

SECURITY SECTOR REFORM IN ALBANIA: CHALLENGES AND FAILURES SINCE THE COLLAPSE OF COMMUNISM

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After World War II, Albania became a communist dictatorship based largely on Stalinist ideas. The period 1989-92 saw the collapse of all communist regimes in Central and South West Europe, including Albania. Albania's first multi-party elections were held in March 1991. The 1992 elections, which are generally considered as Albania's first genuine electoral process, were decisively won by the opposition Democratic Party (DP). Albania's political transition from a near totalitarian regime to a multi-party democracy proved to be a major challenge, with the mid-1990s being particularly chaotic.

The period 1992–1997 is considered as Albania's first wave of democracy in which major political, economic and social reforms were successfully introduced. At the start of Albania's democratic transition the country possessed very weak state institutions. The new political elite lacked experience of effective state administration and ultimately proved incapable of establishing effective and efficient new structures. Polarised relations between the main parties made it hard to find consensus on the shape the reforms should take. By 1993, partly as a result of the absence of effective checks and balances, the new regime became increasingly authoritarian. The elections of 1996 saw the Democratic Party engage in various forms of electoral malpractice.

The advent of democracy in Albania necessitated the transformation of the security sector and civil-military relations. However, politicised and partisan reforms weakened efforts to democratise and professionalise the security sector. The weaknesses of the security sector became obvious in January 1997 when fraudulent pyramid investment schemes collapsed and the country descended into anarchy. In the period after 1997 serious security sector reforms were successfully introduced, but often at a slow pace.

INTRODUCTION

After World War II, Albania became a communist dictatorship based largely on Stalinist ideas. The period 1989-92 saw the collapse of all communist regimes in Central and South

West Europe, including Albania. Starting in the late 1980s the country became less 'isolationist' in its foreign relations and by 1990 had begun to integrate itself into the system of international organisations. The year 1990 also witnessed many demonstrations demanding democratic reform, and the Albanian Party of Labour (APL, formerly the Communist Party of Albania) began to introduce reforms to liberalise the economy, abrogate repressive legislation and allow the creation of political parties.

Albania's first multi-party elections were held in March 1991. Although the APL (afterwards renamed the Socialist Party, SP) won a parliamentary majority, the newly formed opposition Democratic Party (DP) polled well. In April 1991, Parliament introduced an interim basic law, known as the "Law on Main Constitutional Provisions", to replace the 1976 Constitution and appointed a commission to draft a new constitution. New elections were set for March 1992. These elections, which are generally considered as Albania's first genuine electoral process, were decisively won by the DP. Albania's political transition from a near totalitarian regime to multi-party democracy proved to be a major challenge, with the mid-1990s being particularly chaotic.

This paper explores these challenges and focuses on security sector reform, which in Albania evolved in two main phases. The first generation of reforms concentrated on reforming the main security sector institutions, approving new legislation and establishing a chain of responsibility. The second generation reforms focused on establishing effective structures for the democratic governance and oversight of the security sector.

1991-1997: THE FIRST WAVE OF THE TRANSITION

During the communist era power rested solely with the top echelons of the Communist Party. Consequently, at the start of Albania's democratic transition the country possessed very weak state institutions. The new political elite lacked experience of effective state administration and ultimately proved incapable of establishing effective and efficient new structures. While drafts of a new constitution were discussed, the interim basic law remained in force until 1998 when Albania's current constitution was adopted.⁵

In the 20 years since the collapse of communism, political power has alternated between the DP and the SP.⁶ Political parties were the most important actors during the first decade of the transition. However, there was no tradition of separation of state from party and the absence of strong and independent state institutions meant parties faced few checks on their exercise of power when in government. Polarised relations

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⁵ In October 1994, a draft constitution was presented to Parliament but it failed to secure the required two-thirds majority. President Berisha decided to put the draft to a national referendum, which was defeated with 54% voting against adoption.

⁶ Since 1991, political power has alternated between the DP (between 1992 and 1997, and 2005 to date) and the SP (between 1997 and 2005).

between the main parties made it hard to find consensus on the shape the reforms should take.

The period 1992-1997 is considered as Albania's first wave of democracy in which major political, economic and social reforms were successfully introduced. Due to the large majority of seats in Parliament, and the weakness of the SP in the period immediately after the 1992 elections, the DP was able to set the reform agenda unilaterally. The DP consciously excluded the SP from the reform process and regarded the party as an extension of the Labour Party and its communist predecessors.

