressing concern for Albania's political leaders than seeking to annex neighbouring territories.¹¹ The cultural, economic, linguistic, political and social differences which separate the inhabitants of northern Albania (Gegs/Ghegs) and the inhabitants of southern Albania (Tosks) are well documented. The power struggle between groups from the north and the south for the control of Albania's cultural and economic resources, led in the twentieth century to regional disparities in economic development, but occurred at the same time as efforts were made to construct a national narrative masking regional differences and homogenising the population.¹²

The second half of twentieth century history in Albania was dominated by Enver Hoxha, the leader of the Albanian Party of Labour (APL, until 1948 Albanian Communist Party (ACP)).¹³ From an early stage, southern influence was strong in the ACP, which was the foundation for the brutal Stalinist regime through which Hoxha

⁷ Commission of the European Communities, Commission Staff Working Paper: Albania – Stabilisation and Association Report 2004, (Brussels, SEC(2004) 374/2); Ilirjani A, 'Albania and the European Union', *Mediterranean Politics*, 9(2), 2004, p 261.

⁸ Op cit Biberaj; International Crisis Group, Pan-Albanianism: How Big a Threat to Balkan Stability? (Tirana/Brussels: Europe Report 153, 25 February 2004); Judah T, 'Greater Albania?', *Survival*, 43(2), 2001, pp 7–18; op cit NGO representative; op cit Pettifer.

⁹ One of the most recent causes of concern relating to the idea of a 'Greater Albania' arose when the Albanian Academy of Sciences published a platform that mapped out 'new' borders for an Albania that would include areas with a sizeable ethnic Albanian population and 'ancient' Albanian lands. Platform for the Solution of the National Albanian Question, (Academy of Sciences of Albania, 1998).

¹⁰ Despite this lack of political representation, the International Commission on the Balkans has suggested that the threat of a 'Greater Albania' remains. This is based upon opinion poll data that they collected. Source: op cit The Balkans in Europe's Future, p 17.

¹¹ Op cit Biberaj; Blumi I, 'The politics of culture and power: The roots of Hoxha's postwar state', *East European Quarterly*, 31(3), 1997, pp 379–98; op cit NGO representative; op cit Saltmarshe.

¹² For example see the collection of essays in eds Scwander-Sievers S and Fischer B J, *Albanian Identities: Myth and History*, (Hurst, 2002). See also: op cit Blumi, pp 379–98.

¹³ See for example: Bailey R, 'Smoke without fire? Albania, SOE and the Communist 'Conspiracy Theory'', in eds Scwander-Sievers and Fischer, (2002), pp 143–53; op cit Blumi, pp 379–98; Doll B, 'The relationship between the clan system and other institutions in northern Albania', *Journal of Southeast European and Black Sea Studies*, 3(2), 2003, pp 147–162; Saltmarshe, (2001); Standish A M J, 'Enver Hoxha's role in the development of socialist Albanian myths', in eds Scwander-Sievers and Fischer, (2002), pp 115–24.

attacked Geg/Gheg culture, economic bases, leadership, language and way of life,¹⁴ to create a Tosk dominated state.

The fear of invasion was the rationale for the creation of a highly militarised and internationally isolated society.¹⁵ There was military training in schools and factories, up to three years of compulsory military service and civilian defence units, all of which were supposed to ensure that Albania could be defended by civilian mobilisation with Guerilla tactics.¹⁶ Under Hoxha's rule Albania became isolated not only from Western Europe, but also from other members of the socialist bloc. Even in the four years after Hoxha's death, while communist regimes were falling throughout Europe, Hoxha's successor, Ramiz Alia, sought to ensure that Albania persisted as the last communist regime in Europe.¹⁷ The APL even managed to cling to power by winning a majority of the seats in multi-party elections that were held in 1991. However, it was finally ousted following a landslide victory by their main opponents, the Democratic Party (DP), in 1992. When the DP took power, inflation was running at 300 percent, GDP per capita was \$222 and Albania was receiving \$116 per capita in international aid, the highest per capita assistance given to any former communist state.¹⁸ With the northerner, Sali Berisha, as its party leader, the DP Government was expected to redress the economic imbalance in favour of the north.¹⁹

1.5 Pyramids and Kalashnikovs: civil unrest in 1997

The collapse of pyramid scheme companies in Albania in late 1996 and early 1997 has come to be regarded as the proximate cause for the civil unrest that took place throughout Albania in the first half of 1997. The collapse of these schemes is thought to have hit the savings of hundreds of thousands of Albanians. One estimate stated that over one billion dollars, around one third of Albania's GNP at the time,²⁰ had been invested in pyramid schemes that were promising interest rates of up to 50 percent.²¹ Protestors took to the streets in the southern cities of Albania and Tirana, with Government and DP buildings in Berat, Lushnje and Vlorë the targets of looting and fires. By February, the demonstrations had spread across the south, with military depots and police stations targeted by looters. On 2 March 1997, President Sali Berisha declared a national state of emergency and announced: "Armed communist rebels, helped and financed by foreign espionage services, have started military actions to overthrow the Government with force and establish their rule across the country (...) They will soon feel the iron hand and the full punishment of the laws of this state."²²

It was said at the time that Vlorë was the focal point for unrest in the South as the former recruiting ground of the communist-era secret police, the Sigurimi.²³ A number of other sources have suggested that former communist-era security forces personnel and SP officials took advantage of the popular discontent with the Government's response to the collapse of the pyramid scheme companies. Personal economic dissatisfaction rather than political redress may well have been the motivating factor behind much of the unrest:²⁴ the fact that the rebels did not seem to be calling for anything more than Berisha's resignation confused some commentators, who expected the looting of weapons to be accompanied by a greater sense of political purpose.²⁵

¹⁴ Op cit Biberaj, p 16; op cit Blumi, pp 385–6; op cit Doll, pp 157–8.

¹⁵ Bumçi A, 'Security sector reform in Albania', in Defence and Security Sector Reform in South East Europe: Insights and Perspectives – Albania: A Self Assessment Study, (DCAF, 2003), pp 3–26.

¹⁶ Op cit Boyne, pp 438–41; de Leonis Andres, 'The remains of Albania's defences', *Jane's Intelligence Review*, 7(7), July 1997, pp 295–8; Smith C and Sagramoso D, 'Small arms trafficking may export Albania's anarchy', *Jane's Intelligence Review*, 11(1), January 1999, pp 24–8.

¹⁷ Op cit Saltmarshe, p 60.

¹⁸ Ibid p 61.

¹⁹ Op cit Biberaj, pp 205–6.

