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June 2009

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HELLENIC FOUNDATION FOR EUROPEAN & FOREIGN POLICY
20 XPONIA YEARS

INITIATIVE FOR PEACEBUILDING

SECURITY SECTOR REFORM IN ALBANIA

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ACKNOWLEDGMENTS

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ACRONYMS

AAF	Albanian Armed Forces
ASP	Albanian State Police
BMP	Border and Migration Police
CAFAO	EU Customs and Fiscal Assistance Office
CAM-A	Custom Assistance Mission to Albania
CPSGs	Community Problem Solving Groups
DANIDA	Danish Foreign Ministry
EC	European Commission
ECPA	European Commission Police Assistance in Albania
EWI	Explosives Waste Incinerator
IBM	Integrated Border Management
ICITAP	International Criminal Investigative Training Assistance Program
JIU	Joint Investigative Unit
MoD	Ministry of Defence
MAP	Membership Action Plan
MP	Member of Parliament
MPFSEE	Multinational Peace Force Southeastern Europe
NACC	North Atlantic Cooperation Council
NAMSA	NATO Maintenance and Supply Agency
NCO	Non-Commissioned Officer
NGOs	Non-governmental organisations
NIS	National Intelligence Service
NISS	National Integrated Surveillance Systems
NSC	National Security Council
OPDAT	US Department of Justice's Office of Overseas Prosecutorial Development, Assistance and Training
OSCE	Organisation for Security and Cooperation in Europe
PfP	Partnership for Peace
PiA	Presence in Albania (OSCE)
PAMECA	Police Assistance Mission of the European Commission
SAIC	Science Applications International Corporation
SALWC	Small Arms and Light Weapons Control
SEEBRIG	Southeastern Europe Brigade
SPMU	Strategic Police Matters Unit
SSSR	Support to Security Sector Reform
TRADOC	Training and Doctrine Command
UNDOC	UN Office on Drug and Crime
WED	Weapons in Exchange for Development Project

INTRODUCTION

This paper analyses security sector reform (SSR) in Albania. In all its enterprises in reforming the security sector, Albania is assisted by different initiatives and projects that provide expertise and financial support. To assess whether reforms improved the overall security environment (national and human) of the country, it is necessary to measure the effectiveness of the various initiatives and projects. This is gauged by how well the initiatives and projects achieved their defined goals, the level of coordination at the national and international level among those institutions working in the same specific field, and the sustainability and ownership of reforms. The evaluation of SSR in Albania is primarily based on official national documents, national legislation, situation reports of Albanian and international institutions related to reforms in the security sector, and national and international press coverage of security events and incidents.

The first part of this work describes the security sector in Albania and provides an overview of the security challenges the country faces. The second part of the paper offers an overview of the reforms and supporting projects in the reformation, democratisation and conversion process of the police, human security and the justice system. The human security section looks at the various issues of concern in this area via projects that encourage law enforcement, combat organised crime and illicit traffic and terrorism, mine action projects, small arms and light weapons control (SALWC), and projects that encourage community policing, etc. The third part then discusses the Albanian Armed Forces (AAF), which are essential to the traditional national security environment. The study closes with an analysis of the role of civil society and public opinion, and also offers recommendations for national authorities, international authorities and civil social actors.

DISCUSSION OF SECURITY

National security in Albania, defined in traditional terms, is particular to the political-historical context in which the political map of the Balkans was established and developed, the backwardness inherited from being under foreign domination, and the existence of authoritarian regimes over time. The dialectics of the international order have had a prolonged and controversial impact in the Balkans. The interests of the main European powers and the balance-of-power model that defined the region's history throughout the 19th century often led to conflicting and rival interests between the regional actors. With the dissolution of the empires (notably the Ottoman and Austro-Hungarian Empires) and the principle of self-determination underpinning nation-building, the Balkan countries belatedly entered the European family of states at the beginning of the 20th century. Shortly thereafter, Hitler's Germany and Stalin's Soviet Union filled the vacuum of power that was created in the region after World War I, undermining all the principles and norms the international community sought to establish with the Congress of Vienna and the Treaty of Versailles. The defeat of the Third Reich and the establishment of the communist regime in the Balkans after 1945 left the region once more under the shadow and dominance of another imperial power and an externally imposed ideology.[1]

With the demise of the communist regimes and the beginning of the process of democracy in the Balkans in the 1990s, the cover that kept "simmering dissatisfaction" and nationalist agitations under control was swiped away.[2] Communist rule had constrained the ethnic conflict, but it had not managed to resolve or settle it. The erosion of communist ideology and policy from the Balkans has led to the resurgence of nationalism and has created the ground for a re-nationalisation of national policies. This tendency also resulted from the need of the semi-democratic regimes in the Balkans to legitimise their power by obtaining popular support through appeals to nationalism.[3] Contrasting with the re-nationalisation of foreign policies in a number of Western Balkan countries, Albania, caught between its utter dependence on the West for financial aid and its loyalty to the national question,[4] yielded to international pressure for good relations with its neighbours. The adherence to the issue of ethnic Albanians in Kosovo, FYROM[5] and Montenegro was projected through policies in agreement with the international community and the Contact Group[6] in particular, by making sure that the criminal policy pursued against the ethnic Albanian people was condemned and denounced in the international arena. This practice and attitude averted any acts of provocation and re-established the Albanian government, institutions and national security in exemplary cooperation with the US, EU, NATO and Organisation for Security and Cooperation in Europe (OSCE). Albania is part of a region that has been characterised by numerous attempts to re-draw borders based on nationalist or irredentist desires, or what are often referred to as "national questions". As Albania's behaviour indicates, and as is clear from the country's military strategy reports, Tirana has abstained from taking part in these conflicts based on the principle of respect for current international borders.

1   S.K. Pavlowitch (1999). *History of the Balkans 1804-1945*. UK: Addison-Wesley Longman Publishers. Note 8.
2   C. P. Danopoulos and K. G. Messas (1997). 'Security and conflict in the Balkans'. C.P. Danapoulos and K.G. Messas (Eds.). *Crisis in the Balkans, Views from the participants*. Boulder, Colorado: Westview Press, note 19, p.11.
3   For more detailed information, see: Z. Brzezinski (1989/90). 'Post-communist nationalism', *Foreign Affairs*, Vol. 68, No. 5; F.S. Larrabee (1990/91). 'Long memories and short fuses: Change and instability in the Balkans', *International Security*, Vol. 15, No. 3. pp.58-91.
4   M.J. Jordan, 'Albania split in two in the Kosova Question', *Radio Free Europe/Radio Liberty (RFE-RL)*, Vol. 2, Part II, 16th April 1998.
5   The EU refers to the country as the Former Yugoslav Republic of Macedonia, i.e. by the provisional name as it is used within the UN system.
6   The Contact Group is an informal group composed of France, Germany, Italy, Russia, the United Kingdom and the United States. It was set up in the early 1990s to respond to the war and crisis in Bosnia-Herzegovina, and subsequently took an active role in the Kosovo status process.

The emergence of globalisation as 'a process that embodies a transformation in the social organisation of social relations and transactions, generating transcontinental and inter-regional flows and networks of activity, interaction and power',[7] brought a new impetus to the understanding of the region and Albania's security concerns. This stage in world affairs 'raised the profile of economic, environmental and societal issues in the international system, as against the narrower, and often nationalist, agenda of power politics'.[8] In this new climate, the notion of the state as the guardian of national interests has diminished, and this role now largely played by regional and international institutions. Rather than being determined by "bottom up" pressures, for example regarding the "national question", national security priorities now take their lead from these regional and international institutions.

The declaration of independence by Kosovar authorities in February 2008 further changed the political map of the Western Balkans and enlivened fears of a new round of destabilising conflicts in the region. Albania recognised the new state after France, the US and UK. In the region itself, the new state is recognised by Croatia, Montenegro and the Former Yugoslav Republic of Macedonia (FYROM). Regardless of Serbia's international efforts to reverse Kosovo's independence and contrary to some pessimistic predictions, the security environment in the region does not reflect any serious increase in tension at the interstate level, since the Albanians in Albania and Kosovo yielded to international pressure for keeping separate identities and existences. Consequently, political relations between Albania and Serbia have remained constant, bar frictions following Albania's political and logistical support for the NATO bombing campaign in Serbia in 1999. Yet, while Albania may not face any direct military threat from its neighbours, tension over the status of Kosovo, and continuous pressure by Serbia for influence in the disputed region, calling for either independence for the ethnic Serb majority in northern Kosovo or the reversal of the act of sovereignty, may be loaded with regional instability. Albania's desire for EU membership seems to be the key to keeping Albania disengaged from the game of nationalist politics in the region.[9]

However, while Albania has concentrated its efforts on transforming its military into a dynamic force responsive to the needs of the European security architecture, the country is not immune from internal disorders with serious implications for human and national security. Indeed, Albania's security cannot simply be defined in traditional terms: after all, everything that 'prevents people and groups living full and free lives' constitutes a threat to security. To be sure, economic, environmental, personal and human rights problems all comprise threats to security.[10] In fact, they can constitute factors of instability that present some of the most pronounced security threats in the post-Cold War era. Evidently, the security concept has broadened to include political, ideological, legal and economic considerations, making it more complex and thus more difficult to achieve "security". For Jack Snyder, it is clear that 'security can no longer be reduced to positioning the vectors of billiard-ball states and counting tanks. The *new* order is being remade by social and economic changes, no less then by shifts in the international configuration of power'. Thus, '[s]trategies to maintain […] security must, in the new world', he contends, 'comprehend all these facets of social life'.[11] In this respect, Albania is not safe from internal disorders. The example of the 1997 crisis, when the government lost control over most of the country, created both a highly insecure domestic environment, but also raised fears for destabilisation of neighbouring countries, even triggering a brief NATO military intervention (Operation Alba). Moreover, the explosion at an ammunition factory in Gerdec, near Tirana in March 2008, which killed 26 people, injured about 300 others, and caused a large amount of material damage, exposed the threat to human security posed by the presence of large amounts of Cold War era ammunition, a legacy of the country's communist regime. This is also related to problems of state functioning and corruption.

