

ALBANIA

THE GREEK MINORITY

INTRODUCTION	2
RECOMMENDATIONS	3
BACKGROUND	4
The Democratization Process	4
The Population	5
The Greek Minority Under Communism	6
Greek-Albanian Relations	6
THE GREEK MINORITY TODAY	8
Legal Protections	8
Political Representation	9
The Omonia Five	10
Minority Language Education	13
Restrictions on Religious Freedom	15
Restrictions on Freedom of Assembly	18
Restrictions on Minority Access to the Media	18
SUMMARY	19

INTRODUCTION

The fall of communism has brought monumental changes to Albania, long the most isolated and repressed country of the Eastern bloc. During the last four years, the tiny nation has taken significant steps towards establishing a multi-party democracy based on the rule of law and respect for human rights.

Despite these important achievements, a great deal remains to be done to overcome the brutal legacy of communist dictator Enver Hoxha. The complete absence under communism of independent courts, a free media and human rights mechanisms poses a serious challenge to Albanian democracy. In addition, Albania's sudden return from self-imposed isolation has brought a host of new problems for which the fragile political structures are not prepared. In particular, the war in the former Yugoslavia has placed a great strain on Albania's relations with its neighbors, notably with Serbia, Macedonia and Greece.¹

In addition to constant tensions with Serbia over the rights of Albanians in Kosovo², there has been a marked deterioration in relations between Albania and Greece during the last two years. An attack on an Albanian military post near the Greek border in April 1994 led to reciprocal accusations, diplomatic expulsions by both sides and increased tension along the common border.³ The conflict peaked in late August 1994 when five leaders of the Greek minority in Albania were tried and later convicted of espionage and illegal possession of weapons.⁴ Greece retaliated by expelling about 70,000 Albanians working in Greece and sealing its border with Albania.⁵

At the center of the dispute between the two countries is the treatment of the Greek minority living in Albania. The Greek government claims that Albania is repressing the rights of ethnic Greeks, who live primarily in the south. The Albanian government claims these rights have been respected in accordance with international norms, and that Greece is fomenting separatism in the region. Despite these external pressures, relations between the local Greek and Albanian communities in Albania have, on the whole, been peaceful.

This report documents the current human rights situation of the Greek minority in Albania. The report is based on visits to Albania between July 1993 and January 1995 during which time Human Rights Watch/Helsinki consultants interviewed numerous individuals in the Albanian and Greek governments, representatives of the Greek minority, Albanian and Greek journalists, and human rights activists.⁶

¹There are an estimated 2.5 million Albanians living in the states around Albania, most of them in the Serb-controlled province of Kosovo.

²About two million Albanians, comprising 90 percent of the population, currently live in Kosovo. Since the late 1980s, Serb authorities have committed frequent abuses of Albanians' civil and political rights, including torture, police brutality and restrictions on freedom of the press. For more information, see two reports by Helsinki Watch, *Yugoslavia: Human Rights in Kosovo 1990-1992*, (New York: Human Rights Watch, September 1992), and Human Rights Watch/Helsinki, *Open Wounds: Human Rights Abuses in Kosovo*, (New York: Human Rights Watch, March 1993).

³An extremist organization in Greece claimed responsibility for the attack.

⁴As this report went to press, one of the five leaders had been released, but the four others remained in prison. The High Court was scheduled to review their case on February 8, 1995.

⁵Number based on reports by *Reuters*, September 28, 1994.

⁶The report was written by Fred Abrahams, a consultant for Human Rights Watch/Helsinki. Human Rights Watch/Helsinki would like to thank all the individuals in Albania, Greece, the United States and elsewhere who assisted in this report. We would also like to thank the Greek and Albanian Helsinki Committees for their assistance.

Based on its research, Human Rights Watch/Helsinki concludes that the Greek community in Albania has experienced an increase in minority rights, in accordance with the general democratic changes that have taken place in Albania since 1990.⁷ Political representation in local and national politics, the right to practice the Orthodox faith and some improvements in Greek-language education have all been a result of Albania's democratic reforms. In addition, ethnic Greeks living in Albania have benefitted economically due to the special relationship they enjoy with Greece.

Nevertheless, as with the general level of democracy in Albania, many serious problems remain. The organization representing the Greek minority, Omonia, and the predominantly Greek political party, Union of Human Rights, experienced some obstacles to fair participation in the 1992 national elections. There have also been restrictions on freedom of assembly, religion and expression for ethnic Greeks.

More serious, however, are the actions of the Albanian police and secret service in the south of Albania, where most ethnic Greeks live. Particularly before the trial of the five Omonia leaders charged with espionage, many people were improperly detained and interrogated, creating an atmosphere of fear among the Greek minority.

The trial itself, which began in August 1994, contained many violations of Albanian and international law regarding the conditions of arrest and treatment under detention, inadequate due process guarantees and denial of a fair and public trial. These violations lend credibility to the claim that the trial was a targeted attack against a legal organization representing the Greek minority.

The increased tensions between the Albanian government and the ethnic Greek minority are especially evident in areas of cultural and educational policies, particularly as they impact on education in the Greek language. While Human Rights Watch/Helsinki does not take a position on the specific remedies that the government must provide for minority language education, it is incumbent upon the Albanian government to address the concerns of the Greek minority in consultation with the Greek community, in order to reduce tensions in the region and to fulfill its obligations to promote and preserve the Greek minority's culture.

The abuses of the Albanian government that are documented in this report, coupled with the Greek government's response, have served to increase tensions between the local Greek and Albanian communities in the south, and have also fostered a perception of actual and potential discrimination and hostility toward the Greek minority. In general, Human Rights Watch/Helsinki found that the two communities are committed to peaceful coexistence. However, many expressed a fear that external pressures, from Tirana and Athens, were creating artificial divisions between the two ethnic groups.

RECOMMENDATIONS

Based on the findings of this report, Human Rights Watch/Helsinki calls on the Albanian government to:

- Assure that all minority members are granted equal rights without discrimination, as set forth in the Universal Declaration on Human Rights, International Covenant on Civil and Political Rights and the documents of the Conference on Security and Cooperation in Europe.
- Strengthen legal mechanisms for protecting rights giving individuals greater access to courts to challenge the legality of government decisions and to obtain an adequate remedy for abuses committed by the state.
- Investigate allegations of police abuse and improper treatment of all Albanians in detention, and particularly of members of the Greek minority. Human Rights Watch/Helsinki believes that there is sufficient evidence that

⁷ Albania's first multi-party elections were held in March 1991, but democratic reform began in 1990 with the relegalization of religion and foreign travel.

individual police officers were responsible for violations of the law, and calls on the government to take appropriate measures, including criminal prosecution.