²⁰ Op cit Hunt.

²¹ Op cit Biberaj, p 317.

²² Robertson J, 'Albania declares emergency', *The Guardian*, 3 March 1997, p 1.

²³ Pettifer J, 'Secret police play by old rules', *The Times*, 4 March 1997.

²⁴ Interview, NGO representative, 23 July 2005; Op cit Biberaj, p 319–26; op cit Bumçi, p 5; op cit NGO representative.

²⁵ Loyd A, 'Berisha's offer of deal serves only to fuel rebel fury', *The Times*, 11 March 1997.

Others argued that many people were simply angry, and took weapons for self-defence and as a form of reimbursement from the state. It was alleged that some of the officers and soldiers tasked with guarding military depots were actively involved in the looting and ransacking of weapons and ammunition stores.²⁶ There was also speculation that tensions between the north and south of the country would erupt into a civil war when military depots in northern Albania were raided.²⁷

By the time Operation Alba, the multinational force led by Italy and supported by the UN Security Council, arrived in April 1997, commentators were reporting that the possibility of a civil war had been dispelled.²⁸ The force did little to affect the situation, as its main objective was to accompany aid convoys, and it “lacked the political will to launch an operation to disarm armed gangs, restore law and order and help to create the necessary conditions for free and fair elections”.²⁹ These tasks were largely left to the Albanian authorities in the immediate aftermath of the unrest. Shootings and killing continued, with the official figure for the number of people killed between 1 March and 20 September 1997 was 1,311,³⁰ with a further 1,450 wounded.³¹

In September 1997, Minister of Defence, Perikli Teta, assessed the extent of damage in the spring unrest, initially estimating that 1,200 military depots were destroyed, with around 652,000 weapons of different calibres, 1.5 billion rounds of ammunition, 3.5 million hand grenades, 3,600 tons of explosive devices and one million mines looted from these depots.³² He did not state the percentage of total stocks this represented, but a former high level security service official informed the research team that no more than 50,000 SALW remained in the hands of Albania’s military forces after the 1997 unrest, with an estimated 600,000 SALW looted.³³ Other unofficial estimates are higher, with some arguing that between 750,000 and one million SALW were looted in 1997.³⁴ According to official figures released after a full inventory carried out in 1998, the total number of SALW looted from MOD depots was 524,226.³⁵ In addition, 23,929 SALW were looted from police stores and 1,620 from secret police stores. Therefore, the official total of SALW looted from Government stores in 1997 is 549,775.

The reliability of this figure continues to be questioned for a number of reasons,³⁶ and this makes estimating the scale of current illicit civilian possession difficult (see section 3.5.2 – ‘Illegally held weapons’). Problems with the 1998 physical inventory that was conducted following the looting included the fact that mines had been placed in front of stores to deter civilians from entering. But this also meant conscripts were sometimes reluctant to enter a building, that storemen were nervous of getting in trouble and had kept extra weapons back in some cases. The inventory certainly was not 100% accurate.³⁷

In August 1997, the Albanian Government declared an amnesty for those who

²⁶ Op cit NGO representative.

²⁷ Some sources say that the depots were opened on Democratic Party orders – see for example: Bahaja Z, ‘Civil-military and inter-agency co-operation in the security sector of Albania’, in Security Sector Reform, Does it Work? Problems of Civil-Military and Inter-agency Co-operation in the Security Sector, Philipp H. Fluri & Velizar Shalamanov (eds), (DCAF/George C. Marshall Association, Bulgaria), 2003; op cit NGO representative P, p 323. Others say that they were looted – see for example: op cit Biberaj, p 325; Walker T, ‘Berisha loyalists raise spectre of North-South war’, *The Times*, 12 March 1997.

²⁸ Sikorski R, ‘War and order’, *The Times*, 3 May 1997.

²⁹ Op cit Biberaj, p 326. Borger J, ‘Albania racked by regrets’, *The Guardian*, 26 April 1997; Owen R, ‘UN approves plan for aid protection troops in Albania’, *The Times*, 29 March 1997; Walker T, ‘Troops run media gauntlet to take Albanian beaches’, *The Times*, 16 April 1997.

³⁰ Of this total, 126 had been killed accidentally, 75 were children and 52 were on-duty policeman.

³¹ Twenty three percent of those wounded in the spring and summer of 1997 were children. The police announced that for the same period in Tirana alone, 197 people were killed by firearms (including four children), six by grenades (including three children) and 29 died in explosions (including five children). Source: ‘Firearms kill 197 in Tirana March–September’, Koha Jone, Tirana, in Albanian, 2 October 1997, p 2. Source: NISAT Black Market Archive Database, <<http://www.nisat.org/>>, 17 May 2005.

³² ‘Defense Minister provides data on killings, arms returns’, Tirana ATA, in English, 1646 GMT, 22 September 1997. Source: NISAT Black Market Archive Database, <<http://www.nisat.org/>>, 17 May 2005.

³³ Interview, NGO representative, 23 July 2005. Smith and Sagramoso (op cit, p 25) suggest that around 80 percent of the MOD’s SALW stocks had been looted, while MOD officials informed the research team that 95 percent of Albania’s SALW stocks had been looted in 1997 (Interview, MOD officials, 27 July 2005).

³⁴ See for example: op cit Bahaja; op cit Smith and Sagramoso, p 25. One estimate suggests that around 80 percent of the MOD’s SALW stocks had been looted

³⁵ Source: Weapons Collection Committee Figures.

³⁶ Interview, international official, 12 April 2005.

³⁷ Interview, former MOD official, 18 April 2005.

voluntarily surrendered unregistered firearms, a provision which persisted with brief interruptions and modifications for the following eight years.³⁸ By September 1997, police had already begun collecting weapons, stating that more weapons were being voluntarily surrendered than collected by active police interventions.³⁹ By the end of May 2005 Albanian authorities, assisted by UNDP and the NGO sector, had collected, received and seized 222,918 SALW.⁴⁰ Weapons collection officials have subtracted this figure from the official estimate of 549,775 looted SALW and suggest that 40.5 percent of the looted SALW have now been accounted for,⁴¹ to estimate that 326,857 of the looted weapons remain at large either in Albania or abroad.