7   D. Held, A. McGrew, D. Goldblatt and J. Perraton (1999). *Global transformations: Politics, economics and culture.* California, US: Stanford University Press. p.15.
8   B. Buzan (1991). *People, states and fear: An agenda for international security studies in the post-Cold War era.* Hemel Hempstead, UK: Harvester Wheatsheaf. p.12, note 1.
9   In the national survey organised by the Albanian Institute for International Studies (AIIS) about EU integration, 95 percent of respondents said they favoured Albanian membership in the EU. See: E. Abazi et al. (2008). *EU perceptions and realities.* Tiarane: AIIS Press. Available at www.aiis-albania.org.
10 See: K. Booth and N. Wheeler (1992). *Security and strategy in the new Europe.* London, UK and New York, US: Colin McInnes. p.4.
11 J. L. Snyder (1990). 'Averting anarchy in the new Europe', *International Security*, Vol. 14, No. 4. p.93.

INTERNAL SECURITY AND THE MILIEU IN WHICH THE REFORMS ARE TAKING PLACE

Before looking at police, justice, intelligence service and army reform, it is important to once again mention the context within which the reform is taking place. Otherwise, by simply enumerating the measures taken, it will be difficult to develop an understanding of the state of affairs and differentiate between countries.

The security sector agencies were highly politicised during the era of the socialist republic and represented the main instruments through which the communist party maintained its grip over the country. Repressing and instilling fear in the population was key to maintaining power. Thus, a process of depoliticisation and establishing proper democratic oversight were crucial reform goals. The other major reform objective is to increase the effectiveness and professionalisation of the security sector agencies. Democratisation, however, takes precedence, not simply because of the totalitarian nature of the previous regime, but because a lack of democratisation interferes with the professionalisation of the security sector.[12] Politicising these agencies and staffing them with party supporters works against professionalism and reduces the legitimacy of these important state institutions in the eyes of the public.

Since our societies are trying to democratise, no other method of functioning and operation can therefore be considered proper unless it complies with democratically accepted standards. As Christopher Hill observes regarding foreign policy, 'in a modern constitutional state there is always a tension between the requirements of efficiency and those of democracy', hence we would probably 'be better off by including the need for democratic legitimacy in our definition of efficiency and rationality in the first place'.[13] Reform has thus first focused on depoliticising and demilitarising the police system, which had a lesser focus on human security, and establishing from scratch entire systems in the judiciary.

It is also important to note that the analysis is conducted in the context of Albania as a weak state, and the accompanying limitations of governance and implementation that directly impact the country's security agenda.[14]

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12 T. Edmunds (2002). *Security Sector Reform: Concepts and implementation*. DCAF Working Paper, No. 86; M. Caparini and G. Day (2002). *Democratic control of the police and police reform in the Federal Republic of Yugoslavia and Serbia*. DCAF Working Paper, No. 2.
13 C. Hill (2003). *The changing politics of foreign policy*. Basingstoke, UK: Palgrave Macmillan. p.101.
14 For more information, see: A. Rakipi (2008). *Weak states and security: Rethinking the Balkan post-Cold War security agenda*. Tirana, Albania.

POLICE REFORM

The reform of the police started in 1991 with the law on the police, drafted by a coalition government led by the Communist Party.[15] The first article of the law stated that the police were part of the armed forces and under the authority of the Ministry of Public Order. This remained the case until the adoption of the Law on State Police in 1999. The police structures were composed of the Police Directorate at the Ministry of Public Order and the District Police. The General Police Director is appointed by the Council of Ministers. The Minister of Public Order can create specific police structures, to be approved by the Council of Ministers. The law established criteria for the appointment and dismissal of both the rank-and-file police and officers, as well as the commissions that would deal with this. Police officers who have been in the police for 5-10 years are appointed to the high ranking positions. This and other provisions of the law in the area of personnel management, appointment and career criteria meant that the police structures continued to be staffed by personnel who had built their careers in the communist era.

Further legal and structural changes were introduced in 1992 with the election of the Democratic Party, the first opposition party and former coalition partner in the Communist-led government. The Border Police were brought back under the authority of the Ministry of Public Order, having been transferred to the Ministry of Defence (MoD) in 1991, and the intelligence service was separated from the Ministry of Public Order. The main priority of the new democratic government was to immediately restore law and order following the chaos and anarchy that ensued with the collapse of the communist system, with the police given emergency powers. From 1992 to 1996, the Minister of Interior enjoyed greater executive powers and the Director General of the Police was raised to the position of Deputy Minister. Changes were also made to the 1991 law regarding personnel policy, and significant cuts and changes to personnel were made. During the communist period, regular police work such as detention and prevention of crime was secondary to that of maintaining state security.[16] Police had not dealt with the type of criminal activity that emerged after the collapse of the communist regime and were inexperienced at dealing with the new crime environment.[17] In the post-communist era, therefore, new police structures were created to deal with trafficking of drugs and border issues. Western assistance focused on providing more training. In fact, a significant number of police personnel received training in both western countries and Albania. Yet, while police reform did progress, it lagged behind in terms of depoliticisation. Police forces interfered in 1996 parliamentary elections, for example, intimidating opposition candidates and using excessive force in subsequent protests that were staged.[18]

Sparked by the collapse of the financial pyramid schemes, the 1997 crisis brought about the collapse of the Albanian state structures, including the police. As a result, army depots were looted and large numbers of weapons fell into civilian hands. A sizeable number of police stations were destroyed and a considerable number of police forces dispersed or walked away from their duty. The new Socialist-led government had a difficult task in establishing law and order throughout the country. The way the Albanian state collapsed, in addition to the identification of the police forces with the previous party in power, provided further ground for the government to undertake sweeping purges in the police structures, as well as in the other security sector agencies. It is worth considering those factors identified in the Strategy for the Reform of the Police as weaknesses of the

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15 Law No. 7504, 30th July 1991.
16 E.K. Dimovne (2004). 'Hungarian police reform' in M. Caparini and O. Marenin (Eds.). *Transforming police in Central and Eastern Europe.* Münster, Germany: Lit Verlag.
17 Interview with senior officials of the Ministry of Public Order, serving during 1992–96.
18 Organisation for Security and Cooperation in Europe (OSCE), Office for Democratic Institutions and Human Rights (ODIHR) (1996). *Observation of the parliamentary elections held in the Republic of Albania – May 26 and June 2 1996.* Available at http://www.osce.org/documents/odihr/1996/07/1176_en.pdf.

efforts made in the 1992-96 period to reform the police: the previous efforts were not led by a clear strategy and the frequent changes of structures and personnel did not abide by professional criteria. The result of this was that the police functioned as a military structure; there was no clear division between senior political and administrative positions; there was a lack of stability in the police institutions; professionalisation was weakened and corruption was boosted; and the police was transformed into a political instrument. These points indicate the failure of the so-called police reform undertaken in this period.[19]

1997-2000 REFORMS

The Law on the State Police of 1999 lies at the foundations of the police reforms undertaken after 1998.[20] In this law, the police are defined as a public administration service; the status of the police remains unchanged even during extraordinary, state of emergency and war situations. For the first time, the law stipulates a division between leading political positions and senior administrative ones. The General Police Director is the highest position in the police structure, under whose authority lays the technical and administrative responsibility. The position enjoys legal protection in terms of appointment and dismissal procedures, in order to protect the position from politicisation and from unfounded charges. The Council of Ministers can only appoint a candidate selected by the Minister of Public Order. He or she is chosen from among the high-ranking police officials. The same procedure is followed for the Deputy General Director.

The law stipulates the structural composition of the police, which is positive, as it avoids frequent structural changes.[21] The police are organised into two levels: the central level (the General Police Directorate) and the local level (the County Police Directorates). The General Police Directorate consists of the directorates of the Public Order Police, Criminal Police, Border Police, Traffic Police and Special Forces, as well as other administrative structures. The County Police Directorates – there are 12 counties in Albania – have similar functions to those of the General Directorate, but they are confined within their region. The police stations are the operating units, which are under the jurisdiction of County Directorates.

The adoption of the constitution in 1998 and the separation of the police from the military forces necessitated the provision of new recruitment and human management procedures. In the law of the state police, a special article focuses on the recruitment, training and professional qualifications of the police, as well as on the authority for recruitment and dismissal. Police are recruited through competitive examination and those who are selected take qualification courses. The level of required qualification is decided by the Council of Ministers. There are two institutions that provide education and training: the Police Academy, which provides education for the middle and high police categories in a three-year programme; and the Police Institute, which provides one-year courses for the basic functions category of police. A number of police follow just three-month courses, however.

The Law on Police Ranks defines the hierarchy of police roles, with the Head of the County Police Directorate appointing and dismissing police at the lower level, the General Police Director at the middle level, and the Minister of Public Order at the higher levels. The rank system creates opportunities for career advancement. Another novelty is the difference in the rank system applied to the police and military forces. The General Police Director approves the procedures and the composition of the commission for the determination of ranks of the basic function police roles, chaired by the County Police Director, while the Minister of Public Order approves the procedures and the commissions that assign the middle and high ranks.

For the first time there are provisions in the law that provide the basic principles of the relationship between the police and the public. The police are expected to support civil society grass-roots initiatives that help to enhance public order. The police cooperate with local governments, but always respecting the independence of each institution, and the unitary and centralised character of the police. One area of cooperation is related to legal acts, which are passed by the local government and should be executed or implemented by the police. They should also provide regular information to the local, county level authorities. The opinion of local government bodies is taken when appointing the heads of the county and police station directors.

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19 *Strategjia e Reformes ne Polici* Ministria e Brendshme. (1999-2000). Strategjia e Reformes ne Polici, available at http://www.mpo.gov.al/mpo/ligjet/strategjia_e_refor.htm.
20 Law No. 8553 on State Police, 25th November 1999.
21 A. Dervishi and A. Selita (2004). *E drejta e policisë*. Tiranë, p.53.

POST- 2000 PERIOD

A mid-term strategy was drafted for the period 2000-2003.[22] It acknowledged the following as major challenges reformers would face in trying to implement the strategy: the lack of support for and trust in the police among the public and political elite, which could negatively impact strategy implementation; corruption among police, which would divert reform from the desired objectives; political interference – other than institutional, which would slow down the implementation of the reform or impact its achievements; lack of sufficient administrative capacity in the senior police positions; and the level of financial support, such as low salaries.

Creating a police force that is in the service of the community and has the public's trust is identified as one of the main strategy goals. Moreover, the aims are to put into place a thorough and complete legal framework covering all aspects of police activities; increasing the capacity, authority and thus competency of local police structures; and drafting a new internal code of procedure. By the end of the reform process, the ratio of police to civilians is expected to reach 1:300, as compared to the current ratio of 1:265. At the end of this strategy, the level of police personnel should stand at 10,500, or 12,000 including the civilian personnel working for the police.