- Human Rights Watch/Helsinki believes that there is evidence that the five Omonia activists were denied due process protections, and that decisions related to the prosecution, trial and sentencing were motivated by bias. Therefore, we call for their convictions to be set aside and for a new trial to be held with scrupulous respect for all due process guarantees.
- Accord the Greek minority freedom of expression, including fair access to state-run radio and television, without discrimination on the basis of ethnic origin.
- Repeal or amend the law on public gatherings to ensure that the freedoms of assembly and expression are not unduly restricted and that permission to hold public gatherings is not determined by the content of the views of those wishing to assemble.
- Ensure all Albanian citizens freedom of religion, including the freedom, either individually or in public or private, to manifest their religion or beliefs.
- Guarantee the right of all Albanians to establish private schools, including schools in a minority language, without discrimination on the basis of ethnic origin.
- Take affirmative action to improve inter-ethnic relations and reduce tensions between minorities and the Albanian majority. This could include an ombudsman's office to address cases of discrimination on ethnic grounds. Educational programs on minority rights, minority history and culture, as well as human rights, could be introduced in all Albanian schools, in order to fulfill Albania's international obligation to combat prejudice which leads to discrimination and to promote understanding and tolerance among nations, and racial or ethnic groups.
- Provide police, government officials and teachers with special training regarding human rights and the rights protected in both national legislation and international documents.

BACKGROUND

The Democratization Process

For almost five decades, Albania was Eastern Europe's most Stalinist state.⁸ From World War II until his death in 1985, Enver Hoxha repressed all forms of political dissent, religious affiliation and independent civic activity in Albania with the utmost cruelty. Cut off from the rest of the world, Albania remained the poorest country in Europe.⁹

Slight liberalization began with Hoxha's hand-picked successor, Ramiz Alia, but did not really take form until 1990, when the communists were no longer able to resist the changes taking place throughout Eastern Europe and the growing opposition at home. Increasing pressure, especially from university students, forced the government to allow the formation of independent political parties. In December 1991, the Democratic Party was formed, as was Albania's first human rights organization, the Forum for the Defense of Human Rights.

The first multi-party elections in Albania in over half a century were held on March 31, 1991. With a firm control of the media and an under-equipped opposition, the Albanian Party of Labor (the Communist Party) was able to

⁸A statue of Stalin stood on the main boulevard of the capital, Tirana, until 1990.

⁹For a comprehensive description of human rights in the later years of communist Albania, see Minnesota Advocates for Human Rights, *Human Rights in the People's Socialist Republic of Albania*, (Minneapolis: A Report from the Minnesota Lawyers' International Human Rights Committee, 1990).

win two-thirds of the parliamentary seats. The Democratic Party won most of the remaining seats, primarily in the cities.

Worker strikes and mass demonstrations in June 1991 forced the new government to resign. Two short-lived transitional governments followed before the opposition was able to force new elections on March 22, 1992. This time, the Democratic Party captured just under two-thirds of the national vote and one of the party's founders, Sali Berisha, was named president.

Since its victory, the Berisha government has taken steps to further the process of political, economic and social reform. Although there is still no complete constitution, the formation of a Constitutional Court and a new Charter on Fundamental Freedoms and Human Rights (Law No. 7692) are important steps in realizing the new government's commitment to create an open democracy with full respect for human rights.¹⁰

Still, these vast changes have not yet wiped away the communist legacy. Despite the important changes of the last four years, there continue to be serious human rights abuses in Albania. The judiciary is still used as an instrument of the state, particularly against the political opposition. In 1994 alone, numerous critics of the government were harassed, imprisoned or, in a few cases, physically attacked by unknown assailants. Police abuse is a common problem, and freedom of the press suffers from a restrictive press law and high taxes against the independent press. Significant steps have been taken to protect minority rights. But, as this report shows, much remains to be done.

The Population

Like most nations in the Balkans, Albania is religiously and ethnically mixed. Although there is some debate regarding the actual figures, most agree that 70 percent of the population is Muslim, 20 percent Orthodox and 10 percent Catholic. Religion was banned in 1967, making Albania the world's first officially atheist state. Today freedom of religion has been firmly established, although a tradition of secularism among Albanians remains. Albania also has a long history of religious tolerance, and it is not uncommon today to see the different religious communities helping each other rebuild the mosques and churches that were destroyed by the communist regime.¹¹

¹⁰ On November 6, 1994, a new constitution was defeated by popular referendum. The proposal was largely in accordance with international human rights standards, including minority rights guarantees, but was criticized, among other things, for giving too much power to the president. The Albanian Orthodox Church also criticized an article that required the leaders of major religious communities to be Albanian citizens, a restriction the church thought was targeted at its archbishop, who is a Greek citizen. (See section on religious freedom.)

¹¹ After 1967, any public or private display of religious activity was severely punished; mosques and churches were systematically destroyed or converted into warehouses and sports halls. Some of these have not yet been returned to their former owners. (See section on religious freedom)

The largest ethnic minority is the Greeks, who live mostly in the southern part of the country near the border with Greece. Macedonians, Roma and Vlach also have constituent populations but of a considerably smaller size. The even smaller number of Serbs, Montenegrins and Jews mostly left the country beginning in 1991.¹²

The country is also divided into two groups differentiated primarily by dialect: the Ghegs in the north and the Tosks in the south. Ghegs dominated political life in pre-communist Albania, but lost power to the communist Enver Hoxha, who was from the south and placed fellow Tosks in high positions of the communist apparatus. Today, an increasing number of political appointees are from the north, home of President Sali Berisha.

The Greek Minority Under Communism

The treatment of the Greek minority under communism is a point of dispute. Leaders of the Greek minority assert that there was a policy of forced assimilation, involving random population transfers, name changes and the denial of schooling in Greek history and culture.¹³ Other people claim that Greeks did not suffer from discrimination but rather from the generally repressive atmosphere experienced equally by all Albanian citizens. A few even believe that the Greek minority was afforded a special status due to Albania's attempt to ease relations with Greece.

Since Greek minority culture is closely tied to the Orthodox Church, the community did suffer disproportionately from the ban on religion and the destruction of churches. In addition, governmental pressure to change foreign and religious names had a deleterious impact on Greek families, who often name children after religious figures.

Although some Greek families were relocated away from the south, there is no evidence to suggest that this was a consistent national policy aimed at diluting the Greek minority, as some Greek leaders claim. The random transferring of families, both Greek and Albanian, was a common practice of the communist regime.

Schooling in the Greek language did exist under communism for classes 1-4 in the so-called "minority zone" where the Greek minority is concentrated.¹⁴ Greeks living in other parts of the country did not have access to a Greek-language education. Greek-language newspapers were permitted although, like all papers, they were subject to censorship.

Greek-Albanian Relations

¹² According to the last Albanian government census of 1989, Albania has 58,000 ethnic Greeks, 4,700 Macedonians, 1,300 Roma and 1,300 Vlach out of a total population of 3.3 million. But all of these groups dispute the official numbers, claiming they are manipulated for political reasons.

Leaders of the ethnic Greek community assert that their numbers are around 260,000, with some estimates going as high as 400,000. The Albanian government responds that this figure refers to the total number of Orthodox in the country, although many Orthodox are ethnic Albanians belonging to the Autocephalous Albanian Orthodox Church.

According to the most recent figures of the United States Central Intelligence Agency, ethnic Greeks comprise 3 percent of the population, or about 100,000 people. (CIA World Fact Book, 1994) The Greek Helsinki Committee places the figure at 150,000. The actual number is especially difficult to determine today since so many Albanians have left the country since 1991 in search of work.