1.6 Trafficking and regional conflict

Although experts do not generally argue that a ‘Greater Albania’ policy has been directed from Tirana, ethnic Albanian insurgent groups in Kosovo and Macedonia have benefited from direct and indirect transfers of looted Albanian SALW and arms travelling in transit across Albania since 1997. Yet, it has been argued that trafficking in SALW from or through Albania to Kosovo was taking place before the 1997 looting of Albania’s armouries, albeit on a more limited scale than during the 1997–2000 period. Paulin Kola notes allegations made by Xhavit Haliti, the former leader of the Popular Movement for the Republic of Kosovo, who informed him that Albanian socialist President Ramiz Alia authorised Albanian army assistance and even assisted with the movement’s first SALW shipments in 1987–8,⁴² and that Fatos Nano gave him a *carte blanche* “so that shipments of people and armaments could move unhindered though Albanian territory”.⁴³

However, it is clear that it was between 1997 and 1999, when the Albanian Government and state authorities were unable to control large swathes of Albanian territory and the Albanian borders, that large-scale arms trafficking from and through Albania took place. Several researchers concurred with the view that the 1997 anarchy and its aftermath “provided the founders of the Kosovo Liberation Army (KLA) with both a supply of small arms and a stretch of ungoverned territory in which they could arm and train a guerrilla force”.⁴⁴ While Kola claims that the KLA had people in Tirana who collected weapons to send to Kosovo,⁴⁵ Northern Albania was generally regarded to be the main site for the thriving arms trafficking business.⁴⁶ The border towns of Bajram Curri and Tropoje served as ‘illegal arms bazaars’ for local traders and KLA sympathisers eager to sell or donate SALW.⁴⁷ After the end of the Kosovo conflict, ethnic Albanian groups based in Macedonia, such as the National Liberation Army (NLA) and the Albanian National Army (ANA), became the recipients of some of the arms that had been smuggled from Albania to supply the Kosovo insurgency in the preceding years.⁴⁸

³⁸ There was one brief interruption between 4 August 2002 and 6 March 2003, when there was no weapons amnesty legislation in place.

³⁹ For example, one newspaper reported that in August and September 1997 the Albanian police force had collected 205 automatic rifles, 487 rifles, 72 light machine guns, 72 pistols and 476 grenades during their searches. In comparison, 2,101 automatic rifles, 102 heavy machine guns, 230 kilograms of explosives, six flamethrowers, eight grenade launchers and 533,000 rounds of ammunition had been voluntarily surrendered over the same period. Source: Op cit ‘Firearms kill 197 in Tirana March–September’. Another set of collection figures for the period 1 August to 20 September 1997 was provided by the Minister of Defence. He declared that the following had been collected: 2,162 automatic rifles, 20,689 rifles, 1,266 light machine-guns, 78 pistols, 518 heavy machine-guns, 116 guns and mortars, 282 anti-tank grenades, 219 anti-aircraft machine-guns, 732 anti-tank and anti-infantry mines, 7,786 assault grenades, 6,060 defensive grenades, eight million infantry rounds of ammunition and 1,070 mortar rounds. Source: Op cit ‘Defense Minister provides data on killings, arms returns’.

⁴⁰ Source: MOPO Weapons Collection Unit.

⁴¹ Although the main focus of international attention has been upon SALW collection, it is also worth mentioning that significant quantities of ammunition, explosives and other military material, including tanks, have been collected since 1997.

⁴² Op cit NGO representative, p 319.

⁴³ Ibid, p 333.

⁴⁴ Op cit International Crisis Group, 2004, p 6; op cit Heinemann-Grüder and Paes, pp 19–21; Judah T, ‘War by mobile phone, donkey and Kalashnikov’, *The Guardian* Weekend, 29 August 1998, p 6; op cit NGO representative, p 343; 393; op cit Smith and Sagramoso, p 25.

⁴⁵ Op cit NGO representative, p 330.

⁴⁶ Op cit International Crisis Group 2004, p 6; op cit Smith and Sagramoso, p 25.

⁴⁷ Op cit Smith and Sagramoso, p 26.

⁴⁸ ‘The NLA’s arms suppliers: Weapons traffickers weave an intricate network to counter increasing KFOR seizures on the Macedonian border’, IWPRBCR 272, 17 August 2001; ‘Kosovo: KFOR detains 27 for trying to smuggle arms into FYROM in past week’, FBIS-EEU-2001-0813, Paris AFP (North European Service), in English, 1422 GMT, 13 August 2001 [FBIS Transcribed Text]. Source: NISAT Black Market Archive Database, <<http://www.nisat.org/>>, 17 May 2005; Loyd A, ‘US struggles to seize arms from Albanian rebels’, *The Times*, 6 March 2001; op cit Quin, 2003; op cit Ripley, 2001, p 22.

Even if the Albanian authorities had had the capacity to obstruct the trafficking of arms to Kosovo between 1997 and 1999, the unpopularity of doing so might have made their position untenable.⁴⁹ Northern Albania was regarded as beyond the control of central authorities and continued to be a “conduit for arms and people”;⁵⁰ as weapons made in Central and East European states, and also in NATO member states, were being trafficked through this area.⁵¹ One researcher argued in 1999 that the “KLA probably enjoy greater power and influence in northern Albania than the central Government”⁵² It certainly remains true that complex political, familial, economic, military and criminal relationships link many individuals in the North of Albania to ethnic Albanians in Kosovo and Macedonia.⁵³

Yet the arms saturated province of Kosovo reportedly no longer demands arms from looted Albanian stores or the black market in the quantities that were once sought. There have been discussions on continuing imports of high-tech weaponry and explosives into Kosovo through Albania, of drug traffickers operating in the region carrying arms for personal use and some cases of individuals purchasing weapons across the borders for personal safety. There have also been claims of arms traffic from Albania to Greece and Italy, but the volume is thought not to be as significant as in the case of other kinds of trafficking, and despite initial fears, the EU illicit arms market was reportedly not flooded with looted Albanian SALW.⁵⁴ It has been argued that the looted Albanian armaments were unlikely to appeal to terrorist or criminal organisations in the EU because of their poor quality and limited application.⁵⁵

A number of reports in recent years have drawn attention to the fact that Albanian organised crime groups are increasingly considered to be one of the main threats to European security.⁵⁶ For most of the 1990s, the main concern relating to Albanian organised criminals and traffickers appeared to be trafficking in humans, either from within Albania or using Albania as a transit point to Germany, Italy or beyond. However, the main fears now seem to relate to trafficking in drugs and Albania’s role as a transit point for shipments of heroin from Afghanistan via Turkey and Albania to consumers in the EU. Albania’s domestic marijuana production has also attracted the attention of EU neighbours, with the Italian Interforza law enforcement agency assisting in combating the growth and trafficking in this commodity.⁵⁷ If indeed weapons trafficking is currently minimal, there remains a need for controls that could effectively deal with the potential for it to re-emerge, as highlighted in UNDP and SEESAC SALW surveys of Bulgaria, Kosovo, Macedonia, Montenegro and Serbia.⁵⁸

The fact that Albania also seems to be a transit route for weapons previously used in the conflicts of the former Yugoslavia conflicts is perhaps something that should be of increasing concern to Albanian authorities and the EU. Some of the problems with accounting for the SALW looted from Albanian stores in 1997 and also SALW from the

49 Cf op cit International Crisis Group, 2004, p 13: “It would have been political suicide for the government [of Albania] to have been perceived as cracking down on KLA guerrilla activity in Albania”. The report also notes that during the 2003 Macedonian crisis, the Albanian government also appeared to be reluctant to arrest known NLA activists in Albania.