The strategy has a section on cooperation with the community, which highlights the following principles: creating transparent relations with the community; respecting human rights and dignity; increasing cooperation with civil society organisations, as well as education institutions; the creation of structures for the protection of trafficked women and children; and following every complaint of inaction by the police with great seriousness. The General Police Directorate is currently at the final stages of preparing the Strategy on Community Policing. Acknowledging the importance of cooperation with local community structures, the strategy foresees the police undertaking all the necessary legal, organisational and operational changes for enhancing the level and quality of cooperation with local government structures, while maintaining its centralised character. In terms of budget, the new law and organisational structure requires that the police should have their own separate budget, and not be part of the Ministry of Public Order, which has many structures under its authority.

Within the police, special attention has also been given to the reform of the border police. A new Law on State Border Control was approved at the beginning of January 2009. The Law on the Coastal Guard, adopted in 2007 as part of the Ohrid Agreement,[23] foresees civilian control of this force, but its implementation is still pending.[24]

The Strategy on Border Control and its Integrated Management, approved in February 2003, follows the measures taken by the Albanian government to strengthen border security and reform border police structures to address increasing international pressures in this respect. As it is stated in the introduction of the strategy, '[t]his becomes more indispensable at the time when Albania is entering the Association and Stabilization process'.[25] Integrated Border Management (IBM) is the approach to addressing border-related issues of the EU toward the western Balkans, as it is reflected in the Community Assistance for Reconstruction, Development and Stabilization (CARDS) programme. According to the strategy, IBM means improved cooperation between agencies within the country that deal with different aspects of border control, such as the Border Police, Customs, Intelligence Service, etc., and cooperation with neighbouring and EU member countries. In order to achieve this, the Border Police, as one of the most important agencies responsible for providing border security, has to undergo a process of transformation. An important component of the strategy was the acquisition of the necessary equipment for enhanced border control. Lack of infrastructure and logistics has been a salient characteristic of Albanian police structures.

The pace of change in terms of legal measures that should be adopted, the organisational and human resource reform that should be implemented, as well as the cost of purchasing new equipment and upgrading the logistics capabilities of the police in general and border police in particular, are such that they cannot be achieved without significant international support. A number of international donors have provided significant support in this respect. For instance, the US has channeled its assistance through the International Criminal Investigative Training Assistance Program (ICITAP), which started operating in 1998. The EC has provided considerable assistance to enhancing the capacities of police and border security through different programmes and projects.

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22 *Strategjia e Reformes ne Polici* available at http://www.mpo.gov.al/mpo/ligjet/strategjia_e_refor.htm.
23 The Ohrid Framework Agreement ended the armed conflict between the government of the FYR of Macedonia and ethnic Albanian forces on 31st August 2001.
24 Commission of the European Communities (2008). *Albania 2008 Progress Report*. Brussels, Belgium.
25 Ministry of Public Order, Republic of Albania (2003). *Strategy on border control and its integrated management 2003-06*. Tirana, Albania.

The assistance allocated for justice and home affairs accounts for almost 50 percent of the total funds allocated for the period 2002-04 in the CARDS programme.[26] The EC assistance has also been provided through the presence of two agencies in Albania: the Police Assistance Mission of the European Commission (PAMECA) and the Custom Assistance Mission to Albania (CAM-A), which has a new Organised Crime Initiative. Considerable assistance has also been provided by the Italian Interforca Mission, which has operated in Albania since 1997. The UN Office on Drug and Crime (UNDOC) has provided assistance in the area of anti-drug trafficking. In order to avoid duplication of work and coordinate assistance to the Albanian police, the international donors have created an International Consortium, which brings together all international actors involved in assisting police structures in the country.

EVALUATION OF REFORMS

It is not easy to measure the degree to which police reform has increased effectiveness and professionalisation. However, we will try to do this by focusing on the following indicators: the personnel policy; police results in the fight against crime and different types of trafficking; public perceptions of police work and the perceived spread of corruption among police forces; and the degree of politicisation.

As shown above, significant progress has been achieved in terms of the laws and regulations in place to ensure an efficient human resource management, including the establishment of the rank system and clear rules for career advancement. However, serious problems regarding personnel policy remain and are demonstrated by the frequent changes in police leadership throughout the governing mandates since 1991. This volatility is reflected in all police structures, as there is in general a high turnover rate of personnel. International experts working for different international agencies dealing with police also point to this phenomenon as one of the major weaknesses. Police are either frequently transferred to positions that have no relation to their previous training or are dismissed.[27] The need to fight corruption has been given as a justification for such moves, yet in many cases court rulings have turned down the charges raised. However, those dismissed cannot return to their previous job positions.[28] The problem is endemic and weakens any effort to establish an effective police structure, while also contributing to a waste of resources. Moreover, changes were made to the Law on the State Police, increasing the authority of the minister concerning the creation of new police structures. While this move is in line with the practice in other west European countries, some argue that it is premature for Albania, as it will increase the volatility of structures and concentrate power.[29]

Regarding public perceptions of police and personal security, the following results are taken from a national survey conducted in 2003 measuring human security in Albania.[30] When people were asked how safe they feel from violence and crime when they are alone at home, 45 percent responded very safe, 35 percent rather safe, 14 percent rather unsafe and 5 percent very unsafe. When asked how safe from violence and crime they feel when alone on the street, 27 percent declared very safe, 46 percent rather safe, 20 percent rather unsafe and 6 very unsafe. Table 1 shows perceptions about the degree of bribery in the police on a scale ranging from 1 (not very corrupt) to 5 (very corrupt).

Table 1: Perceptions about the degree of bribery in the police, 2003

1	2	3	4	5	N/A
16 %	24.2 %	24.4 %	11.2 %	6.9 %	17.3 %

Source: AIIS Survey (2003) supported by the UN Development Programme (UNDP) Office in Albania.

Regarding police performance in terms of serving the public, 9 percent of respondents said that they are very satisfied, 41.5 percent somewhat satisfied, 26.3 percent a little satisfied and 11.4 percent not at all satisfied.

In terms of the results in the fight against human and drug trafficking, the situation is as follows: annual data

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26 • European Commission (2001). *European Community CARDS Programme: Albania Country Strategy Paper 2002-2006*. Tirana, Albania.
27 • This point was raised in many interviews conducted with international experts working for different international agencies in Albania.
28 • A. Bumci (2004). *National security issues*. AIIS.
29 • Interview with Mr Aleksander Garruli, member of the Parliamentary Committee on Public Order and Intelligence Service; Interview with Mr Bashkim Abazi, Center for the Study of Organized Crime.
30 • Survey conducted by the AISS in summer 2003 supported by the UN Development Programme (UNDP) Office in Albania.

on the number of "clandestines" departing from Albania and landing on the coast of Puglia in southeastern Italy indicates that there has been a drastic decline in this phenomenon. The significant reduction in the illegal trafficking/smuggling across the Adriatic is confirmed by various reports, such as the 2004 and 2008 US State Department Report on trafficking in human beings, and the Regional Clearing Point report for the Balkans.[31]

Regarding drugs, the situation is as follows. Seizures by the Italian Police of drugs smuggled via Albania are important, as they show the degree of effectiveness of Albanian structures in this fight. Table 2 compares the results of drug seizures.[32]

Table 2: Statistics according to Italian Police

Type	2004	2005	2006	2007	2008 (4 m)
Heroin	1085.3 kg	392.6 kg	379.2 kg	173.6 kg	10.3 kg
Cocaine	3.3 kg	2.1 kg	0	13.8 kg	3.3 kg
Hashish	0	0	30.8 kg	0	0
Marijuana	801.3 kg	808.3 kg	3043 kg	456.5 kg	4 kg

Source: Albanian Ministry of Public Order, *Achievements of the Ministry of Interior during 2005-2008*. p. 23. Available at http://www.moi. gov.al/english/images/pdf/ANGLISHT_OK.pdf.

The results in the fight against drug trafficking are low, even though they have improved in certain areas. Italian drug seizures show that considerable amounts of drugs are still trafficked through Albania.

Lastly, the frequent changes in personnel illustrate the continuing problem of politicisation. The practice of police interfering in elections continued in the 2001 parliamentary elections.[33] However, there were no complaints regarding police behaviour in the local elections held in October 2003, 2005 and 2007, although prior to the elections a substantial part of the debate between political parties focused on the role of police during the election days.

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31 US State Department (2008). *Trafficking in Persons Report 2008*. Washington DC, US. Available at http://www.state.gov/g/tip/rls/ tiprpt/2008/.

32 Ministry of Public Order, Republic of Albania (2008). *Achievements of the Ministry of Interior during 2005-2008*. Tirana, Albania. p.23. Available at http://www.moi.gov.al/english/images/pdf/ANGLISHT_OK.pdf.

33 OSCE, ODIHR (2001). *Final report on parliamentary election in Albania, 24 June - 19 August 2001*. Available at http://www.osce.org/ documents/odihr/2001/10/1170_en.pdf.

HUMAN SECURITY REFORM AND INTERNATIONAL ASSISTANCE

International assistance has played a crucial role in SSR in Albania and deserves a deeper analysis in this section.

Personal security is otherwise defined as 'freedom from fear'.[34] Several aspects of "fear" may be considered as factors that threaten individual security. The concept of human security received its most familiar definition by the UN Development Programme (UNDP). Finding that 'security has far too long been interpreted narrowly: as security of territory […] or as protection of national interests […] or as global security from the threat of nuclear holocaust […,] forgotten were the legitimate concerns of ordinary people who sought security in their daily lives'. "Human security" as a concept focuses on the state's security practices and is mainly about protecting individuals and communities from any form of political violence. The transition in Albania has been followed by a cluster of insecurities, which have often degenerated into different forms of corruption, breakdown of law and order, even delinquency. These insecurities have been combined with other factors such as the inadequacy of the state to properly address the concerns of the citizens and the lack of strong institutions and law enforcement practices. This situation creates serious consequences for personal and community security in the country.