¹³ See also, Minnesota Advocates for Human Rights, *Human Rights in the People's Socialist Republic of Albania*.

¹⁴ The "minority zone" comprises the region along the border with Greece where most ethnic Greeks live. It does, however, exclude some towns and villages with a substantial ethnic Greek population.

The situation of the Greek minority in Albania has been a major point of contention between Tirana and Athens since the modern Albanian state was founded in 1912.¹⁵ The Greek government has often accused Tirana of denying ethnic Greeks their basic minority rights. The Albanian government responds that Greece harbors territorial claims on lands along the southern border, known to Greeks as "northern Epirus." Diplomatic relations between the two countries were restored only in 1987, when the Greek government formally withdrew claims to northern Epirus and ended what technically was still a state of war with Albania.

Despite diplomatic promises of mutual cooperation, state relations began to deteriorate soon after the beginning of Albania's democratic reform. The opening up of Albania's borders allowed thousands of Albanians to enter Greece in search of work. While some were granted visas, the vast majority entered illegally, oftentimes crossing the mountains for days on foot.¹⁶ Many were welcomed by local farms and businesses in Greece since they provided cheap labor.¹⁷

At the same time, Greece began to voice its concern for the treatment of the Greek minority in Albania. The abrupt closure of some Greek-language classes in 1993 nourished this concern. The Greek consulate in the southern Albanian town of Gjirokaster began distributing the materials and proclamations of Omonia and actively representing the interests of the Greek minority within Albania. This activity furthered Albanian fears that the Greeks were interfering in their internal affairs. In addition, Albanians of Greek ethnicity were given preference in receiving Greek visas, which caused some jealousy among ethnic Albanians.

Relations between the two countries worsened in June 1993 when Albanian authorities expelled an Orthodox priest of Greek citizenship who, they claimed, was fomenting separatism among the Greek community (see section on religious freedom).¹⁸ Greece responded immediately by expelling about 30,000 Albanians working in Greece. Many were abused by the Greek police.¹⁹

¹⁵For background information, see Robert Austin, "Albanian-Greek Relations: The Confrontation Continues," *RFE/RL Research Report*, August 4, 1993, and R. Austin, K. Engelbrekt and D. Perry, "Albania's Greek Minority," *RFE/RL Research Report*, March 18, 1994.

¹⁶ Since 1991, tens of thousands of Albanians have gone to Greece, Italy and, to a lesser extent, Switzerland and Germany in search of work. An estimated 300,000 are currently in Greece alone. While some have valid visas and work permits, the majority are there illegally.

¹⁷ The economic relationship between Greece and Albania is bi-lateral. Albania does rely heavily on remittances from Greece - the International Monetary Fund estimates that 15 percent of Albania's GNP currently comes from Albanians working abroad. But Greece also benefits from the cheap labor force Albanians provide. Also, higher income in Albania means a larger export market for Greek goods.

¹⁸ A controversial role is played by the Orthodox Church in Greece, considered by many Albanians to be a driving force behind Greek nationalism. See James Whittington, "Greeks clasp hands over the Albanian border," *Financial Times* (London), September 1, 1994.

¹⁹ Abundant evidence points to large-scale abuse by Greek authorities against Albanian citizens living in Greece, especially when tension between Greece and Albania is high. Albanians are often rounded up and deported as a means of direct retaliation for abuses against the ethnic Greek minority, such as after the expulsion of Archimandrite Maidonis and during the trial of the Omonia leaders. Deportations have occurred in some cases even when ethnic Albanians are legally in Greece and possess the necessary documents to reside there. During these times, there has also been a strong anti-Albanian campaign in the Greek media.

There were numerous reports of beatings and torture during these expulsions, as well as theft of Albanians' property by the Greek police. Although the Greek government was notified of such cases of brutality by Greek border police, Human Rights Watch/Helsinki has no information that the authorities have conducted an investigation into their conduct.

The Greek government's forced and sometimes violent expulsion of Albanian citizens working in Greece violated international prohibitions against cruel, inhuman or degrading treatment, and to the extent that Albanian citizens

were legally residing in Greece, the Greek government violated basic due process guarantees. Human Rights Watch/Helsinki calls on the Greek government to address the human rights violations occurring within its own territory and strongly condemns efforts by any government to exploit human rights violations occurring in another country to justify its own domestic human rights abuses.

The Greek government should establish a clear legal status, such as a temporary work permit, for those immigrant workers it allows into the country. This would decrease the opportunities for arbitrary abuses by border officials and would clarify foreigners' access to protections under Greek law. What is more, the Greek authorities should promptly and thoroughly investigate reports of police abuses against Albanians and should take steps to see that police officers engaging in such misconduct are disciplined and prosecuted.

Relations turned particularly sour after April 10, 1994, when two Albanian soldiers were killed and three wounded by a commando attack on an Albanian army outpost near the village of Peshkopie (Episkopi in Greek), five kilometers from the Greek border. An extremist group from Greece called the Northern Epirus Liberation Front claimed responsibility for the attack. The Albanian government retracted an initial accusation that the Greek government was involved - an allegation the Greeks adamantly denied - but still maintained it was a Greek commando.

Ten days after the incident, five leaders of Omonia were arrested and later charged with treason and conspiracy, although not directly related to the Peshkopie attack. Three of the five were also accused of illegally possessing arms. All five were convicted on September 7, despite massive protests from Greece and international human rights organizations, in a trial that contained many violations of both Albanian and international law. (See section on the Omonia arrests.)²⁰

In retaliation, Greece systematically expelled about 70,000 Albanians who had been working in Greece, many without proper documentation. There were numerous reports of excessive force and cruel treatment by the Greek police. Until November 1994, Greece blocked US\$43 million of European Union aid because of the Albanian government's alleged mistreatment of the Greek minority. There are, however, also examples of generous assistance to Albania on the part of Greece, such as a water pump donated to the city of Gjirokaster and free medical services provided by the hospital in Ioannina.

Tension between the two countries is also due to the Çams [pronounced Chums], a group of ethnic Albanians who left Greece at the end of World War II. Çams claim they were falsely accused of collaborating with the Nazis and forcibly expelled. Greece says they left of their own accord to avoid legal retribution. Today Çams in Albania are calling for restitution of or compensation for their former properties in Greece. Greece denies the existence of any Albanian minority, including a group of ethnic Albanians known as Arvanites who reportedly live in central Greece.

²⁰At the time of this report's publication, one of the five defendants had been released and the other four had had their sentences reduced. The High Court was scheduled to review the case on February 8, 1995.

Regional instability brought about by the conflict in former Yugoslavia has also had a negative impact on Greek-Albanian relations. Albania was one of the first countries to recognize the independence of the Republic of Macedonia, a move that prompted criticism from Greece.²¹ Albania has also established close ties with Turkey, Greece's long-time regional foe. In turn, Albania is concerned with what it perceives as a growing alliance between Serbia and Greece.