Between 1992 and 1993, the DP set about holding the leaders of the former regime to account, and a number of senior figures were prosecuted, including the former President, Ramiz Alia, and the leader of the SP and former Prime Minister, Fatos Nano. However, by 1993, partly as a result of the absence of effective checks and balances, the new regime became increasingly authoritarian. Measures it introduced included restricting the space for political opposition, censoring the media, interfering with judicial powers, and using excessive force in combating crime.⁷

Albania's third multi-party elections, which took place in May and June 1996, were a hugely significant event in Albania's transition. In a bid to retain political power, the DP engaged in various forms of electoral malpractice prompting virtually all other parties to withdraw their candidates.

SECURITY SECTOR REFORM (SSR)

The advent of democracy in Albania necessitated the transformation of the security sector and civil-military relations in general. However, despite the collapse of communism the military and key security institutions such as the police and intelligence services remained heavily dependent on the governing political elites. Institution-building was in general done in a way which has allowed the political forces in power to control the institutions, including in the security sector, by bringing in their own personnel and carrying out massive purges. Politicised and partisan reforms weakened efforts to democratise and professionalise the security sector. In this framework the reforms were featured by frequent changes of policies and strategies, and lacked realistic plans to manage resources.

SSR DURING THE FIRST WAVE OF THE TRANSITION

During the first wave of the transition, security sector reform (SSR) focused on the establishment of new institutions, new structures, and chains of responsibility. However, it was highly politicised. The DP attempted to purge former communists from state institutions and removed most security personnel from their positions. Those who replaced them had little experience of their new roles but were considered by the DP as being loyal to

the party. This approach had direct and negative consequences for the functioning and performance of the security services. The security services were then, to a large extent, used against the DP's political opposition, pressuring those who publicly criticised the government. This approach undermined reforms aimed at transforming the security sector into strong, neutral institutions of state, and meant that many citizens did not regard them as credible.

The weaknesses of the security sector became obvious in January 1997 when thousands of citizens lost their savings in fraudulent pyramid investment schemes and the country descended into anarchy. In 1996, the International Monetary Fund had warned the Albanian government of the dangers of these schemes and had urged it to close them down. However, with elections fast approaching the government disregarded the warning. The pyramidal schemes collapsed in January 1997 and public discontent developed into social anarchy when citizens raided military bases, seized weapons and took control of the main cities. State authority collapsed and as the security services were unable to restore order, a multi-national military force was deployed. New elections were held in June and July 1997, which resulted in a decisive victory for the SP.

SSR DURING THE SECOND WAVE OF THE TRANSITION

The period after 1997 can be considered as the second wave of Albania's transition. When it returned to power in July 1997, the major challenges for the SP-led government included normalising social and economic order, restoring the rule of law and trust in public institutions, and proceeding with reforms in the framework of NATO and European Union (EU) integration processes. In the period 1997-2000, the DP-led opposition decided not to cooperate with the government. Consequently, many important decisions were necessarily taken unilaterally, e.g. the opposition chose not to participate in the constitution drafting process and boycotted consultations on the draft.

The second wave of the transition saw the introduction of major security sector reforms, culminating in Albania's accession to NATO in April 2009. The early part of this period saw the adoption of the main legal texts reforming the security sector. However, repeating the tactics of the DP in the period 1992-1993, the SP removed staff from their posts, and replaced them with many of those who had been dismissed during the first wave of the transition, especially in police and intelligence services, causing discontent and harsh criticism by the opposition.

Other major political milestones and events in the period included: the approval of a new constitution (in October 1998), the consolidation of the rule of law, responding to the Kosovo crisis, and advancing negotiations with the EU on Albania's eventual accession.

⁷ Human Rights Watch World Report. 1993. "Albania", available at: <http://www.hrw.org/reports/1993/WR93/Hsw-01.htm>

ROLE OF THE INTERNATIONAL COMMUNITY IN SSR

The international community has been very important in sustaining and promoting SSR reform, notably the US (particularly during the 1990s) and the EU. The wars in Yugoslavia shaped and enhanced cooperative relations as Albania became a strategic partner for US and NATO interventions in the Balkans. Needing a reliable ally, the US unreservedly supported the governing party and became the second largest donor after Italy in providing economic, political and military aid.⁸ However, the US and EU policy of promoting strong government in Albania sent a wrong signal to the DP-led government (1992–1997) as it embarked on introducing reforms without consultation.