The reforms undertaken in Albania aim at creating a safe environment for the community and its individuals. The reform is mainly focused on protecting public order and security, prevention of and fighting against crime, human trafficking, respect for the freedom and rights of citizens, integrated border management, road safety, improvement of infrastructure, etc. Overall, the reform aims at higher performance policing standards that are demand driven, supported by the most advanced infrastructure and the establishment of a modern management culture in the state police. Several programmes do support in combination the reforms for the development and sustainability of human security environment in the country. Among others can be mentioned the contribution of the OSCE in encouraging the strengthening of parliamentary oversight, border policing, provision of equipment and technical expertise. The Police Assistance Mission of the European Commission in Albania (PAMECA)[35] has been providing technical and legal advice, resource management information system development, strategic planning advice, border management, public order and security, fighting against organised crime, trafficking and terrorism, and refurbishing the Police Academy to bring the performance of the Albanian State Police (ASP) closer to EU standards. Another example is the International Criminal Investigation Training Assistance Program (ICITAP),[36] run by the US Department of Justice. ICITAP started working in Albania in 1998 and has been providing continuous assistance to the police by reforming their training and leadership programmes, and updating their skills in crime investigation and prevention, as well as community policing, (trans)border issues, strategy development, Code of Conduct and Use of Force charters. ICITAP has helped shape the reorganisation of the Police Academy Training Program by combining the former three-year academies and the one-year institute into a new curriculum that will also include both substantive classroom learning and field training. ICITAP advisors have also worked on developing the promotion system, recruitment policy and the formation of a Training Division in the Personnel Directorate of the Albanian Police. The training will enable a more comprehensive response to routine and emergency calls, the conduct of preliminary criminal investigations, enforcement and investigation of traffic incidents, implementation of an array of law enforcement strategies, and progress in the creation of

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34   UNDP (1994). *New dimensions of human security*. New York, US: Oxford University Press.
35   PAMECA took over from the European Commission Police Assistance (ECPA) in Albania, which replaced the Multi-national Advisory Police Element (MAPE) Western European Union (WEU) mission. MAPE started operating soon after the 1997 events to establish order in the country and distribute humanitarian aid throughout the country.
36   For more information, see http://www.usdoj.gov/criminal/icitap/.

community-based partnerships. The improved curriculum and management processes are expected to greatly aid the preparation of a new more efficient, professional and modern Albanian police force. The UNDP's Support to the Security Sector Reform (SSR) programme has been multi-faceted including community policing projects, police station refurbishment, and education awareness initiatives.

UNDP's SSSR programme evolved out of two previous initiatives: the Small Arms and Light Weapons Control (SALWC) and the Weapons in Exchange for Development (WED) projects. SALWC and WED referred directly to the need to restore both the rule of law and the state's monopoly over the use of force in Albania, thereby restoring normality to communities in the midst of near anarchical conditions created by the events of 1997. Participating communities in the project were rewarded by schemes to supply public goods such as lighting, road construction and electrical distribution, whereby security is improved by directly tackling the inadequate infrastructure that reinforces symptoms of poverty, which are not conducive to human freedom. Under these projects 6,000 weapons were collected, 16,000 weapons were destroyed and 23 development projects were awarded at a cost of US$1.8 million. These programmes were supported by a government amnesty for those who handed in weapons, resulting in the disbanding of a 250-member Weapons Collection unit of the ASP which was dedicated to the collection of weapons.

The project was only operational in the field for three months (May to July 2002), when the Amnesty Law expired on 4th August; it collected close to 7,000 weapons and awarded 42 development projects totaling US$1.0 million. The Amnesty Law enacted in May 2003 for a period of two years enabled the project to resume support to weapons collection. Overall, UNDP support within the framework of SALWC, which ceased in December 2003, led to the handing in of approximately 10,000 weapons to the police. In the process, 67 small-scale community-based development projects were awarded a total of US$1.5 million. In 2005, the Amnesty Law was submitted to parliament for another two-year extension. The law was allowed to expire and no renewal – and hence no resumption – of weapons collection in Albania was undertaken by the new party in power. A UNDP-brokered Small Arms Survey was conducted by Saferworld during the first part of 2006 and revealed that well over 200,000 weapons are still held illegally by the public. No structured action has thus far been taken on this front by the Albanian government.

As part of a European Community assistance effort to the ASP reformation, in 2002 the European Commission Police Assistance in Albania (ECPA) initiated a community policing pilot project in one of the police commissariats of Tirana. This was discontinued after nine months when ECPA was replaced by PAMECA. Meanwhile the Danish International Development Agency (DANIDA) carried out a schools project in the Diber prefecture, bringing together young children, teachers, criminal police and public order inspectors. These two projects were local and isolated from national policies. Up until that time the ACP had merely received training and advice in community-based policing practices. No assistance had been provided by an international body on organisation-wide community policing policy.

In 2003, UNDP initiated the SSSR programme on community policing to complement the assistance provided by international organisations to the ASP. The SSSR has started by creating greater awareness among citizens and youth, and providing more information on community-based policing principles. The project engages public awareness through a media campaign and a schools awareness project, enhancing the professional capacity of the police, offering training and the construction of more customer-friendly reception halls in pilot projects in police stations. The original five-year plan for the implementation of community policing had to engage in a series of activities from 2004 to 2009. This plan involves the creation of a Community Police Sector within the Ministry of Public Order to guide and monitor the progress of a number of very specific and concrete objectives toward establishing a community-focused police force in Albania.

To coordinate the work of community-based policing, a working group on Community Building Police, which is chaired by the ASP and sits within the International Consortium – a group of international actors and non-governmental organisations (NGOs) – meets regularly and discusses activities and achievements as well as plans. SSSR is represented on this working group. By establishing Community Problem Solving Groups (CPSGs), which are provided with "common premises" located at newly (re-)constructed police public order inspectors' offices, the favoured policy of identifying and resolving issues affecting communities' safety is to cooperate with public order inspectors and local governments. They are also expected to provide some assistance, be it financial or through expertise, in local construction projects to enhance community safety that are co-funded by the SSSR and the local municipality.

However, the education awareness component of the SSSR project boasts extraordinary achievements. It would also seem to represent very good value for money. Up to February 2006 the Irish government had donated €233,110 (approximately US$290,000) to the project, which by then had reached 91,000 children in 124 schools. A further contribution of €216,000 was made by the Irish government in April 2006. While it is a crude indicator, this represents an input of just over US$3 per pupil. Perhaps it would be more meaningful to speak in terms of the number of schools reached. For instance, the 'Children's First Foundation' project in Tirana was budgeted for US$16,500 and involved six schools. This translates into approximately US$2,750 per school.

However, these projects encounter several difficulties from the low level of awareness within responsible institutions to limited backing of legal provisions. Senior officials from the Ministry of Interior and with the General Director of the ASP affirm that serious crime and (trans)border crime would be the central focus of the revised longer-term strategy of the ASP. Community policing is described in terms of a luxury that a reforming police force without basic equipment could not justify. Senior management in the ASP feels it is difficult to measure the benefits of SSSR projects.[37] As in the case of the defence sector, political elections and change of government bring significant changes in the police's senior and middle management, thus undermining capacity building and ownership of implementation.

Albania is an apt candidate for community-based policing and shares many of the characteristics of other divided societies where the police have used the strategy to acquire legitimacy and build a broad support base. Community-based policing should be declared as a national priority alongside organised crime and other key areas of reform. However, the ASP Law Number 9749 dated 4th June **2007** does incorporate under Article 122 proposals to develop community policing. Based heavily on the UK model, the Article envisages the publication of district policing strategies worked out in cooperation with local authorities and civil society bodies. It falls short of identifying the level of influence non-police bodies will exert and does not specify what measures are to be taken if regional police directors fail to accomplish the goals set out in their strategy. The strategy of ASP for 2007-2013, however, mentions the importance of community-police relation-building, but this is mainly aimed at increasing public trust in the police by way of respecting human rights and the dignity of the individual.

Despite the varying degrees of respondents' insecurities, there is a significant discrepancy between perceptions and reality concerning security issues in Albania. High perception rates accompanied by low occurrence rates (materialisation of risk) provides hope for optimism, but at the same time raises questions about the factors that have contributed to such a perception building. This identified discrepancy needs to be explored further, since above all it demonstrates a significant lack of confidence not only in state, police and public institutions, but also in the reform process and related assistance. There are no frequent pubic opinion surveys in testing issues such as community and human security and community policing that would have been an indicator of public awareness about the reformation of the ASP.

Within the police, special attention has also been given to the reform of the **border police**. The Strategy on Border Control and its Integrated Management approved in February 2003 follows the measures taken by the Albanian government to strengthen border security and reform border police structures to address the increasing international pressure in this respect. As stated in the introduction of the strategy, 'this [reform] becomes more indispensable at the time when Albania is entering the Association and Stabilization process'.[38] Integrated border management (IBM) is the approach favoured by the EU in the Western Balkans for addressing border-related issues, as is reflected in the CARDS programme. According to the strategy, IBM means improved cooperation between agencies within the country that deal with different aspects of border control, such as border police, customs, intelligence services, etc., and cooperation with neighbouring and EU member countries.

In order to achieve this, the Border Police, as one of the most important agencies responsible for providing border security, has to undergo a process of transformation. The strategy document that was compiled was based on the IBM Action Plan, and was issued on 15th November 2006 by the Ministry of Interior of the Republic of Albania. The IBM Action Plan contains concrete objectives which are based on the recommendations of the strategy. Each objective is broken down into actions and each action is further divided into activities to facilitate the implementation of the plan. Both the strategy document and the Action Plan are "living documents" and need

37 B. Ryan (2006). *An evaluation of the UNDP's support to Security Sector Reform in the Republic of Albania*. Tirana, Albania: UNDP Bureau for Crisis Prevention and Recovery.
38 Republic of Albania, Ministry of Public Order (2003). Op. cit.

to be updated on a regular basis. It assists in border control, management, policing and security, as well as cross border crime, integrated border management, travel documents and passports. This document was prepared by the Albanian state institutions involved in border management, including the Border and Migration Police (Ministry of Interior), the Albanian Customs Service (Ministry of Finance), Phytosanitary and Veterinary Services (Ministry of Agriculture), under the technical assistance of the CARDS regional IBM programme, PAMECA, the EU Customs and Fiscal Assistance Office (CAFAO) Albania and ICITAP.