Despite strained relations between the two governments, Human Rights Watch/Helsinki found that the Greek community in Albania lives in relative peace with other Albanians.²² Although some problems do exist, as outlined in detail below, both ethnic Albanians and ethnic Greeks expressed a shared commitment to multi-ethnicity. Many expressed concern that they are caught between the aggressive politics of their mother countries.

THE GREEK MINORITY TODAY

Legal Protections

In April 1993, the Albanian parliament approved Law No. 7692, On Fundamental Freedoms and Human Rights. Article 26, on the rights of minorities, states:

Individuals belonging to minorities shall enjoy, with no discrimination and in equality before the law, fundamental human rights and freedoms. They may freely express, preserve and develop their own ethnic, cultural, religious and linguistic identity, teach and be taught in their mother tongue, and associate in organizations and societies to protect their interests and identity.

Albania has also signed numerous international documents protecting minorities rights, most notably the Universal Declaration of Human Rights, the major conventions of the United Nations and the documents of the Conference on Security and Cooperation in Europe (CSCE).

Chapter 1 of Albania's Law on Constitutional Provisions incorporates international documents into domestic law. Article 4 of the law states:

The Republic of Albania recognizes and guarantees the fundamental human rights and liberties of the individual and ethnic minorities as recognized by international documents.

Political Representation

The Democratic Union of the Greek Ethnic Minority, known as Omonia, was founded in January 1991 to represent the political, social and cultural demands of the Greek minority in Albania. The organization participated in the first multi-party elections held in Albania on March 31, 1991 and had five deputies elected to parliament.

In July 1991, a new political parties law, outlawed the "formation of parties on a religious, ethnic and regional basis" (Law No. 7502). Although this prohibited Omonia from forming a political party, the organization was allowed to keep its five seats in parliament.

On February 4, 1992, one month before Albania's second multi-party elections, a new electoral law (Law No. 7556) stipulated that only parties, groups of parties or individuals may run for office. Because Omonia was prohibited

²¹Greece has objected to the name "Macedonia," saying it implies territorial claims on a province in Greece with the same name.

²²See also Henry Kamm, "Conflict with Greece Leaves Some in Albania Perplexed," *New York Times*, December 19, 1994.

from forming a party under Law No. 7502, the new law effectively banned it from participating in the election. Omonia claimed the new law was a direct attempt to keep a Greek organization from participating in local and national elections and was a flagrant violation of minority rights. Similar protests were issued by the Greek government and various international organizations.

The issue was resolved when the Albanian Ministry of Justice allowed the formation of the Union of Human Rights, founded predominantly by members of the Greek minority but including some Albanians and other minorities in an attempt to diversify its ethnic character.

The Union of Human Rights presented candidates in the second general elections held on March 22, 1992, winning two seats in the national parliament. Although the elections were declared free and fair by international observers, seven Union of Human Rights candidates were disqualified by the electoral commission a very short time before the election for allegedly not having collected enough signatures in their districts. The seven disqualifications put the party below the number of candidates necessary to receive proportional representation based on the national party list. Without this, party leaders claim, many potential voters in non-Greek areas did not vote for the party.²³

According to the U.S. State Department's *Report on Human Rights Practices for 1992*, international observers also witnessed voting irregularities in favor of the Union of Human Rights in the ethnic Greek areas. Also, in those areas, some non-Greek candidates for the Socialist and Democratic Parties were reportedly harassed, as was one ethnic Greek candidate for the Union of Human Rights. Tension was also reported between the Greek and Albanian communities in some southern towns when Omonia and the Greek government helped bus back thousands of Albanian citizens of Greek ethnicity to vote.

Since communal elections in July 1992, ethnic Greeks hold positions in local government (primarily in the south), as well as in the national parliament and various ministries. In addition to the two Union of Human Rights deputies, there are four ethnic Greeks in parliament with other parties.

According to the Albanian government, among members of the Greek minority, there are: thirteen commune chairmen, fifty-nine commune council members, thirty-two city councilors and fifty-three district councilors. In addition, the chairmen of the districts of Gjirokaster, Saranda and Delvina and the Mayor of Saranda are of Greek origin.²⁴

The Omonia Five

²⁰ According to current electoral law, one hundred deputies are elected directly in single-member districts. The remaining seats, forty in this parliament, go proportionally to candidates from the parties' national lists, assuming the party has presented at least thirty-three candidates and has secured at least 4 percent of the total vote.

Originally, the Union for Human Rights had placed thirty-six candidates on the ballot. But eleven of these were disqualified on March 12 by the central electoral commission for allegedly not having the required 400 signatures on their petitions. After an appeal to the Supreme Court, four of them were reinstated on the ballot. The final total of twenty-nine, however, was still below the minimum number of candidates required. After the elections, the Union of Human Rights did not take any legal action to challenge the electoral results.

²⁴The Greek minority also reports that it is underrepresented in the civil service, especially the police and military. Omonia reports that over 300 ethnic Greeks were either fired or forced to resign from the Albanian military during the last two years.

Albanian officials admit that some ethnic Greeks have left the civil service, but attribute this to the general restructuring that is taking place in the country. In fact, although there is clearly some level of discrimination, it is difficult to verify Omonia's claims since all areas of the public sector are undergoing radical reform, often involving drastic cutbacks. In many cases, such as with the police and military, no numbers on ethnic makeup are available. Although it is difficult to verify the validity of Omonia's claims of discrimination in the civil service, it is clear that, for those who are victims, there is no mechanism to seek redress.

On April 18, 1994, a coordinated police action was undertaken in the southern region of Albania where the Greek minority is concentrated. About thirty people were detained for up to three days in offices of the police and SHIK (the Albanian secret police), most of them leading figures in Omonia or the Union for Human Rights. Police forcibly entered the offices of the two organizations, and many materials were confiscated.

The action came just eight days after a small Albanian military post in the border town of Peshkopie was attacked in the early hours of the morning. Two Albanian soldiers were killed and three wounded by gunmen who were reportedly dressed in Greek military uniform. An extremist organization in Greece called the Northern Epirus Liberation Front claimed responsibility for the attack. Relations between Greece and Albania took an immediate plunge, including diplomatic expulsions and a closure of the border.²⁵

Of those ethnic Greeks detained by the police, five were subsequently arrested and charged with two counts of treason and one count of conspiracy. Three of the five were also accused of possessing weapons without a license.²⁶ They were²⁷:

Theodhori Bezhani [in Greek: Theodore Bezianis], president of the Omonia branch in Gjirokaster.

Kosta Qirjako [in Greek: Costas Kyriakou], member of the county council of Sofratika, Gjirokaster and local secretary of the Association of Former Political Prisoners.

Irakli Sirmo [in Greek: Herakles Syrmos], vice-president of the Omonia branch in Gjirokaster and local president of the Association of Former Political Prisoners.²⁸

Vangjel Papakristo [in Greek: Vangelis Papachristos], president of the Omonia branch in Saranda.

Panajot Marto [in Greek: Pangiotis Martos], president of the Omonia branch in Delvina.

The police carried out another action from May 26 to 28, during which approximately sixty individuals, mostly from the Greek minority, were taken into Gjirokaster for questioning. All of them were later released.