The Kosovo war and Albania's involvement in NATO peacekeeping operations also helped accelerate SSR; during the NATO operations in Kosovo, Albania was the first country in the Western Balkans to be provided with a NATO Membership Action Plan (MAP). The MAP together with the Stabilization and Association Process (SAP) set the agenda for SSR reforms and Albania's eventual integration in the Euro-Atlantic structure.

Financial assistance and supervision provided by the US and EU was crucial to the success of the SSR programme. However, in the period after 1997, US and EU support to SSR was more structured and conditional than previously. They also served as a mediator between the main political parties, thereby helping to reduce political tensions. However, international support has been criticised for ignoring local needs; e.g. during the process of drafting legislation or setting priorities, they did not sufficiently take into account the needs and capacities of the country thus making the implementation process difficult.⁹

REFORM OF THE DEFENCE SECTOR

Until the collapse of communism, the military was used internally to defend the totalitarian regime against any challenges. It functioned under the total control of the Communist Party. This severely eroded professionalism and any sense of military corporate identity.¹⁰

During the early years of the transition the government's plans were developed with the intention of retaining structures and preserving security sector staff positions, especially of the extensive military officers' corps, despite the fact that the sector was far too large.¹¹ Nevertheless, during the 1990s the number of military personnel was reduced and restructuring did occur, resulting in the complete or partial closure of garrisons and relocation of units. Between 1992 and 2004, more than

17,000 officers and military personnel were released from service, of which 9,500 were released between 1992 and 1995. The cutbacks significantly lessened the attraction of a military career among young people.¹² A major shortcoming of the reform was that reintegration programmes for ex-military were never introduced and moreover, ex-military personnel received no support from the state.¹³

Despite support from NATO, progress to decommission and destroy the excessive amounts of weapons and munitions built up during the Cold War period was slow. Consequently, when Albania descended into anarchy in early 1997, many weapons fell into the hands of civilians. This turned what might have remained civil unrest into a state of emergency, prolonged the crisis and delayed the recovery of state institutions. After the 1997 events, a new programme to destroy the weapons stockpile was introduced. However, this also proceeded at a fairly slow pace which indirectly led to a major loss of life when a weapons dump exploded in March 2008.¹⁴ The catastrophe highlighted corruption in military institutions as well as the lack of civil control and poor oversight of the defence sector.¹⁵

REFORMING THE POLICE AND INTELLIGENT SERVICES: FROM STATE TO COMMUNITY ORIENTED

Under the totalitarian regime the intelligence and police services were used to control society through fear. While the reform of the intelligence service and the police was shaped by the legacies of communism, no major reform initiatives were introduced in the early 1990s.

In the first wave of the transition, the services operated under strong political influence. Until 1998, the police were considered as being a branch of the military, and reforms did not bring far reaching results. Very often whichever party in opposition has accused the ruling party of using police and intelligence services against political opponents. Not surprisingly the harshest criticism has been directed towards intelligence services, while the police have also been criticised for exerting pressure during elections and use of excessive force against opposition supporters in demonstrations.

The concept that police, intelligence and the military were all 'armed forces' created serious problems during the 1997 events, e.g. when the army was placed under the command of the intelligence service which proceeded to direct army operations to suppress the insurrection in the south of Albania.

8 Abrahams, F. 1997. *Albania: Foreign Policy in Focus*, Vol. 2 (33).

9 Ryan, B. 2009. "The EU's Emergent Security – First Agenda: Securing Albania and Montenegro". *Security Dialogue* 40:311.

10 Caparini, M. 2004. *Security Sector Reform and Post-Conflict Stabilisation: The Case of the Western Balkans*, DCAF.

11 Katsirdakis, G. 2002. "Defense Reform and NATO." In, *Post-Cold War Defence Reform*, edited by Gyarmati Istvan and Theodor Winkler, 189-204. Washington: Brassey's Inc.

12 Caparini, M. 2004. *Security Sector Reform and Post-Conflict Stabilisation: The Case of the Western Balkans*, 2004, DCAF.