OSCE Presence in Albania (PiA) has provided modern border surveillance equipment to the Border and Migration Police (BMP). Equipment donations to date have included infrared night vision equipment, thermal imagery equipment, numerous binoculars, global positioning systems, video cameras and radio sets. In June 2008, second language training was launched for BMP officers at the border crossing points which is scheduled for completion by March 2009. In 2008 training was held on vehicle search, as well as techniques for countering trafficking and smuggling at these crossing points. Joint border crossing meetings were facilitated between the Albanian and Montenegrin border police forces and between the BMP and the police service of Kosovo/UNMIK. The PiA, the Spillover Monitor Mission to Skopje, and the police services of both countries met to improve cross-border cooperation. Meetings were also facilitated between the BMP and the Italian *Guardia di Finanza*, Greek border police and UNMIK authorities to coordinate border-related issues. Support was also provided to the Strategic Police Matters Unit (SPMU) in a project to enhance cooperation among police, prosecutors and judges in the efforts against organised crime.

OSCE Presence in Albania (PiA) continued to provide assistance to the ASP and BMP as well as to the MoD. Over the last year, training was held on interview and investigation techniques for mid-level police investigators. In July 2008, the state police were assisted in hosting an international conference, with participation from neighbouring countries to discuss police training methodologies and to identify training resources so as to create networks for trainers. Technical assistance was provided in the drafting of manuals for law enforcement agencies and social services providers regarding trafficking victims. Anti-trafficking, border and state police received training on the National Referral Mechanism, interviewing techniques, and on the identification, referral and protection of trafficking victims. Such victims were trained on micro-enterprise development and micro-credits were supplied to four persons. An agreement was signed with a local micro-finance partner for the implementation of the Office of the Coordinator of OSCE Economic and Environmental Activities' (OCEEA) project on promoting women's economic empowerment. To improve data analysis, support was given to the establishment of a trafficking cases database that will create reliable records on measures taken in the process of protection and support to trafficking victims. The national co-coordinator on anti-trafficking was supported in hosting cross-border meetings between FYROM, Kosovo/UNMIK and Albania. Assistance was also provided to the National Coordinator's Office in the drafting of the new trafficking strategy in May 2008.

The CARDS Regional Police Project (CARPO) that started in March 2004 also aims at strengthening the capacities of Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia and FYROM against serious forms of crime based on the *acquis* of the EU and other European standards and practices by providing them with the necessary tools to tackle organised and economic crime, enabling them to deliver comprehensive training against trafficking in human beings, smuggling and illegal migration. The Council of Europe (CoE) together with consortium partners from Belgium, Finland, Hungary, Italy, Slovenia, Spain, Sweden and the International Organisation for Migration (IOM) are responsible for the implementation of the project. The CARPO project was due to finish on 30th September 2006. The European Commission (EC) and the CoE have decided, within the remaining available resources under the original budget, to extend it.

The Department of Justice's Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) has given very concrete assistance to the prosecutor's office and the courts. It has assisted with the fight against corruption, organised crime, narcotics, and human trafficking cases. It also helped to establish the Joint Investigative Unit (JIU), which is now achieving important results in the effort against corruption and financial crime, achievements that have been recognised by such bodies as Transparency International and Freedom House as real successes in the fight against corruption. We expect the same success will be replicated nationwide with the establishment of JIUs in six additional districts.[39]

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39 B. Bix Aliu, 'Corruption is robbing Albania of its future', *Tirana Times*, 16th January 2009. Available at http://www.tiranatimes.com.

On general law and order issues, including the state police, the main achievement of the government has been the passing of the new **Law on the State Police**. The main aim of the new law is to separate political and operational responsibilities. However, there have been many cases, especially in the area of appointments and dismissals, where decisions are taken at a senior political level. On the trafficking in human beings, June 2008 saw the publication of a critical report from the US State Department that said that scant progress had been made in the identification of victims of trafficking and that there was a lack of or decline in the prosecution of traffickers. With regard to corruption, although last year saw a number of mid-level officials being prosecuted, high-ranking public officials and major organised crime groups remain "at large". However, in the latest Transparency International Corruption Perceptions Index in September 2008, Albania saw a major improvement on its 2007 score. In May 2008, a survey on public corruption perception was organised by the Institute for Development Research and Alternatives (IDRA). The survey found that 92 percent of Albanians believe corruption is widespread among public officials, a decline of eight percentage points from a year ago. The report showed no progress in bribery indicators. Nearly 70 percent of people surveyed report having paid a bribe for medical treatment, while nearly 60 percent have little or no trust in the judicial system. There is much more work to do.

JUSTICE SYSTEM

The independence of the judiciary in Albania has strengthened significantly due to a number of reforms undertaken throughout the years. Before listing the most important reforms, it is useful to underline that after public debates between the majority and the minority in Parliament, a pact for the reform of the judiciary was agreed on, with the goal of removing the justice system from the daily political debates. This is also because there is a constitutional stipulation for a qualified majority for all laws in the area of justice, which could lead to a deadlock in the approval of laws. The agreement is valuable not only in requiring two-thirds of votes for approval, but even more so in the creation of a spirit of trust and of a widely supported reform resulting in a more independent justice system.

The approval of the law for the organisation of the justice system and a number of other measures have strengthened the independence of the judiciary and enhanced professionalism. Thus, a new system for the evaluation of judges has been approved and the system of inspections has improved. Recruitment procedures have also improved significantly, with judges now recruited only out of the pool of the School of Magistrates, an institution consolidated via the multiannual support of the CoE, which prepares new Albanian judges and prosecutors. Only 10 percent of the judiciary troupe can be hired out of the pool of this school's graduates. The criteria that a judge needs to meet to be promoted from one level of the judiciary system to another have also been stepped up. At the same time, noticeable improvement has been registered in the system of inspections and the disciplinary measures for judges. All of these measures have enhanced transparency and boosted professionalism among the ranks of judges.

In addition, significant improvement has also been noticed in the process of appointments to the High Court and Constitutional Court, which involve the president and parliament. Both of these institutions have created a more transparent system in the selection of the best candidates for the highest offices in the judicial system, including the practice of hearing sessions, among others.

Another step that has enhanced the quality of justice in Albanian courts, in addition to the establishment and consolidation of the School of Magistrates, is the establishment of the Court of Heavy Crimes, which in a short period has been able to create a profile that sets it apart from the rest of the Albanian justice system as far as professionalism and the perceptions of its integrity are concerned. The project for the establishment of the Administrative Court is currently being discussed in parliament.

The changes to the organic law relating to prosecution have also noticeably improved its internal organisation in accordance with its unique nature and hierarchy. The criteria for appointments and a career in the system have also improved. Accountability towards parliament has also strengthened.

COUNCIL OF EUROPE

The CoE is one of the institutions that have been actively involved in the legal reform of the justice system undertaken in Albania during the transition period. Thus, the codes, organic laws of the various institutions of the justice system, as well as the country's constitution, have all been designed in consultation with the expertise of the CoE. We have to keep in mind that Albania had to create the new legal basis for the functioning of the justice system from scratch. The assistance given by the CoE in this regard has been invaluable. The CoE has given special assistance for the growth and consolidation of the School of Magistrates and has assisted in the reform of the penitentiary system. The monitoring conducted by the CoE

in this regard has been an important incentive for the speeding up of the reform process in the justice system and improvements in the area of human rights.

In this regard, we applaud the implementation of the Recommendations of the Committee of the Council of Ministers of Europe in respect to the implementation of the European Convention on Human Rights at the national level, the execution of the decisions of the European Court, the publication of the practices of the European Court, etc. Albania has also signed and ratified a considerable number of legal instruments of the CoE, which demonstrates a serious engagement of the Albanian state to bring legislation into line with the standards set forward.

A priority remains the continuation of the qualitative work for the signing, ratification and implementation of CoE conventions and treaties, including the now consolidated cooperation in the framework of Program V of Cooperation with the CoE-EC for Albania, which we consider to be a concrete and fruitful contribution. This programme started in 1994 as Program I, and was then followed by Program II and Program III. The wide range of the application of these programmes, especially (initially) in building rule of law, democratic institutions, in legal reform in general, in reform of the public administration, police, etc., have now given their results. With the end of Program IV of Cooperation, focusing on the reform of the institutions of the Albanian justice system, the CoE and EC decided on the initiation of Program V, which targets the training of the justice administration.

INTELLIGENCE SERVICE REFORM

The secret police, known as *Sigurimi* in Albania, was the most important instrument through which the Communist Party maintained its power. The role and importance of *Sigurimi* to the communist regime cannot be overstated and was incomparable to the other security instruments, the police and military, which were under the surveillance of *Sigurimi*. Thus reform of the secret police was very important in order to break with the past.

Similar to police reform, the legal reform of the intelligence service started in 1991. The law stated that the National Intelligence Service (NIS) would be a depoliticised institution, even though at that stage those working in the NIS were still the same personnel as during the communist period. This law provided the legal basis that regulated the functioning of the NIS until 1998. The first article of the law defined the scope of work of the NIS. The NIS would be under the authority of and report to the Council of Ministers about the security situation and for the way it has used the financial and material resources at its disposal. For any operation that infringes upon human rights, the NIS should receive permission from the general prosecutor. The latter had the right to check whether the activity of the NIS was conducted within the bounds of this law. The NIS could not conduct its activity in the parliament, presidents' office, Council of Ministers, or in political parties and their branches. Members of parliament, the Council of Ministers or heads of political parties could not be objects of NIS activity unless special permission was granted by the head of parliament, president and prime minister. The organisational structure of the NIS was based on the administrative division of the country. The head of the NIS was appointed and dismissed by the president with the proposal of the prime minister. The deputy head was appointed and dismissed by the Council of Ministers. The other personnel of the NIS were appointed by the head of the service. The head of the NIS and the directors of its branches were responsible for the activity of the service.[40]

Two-thirds of NIS personnel were dismissed in the first few months of the ascension of the Democratic Party in 1992. Considering the high level of politicisation of the NIS and given that it was the embodiment of the former communist system, these measures were taken in order to achieve depoliticisation, which in fact meant a break from the communist legacy of the institution. There was criticism from the left that the reform had also purged people who were specialists and who had not committed human rights violations in the past, thus weakening the service. However, removing communists and depoliticisation are not identical things. Achieving the first does not mean that you have achieved the latter. As events showed, the NIS turned into an instrument of the party in power and was used to keep members of the opposition under surveillance, exercising pressure on political opponents and dissenting media.[41]

After the parliamentary elections of 1997, the Socialist-led coalition purged the NIS and brought in people who had been dismissed in 1992. In 1998 a new law on the NIS was passed that made the following changes: in addition to the director, the deputy director too was to be appointed and dismissed by the president with the proposal of the prime minister, while in the previous law it was within the competence of the Council of Ministers; the status of the head of the service, for economic reasons, is similar to that of a Minister; the activity of the NIS is based on the regulations prepared by the head of the service and approved by the general prosecutor, who has the right to control the application of these procedures.