50 Op cit NGO representative, p 345.

51 Op cit Heinemann-Grüder and Paes, p 13; op cit Smith and Sagramoso, p 26. Not all of these ‘transit’ shipments reached Kosovo. Perhaps the most infamous case is the discovery in May 1999 of thirty tonnes of arms and ammunition being carried in trucks bearing the logo of the Roman Catholic aid agency Caritas at the Italian port of Ancona and bound for the Albanian port of Durrës. For more information on this case see: ‘Checks on freight bound for Albania stepped up at Bari’, *Corriere della Sera* (Internet version) in Italian, <<http://www.rcs.it/corriere>>, 3 May 1999; ‘Italy halts aid convoy with arms for UCK’, *Corriere della Sera* (Internet version) in Italian, <<http://www.rcs.it/corriere>>, 3 May 1999. Source: NISAT Black Market Archive Database, <<http://www.nisat.org/>>, 17 May 2005. See also: Owen R, ‘Arms smugglers used charity as cover’, *The Times*, 4 May 1999.

52 Op cit Smith, 1999, p 2.

53 Cf op cit Judah, 2001, p 18.

54 Op cit Smith and Sagramoso, p 27.

55 Interviews, MoPo official, 20 April 2005; international official, 27 April 2005; parliamentarian, 3 May 2005.

56 Barnett N, ‘The criminal threat to stability in the Balkans’, *Jane’s Intelligence Review*, 14(4), April 2002, pp 30–2; Bumçi A, Ymeri S and Dakli E, Debating National Security: The Case of Albania – Border Security, Religion and Security, Corruption, (Albanian Institute for International Affairs, 2004), p 40–1; Galeotti M, ‘Albanian gangs gain foothold in European crime underworld’, *Jane’s Intelligence Review*, 13(11), November 2001, pp 25–7; Kominek J, ‘Albanian organised crime finds a home in the Czech Republic’, *Jane’s Intelligence Review*, 14(10), October 2002, pp 34–5; op cit Smith and Sagramoso, pp 24–8.

57 Interview, international official, 19 April 2005.

58 Op cit Rynn, Gounev and Jackson; op cit Khakee A and Florquin N; op cit Grillot, Stoneman, Risser and Paes; op cit Florquin and O’Neill Stoneman; op cit Taylor, Phillips and Bogosavljevic.

Yugoslav conflicts could be overcome through better coordination of information exchanges on weapons recovered and collected in the region, with the SECI-coordinated operations 'Ploughshares' and 'Safe Place' treated as first steps towards the establishment of habitual information exchanges on the types and markings of weapons uncovered.

1.7 Organised crime and corruption

A number of reasons can be given to help explain why Albania, like its neighbours in SEE, has come to be seen as a concern with regard to transnational organised crime.⁵⁹ Firstly, Albania's geographical location makes it part of "an important bridge for criminal networks spanning from Western Europe to Asia and Africa"⁶⁰ Coupled with the picture of its border terrain as 'too wild' or difficult to police and control effectively, its geographic position gives it 'natural' appeal for those interested in moving contraband goods and people into the EU.⁶¹

Secondly, Albania emerged from communism as a "weak state in which formal institutions have functioned poorly".⁶² For example, when the DP came to power in 1992, it dismissed tens of thousands of state officials for corruption and suspect political affiliations to the APL,⁶³ but it did not necessarily replace these people with experienced, competent and honest personnel. Officials in border, customs and law enforcement agencies also had low salaries and poor working conditions, making them susceptible to corrupt practices such as accepting bribes or acquiescing with the demands of those threatening violence or other forms of intimidation.⁶⁴ As significant profits were to be made by breaking the sanctions imposed on the FRY (in addition to trafficking arms, drugs, people and other contraband goods within the region and into the EU), the pressure on already weak state controls increased.⁶⁵

It has been argued that "Europe's organised crime bosses see the Balkans as a good place to do business".⁶⁶ The links between state agents at the highest levels and organised crime groups have led to organised crime becoming embedded in the regional economic, political and social life; this is supported by fear, cynicism and tolerance by a significant part of the population, who continue to lack faith in the state authorities as providers of basic human security.⁶⁷

One of the outcomes of corrupt government and societal breakdown has been the growth of gangs, some of which have developed links with political parties. As

59 See for example: the various articles contained within Athanassopoulou E, 'Fighting organised crime in southeast Europe', special issue of *Journal of Southeast European and Black Sea Studies*, 4(2), 2004; Barnett N, 'Lack of funds, surveillance equipment and official corruption hamper task of controlling the illegal trade in people and drugs', IWPRBCR 479, 04 February 2004, <<http://www.iwpr.net/>>, 7 April 2005; Barnett N, 'The criminal threat to stability in the Balkans', *Jane's Intelligence Review*, 14(4), April 2002, pp 30–2; Bumçi A, Ymeri S and Dakli E, *Debating National Security: The Case of Albania – Border Security, Religion and Security, Corruption*, (Albanian Institute for International Affairs, 2004); Davis I, Hirst C and Mariani B, *Organised Crime, Corruption and Illicit Arms Trafficking in an Enlarged EU: Challenges and Perspectives*, (Saferworld, 2001); Grillot S, Stoneman S, Risser H and Praes W-C, *A Fragile Peace: Guns and Security in Post-Conflict Macedonia*, (SEESAC, 2004); Khakee A and Florquin N, *Kosovo and the Gun: A Baseline Assessment of Small Arms and Light Weapons in Kosovo* (Small Arms Survey and UNDP Kosovo, 2003); op cit Moustakis; op cit Pettifer; Rynn S, Gounev P and Jackson T, *Taming the Arsenal – Small Arms and Light Weapons in Bulgaria*, (SEESAC, 2005); Sagromoso D, *The Proliferation of Illegal Small Arms and Light Weapons in and around the European Union: Instability, Organised Crime and Terrorist Groups*, (Saferworld and Centre for Defence Studies, 2001); Taylor Z, Phillips C and Bogozavljec S, *Living with the Legacy – SALW Survey Republic of Serbia*, (Saferworld, 2005).