²⁵ In general, as tension between Tirana and Athens increased, more ethnic Greeks complained of an intimidating police presence in the south. Many Greeks interviewed by Human Rights Watch/Helsinki reported police harassment, phone tapping, and random visits by the secret security, especially following the incident in Peshkopie.

There have also been isolated reports that the police have failed to intervene to protect ethnic Greeks or their property from violence. For example, according to the U.S. State Department's *Report on Human Rights Practices for 1992*, on February 13, 1992, a large crowd looted six Greek-owned shops in the town of Saranda after hearing rumors that an Albanian national had been beaten and set on fire by Greek border guards. Police present at the scene reportedly intervened only after the stores had been emptied. Four Albanians were subsequently arrested. However, apparently no disciplinary measures were taken against the police for their inadequate response during the violence.

²⁶ The more serious of the two treason charges was dropped on the first day of the trial.

²⁷ A sixth ethnic Greek, Kosta Cavo, was tried separately and convicted on September 17 of illegal possession of weapons. He was later freed as part of a general amnesty.

²⁸ Both Qirjako and Sirmo spent extended time in prison during the communist regime for political reasons.

Some of those detained during the police actions, as well as various witnesses, reported to Human Rights Watch/Helsinki that excessive force was used by policemen, who broke into homes in the middle of the night without warrants, often terrorizing the residents. Such police searches did not fall under any legal exceptions to the prohibition against warrantless searches and were therefore illegal under Albanian law.²⁹ All documents found in Greek, including family albums and bank books, were confiscated without any written record of what was taken. The wife of Irakli Sirmo, one of the arrested Omonia leaders, told Human Rights Watch/Helsinki that:

They [the police] came to our house at 10 P.M. on May 18. My husband was at a cafe. They opened the door and entered and one of them said "check the house!" There were ten policemen with automatic rifles and batons. I screamed for my sister-in-law and they held me and covered my mouth. The police held me until my husband returned, which he did because he knew he was innocent. They took all Greek books, including children's' books and our bank book, which has still not been returned. They also took a hunting rifle, for which we have a license. They took no inventory of what they confiscated, and damaged the house. Then they took my husband and left.³⁰

Family members of four of the six Omonia activists reported similar stories. The families were denied contact with their arrested relatives, and learned of the charges leveled against them on May 20 by means of Albanian television. Visiting rights were finally granted in the end of July, two weeks before the trial.³¹

The trial began on August 15 in Tirana with international observers present from the United States, Denmark, Poland, the Netherlands, Greece and Cyprus, as well as numerous journalists. At times there were problems with access to the courtroom, although this was partly due to poor organization and limited space. Aside from portions of the first day, only Albanian television was allowed to film in the courtroom.

Both before and during the trial, numerous violations of both Albanian and international law severely impeded the defendants' right to a fair and impartial trial.³² With the exception of Theodhori Bezhani, who holds an American passport, all of the defendants were denied access to the lawyers of their choice. Three of the defendants were granted lawyers in the final days before the trial. The prosecution presented documents signed by the accused waiving their right to be represented by counsel, but was not able to prove that they had signed these documents of their own accord without undue pressure.

While admitting numerous witnesses on behalf of the prosecution, the court rejected all witnesses on behalf of the defendants without explanation. The defendants also complained of physical and psychological mistreatment during detention.

A delegation observing the trial from the Minnesota Advocates for Human Rights concluded that:

²⁹ According to Albanian Law No. 7692, Article 16, entry into a house without permission of the inhabitant is possible only by a court decision or "where this is necessary to avoid any imminent danger to the life or health of dwellers, to protect property, or when a crime is being, or has just been, committed."

³⁰ Human Rights Watch/Helsinki interview with Ms. Sirmo, Dervişan, July 3, 1994.

³¹ Vice-Prosecutor Fatos Dervishi told Human Rights Watch/Helsinki that regulations allow prisoners to receive visitors two times per month, and that the Omonia defendants had been granted this right. Interview with Fatos Dervishi, Tirana, July 13, 1994.

³² The legal irregularities in the Omonia case were not unique. During 1994, a number of other trials were criticized by international human rights organizations for their procedural violations.

. . . the defendants were not fully afforded certain fundamental protections under international law, including the rights to examine witnesses against them and present witnesses on their behalf, to obtain legal representation with sufficient time to prepare a defense, and to be presumed innocent. Minnesota Advocates' delegation expressed further concern over whether the evidence presented at trial was sufficient to meet the prosecutor's burden of proof on the espionage charge, especially given questions regarding the admissibility of evidence.³³

On September 7, all five defendants received prison sentences of between six and eight years for one count of treason and one count of conspiracy. Three of the defendants were also convicted of illegal possession of weapons.³⁴

Outside of the courtroom, there were cases of police harassment and violence. On the first day of the trial, the Albanian police detained twenty-three Greek spectators and journalists outside the courthouse. Mary Tzora, a Greek journalist with the Mega Channel television network, told Human Rights Watch/Helsinki:

On the first day of the trial at 9:00 A.M., all the journalists and cameramen were outside the court. Many had permission to enter. Then the police came with many cars. They said, "Just go away, go away!" We went 200 meters. They came back very angry and said, "Go 400 meters!" We went.

One hour later, two Greek lawyers who were inside came out of the courthouse to explain what had happened. During our interview, people from the Greek minority came over. The brother of Qirjako and the wife of Sirmo also were giving interviews.

Immediately, came 200 policemen with three big trucks. They took [detained] me and a cameraman and others. They took away the cameras. It was terrible. Very violent. They took seven cameramen, eight journalists, two Greek deputies, two lawyers and the vice-mayor of Thesonoliki, whom they hit.³⁵

Other witnesses reported similar violence by the Albanian police, who beat and dispersed a crowd of people, some of them chanting and holding protest signs, in front of the courthouse. Albanian and Greek journalists reported random detections, searches and harassment throughout the trial by people identifying themselves as "criminal police."³⁶

After the verdict, relations between Greece and Albania worsened drastically. The Greek ambassador was recalled for a period of time, and Greece shut its border to Albanian traffic. Albania installed a visa requirement for Greeks to enter the country. From mid-August through the week after the trial, Greece expelled about 70,000 Albanian immigrant workers. Many of them were beaten, had their travel papers torn up and their personal items stolen by Greek police.

³³Minnesota Advocates for Human Rights, Press Release, (Minneapolis, Minnesota), September 7, 1994.

³⁴On October 6, 1994, a Tirana appeals court reduced the sentences of Bezhani, Papakristo, Marto and Qirjako by one year. Sirmo's sentence was reduced two years, from eight to six.

On November 26, all of the defendants had their sentences cut further by one-third as part of a general amnesty granted to over 500 prisoners. Kosta Cavo was released.

Finally, on December 24, Irakli Sirmo was released from prison, along with fourteen other prisoners, pursuant to a presidential pardon. Fifty-two other prisoners had their sentences reduced, including Qirjako (two years), Bezhani (one year), Papakristo (one year) and Marto (one year).

³⁵ Human Rights Watch/Helsinki telephone interview with Mary Tzora, Corfu, Greece, September 30, 1994. The Greek official she refers to in her report is Theodoros Aspasides, vice-president of the Thesonoliki City Council.