13 Pietz, T. 2005. *Defense Reform and Conversion in Albania, Macedonia and Croatia*. DCAF & BICC.

14 An explosion occurred in Gërdec, 15 km from Albania's capital, Tirana. Twenty-six civilians were killed, hundreds injured, and thousands of dwellings were destroyed. See Ymeri. Erjona, *Gazeta Observer*, 21.03.2008, http://www.tiranaobserver.com.al/index.php?option=com_content&task=view&id=4026&Itemid=30

15 Schmitt, E. 2008. "American Envoy Is Linked to Arms Deal Cover-Up." *New York Times*, 24 June 2008, available at: <http://www.nytimes.com/2008/06/24/washington/24arms.html?fta=y>

STORY OF A FAILURE: THE PATH TO DYNASTIC NEOPATRIMONIALISM IN AZERBAIJAN

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Azerbaijan, a former Soviet Republic in the South Caucasus regained independence on 18 October 1991. One month previously, the leader of the Soviet Republic, Ayaz Mutalibov, was re-elected President of Azerbaijan in a single-candidate election. Setbacks in the conflict over Azerbaijan's separatist region of Nagorno-Karabakh generated popular protests which in March 1992 led to Mutalibov's resignation and the assumption of power by the Popular Front which had first emerged during the perestroika era. The Popular Front secured its grip on power and in June 1992 its leader, Abulfaz Elchibey, became Azerbaijan's first and only democratically elected President. However, the regime's legitimacy was undermined by military failures, a poor economic situation and high levels of corruption, an autocratic style, and failure to win support from key regional powers. The re-emergence of Heydar Aliyev as Azerbaijan's political leader in June 1993 halted democratic momentum and led to the establishment of neopatrimonialism and dynastic political succession. On his death in 2003, Heydar Aliyev was succeeded by his son Ilham.

INTRODUCTION

The fall of the Berlin Wall in 1989 and the collapse of the Soviet Union in 1991 raised hopes that Eastern Europe could look forward to a democratic future. The transition to market economy and political liberalism has however been a failure across the post-Soviet space. In 1997, Heydar Aliyev, independent Azerbaijan's third President stated "Some people think we should be able to establish democracy in a short time, but that's impossible. Azerbaijan is a young nation and democracy is a new concept. [...] Democracy is not an apple you buy at the market and bring back home." However, Azerbaijan has yet to make significant strides towards democratic rule and has de facto replaced Soviet oppression with 'dynastic authoritarianism'.

This paper focuses on the period March 1992 and June 1993 when, following popular protests, the Soviet-era leaders who had retained their political position after independence, stepped down and handed power to the Popular Front, thereby opening a window of 'democratic opportunity'.

This created a dangerous precedent,¹⁶ and the actions of the services during this period negatively affected the reputation of these institutions among citizens. The police service disintegrated during the crisis and its reformation on more effective lines became a government priority in the period immediately after the 1997 election. The 1998 Constitution provided that the intelligence service and police were placed under a civil authority. SHIK (National Intelligence Service) was reformed as the SHISH (Albanian Intelligence Service) in 1998 and restructured in the period thereafter.

The first major step in the reform of the police service was the establishment of the Multinational Advisory Police Element (MAPE) by the Western European Union. MAPE's mandate to train Albanian police and assist in maintaining public order lasted until 2001. Police reforms aimed at strengthening its democratic values, introducing community policing and overcoming the confidence gap between citizens and police.¹⁷ Nonetheless, repeating the pattern of other security sector reforms, implementation has proceeded slowly. The size of the police needs further reduction to make it more efficient and to allow more resources to be allocated to improve working conditions and raise salaries. The selection, quality and training of police, including in areas such as respect for human rights, has also proved problematic and still needs to be improved.

CONCLUSIONS

The legacy of communism played an important role in framing governments' approach to SSR in Albania. The authoritarian tendencies of the government during the early transition to democracy, the polarised political environment, a lack of cooperation, consultation and agreement on the main reforms, all served to make a complicated process even more difficult. In the early years, changes were introduced to meet the short-term needs of the new rulers, in particular to strengthen their grip on power and marginalise the former regime. There was a lack of clear vision on what reforms ought to achieve in the long term and a failure to clearly identify potential obstacles and difficulties to implement policy.

In general reforms have been initiated and supported only by the party which is in power while the opposition of the day was either ignored or refused to enter dialogue on the reform. The alternation of political power between the SP and the DP and their propensity to appoint loyalists to senior positions in the services, set back implementation of the reforms.

¹⁶ These units acted as police and military units, creating confusion and conflict between institutions. See: Nazarko, M. 2003. "Civilian and Democratic Control of the Armed Forces." In *Defence and security sector governance and reform in South East Europe: Insights and Perspectives*. Vol. 1, edited by Jan Trapan and Philip Fluri, 43-56. Belgrade: Centre for Civil and Military Relations.

¹⁷ Yusufi, I. 2003. *Security Sector Reform in South East Europe*. Gostivar: Centre for policy studies.

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