60 Op cit Athanassopoulou, p 217. See also: op cit Bumçi, Ymeri and Dakli p 18; Totozanni I, 'Civilians and military in defence planning: from a national security concept to a force development plan', in *Defence and Security Sector Reform in South East Europe: Insights and Perspectives – Albania: A Self Assessment Study*, (DCAF, 2003), p 61.

61 Op cit Pettifer, p 5.

62 Op cit Lawson and Saltmarshe, p 133.

63 For example, Elez Biberaj stated that 70% of the SIGURIMI officials were dismissed in the first months after the Democratic Party came into office, with many of the 80% of military officers who were members of the APL also targeted. See: op cit Biberaj, p 152.

64 Bebler A, 'Corruption Among Security Personnel in Central and Eastern Europe', *Journal of Communist Studies and Transition Politics*, 17(1), 2001, pp 129–45; op cit Moustakis, p 150; Ruggerio V, 'Criminals and service providers: Cross-national dirty economies', *Crime, Law & Social Change*, 28, 1997, pp 27–38.

65 Cukier W, 'Firearms: Licit/Illicit Links', Web-site of the Small Arms Firearms Education and Research Network, <<http://www.research.ryerson.ca/SAFER-Net/Content/Contents/Licit/Illicit/Licit-Illicit%20Links.pdf>>, 16 April 2003; op cit Davis, Hirst and Mariani; op cit Saltmarshe, p 62 and 149.

66 Ripley T, 'Instability reigns in the southern Balkans', *Jane's Intelligence Review*, 14(3), 2002, p 39.

67 Op cit Athanassopoulou. See also: op cit Lawson and Saltmarshe, pp 133–148.

criminal activity has become more organised, the trafficking in people, drugs, arms and other forms of contraband has become increasingly integrated with international criminal networks.⁶⁸

Thus, it is thought that it has not only been thanks to the acquiescence of border and customs guards that considerable profits have been made breaking FYR sanctions and trafficking in contraband goods from, through and to Albania. The criminal-political nexus appears to have been able to adapt to changes in Government, with allegations made against officials from the DP and SP regarding their suspected links to organised crime and trafficking activities.

Before the recent transfer of power to the Democratic Party, the Albanian authorities came to accept that organised crime and corruption were major problems that need to be addressed. However, according to an ICG report in 2003, “they appear[ed] not to acknowledge the full extent of [organised crime’s] links with individuals in top state offices, the police and politicians”.⁶⁹ The report went on to argue that the main challenge for Albania was to deprive organised crime of its powerful backers in Tirana. While former Prime Minister Fatos Nano was correct to argue that organised crime is a transnational problem and cannot be successfully combated by Albania alone,⁷⁰ Albania’s efforts in this sphere were described as ‘poor’ in the EC’s 2004 SAA Report.⁷¹ It highlighted poorly defined legislation, deficient intelligence and analysis capacity, limited coordination between the centre and regions and between different agencies, the corruption and intimidation of investigators, corrupt and poorly trained prosecutors and judiciary, all of which have resulted in low output.

In an effort to combat corruption and organised crime, Deputy Prime Minister Meta drew up an anti-corruption plan in September 1999.⁷² However, in early 2003 the anti-corruption drive was assessed as ‘ineffective’,⁷³ although an annual action plan for the prevention and fight against corruption had been established in the previous year.⁷⁴ One of the main problems could be that the rule of law has weak foundations in Albania, with one analyst noting that the “rule of law was alien to communist Albania”, as even the Ministry of Justice was abolished during Hoxha’s reign.⁷⁵ Fotios Moustakis has argued that there have been significant improvements since 2001, but there is still a gap between the letter and the application of the law.⁷⁶

The EC’s 2004 SAA Report argued that there was too much corruption, political interference, lack of human and financial resources, high staff turnover and lack of professionalism throughout the Albanian state, with the judiciary and law enforcement agencies highlighted as particular sources of concern for their very ‘limited improvements’. The report stated that:

*The rule of law in Albania remains deficient. Albanian law enforcement bodies do not yet guarantee consistent enforcement of the law, in accordance with international standards. Widespread corruption and organised crime continue to be serious threats to the stability and progress of the country.*⁷⁷

Similar concerns were listed in the OSCE’s 2004 *Legal Sector Report* for Albania, in which a lack of public confidence and transparency were highlighted as the two main issues facing the legal sector in Albania.⁷⁸ The report highlighted the fact that officials

68 Op cit Saltmarshe, p 62.

69 Op cit International Crisis Group, 2003, p 7.

70 Op cit Nano, pp 8–9.

71 Commission of the European Communities, Commission Staff Working Paper: Albania – Stabilisation and Association Report 2004, (Brussels, SEC(2004) 374/2), p 34.

72 Op cit Smith, 2000, p 1.

73 Op cit International Crisis Group, 2003, p 7.

74 Council of Ministers, Republic of Albania, Action plan for the prevention and fight against corruption 2003–2004, Tirana, July 2003.

75 Op cit Biberaj, p 71.

76 Op cit Moustakis, p 154.

77 Commission of the European Communities, Commission Staff Working Paper: Albania – Stabilisation and Association Report 2004, (Brussels, SEC(2004) 374/2), p 2.

78 OSCE Presence in Albania, Legal Sector Report for Albania (2004).

had often been unable to enforce the decisions of courts, that political interference had prevented prosecutors from carrying out their duties and that false certification of property ownership was a major problem for public security. However, the report did state that “the legal sector in Albania possibly has a reputation worse than it deserves”. A lack of public understanding of legal process and lack of transparency were thought to be the two main reasons behind this reputation, but it was also clear that sanctions had not been applied in a strict and uniform manner against individuals in the legal profession who had succumbed to bribes and indulged in corrupt practices.