³⁶For a detailed report on the trial, see "Trial Observation Report: The Albanian Trial of Five Ethnic Greeks for Espionage," Minnesota Advocates for Human Rights, (Minneapolis, Minnesota), September 1994. Also see protests issued by the International Helsinki Federation, September 2, 1994, and Amnesty International, August 18, 1994.

Minority Language Education

The increased tensions between the Albanian government and the ethnic Greek minority are especially evident in the area of education in the Greek language. The following section documents the various aspects of the dispute. While Human Rights Watch/Helsinki does not take a position on the specific remedies that the government must provide for education in a minority language, the government does have an obligation to provide for that minority's ability to preserve its culture, including its language. What is more, the way in which the Albanian government addresses these particular concerns of the Greek minority can do much to reduce tensions and foster an atmosphere of tolerance and good faith or, by contrast, can foster ethnic hostility and regional instability.

Under communism, schooling was provided in the Greek language for grades 1-4 in what was called the "minority zone," the area near the Greek border where the Greek minority is concentrated. The zone, which still exists, excludes some towns and villages in the south where persons of Greek nationality, while not a majority, constitute a substantial minority.

In 1991, the transition government in Albania extended lessons in the Greek language to include grades 5-8 for schools within the minority zone. Greek classes were also opened in seven towns and villages outside of the zone, notably Saranda, Delvina and, in 1992, Gjirokaster.³⁷

Minority education was enshrined in the Law on Fundamental Freedoms and Human Rights, which was approved by the Albanian parliament on April 1993. Article 26, on the rights of minorities, states that all individuals belonging to any minority may "teach and be taught in their mother tongue."

Shortly before the 1993 school year began, however, the Albanian government passed a new regulation that kept Greek classes in the minority zone, but limited classes 5-8 to a combination of Greek and Albanian. The Greek classes that had been started in the seven towns and villages outside of the zone continued, but new first-year classes were not opened.³⁸

Most pupils and teachers were not informed ahead of time about the changes. Some teachers refused to stop teaching in Greek and the police were ordered in to enforce the revised curriculum. Some incidents of excessive force by the Albanian police were reported. For example, Kristaq Toli, head of the Union for Human Rights in Gjirokaster, told Human Rights Watch/Helsinki:

In 1993, two days before the school began, Government Decision No. 19 was issued by the Ministry of Education to close the seven classes and make changes in classes 5-8 giving priority to Albanian.

³⁷Classes were also opened in the villages of Meteq, Kumil, Blestrica and SMT.

³⁸ According to the new regulation (Governmental Decision No. 19), new classes in minority languages could be opened only upon the approval of the Ministry of Education based on the proposal of the local district council. In 1993, no new classes were approved.

To enforce this, they used police. Not only to block the activity, but they also used force against the pupils, parents and teachers.³⁹

According to the Albanian Ministry of Education, Greek pupils in Gjirokaster were then offered free transportation to the village of Dervişan, seven kilometers away, where there was a Greek school, but most refused. (About 4,000 Greeks live in Gjirokaster, out of a population of 30,000.)

Omonia then tried to open a Greek school of its own in Gjirokaster, which was deemed illegal by the Albanian government and closed. The Albanian Ministry of Education claimed that most parents voluntarily withdrew their children when they learned that their degrees would not be recognized. However, this is disputed by representatives of the Greek minority. What is more, an education law that would allow for private education has not yet passed, despite promises by the Albanian government.⁴⁰

While recognizing a government's right to impose reasonable regulations on educational institutions, Human Rights Watch/Helsinki condemns prohibitions against the establishment of private schools as an impermissible restriction on the right to free expression and association. We urge the Albanian government to provide the appropriate legal framework for the establishment of private educational institutions, including private schools in the Greek language.

According to current regulations, a Greek class can be opened outside of the minority zone if there are at least thirty-two minority students plus a minority population that comprises at least 30 percent of the local population. Since Gjirokaster and Delvina fall below this minimum, their Greek classes have remained closed. The town of Saranda has an ethnic Greek population large enough to warrant a school, but one still does not exist, in violation of existing regulations.

There is some concern about the fate of children of mixed marriages. Those who are officially registered as ethnic Albanians do not count as members of a minority population and, therefore, are not eligible for schooling in a minority language, even if their parents desire this.

³⁹ Human Rights Watch/Helsinki interview with Kristaq Toli, Gjirokaster, July 5, 1994.

⁴⁰ Despite the absence of a legal basis for private schools, one private Turkish school is currently operating in Tirana.

On August 22, 1994, another governmental regulation was passed that did not reestablish the arrangements of 1991, but did make an effort to address the concerns of the Greek minority. The new regulation offered two options to pupils from minority populations living outside of the minority zone. First, they could be transported by bus, free of charge, to a minority-language school in a neighboring village; or, they could have two hours of instruction per week in their mother language in one of the larger regional towns. The regulation also established a clear procedure by which minorities could apply for classes in their mother language anywhere in the country.⁴¹ As of January 1995, no applications for minority language classes had been submitted.⁴²

According to the Albanian Ministry of Education, there are eighty school directors in the Gjirokaster district, thirty of whom are from the Greek minority. In 1993, the University in Gjirokaster opened a new department of Greek language which has twenty students, some of them ethnic Albanians. Gjirokaster also has a pedagogical school to train teachers for the Greek language schools. There are currently four classes with 132 pupils.⁴³

As discussed above, Human Rights Watch/Helsinki does not take a position on the specific remedies that the government must provide for education in a minority language. However, where there is a sizable minority, such as the Greek minority in Albania, the government has an obligation to provide for that minority's ability to preserve its culture, including its language. Human Rights Watch/Helsinki urges the Albanian government to be especially sensitive to the Greek minority's language and education concerns, in an effort to reduce tensions in the region and to promote the minority's cultural preservation. Furthermore, we call on the Albanian government to resolve these disputes through proper consultation with representatives of the Greek minority.

Restrictions on Religious Freedom

After almost five decades of enforced atheism, considerable progress has been made in Albania to ensure religious freedom. Constitutional laws guarantee freedom of religion, and many foreign organizations, including fundamentalist and evangelical groups, are active in the country. Religious schools have been established, mostly for Muslims, but also including a Catholic seminary and a seminary for the Autocephalous Albanian Orthodox Church.

All of the major religions, Muslim, Orthodox and Catholic, are struggling to reestablish themselves after the total destruction of religious life in communist Albania.⁴⁴ However, the Albanian Orthodox Church, which consists of ethnic Greeks and Albanians, has experienced certain difficulties which church officials consider a direct attack on their religious freedom.

⁴¹ In areas where the number of minority students is sufficient (thirty-two or more), local citizens must submit a formal request to the mayor at least six months before the beginning of the next school year. After confirmation of the student list, the mayor must decide no later than one month before school begins if the minority language is to be offered. The final decision, however, rests with the Minister of Education.

In special cases, when the number of minority students is below the requirement, the Minister of Education may decide unilaterally to begin minority-language classes.