The law made some changes concerning accountability and oversight mechanisms. The activity of the NIS is controlled by parliament through the permanent sub-commission. The head of the NIS reports to the commission

40   Law No. 7495 on the Organization of the National Intelligence Service, 2nd July 1991.
41   E. Biberaj (1998). *Albania in transition: The rocky road to democracy*. Colorado, US: Westview Press. p.161.

at least once a year. The head of the NIS reports to the Council of Ministers as decided by the prime minister. The sub-commission and the government have the right to control the use of funds earmarked for specific activities, which are otherwise not allowed to be audited by other institutions. The Council of Ministers appoints an inspector-general who reports directly to the prime minister to oversee the activity of the NIS. However, the head of the NIS could stop the inspector-general from undertaking an inspection if this could harm national interests and should inform the prime minister for this.[42]

In effect, the positions were now reversed: the Democratic Party now in opposition accused the government of using the intelligence service to weaken the opposition and intimidate it. In fact, though all Socialist prime ministers had demanded the dismissal of the head of the NIS, the president rejected such requests. The election of the new president in 2002 finally led to the dismissal of the head of the NIS. At the same time a parliamentary investigative commission was initiated to examine the constitutionality and legitimacy of NIS activity. The work of the committee focused its investigation on eavesdropping and surveillance with regard to the opposition and the involvement of the NIS in the murder of opposition MP Azem Hajdari, as well as claims of abuse of funds. The case was then taken to the general prosecutor on embezzlement charges, which were eventually dismissed by the court.

After the appointment of the new head of the NIS, there have been no more accusations by the opposition against the intelligence service. The appointment happened at a time when the two main parties, the governing Socialist Party and the opposition Democratic Party, were in a consensual political climate, as evidenced by the agreement reached in the election of the president. While this is a very positive development, it is still too early to judge whether the history of the intelligence service being used as an instrument against political opponents has ended in Albania. While the opposition has not voiced further such accusations, the former Socialist Prime Minister Ilir Meta, who split from the Socialist Party with a group of deputies and created a new party, has accused the government and NIS of interference and threats against him.[43] In addition, the removal of its head has been followed by the dismissals of those people considered to be close to the predecessor.

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42 Law No. 8391, 28th October 1998.
43 'Meta: SHISH organizoi anti-miting ne Peze', *Shekulli*, 19th August 2003; 'Letra e Metes do te shqyrtohet ne Kuvend', *Shekulli*, 6th February 2004.

OVERSIGHT MECHANISM

Oversight is crucial to holding state and elected officials accountable and to providing incentives for reform and improvement. It is argued that relying on multiple oversight mechanisms both internal and external is more effective.[44]

The parliament has a number of instruments through which to conduct oversight of the executive. Here we focus mainly on the role of permanent committees. In the 1992–96 legislature, there was only one permanent committee for all three agencies: defence, public order and the intelligence service. In the subsequent legislature, separate committees were created for defence and public order, while within the latter a permanent sub-commission focusing on the intelligence service was created. The functions performed by the committees could be grouped in three main areas: debating the draft budget for the respective ministries and institutions and to oversee the implementation of the budget allocated to these institutions; to examine any lawmaking initiative and normative decrees; and lastly to oversee the general conduct of the institution and whether it complies with the law and general expectations and requirements. We start with the budget as one of the most important functions performed by the committees – referring mainly to the Committee on Public Order and Intelligence.

The time allocated to the committees for discussing the budget is around four weeks, during which the committee can convene eight meetings. This limited period of time combined with the lack of supportive staff in terms of research and expertise makes it very difficult for the committees to have an informed discussion on the budget.[45] The committees often lobby for more funds for their respective ministries.[46] The committees lack the services of a research staff to provide them with analyses – there is only one advisor and a secretary attached to the committees. Not all parliamentarians participating in the Public Order and Intelligence or Defence committees have expertise on security issues to compensate for the lack of research staff. In addition, due to a lack of funds, the parliamentarians do not have access to independent researchers. The Committee on Public Order recommends amendments to the budget, which are sent to the Committee on Finance, which does most of the work concerning the budget. However, cooperation between committees is not regulated by specific rules and regulations.[47] The Committee on Public Order and Intelligence has been able to achieve an increase in the budget for the Ministry of Public Order for last year's budget. In terms of overseeing the implementation of last year's budget, the committee mainly relies on the work and results of the High State Audit. The committees themselves can conduct financial scrutiny, yet there is an asymmetrical relationship between the committee and the Ministry of Public Order: the committee relies on the information provided by the ministry and lacks the expertise that is present in the ministry's administration to be able to perform proper oversight.[48]

Another area of work of the committee is in amending draft laws brought by the executive. In this area too, there is more will for cooperation between government and opposition representatives. There are many instances when the representatives of the majority have accepted proposed amendments by the opposition.[49] Differences

44 C.E. Stone and H.H. Ward (2000). 'Democratic policing: A framework for action', *Policing & Society*, Vol. 10, Issue 1. p.5; M. Caparini and O. Marenin (2004). 'Transforming police in Central and Eastern Europe' in M. Caparini and O. Marenin (Eds.). *Transforming police in Central and Eastern Europe*. Münster, Germany: Lit Verlag.
45 V. Gumi (2003). 'The parliament and the security sector' in J. Trapans and P. Fluri (Eds.). *Defense and security sector governance and reform in Southeast Europe*. Geneva, Switzerland: Geneva Center for the Democratic Control of the Armed Forces. p.63.
46 Interview with Mr Aleksander Garruli, Member of the Committee on Public Order and Intelligence Service.
47 B. Kajsiu (2003). 'Transparency and accountability in governance' in J. Trapans and P. Fluri (Eds.). Op. cit. pp.110-111.
48 V. Gumi (2003). Op. cit. p.64; Blendi Kajsiu (2003). Op. cit. p.111.
49 Interview with Mr Shaban Memia, Member of the Committee on Public Order and Defence; Interview with Mr Aleksander Garruli, Member of the Committee on Public Order and Defence.

between the opposition and government MPs become obvious when the committee tries to control the work of the executive on controversial issues that have been raised by the public.

The last area of the committee's oversight function reveals two main work practices: for some issues the committee has a planned agenda that identifies issues that it will deal with during the course of the year. This could be considered a proactive approach. However, this work practice does not represent the main way in which the committee discharges its duties. Most of the time the committee deals with concerns raised by the media and different actors.[50] It is exactly in such cases when the committee is trying to hold the executive accountable that the difference between the majority and opposition representatives becomes obvious and that the executive is less responsive. However, even in such cases when the committee seems paralysed, the very fact that the minister is asked to provide explanations by the opposition representatives and the presence of the media does have an impact.[51]

In addition to the permanent committees, there is also what are known as investigative committees, which are set up to investigate a particular question. As mentioned above, such a committee was created to investigate the activity of the NIS. This is a new experience in the Albanian parliamentary tradition. According to the constitution and the supporting legislation, parliament is obliged to set up an investigatory committee if one-fourth of its members request it. Other provisions of the law provide opportunities for the opposition to conduct an investigation: the committee agrees to a request for collection of evidence without resorting to voting and the opposition's opinion is always attached to the final document. The findings of such committees are not binding in a court of law. However, there are certain elements missing in the law. Although the committee is not a court of law, certain procedures should be similar to those of a court. For example, the law does not specify any action if a witness chooses not to appear before the committee and there are no sanctions brought to bear if one gives a false testimony. In practice, the work of the investigatory committee could be stalled in many ways, the most important being by withholding of information. During the workings of the investigatory committee on the management of assets left from the financial pyramid schemes, the respective institution refused to provide information. Even though the case was made known to the prosecutor's office, no measures were taken.[52]

Concerning the investigatory committee on the conduct of the NIS, the issue became very politicised due to the political importance of its findings. The committee did not act as one body and was clearly divided along party lines. At the end of its mandate the investigatory committee submitted two opposing reports to parliament. However, the work of the investigatory committee attracted a lot of attention and interest among the media and public, which was positive and contributed to the development of the parliamentary tradition.[53]

In addition to parliament, there are a number of other institutions which provide oversight of the security sector. The Ministry of Public Order, similar to other ministries, has its own internal mechanisms of control such as the Internal Control Service and Inspection Department. Internal mechanisms are very important because they can provide thorough inspection and do not just focus on dramatic and visible problems as parliamentary committees do.[54] However, while such formal mechanisms are in place, in practice they are found lacking in many respects. Their effectiveness is weak and many decisions are not taken into consideration or are used to serve narrow interests.[55]

The High State Audit mentioned above is a constitutional institution whose task is to review and produce reports on the way government institutions have spent the funds allocated to them. The High State Audit's work focuses mainly on the legality of the money spent and not so much on the effectiveness of the investments, although the latter dimension will become more important in the future. The head of the High State Audit reports twice a year to the parliament, as well as any other time that they are asked to do so. The reports produced by this institution are important for the work of the committee on financial matters. In terms of financial management, the security sector agencies do not perform differently from other government ministries.[56]

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50   Interview with Mr Aleksander Garruli, Member of the Committee on Public Order and Defence.
51   Interview with Mr Shaban Memia, Member of the Committee on Public Order and Defence.
52   Interview with Mr Arben Imami, Member of Parliament.
53   S. Berberi (2003). 'Democratic control of the Intelligence Service' in J. Trapans and P. Fluri (Eds.). Op. cit. pp.86-88
54   C.E. Stone and H.H. Ward (2000). Op. cit. p.6.
55   Interview with Mr Bashkim Abazi, Center for the Study of Organized Crime.
56   Interview with officials working at High State Audit.

The establishment of new control bodies such as the Supreme Audit Institution and the Ombudsman Office has also had a positive impact on SSR, particularly with regard to enhancing accountability and transparency. Complaints about the Ministry of Public Order and police's behaviour comprise an important part of the Ombudsman Office's work. The People's Advocate Office was established by the 1998 constitution and the first Ombudsman was elected in February 2000. Albanian law does not grant executive power to the People's Advocate dealing with complaints against public authorities, but rather permits him to make recommendations to other state institutions on these complaints. The people's advocate has access without prior authorisation from the Ministry of Justice to inspect institutions like prisons, detention centres and prison hospitals. The annual report of the People's Advocate on the violation of human rights is submitted to the parliament, president and prime minister. A special commissioner deals with the police, intelligence service and prisons. There has been an increase in the number of complaints examined by the office since its inception, which in itself reflects a steady growth in public perceptions of the institution's credibility. From 833 complaints filed in 2000, the number reached 4,233 in 2007.