1.8 Police reform

As the International Criminal Investigative Training Assistance Program (ICITAP) states, “In 1997, following a general breakdown of public order, the Albanian National Police (ANP) began the slow process of creating a modern police force that is modelled after law enforcement institutions in democratic societies.”⁷⁹ Since then the issue has only grown in importance as the fight against organised crime, trafficking, corruption and the improvement of public order have become strategic priorities in line with the country’s Stabilization and Association Agreement with the EU. As further described below in section 5 ‘SALW Control Capacity’, the Government of Albania has itself introduced new strategies and units specifically designed to improve performance in these areas. Significant international support, both bilateral and multilateral, has been made available in recent years to assist these reforms, including:

- The UNDP’s Support to Security Sector Reform (SSSR) Programme, a successor project to the weapons collection support project Small Arms And Light Weapons Control (SALWC) Project which has run Community Policing projects in the Prefectures of Kukës, Shkodër, Lezhe, Tirana, and Vlorë from 2003 onwards to strengthen police capacities, promote a positive police image and help the police build trust with communities.⁸⁰
- The OSCE Presence in Albania which provides assistance with public order and security matters through its Police Assistance and Border Management Unit, including cross-border co-operation, advising the Albanian Government on legislation and strategy plans.⁸¹
- ICITAP, which has worked since 1998 to provide the Albanian National Police with training and advice on strategic planning and anti-smuggling techniques, eventually helping to create a dedicated organised crime unit.
- Similar assistance has been provided by the Police Assistance Mission of the European Community to Albania (PAMECA) since December 2002, including assistance with strategy development, training on investigative techniques and provision of equipment.
- Bilateral assistance has also been provided by donors such as the Governments of Denmark and Norway who have funded small-scale community policing projects from around 2001.

According to the OSCE, an ‘International Consortium’ acts as a forum for co-ordinating police assistance, police reform and programmes on combating trafficking and organised crime. There are several working groups within the Consortium dealing with different policing issues.⁸²

As described further in section 5.1.2, the internal structure of the Albanian National Police has changed over time in response to perceived challenges such as organised

⁷⁹ ICITAP website, <http://www.usdoj.gov/criminal/icitap/albania.html>

⁸⁰ <http://www.sssr.undp.org.al/?background>.

⁸¹ <http://www.osce.org/albania/13144.html>.

⁸² <http://www.osce.org/albania/13144.html>.

crime and trafficking and dedicated units and departments have been created with a view to combating these challenges, such as the Sector for the Fight Against Illegal Trafficking. More recently, the MOPO has been transformed into a Ministry of Interior, taking on a local government, corrections and information collection role⁸³ in addition to its previous policing duties. Though this restructuring will create numerous challenges, it should go some way to resolving co-operation problems such as those that the Ministry of Local Government and MOPO experienced during weapons collections.

1.9 Privatisation of security

Private Security Companies (PSCs) have been operating in Albania since 1993⁸⁴ as economic growth and liberalisation has created demand for static security services. Particularly from 1993 onwards PSCs have offered ever more services, including close protection, rapid response and the secure transit of cash and valuables. Clients now routinely include private banks, international business, international institutions, and construction sites as well as a small number of individuals in need of close protection.⁸⁵ Since the law caps the number of staff that any one security company can employ (they may not exceed more than five per cent of the number of police in the same district) most companies have remained small.⁸⁶ Most firms operate in Tirana where the largest client organisations are based. Overall, locals seem to believe that PSCs have made a positive contribution towards crime prevention.⁸⁷ For example the installation of security cameras and the presence of private security guards in banks appears to have a discouraging effect on crime, and many public institutions, such as museums, now contract PSCs in the belief that this will give them added protection.

Within the General Directorate of State Police a three-person commission is responsible for licensing firms. However, day-to-day monitoring of PSCs falls to the Directorate for Community Policing and Weapons Collection in the General Directorate of State Police and its specialists in the various directorates of state police in the districts. This commission and its specialists in the District Police Directorates are responsible for carrying out periodic inspections of companies, their documentation and employees during service and training sessions. Company licences are reviewed annually by the police and if there have been irregularities, the licence is apparently not renewed.

Although the law currently prohibits serving police from also working as security guards,⁸⁸ Technical Directors are required by law to have between five and ten years of police or military experience, which means that many ex-police officers end up working as guards. This accounts for only a minority of guards working in the sector however and most employees have no such background. New guards are required to receive training before they may obtain a licence (the law requires that staff be trained by the Technical Director of a company for 15 days after which they must pass a test administered by the State Police). Training covers the regulations that govern the sector and the use of weapons among other things. However as the training is administered by the PSCs themselves, its quality varies widely and although the police have the right to inspect the training, they do not administer it or certify it. The degree to which

⁸³ The governmental research unit INSTAT now also comes under the new MOI.

⁸⁴ Before 2001 the work of PSCs was regulated by the Law No 7696, dated 07 April 1993, 'On the Service of Civil Guards' and Law No 7985, dated 13 September 1995, 'On some Supplements and Changes in Law No 7696,' dated 07 April 1993, 'On the Service of Civil Guards'. This legislation was abrogated after the approval of the new legislation in 2001. See Page et al., p 9–16.

⁸⁵ Generally, individuals do not feel the need to contract PSCs for personal protection. As a rule, if a person perceives a threat against his life or property he asks for temporary protection from the state police. The state police usually provide protection to politicians.

⁸⁶ The law demands that technical directors and employees of PSCs be Albanian citizens and have their permanent residence in Albania. Law No 8770, dated 19 April 2001, 'On the Guarding and Physical Security Service,' Article 2, Paragraph 2. (State Gazette No 23, May 2001).

⁸⁷ See Page, Op Cit.. The crime prevention impact of PSCs was also mentioned by State Police officials interviewed and in the speech of Director General of State Police in the meeting with administrators of PSCs on 06 December 2004.

⁸⁸ Op cit Page et al.

the police monitor training also varies from district to district.⁸⁹ Although a trade association has recently emerged it is not thought to have developed a code of conduct for its members or to have raised standards.

A manual prepared by MOI for PSCs instructs security guards on the use of force, calling for:

*[The] guard to use the minimum of necessary force. This means that force is exerted immediately upon the appearance of circumstances that make its use necessary and the exertion of force stops immediately with the disappearance of those circumstances. The scale and intensity of the force depends on the resistance and means of the adversary.*⁹⁰

The manual states that firearms may only be used in 'extreme cases' for the protection of the guard's life, other lives, or to prevent the destruction of property and goods they have been tasked with guarding. However, it is thought that the legislation governing PSCs would benefit from further clarification and elaboration on the use and handling of firearms, while the actual firearms currently in use are not thought to be appropriate for security work. Several administrators and technical directors of PSCs advocated the replacement of Kalashnikov assault rifles with weapons that are less cumbersome to carry and of a lower calibre.