⁴² Complicating the matter is the educational assistance coming from Greece. Yzeir Poshi, Gjirokaster representative for the Albanian Ministry of Education, told HRW/Helsinki that Greek teachers are receiving training abroad, and textbooks are being sent from Greece without any consultation with the Albanian Ministry of Education. HRW/Helsinki also confirmed reports that some Greek teachers were getting paid extra from Greece to continue teaching in Greek, in violation of Albania regulations.

⁴³ Human Rights Watch/Helsinki interview with Yzeir Poshi, Gjirokaster district representative for the Ministry of Education, Gjirokaster, July 5, 1994.

⁴⁴ An estimated 1,608 places of worship, including churches and mosques, were destroyed by the communists. Many religious leaders were imprisoned or killed.

Controversy began in June 1992, when the ecumenical patriarch in Constantinople appointed a Greek citizen, Anastasios Yannoulatos, as archbishop of the Autocephalous Albanian Orthodox Church. The Orthodox Church has strict regulations for the appointment of bishops, and the destruction of the Albanian church had left the country without any qualified people to assume the position.⁴⁵ The Albanian Orthodox Church is independent, and Anastasios's appointment prompted fears among some Albanians that the church would become "hellenized." Nevertheless, the Albanian government agreed that Archbishop Anastasios could head the church until an Albanian was properly trained. Three other bishops, all of them Greek citizens, however, were not accepted.

On June 25, 1993, the Albanian authorities expelled Archimandrite Chrysostomos Maidonis, a priest whom Archbishop Anastasios had invited to preach in Gjirokaster.⁴⁶ The Albanian government claimed that he had abused his position in the church to promote separatism among the Greek minority, and that he did not possess the proper residency permit.⁴⁷

On the morning of June 25, the police went to Maidonis's Gjirokaster home, took him into custody and expelled him from the country. According to numerous accounts, the police used excessive force when demonstrators gathered in front of his door to protest his detention. According to a report on police abuse published by Amnesty International, "police officers beat with truncheons or otherwise ill-treated an estimated 10 to 15 people who were in a crowd of about 100 who had gathered in the vicinity of the house in Gjirokaster where Archimandrite Chrysostomos was staying, in the hope of preventing his expulsion."⁴⁸

Four days later, the Albanian police in Gjirokaster denied a request by the Albanian Orthodox Church to organize a demonstration protesting the expulsion. On the morning of June 30, however, a group of people, mostly members of the Greek minority, marched to Gjirokaster in protest. At the village of Dervican, seven kilometers away from Gjirokaster, they encountered a police road block. According to a report by Associated Press, police "wielding truncheons and tree branches beat back six busloads of people who had apparently not been informed that the rally was banned."⁴⁹

In early 1993, the Albanian parliament considered a draft law that guaranteed freedom of religion, but also stipulated that religious leaders must be of Albanian nationality and must be approved by the president. The Albanian Orthodox leadership claimed this requirement was a direct attempt to remove Archbishop Anastasios. The draft law was scrapped after domestic and international protests, but it raised concerns about governmental intervention in religious activity.

⁴⁵According to Archbishop Anastasios, there were between 350 and 400 Orthodox priests in Albania before World War II. Today, eleven are left, all of them over the age of seventy. Human Rights Watch/Helsinki interview with Archbishop Anastasios, Tirana, January 2, 1995.

⁴⁶Greece retaliated immediately by expelling up to 30,000 Albanians working in Greece. Many reported serious mistreatment by Greek police executing the expulsions, including beatings, confiscation of passports and the arbitrary division of families.

⁴⁷Archbishop Anastasios told Human Rights Watch/Helsinki that Maidonis had received the proper papers one week before his expulsion. Also, he claimed, the evidence of separatist propaganda presented by the Albanian authorities was never linked directly to Maidonis.

⁴⁸Amnesty International, "Albania - Human Rights Abuses by Police," (London) October 1993.

⁴⁹*Associated Press*, July 1, 1993

The issue of Albanian citizenship for religious leaders arose again in a proposed constitution that was considered in a national referendum on November 6, 1994. Article 7, paragraph 4 of the proposal stipulated that the leaders of all major religious communities be Albanian citizens who have lived in the country for at least twenty years. Again the Orthodox Church complained of state interference in religious affairs and called the proposal "an attempt to oust the archbishop."⁵⁰ The proposed constitution was rejected by 54 percent of the electorate. However, preceding the referendum, there were strong attacks on the archbishop in the pro-government press. Rarely was he granted the right to reply.

Church leaders also complained about a series of governmental restrictions on church activities.⁵¹ In early April 1994, the local authorities denied permission to inaugurate a new church in the city of Korçe. Similarly, on October 19, 1994, the inauguration of St. Demeter Church in the city of Berat was prohibited. Tirana police also denied permission for an open-air procession to celebrate Good Friday on April 29, 1994. The Easter procession following it, however, proceeded without interference.

A further point of contention between the Albanian Orthodox Church and the Albanian government is the return of church property appropriated by the communists. Some land and churches held by the state have still not been returned, despite repeated requests by the Orthodox Church.⁵² Although restitution would, in some cases, result in the displacement of families, there are properties that could be returned without such detrimental consequences. In addition, many holy icons and vessels of the Orthodox Church are being held in national museums, allegedly because the Albanian government is concerned with protecting these valuable artifacts. According to church leaders, at least five Orthodox monasteries have not been fully returned by the state. The Ardenica monastery in central Albania, for example, is being used as a state-run hotel and tavern.

Concerning the return of church property, Archbishop Anastasios told Human Rights Watch/Helsinki:

The return of property is not for the church to get rich. It is a necessity for the church to exist. Not returning the property is an attempt to hinder the growth of the church.

Church leaders also complain that the Albanian secret police harass Orthodox priests. In addition, visas were not granted to some foreigners who wanted to come to Albania to teach at the seminary or to provide assistance with 1994 Christmas services.

Still, Archbishop Anastasios believed that many of the problems experienced by the Orthodox Church are a result of poor state relations between Albania and Greece. He told Human Rights Watch/Helsinki that:

The two people [Greeks and Albanians] are very near to each other, but the states are sometimes having difficulties. The church must be a factor of unity and not division. It must work to help overcome the differences.⁵³

Restrictions on Freedom of Assembly

According to Albanian law, in order for a public gathering to take place, the organizers must obtain permission from the local authorities. Organizers must submit the exact time and place, as well as the purpose of the meeting and the slogans to be used. Human Rights Watch/Helsinki believes that this law is an unreasonable restriction on the right

⁵⁰Human Rights Watch/Helsinki interview with Albanian Orthodox Church spokesman, Thoma Dhima, Tirana, October 20, 1994.

⁵¹Human Rights Watch/Helsinki interviews with Thoma Dhima, Tirana, October 20, 1994, and Archbishop Anastasios, Tirana, January 2, 1995.

⁵²Muslim and Catholic communities also complain about the slow pace of restitution.

⁵³Anastasios interview.

to assemble. The requirement that the purpose of the meeting and the slogans be provided to the authorities in order to obtain permission is unduly restrictive and appears to be designed to restrict free expression and assembly based on the content of the views of those wishing to assemble. Furthermore, any law that requires prior permission of the local authorities for a public demonstration or meeting must be narrowly worded in order to avoid arbitrary enforcement of the law, as well as government interference with the free exercise of these rights.