DEFENCE REFORM

The military reform is mainly determined by potential Albanian membership in NATO, which offers not only security coverage in a troublesome region but also a guarantee for the consolidation of democracy, referring here to the non-military conditionality of membership. Based on this logic, the Albanian government was the first among central-east European countries to request NATO membership.[57] Albania was among the first countries to join the North Atlantic Cooperation Council (NACC) in June 1992 and the Partnership for Peace (PfP) in February 1994.[58] The PfP programme, which was based on the defence Planning and Review Process, has contributed to the restructuring of the Albanian military establishment and capabilities according to NATO standards. In 2000 the Albanian government put forward a plan with two stages: downsizing and making the AAF more efficient (2000–2004), and modernising the AAF (2005–2009). This reform is assisted by the US Department of Defense. In a 10-year period (2000–2010), the AAF has to downsize the force from 43,000 to 16,500 troops in peacetime and 36,500 in wartime. Information from the MoD confirms that this objective was reached by 2005, five years ahead of the objective defined in the Military Strategy. However, in January 2008 the government announced plans to cut its armed forces by a further 3 percent by 2013. Planners envision having 14,500 professional troops by 2010.[59]

In April 2002 Albania approved the Partnership Goal package, whose implementation is part of the new AAF Structure and Implementation Plan for the period 2002–2010. NATO's Membership Action Plan (MAP) mechanism tailored an assistance programme that focused on rebuilding the armed forces, including help in a) establishing the conceptual framework for the armed forces; b) starting a structural reorganisation of the military; and c) managing specific problems, such as ammunition storage and ordnance disposal. Almost all changes within the AAF are the result of the goal toward NATO membership, including the revised draft of the Military Strategy (2004) labelled as 'Strategy for NATO-integration'. The main mission of the AAF as designed in the Military Strategy document aims at 'providing combat readiness for defence; monitoring and surveillance of Albania's sea, air, and land territorial space; participating in humanitarian assistance and disaster relief operations; fighting terrorism; and participating in peace support operations'.[60]

In the last decade, Albania behaved as a *de facto* NATO member, participating in a number of alliance operations in coalition forces-led "Iraqi Freedom" under US command, the NATO/PfP International Security Assistance Force (ISAF) mission in Afghanistan under Italian and Turkish command, Operation ALTHEA in Bosnia and Herzegovina under German command, and recently in the UN Mission in the Central African Republic and Chad (MINURCAT) under French command. There is also an Albanian contingent as part of the NATO Battalion Task Force. In the framework of the region, the Albanian army remains part of the Multinational Peace Force Southeastern Europe (MPFSEE). The aim of this multilateral peace force is the prevention of conflicts and peace support operations including peacekeeping, peacemaking, peacebuilding and humanitarian operations in or outside the Balkans under the mandate of the UN, the OSCE or other international bodies. For six months starting February 2006, the Southeastern Europe Brigade (SEEBRIG) headquarters participated in the NATO-led operation in Afghanistan. In this framework Albania has troops in Afghanistan. The deployment of SEEBRIG in the ISAF mission in Kabul was a test of its operational credibility, which might increase with future operational efforts.

57 C. Bickers (16th September 1995). "Germany and Italy boost deny flight", *Jane's Defence Weekly Interview*, Vol. 24, No. 11.
58 North Atlantic Cooperation Council (NACC) was the precursor to the Euro-Atlantic Partnership Council (EAPC).
59 J. Koci, 'Albania to abolish conscription by 2010', *Southeast European Times*, 21st August 2008. Available at http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2008/08/21/feature-03.
60 Ministry of Defence, Republic of Albania (2004). *Strategy of NATO-Integration*. Tirana, Albania.

Other transformations of the army relate to the modification of administrative structures of Training and Doctrine Command (TRADOC) established in 2001, and General Staff according to NATO's standards.[61] The professionalisation of AAF and its appropriate military education also remains imperative. The education of the AAF is realised by *Skenderbej* Military Academy, which recently achieved the status of a defence university, the Non-Commissioned Officers (NCO) Defence Academy *Spiro Moisiu*, the Basic Training Brigade, which is involved in the training of soldiers, the Logistic Battalion and the Centre of Military Scientific Research. The process is assisted by NATO and the Multinational Advisory Police Element (MAPE) mission of the Western European Union (WEU) in Albania and individual states, particularly the US.[62] Since 1993, the US alone has spent US$1 million every year to train the Albanian military; 50 people take part in the training programme each year. The reformation of military education system is considered by NATO as an important achievement for the AAF.

Albania inherited outdated and obsolete logistics and equipment from the communist regime. To cope with the renewal of its military, in 2000 the AAF launched a 10-year reform programme sponsored by the US Department of Defense and supervised by the private US company Science Applications International Corporation (SAIC). Several major re-equipment programmes over the course of the last decade and which continue today aim at providing the AAF with the most advanced military technology and professionalism by 2010. The priorities of this programme include: individual soldiers' kits (mainly at priority units); command, control, communication, computer and information systems (C4I); search and rescue and transportation helicopters; fast patrol boats and maritime search and rescue capabilities for the revitalisation of the navy; transportation support of the armed forces; strengthening of maintenance organisations; and National Integrated Surveillance Systems (NISS). Although an important part of the reform of the AAF, removal of the military arsenal remains dependent on foreign assistance.

Since 1998, as part of restructuring of the AAF and reforms to join NATO, obsolete, age-deteriorated, damaged and excess ammunition were to be identified as part of a disposal programme. Since 1998 a NATO-led team with ammunition specialists from both NATO and partner countries did assess the scale of the problem. But because initial Albanian attempts at clearing the worst so-called "hot spots" led to more than 50 casualties, it was decided to focus on training Albanians in ammunition management and explosive ordnance disposal procedures consistent with those used by NATO member states. The second NATO PfP Trust Fund Project in Albania began in December 2002 with two primary objectives: to demilitarise 11,665 tonnes of Small Arms and Light Weapons (SALW) and ammunition; and to improve Albania's industrial demilitarisation capability. Selected to execute the project, the NATO Maintenance and Supply Agency (NAMSA) opened a project office at the Albanian MoD headquarters in Tirana in March 2003. A contract to produce and install the explosives waste incinerator (EWI) was awarded to El Dorado Engineering from Utah, US. The delivery and installation began in October 2004 and was completed in March 2005. The EWI was officially inaugurated on 5th October 2005 and has been operational since then. A first demilitarisation contract was awarded to ULP Mjekës for the demilitarisation of 1,500 tonnes of Chinese hand grenades. This contract was completed in February 2005. The second demilitarisation contract was also awarded to ULP Mjekës for the incineration of small arms ammunition. This contract includes the preparation of the small arms ammunition for incineration in the EWI, the operation and maintenance of the EWI, and the handling and disposal of the scrap materials resulting from the incineration. By the end of December 2006, 71 million small arms projectiles of calibres ranging from 7.62mm to 14.5mm and weighing nearly 3,500 tonnes had been incinerated. A third demilitarisation contract was awarded to KM Poliçan for the demilitarisation of 82,500 units of 107mm mortar ammunition.[63] In Gerdec, the dismantling and repacking of old and aged ammunition was being carried out by an Albanian company that had been sub-contracted by Southern Ammunition Company Inc. of South Carolina, US. Southern Ammunition Company, a US company, won through direct procurement the right to destroy ammunition in Albania by industrial dismantling according to media reports. Southern Ammunition Company was contracted in 2006 by the MoD for the deactivation of 100 million

61 All NATO armies' General Staff are structured into nine departments. See: T. Pietz (2006). *Defence reform and conversion in Albania, Macedonia and Croatia*. Brief 34. Bonn, Germany: Bonn International Center for Conversion (DECAF). p.11. Available at http://www.bicc.de/uploads/pdf/publications/briefs/brief34/brief34.pdf.

62 E. Abazi (2003). 'An institutional perspective on security issues' in J. Trapans and P. Fluri (Eds.). Op. cit. pp.133-148.

63 R. Boulay and A. Kotobelli (2006). *The demilitarization of small arms and light weapons ammunition in Albania – A NATO PfP trust fund project*. Albania: NATO Maintenance and Supply Organisation (NAMSA) Albania Project Office. Available at http:// www.namsa.nato.int/demil/docs/Demilitarization_SALW_Ammunition_Albania-nov06.pdf.

7.62mm calibre bullets, 20 million 12.7mm calibre bullets and 20 million 14.5mm calibre bullets. (A second contract involved ammunition from 40mm up to 152mm.)[64]

During the Bucharest NATO Summit in April 2008, based on the achievement of reforms in the defence sector, Albania received an invitation to join the alliance. Full membership is expected to happen in the 2009 NATO Summit. This membership is considered an important move toward integration into the new European security architecture of the post-Cold War era. The fact that the Albanian defence budget for 2008 is estimated to be US$236 million, or 2.01 percent of the country's gross domestic product (GDP), marking a real increase of 54 percent compared to 2005, indicates that Albania is seriously committed to the process of reforming the AAF.[65]

Albania's participation in peacekeeping, peacemaking, peacebuilding and humanitarian operations and the other factors already discussed indicates the progress made in the integration of the AAF into the Euro-Atlantic structures and consequently in the reformation of the defence sector. However, regardless of the positive evaluation, in order to be effective, the reforms and supporting projects in the defence sector need to be flexible without being reckless, and must be supported by robust security management, skilled and committed staff, appropriate organisational strategies and supportive legal framework, advanced technology equipment and support from donors. Here we will discuss some of the problems that are faced in the reformation of the AAF with reference to the projects involved in this process.

An important issue in the transformation of the AAF is the professionalism of human resources, in other words, ensuring individuals have appropriate qualifications and expertise in this field. The experience provides evidence that prolonged assistance in control and management of different strategies may prove non-viable over the long term, if awareness of the necessity and ownership of the reformation process is not sustainable. Sustainability is consolidated if the responsibilities remain within the permanent staff based in the AAF and Albanian institutions.