Despite low standards of professionalism in the sector, an examination of media reports for the last few years shows only a few cases of PSC employees misusing force, committing crimes or abusing human rights. For example, on 23 January 2005 a PSC employee living in Shkoza, 6 km away from Tirana, was involved in a fight over rights to a property and shot two people, killing one and wounding the other.⁹¹ The fact that this incident occurred while the guard was off-duty raises questions about both the wisdom of permitting PSC employees to take company weapons home, and about the background checks that are currently being run on new guards. Human rights NGOs working in Albania have no reports pertaining specifically to excessive use of force or firearms by PSCs on record.⁹² In 2004 the Director General of Police cited two instances when PSC employees had used their weapons unlawfully and 57 instances of fines being given to administrators, technical directors and employees.⁹³

The fact that private security guards are legally permitted to carry military weapons, use their own weapons and to store weapons at home, does however bring with it the danger of misuse of weapons in the domestic environment. Given that organised criminality is a significant problem in Albania, one might expect links to exist between criminal groups and PSCs, and even for these companies to serve as fronts for crime. No strong evidence appears to be available to support such a link though. Political affiliations may be more of a problem and allegations have been made that in the first years after the law on PSCs was approved, licences to run security companies were only granted to supporters of the Democratic Party, which was then in power.⁹⁴ Perhaps more problematic than the formal sector are the numerous individuals who offer to provide security cover for a fee. They are generally employed by smaller private companies who cannot afford or do not want to pay for a PSC. Clearly these individuals work beyond the regulatory framework, and though it has yet to be proven, possibly with illegal weapons.⁹⁵ It is also common practice for middle-sized companies and organisations to employ individuals as security guards on the company payroll rather than issuing a contract to a PSC. This practice is not recognised in the relevant laws and is therefore illegal.

⁸⁹ Ibid.

⁹⁰ Tusha, P and Softa, F, *Shoqerite e ruajtjes*, (Europa, 1997), p 53.

⁹¹ Topollaj D & Karaj V, 'Si me qelluan per nje cope toke,' *Panorama*, 24 January 2005.

⁹² Interviews with Prof. Dr.Valentina Hysi, Albanian Helsinki Committee, 27 January 2005; Edmond Prifti, Albanian Human Rights Group, 21 January 2005.

⁹³ Speech by the Director General of State Police, 06 November, 2004.

⁹⁴ Op cit, Page et al.

⁹⁵ Ibid.

1.10 Political and societal impacts of military reform

In December 1992 Albania became the first CEE state to request NATO membership, and has subsequently committed itself to a very demanding task in trying to meet the standards set by NATO.⁹⁶ Although military officers have expressed some unhappiness with civilian controls,⁹⁷ it could be argued that it is perhaps an expression of unhappiness with attempts to use the military for political means and battles. For example, a number of military units were reportedly unwilling to fire at civilians during the 1997 unrest. However it is not only the DP that has removed military personnel due to their political affiliations. When the SP took power in 1997, one of its first acts was to dismiss 1,500 officers with DP affiliations.⁹⁸ It is perhaps as a result of these incidents, in addition to international norms, that Article 168 of the 1998 Albanian constitution calls for the AAF to be neutral on political questions, in addition to being placed under civilian control.

Despite the manifest difficulties involved in reduction of military personnel in some ways, it is possible to regard the AAF as “one of the most, if not the most, successful sector in the reform process”.⁹⁹ Between 1992 and 1997, there was reportedly a 66 percent drop in the number of military personnel, and a sharp drop in morale as experienced officers and old friends left, living conditions worsened and ‘ownership’ of the military was lost to politicians.¹⁰⁰ Serving and pensioned military personnel had enjoyed privileged living conditions under Hoxha, and thus following the reform process, former and current personnel feel themselves to have lost out considerably.

A lack of retraining programmes for military officer has led some former military personnel to empathise with their former colleagues’ participation in criminal activities such as arms trafficking.¹⁰¹ As stated above, some of the former security and military personnel that organised the looting of arms depots in 1997 were interested in the profits that could be gained from selling these weapons rather than orchestrating a political uprising. Elez Biberaj has argued that former Albanian military, police and secret police officers became engaged in transnational organised crime activities,¹⁰² while others have noted that their smuggling activities may have been overlooked by serving state personnel for ideological reasons (e.g. if arms were being smuggled to the KLA), profit or other personal reasons (e.g. a member of the family is involved).¹⁰³ The fact that the skills and contacts gained during a military career can be successfully transferred to the world of organised crime and trafficking activities is not a problem that is unique to Albania. It has also been discovered in other parts of the former communist bloc and beyond.¹⁰⁴ Further measures need to be taken to ensure that this transition path is closed for former military personnel and that organised crime and trafficking activities do not involve serving personnel.

1.11 Arms, coups and elections

Parliamentary oversight has been the victim of Albania’s fierce bipartisan political landscape, with the DP boycotting the Albanian parliament for much of the SP’s tenure.¹⁰⁵ Yet there were also reportedly attempts for elections and parliament to be

⁹⁶ Since the mid-1990s, the Albanian MOD has submitted Individual Partnership Programmes for PfP and Annual National Programmes under the NATO Membership Action Plan (MAP). Greenwood D, *Transparency and Accountability in South East European Defence* (George C. Marshall Association, Bulgaria, 2003).

⁹⁷ Op cit Bahaja.

⁹⁸ Op cit Bumçi, p 6.

⁹⁹ Kajsiu B, ‘Transparency and accountability in governance’, in *Defence and Security Sector Reform in South East Europe: Insights and Perspectives – Albania: A Self Assessment Study*, (DCAF, 2003), p 120.

¹⁰⁰ Op cit Bahaja.

¹⁰¹ Interview, NGO representative, 25 April 2005.

¹⁰² Op cit Biberaj, p 322.

¹⁰³ Op cit International Crisis Group, p 13.

¹⁰⁴ For example, see: *Arms Transit Trade in the Baltic Sea Region* (Saferworld, 2003); op cit Bebler; op cit Davis, Hirst and Mariani; Galleotti M, ‘Russia’s criminal army’, *Jane’s Intelligence Review*, 11(6), June 1999, pp 8–10; Galleotti M ‘The challenge of ‘soft security’: Crime, corruption and chaos’, in *New Security Challenges in Postcommunist Europe: Securing Europe’s East*, eds Cotterly A and Averre D, (Manchester University Press, 2002), pp 151–71.