In general, gatherings are allowed, although sometimes with a change of date or venue. However, in addition to the church inaugurations that were not allowed, several events involving the Greek minority have been prohibited by the Ministry of Order. As mentioned previously, on June 30, 1993, Gjirokaster police prohibited a demonstration to protest the expulsion of the Archimandrite Maidonis. Protesters gathered anyway and some were beaten by police (see section on police abuse). Similarly, on March 25, 1994, the Association of Greek-Albanian Friendship wanted to organize a concert in Gjirokaster in honor of a Greek national holiday. The police turned down their request.

Restrictions on Minority Access to the Media

Albania is still struggling to establish a free and independent press. Although a wide array of newspapers exists, those that express views critical of the government come under consistent legal and financial pressure.⁵⁴ In the last year, there have also been several cases of violence against journalists.⁵⁵

Albania has one national television station and radio programs in the major cities - all of them strictly controlled by the state. No legislation exists to allow for private radio or television.

As with the rest of the political opposition, Omonia and the Union for Human Rights are denied equal access to the electronic media. News reporting is often biased, presenting only the perspective of the Albanian government. Political opponents are often attacked or slandered on television without a proper right to reply.

Kristaq Toli, head of the Union for Human Rights in Gjirokaster, in regards to the period before the trial of the five Omonia activists, told Human Rights Watch/Helsinki:

On television came the news that the police had searched for illegal arms and drugs. But the paradox is that they only searched the ethnic Greeks. Our members of parliament issued a protest, but television reflects only the interests of the [ruling] Democratic Party.⁵⁶

Greek newspapers printed in Greece are available in the south, and ten hours per week of programming on Radio Gjirokaster are in the Greek language. Greek television and radio are also available in areas of Albania that are close to the Greek border.⁵⁷

Especially during the last year, a number of journalists from Greece have complained of harassment by the Albanian authorities. On April 12, 1994, a Greek journalist, Mary Tzora, and her cameraman, Spiros Skordilis, were detained in Gjirokaster while on assignment for the Greek television station Mega Channel. Skordilis's video camera was confiscated and held for a few months before being returned. Tzora had also been detained for eight hours in

⁵⁴ A highly restrictive press law passed in October 1993. Since that time, five journalists, all from the opposition press, have been convicted under the law.

⁵⁵ See The Committee to Protect Journalists, "Attacks on the Press 1993," (New York), March 1994. Also, see protests about press abuse by Article 19, Index on Censorship and the International Federation of Journalists.

⁵⁶ Human Rights Watch/Helsinki interview with Kristaq Toli, Gjirokaster, July 5, 1994.

⁵⁷ A church-funded radio station, "The Voice of Orthodox Greeks," is broadcast from the Greek village of Konitsa into Albania. Run until this December by an Orthodox Bishop, Sevastianos Economidis, the station runs programs aimed at the ethnic Greek community in Albania on Greek history and culture. Albanian authorities have labelled the program "dangerous propaganda," and criticized Bishop Sevastianos for supporting the annexation of northern Epirus.

Saranda on September 21, 1993. Around the trial against the Omonia activists, a large number of Greek journalists were detained, and some of them expelled from the country. (See section on the Omonia trial.)

SUMMARY

Since the fall of communism in Albania, there has been substantial progress in respect for the human rights of all Albanian citizens, including members of the Greek minority. Greeks in Albania may now organize their own cultural and political organizations, practice their religion and travel freely. Considering Albania's desperate economic situation, a good portion of ethnic Greeks' educational rights have been met.

Still, the abuses outlined in this report demonstrate the fragility of Albanian democracy. Although there does not seem to be a targeted governmental policy against the Greek minority as a whole, there are many examples where the Greek minority has been denied basic rights. Often the abuses are due to the weakness of legal and institutional protections for the rights of minorities, as well as the unstable state of democratic institutions and the rule of law in Albania. What is more, when violations do occur, the legal system does not provide adequate remedies for the victims.

However, it is clear that the Greek minority in Albania is particularly vulnerable to government abuse. In part, this is because the Greek minority is considered close to Greece and therefore is viewed as a potential security threat. There is also a danger that the Greek minority may be used by both sides as a pawn in the diplomatic games that pervade the region.

Although the trial against the Omonia leaders and the deportation of Albanian citizens in Greece served to intensify the current conflict, Human Rights Watch/Helsinki found that many ethnic Greeks and Albanians fear the consequences of a deterioration in relations between Albania and Greece. A common attitude among locals was summed up by an older man from the village of Dervican, who said that:

Albania and Greece must have good relations because from the economic point of view, Greece has contributed a lot and we live better because of that. But their relations have been destroyed by two extreme viewpoints acting from both sides. Government relations are bad, and it is we who will pay.⁵⁸

Human Rights Watch/Helsinki, therefore, calls on the Albanian government to expand its protection for the rights of all citizens as outlined in Albania's Law on Fundamental Freedoms and Human Rights and the international documents to which it Albania is a signatory. Furthermore, keeping in mind the fragile situation in the Balkans, the Albanian government should make every effort to assure that the Greek minority will enjoy equal protection before the law and full respect for its basic rights.

In particular, the Albanian government should review the trial of the Omonia leaders. It is our belief that they were denied due process and that their convictions should be set aside. The four remaining in prison should be given a new trial with scrupulous adherence to due process guarantees. Investigations into police abuse and misconduct should be undertaken with disciplinary action taken when necessary. Fair access to the state media, freedom of religion, assembly and expression should also be guaranteed without regard to ethnicity.

* * *

Human Rights Watch/Helsinki (formerly Helsinki Watch)

Human Rights Watch is a nongovernmental organization established in 1978 to monitor and promote the observance of internationally recognized human rights in Africa, the Americas, Asia, the Middle East and among the signatories of the

⁵⁸Human Rights Watch/Helsinki interview, Dervican, July 5, 1994.

Helsinki accords. It is supported by contributions from private individuals and foundations worldwide. It accepts no government funds, directly or indirectly. Kenneth Roth is the executive director; Cynthia Brown is the program director; Holly J. Burkhalter is the advocacy director; Gara LaMarche is the associate director; Juan E. Méndez is general counsel; Susan Osnos is the communications director; and Derrick Wong is the finance and administration director. Robert L. Bernstein is the chair of the board and Adrian W. DeWind is vice chair. Its Helsinki division was established in 1978 to monitor and promote domestic and international compliance with the human rights provisions of the 1975 Helsinki Accords. It is affiliated with the International Helsinki Federation for Human Rights, which is based in Vienna, Austria. Jeri Laber is the executive director; Holly Cartner, deputy director; Erika Dailey, Rachel Denber, Ivana Nizich and Christopher Panico are research associates; Anne Kuper, Ivan Lupis and Alexander Petrov are associates; Željka Markić and Vlatka Mihelić are consultants. Jonathan Fanton is the chair of the advisory committee and Alice Henkin is vice chair.