Although reform of the national system of military education is considered the best achievement of the Albanian defence reform, with hundreds of military personnel trained in western countries in the framework of different projects, the process suffers from a lack of ownership at the national level. The tendency of Albanian political parties to control state institutions by staffing them with their own supporters – qualified or not – once in power, disrupts the whole process. Thus, in 1997 when the leftwing coalition came to power, some 1,500 officers of different ranks were purged from the armed forces, among them around 400 officers who had received education and training in the west.[66] Furthermore, the fact that some AAF personnel trained abroad do not easily find appropriate positions back home means they may not want to return. There is undoubtedly a need for training. However, if there is no degree of ownership at the political and societal levels of educating military personnel, then sending officers to western academies is simply counterproductive.

Another challenge related to human resources in defence sector reform is the resettlement of military personnel who are released from duty because of complete or partial closure or reallocation of military units. On 25th May 2005, the Albanian parliament approved the law 'On the supplementary social insurance of the AAF military personnel of the Republic of Albania'. It defines significant changes in receiving a transitional salary, as well as early and supplementary pension.[67] Recently the 'Program on the training and integration of the military with civil life', a joint project by the MoD and the Ministry of Labour, attempts to tackle the gaps of the AAFs resettlement programme in the form of rising and maintaining 36 already existing regional employment offices. Short training courses are offered by the MoD using internal funding. In a second stage, more specialised courses are envisaged with funding coming from the MoD, Ministry of Labour, the wider government and other donors. Different NGOs are involved in the process, especially in the training programmes, increasing the transparency of the process.

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64 Southern Ammunition Company, after signing the contract with the MoD entrusted the work in the field to an Albanian sub-contractor, 'Alb-Demil'. But further related news stated that Southern Ammunition Company was repacking SALW ammunition and shipping it to the Afghan National Army as part of a contract signed in 2007 for supplying ammunition, assault rifles and other weapons to Afghanistan totalling some US$200 million. See: 'Supplier under scrutiny on arms for Afghans', *The New York Times*, 27th March 2008. Available at http://www.nytimes.com/2008/03/27/world/asia/27ammo.html?pagewanted=1&_r=1&hp.
65 The defence budget for 2005 was about US$129.63 million or 1.5 percent of the country's GDP.
66 E. Leci (2002). *Eliminimi i Lidershipit Ushtarak* [The purging of military leadership]. Tirana, Albania: Instituti i Sigurimit dhe Mbrojtjes. pp.463–470.
67 T. Pietz (2006). Op. cit. pp.16–17.

However, the lack of a long-term strategy and direct foreign assistance in this sector raises questions about the efficacy and sustainability of this important part of the reform.

Another issue involves providing the army with modern and advanced technology equipment. Since grants and donations are the main resources for equipment modernisation, both human expertise and costs of maintenance management proved to be expensive and complicated, particularly as the use of advanced technology equipment requires qualified personnel. This along with other shortcomings noted above negatively affect the efficiency of reforms. Moreover, donated equipment may not necessarily serve the specific needs of reform. This has made the MoD more wary of accepting different kinds of equipment as donations and it instead asks for concrete assistance to be given.

With the continuous support from donors, demilitarisation activities continue to meet the original objective of demilitarising 11,665 tons of ammunition and continue to improve Albania's demilitarisation infrastructure. The blast of the 15th March 2008 in Gerdec raised several questions about corruption involving very high levels of governmental and state structures that were incapable of managing such sensitive processes. The situation also raised questions about the impact and sustainability of activities undertaken in the framework of the transformation of the AAF.

Practically all the changes within the AAF are undertaken with the precise goal of NATO membership. On the one hand, this explicit focus has been criticised for its insufficient attention on the country's domestic imperatives. The 1997 crisis situation proved that regardless of the reforms undertaken, the Albanian institutions were unable to cope with a total breakdown of order in the country. Therefore, the evaluation of the defence sector reforms' efficiency proved inaccurate. On the other hand, due to the classified nature of many strategic documents, it is not possible to define the real size and impact of NATO activities on the AAF's transformation. The ongoing defence reform requires a permanent adjustment of national institutions to meet NATO standards in civil-military relations in particular, and defence indicators in general. These adjustments continue to be challenging due to the persistent gap between constitutional provisions and the implementation of different aspects of the reform – a gap which in one way or another negatively impacts the evaluation of the defence sector reform and the assistance offered.

Under the constitution, the Albanian Assembly is the supreme institution that exercises oversight over the security sector. The Assembly performs this constitutional obligation very poorly due to a lack of expertise among many MPs on the issue of defence. Consent among the ruling party and opposition explains both the lack of constructive debate and interest in parliament on defence reform and the country's membership in NATO. Furthermore, while parliament is the only institution responsible for budget approval and control, this is an area where there is a gap between constitutional provisions and parliamentary practice. The draft law on the budget is approved by parliament, which must then act upon it during the final three months of the preceding budget year. If parliament fails to do so, the government can spend the same monthly amount as the average monthly expense of the preceding year without any specific parliamentary control. Furthermore, under the constitution the president is the commander-in-chief of the AAF and the head of the National Security Council (NSC), an advisory body to the president on issues of defence policy, arms control and security matters.[68] The role of the NSC is symbolic and the prime minister in practice approves the organisational structure of the army and coordinates the work of institutions involved in the defence sector. Ironically, in 2005 Prime Minister Fatos Nano approved a parallel structure to the NSC, the National Security Committee, which carries out the same advisory functions and approves national security documents and long-term programmes. This committee does not have any constitutional basis, but rather indicates a discrepancy between legal provisions and everyday political practice in Albania. These challenges have resulted in the diminution of the overall quality and sustainability of assistance, underscored by the largely inefficient functions of assessment, monitoring and evaluation of Albanian institutions.

In addition, on the one hand the Albanian public considers membership in the Euro-Atlantic security structures as a guarantor of democracy, the rule of law and improvement in the quality of life in the country, rather than giving meaning to the consequences of reform in the defence sector in its own right.[69] On the other hand, all political

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68 According to the Constitution of the Republic of Albania (1998), the NSC is composed of the president, the prime minister, ministers of defence, public order, foreign affairs, heath and transportation, chiefs of general staff and NIS. Different actors are invited to participate depending on the issue discussed in the Council.
69   Albanian Institute for International Studies (2008). *Why do we need NATO? Survey results*. Tirana, Albania.

parties in Albania hold membership in Euro-Atlantic institutions as a political priority. A claim of ownership over progress toward Albania becoming a member in these structures is made by each of the parties and is used for the purposes of self-legitimisation in the eyes of the public rather than as a sign of success in SSR or an improved level of security. Therefore, in the case of NATO membership it is difficult to identify a clear sense of public opinion connecting increasing levels of security (national and human) domestically, with the progress (or full membership in the near future) made towards membership in NATO's structures or contributions to related projects. However, a survey conducted by the Albanian Institute for International Studies (AIIS) in 2007 offers some concrete opinion: only 41.3 percent of all respondents assign the highest degree of importance to NATO membership for the country's national security. It is however clear that the process of reformation lacks ownership over concrete security items/substance. The lack of awareness in a way constitutes a handicap that should be kept in mind while judging the sustainability and public ownership of reforms undertaken in the security sector.

MEDIA AND CIVIL SOCIETY

Finally, civil society actors and the media are important in terms of holding elected officials to account. A proper analysis of this topic would require some prior examination of the Albanian civil society actors and media in itself and then in relation to the security sector. Unfortunately this is beyond the scope of this paper. In general, however, it could be said that expertise and interests among the media on defence and security affairs has been limited. Information on these issues is limited and there are not many qualified people working in the media to analyse developments. Usually there are more articles and news pieces focusing on the police and the Ministry of Public Order rather than on the military or NIS. Regarding civil society organisations, they have focused on a range of other issues and strictly speaking defence and security issues have been peripheral at best. However, recently a number of institutes have conducted projects that focused on the police, specifically focusing for instance on the police and the community, or monitoring police conduct. NATO integration has also received considerable attention, although mostly at the political rather than technical level. Attention to security issues has been strengthened by recent developments such as the invitation to join NATO and a number of incidents relating to the problem of ammunition throughout the country. The role of public opinion is also rather insignificant. Public opinion is generally unmobilised and largely affected by the political and polarised public debate, as well as fear provoked by specific incidents.

CONCLUSIONS AND RECOMMENDATIONS

Albania is currently undergoing a thorough reform of its security sector. This reform aims at fully integrating Albania within European security architecture structures. However, the main objective of membership should not be membership in and of itself, as has often been the case. In order to achieve full integration, comprehensive reforms are required and should benefit the country and society as a whole. Although there have been positive results in the reforms undertaken thus far, attention should be paid to the following.

STATE AND GOVERNMENTAL AUTHORITIES

- Improve the accountability component of the assistance programmes, possibly by supporting a more formalised and coordinated system of reporting between all actors involved, both national or international;

- Conduct a more rigorous evaluation of the awareness component of projects and assistance. This will help assess the potential impact of projects and assistance on national and human security, as well as the concrete benefits they will bring to the community and country;

- Strengthen the sustainability of project results (a) by making them part of national long-term reform strategies; (b) by encouraging community participation and empowerment in the implementation process; and (c) by officially backing up the entire process with the necessary legal or constitutional provisions;

- Strengthen the management of human resources based on professional competition and increasing transparency, so as to avoid nominations based on nepotism and political grounds;

- Strengthen the judicial system so as to avoid political influence or pressure from certain groups or individuals through corruption;

- Deepening the reform of institutions and agencies responsible for SSR through structural changes and not through campaigns which simply lead to the dismissal of certain individuals; and

- Create and coordinate an integrated system among all those actors involved (national and international). This will require that the institutional set-up and activities be thought thorough and applied, so as to increase the effectiveness of the reforms and help tackle corruption.

INTERNATIONAL ACTORS

- Improve the accountability component of the assistance programmes, possibly by supporting a more formalised and coordinated system of reporting between all actors involved (national and international);

- Conduct a more rigorous evaluation of the awareness component of projects and assistance. This will help assess the potential impact of projects and assistance on national and human security, as well as the concrete benefits they will bring to the community and country.

- Strengthen the sustainability of project results (a) by lobbying to make them part of a national long-term reform strategy; (b) by encouraging community participation and empowerment in the implementation process; and (c) by pushing for a backing of the entire process with the necessary legal or constitutional provisions; and

- Support the strengthening of the management of human resources based on professional competition and increasing transparency, so as to avoid nominations based on nepotism and political grounds.

CIVIL SOCIETY

- Specialise and expand debate at both the political as well as technical level;

- Provide easy-to-digest information for society at large;

- Encourage mobilisation and participation in decision-making of all stakeholders; and

- Monitor the progress of reforms and push for enhanced accountability.

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