¹⁰⁵ Between 1997 and 2003, the DP boycotted parliament on several occasions and for lengthy periods.

bypassed, as one commentator wrote in 1999 that there were “some indications that elements of the Democratic Party may be willing to use extra-political methods of struggle in an attempt to regain power”.¹⁰⁶ In the years following their 1997 election victory, the SP alleged on a number of occasions that Berisha and the DP were planning a coup. For example, firearms were brandished by DP supporters on a number of occasions in 1998, with the episodes in Shkodër in February and Tirana in September labelled as ‘coup attempts’ by the SP Government – a claim hotly denied by the DP.¹⁰⁷

The last of these episodes was sparked off by the assassination of the senior DP member Hajdari in September 1998. The DP alleged that members of the SP were behind the assassination. Thus when the 2002 investigation into allegations of illegal activities by former national intelligence service head Fatos Klosi did not reveal his involvement in the assassination of Azem Hajdari, the final report on Klosi was boycotted by the DP and in January 2003 the DP began another boycott of parliament.¹⁰⁸ Although Biberaj stated that the 1992 transfer of power from the socialists to the DP was “remarkably peaceful and smooth”, the past thirteen years have seen a level of polarisation and non-co-operation between the two main parties which has hindered the development of democratic political practices within Albania,¹⁰⁹ with power struggles within the DP and SP causing further political paralysis.¹¹⁰

According to international observers, despite some intimidation and violence, electoral procedures and campaigning methods have improved in each local and national election since 1997. The 2005 parliamentary election was therefore seen by international observers as a litmus test for Albania’s democratisation processes, as it was expected to be very close – an exit poll taken on 26 June 2005 gave the DP and SP 35 and 34 percent respectively.¹¹¹ The campaign was marred by reports of intimidation and attacks on candidates and supporters of different parties,¹¹² and on polling day an election observer for the Republican Party, himself carrying a gun, was shot dead at a polling station in Tirana.¹¹³ Some international observers highlighted the positive elements of the election campaign,¹¹⁴ and the general international assessment was that the elections were ‘partially’ or ‘generally fair’.¹¹⁵

1.12 Transparency

One of the main problems with the winner-takes-all approach to politics adopted in Albania is that parliamentary scrutiny has failed to take root. To criticise or call for significant amendments to Government legislation appears to be a preserve of the opposition, or opposition factions, only. The particular merits or challenges of

¹⁰⁶ Smith M A, *Albania 1997–1998*, (Conflict Studies Research Centre S42, 1999), p 3.

¹⁰⁷ *Ibid*; op cit Bowcott; op cit Coleman; op cit Pettifer, 1998.

¹⁰⁸ Op cit International Crisis Group, 2003, p 4.

¹⁰⁹ *Ibid*; op cit Greenwood.

¹¹⁰ For example see: Aliaj I, ‘Albania: Infighting unsettles government’, IWPRBCR 450, 6 August 2003, <<http://www.iwpr.net/>>, 18 May 2005; Harizaj E, ‘Berisha ditches co-operation deal’, IWPRBCR 397, 13 January 2003, <<http://www.iwpr.net/>>, 18 May 2005; Ilirjani A, ‘Albania and the European Union’, *Mediterranean Politics*, 9(2), 2004, pp 258–264; Ilo M, ‘Albanian ballot sparks political storm’, IWPRBCR 126, 21 March 2000, <<http://www.iwpr.net/>>, 18 May 2005; op cit International Crisis Group, 2003; Nazi F, ‘The hope of the West – that a new generation would bring normality to Albania’s political scene – has been dashed’, IWPRBCR 83, 12 October 1999, <<http://www.iwpr.net/>>, 18 May 2005; Semini L, ‘Albania: Political Deadlock Broken’, IWPRBCR 345, 26 June 2002, <<http://www.iwpr.net/>>, 18 May 2005; Semini L, ‘Albania: Political infighting threatens economy’, IWPRBCR 315, 6 February 2002, <<http://www.iwpr.net/>>, 18 May 2005; Shameti S, ‘Albania: Power struggle comes to a head’, IWPRBCR 467, 6 November 2003, <<http://www.iwpr.net/>>, 18 May 2005.

¹¹¹ *Elections 2005 Public Opinion Polls: Overview of Key Findings* (Mjaft and Gallup International, Tirana, 26 June 2005), p 15.

¹¹² Musta S, ‘Albania election campaign turns nasty’, IWPRBCR 561, 23 June 2005, <<http://www.iwpr.net/>>, 24 August 2005.

¹¹³ ‘Republican Party official said to be killed for political reasons’, *Albania Crime and Corruption Issues*, 2–8 July 2005. Source: Shekulli, 5 July 2005. ‘Republican Party observer dies in election shooting in Albania’, *BBC Monitoring Service, United Kingdom*, 5 July 2005. Source: Shekulli, Tirana, in *Albanian*, 4 July 2005, p 7. The various accounts journalists offered of the incident did not raise the question of why an election observer was carrying a gun at a polling station.

¹¹⁴ According to one report, PAMECA reported that the state police were “efficiently managed and organised” during the election and that their work was carried out “impartially on time and in compliance with requests made of them”. Source: ‘Albanian police head shows commitment to ensuring calm elections’, *BBC Monitoring Service, United Kingdom*, 5 July 2005. Source: ATA news agency, Tirana, in *English*, 1400 gmt, 5 July 2005.

¹¹⁵ The European Network of Election Monitoring Organisations, the EU and the OSCE made these assessments. For example, see: ‘Albanian elections partially meet democratic standards – OSCE update’, *AFX Europe (Focus)*, 4 July 2005; ‘EU foreign policy chief calls for probe into Albania election problems’, *AP Worldstream*, 4 July 2005; ‘International monitoring body says Albanian elections “generally fair”’, *BBC Monitoring Service, United Kingdom*, 4 July 2005. Source: *Albanian TV, Tirana*, in *Albanian*, 0600 gmt, 4 July 2005; ‘International monitors critical of Albania poll’, *AP Worldstream*, 4 July 2005.

legislation, or national strategies, are not debated and assessed by Albania's parliamentarians. In addition, the fact that large sections of the media limit discussion of current affairs to character assassination, politicised polemics and sensational news items does not help to inform the general public and equip them with the necessary information for engaging in political life.

Of course, one of the problems with achieving greater public engagement and informed debate about issues of governance in Albania is that basic national data is not available. For example, when data was made available to the research team, almost every international interviewee, and many Albanian interviewees, drew the research team's attention to the unreliability of Albanian figures. It must be noted that this unreliability was not necessarily ascribed to any duplicitous intentions, but rather because of the difficulty of real-time communications and accurate record-keeping in Albania. For example, when the USA discovered that the results for the MANPAD destruction programme that they had funded were two MANPADs less than the Albanians had stated they possessed, the US Government began to put pressure on the Albanian Government to explain. The outcome was that the two 'missing' MANPADs had reportedly been destroyed before the US-funded programme commenced. This information had simply not reached those who had given the USA the figures for Albania's MANPAD holdings. This is just one example of the problems posed by Albania's poor communications infrastructure.