

Klaus Schmidt

**STRENGTHENING PEACE AND STABILITY
THROUGH POLICE ASSISTANCE IN SOUTH
EAST EUROPE: THE CASE OF ALBANIA¹⁹⁰**

1. Albania in 1997

The year 1997 was a tumultuous and tragic one for Albania, in which approximately 2000 people lost their lives during a popular revolt, powerless government's response, and the chaos that ensued. The spark for the mass protests was the collapse of pyramid investment schemes in January 1997, in which large sections of the population lost their life savings. The total fraud exceeded \$2 billion US, or 80% of the country's Gross Domestic Product. Beginning in February thousands of citizens gathered daily, demanding reimbursement by the government, which they suspected of profiting from the schemes. By March 1997, the protests had turned violent in the South, where numerous residents armed themselves with weapons looted from army barracks. The state of emergency was declared, but rioting and destruction spread throughout the country, gripping the capital, Tirana.

Fearing the spread of unrest outside Albania's borders –and alarmed by another wave of refugees from the country in a decade, the UN Security Council on March 28¹⁹¹, established the Multinational Protection Force in Albania for a three-month period and authorized it to ensure the security and freedom of movement of its personnel, to direct relief efforts and to restore order. The military force consisted of 7000 troops from eight countries and

¹⁹⁰ In delivering this paper the author has made use of recent periodical reports of PAMECA and the websites of some of international communities present in Albania.

¹⁹¹ UNSC Resolution 1101 (1997).

was led by Italy. On 19 June¹⁹², it extended the force's mandate for 45 days, from 28 June. Its presence has also helped to create a secure environment for the missions of international organizations in Albania, as part of the efforts of the international community, particularly the Organization for Security and Cooperation in Europe (OSCE) and the European Union (EU), to find a peaceful solution to the crisis and to assist international organizations in their role in the electoral process in close cooperation with the Albanian authorities.

2. European Presence in Albania

The European Commission Delegation (ECD) in Albania was established in 1993, when the European Commission decided to upgrade its Office of the Special Envoy to a full Delegation (a permanent diplomatic mission) in the light of the positive democratic development which had taken place.

The Delegation's main task is to facilitate the development of political and economic relations between the EU and Albania in the framework of the Stabilization and Association Process (SAP), which is the strategy for helping Albania in its path towards integration into the EU. ECD manages EU Assistance Programs such as CARDS and PHARE. It also disseminates information on the EU, informing the Albanian general public, decision makers and opinion formers about the integration process, EU institutions and its policies.

Albania became a member of the Council of Europe (CoE) on 13 July 1995. To date, 10 of the 60 treaties that Albania has signed remain to be ratified. The co-operation programs of the CoE in the field of legal assistance are designed to help new member States to press ahead with their institutional, legislative and administrative reforms. Furthermore, specific programs, jointly funded by the European Commission and the Council of Europe, have been –or are being–implemented in Albania, the aim being to establish an institutional and legal framework consistent with European standards.

¹⁹² UNSC Resolution 1114 (1997).

In response to the breakdown of law and order throughout Albania at the beginning of 1997, the Permanent Council of the OSCE decided to establish its presence there on 27 March 1997. The OSCE started work in April 1997 with a mandate to give advice and assistance to the Albanian authorities on democratization issues, development of free media, and promotion of respect for human rights and preparation and monitoring of elections. In December 1997, the Permanent Council extended the OSCE's mandate to include the provision of a co-ordinating framework for other international organizations to support a coherent stabilization strategy for Albania. Furthermore, the OSCE explored other possibilities, including monitoring the harvesting of weapons.

Albania has been in receipt of Danish International Development Agency (DANIDA) assistance since 1994, which continued until 2002. Denmark's development assistance to Albania focuses on anchoring and furthering the democratic process and the development towards a constitutional state. State cooperation is targeted at supporting reforms within the legal system, the office of the public prosecutor, the ombudsman, the police force, the Faculty of Law in Tirana and reforms of the media area. Some projects were concentrated in the impoverished Dibra region in the northeast. In this region attempts were made to simplify procedure in court cases and improving the processing of criminal cases by the police and the prosecution.

Swedish International Development Agency (SIDA) has mainly focused its efforts on support to public administration, democracy and human rights, rural development, health, environment and trade and industry. One of the objectives of SIDA in Albania is to strengthen municipal and central administration. SIDA has supported a program to fight corruption and organized crime in Albania. SIDA has funded a UNDP-headed program to lower the number of weapons among the civilian population. SIDA is currently funding a project to upgrade the maintenance of hospital equipment. In 2000, SIDA carried out an environmental study of the Balkans and decided to give priority to three countries, one of them being Albania.

3. European Police Assistance in Albania

3.1 MAPE (May 1997 – May 2001)

Albanian police after the massive civil unrest in 1997 clearly demonstrated the need to reinforce its operational capacity. The European Union assisted in the establishment of the Multinational Advisory Police Element (MAPE) led by the Western European Union (WEU) to provide training, assistance and advice to the Albanian police and to certain Ministries (Ministry of Public Order, Ministry of Defence, Ministry of Finance, Ministry of Justice and General Prosecutor Office).

MAPE started its operations in 1997 by evaluating the police and law and order situation in the country. Twenty-three WEU officers worked on a day-to-day basis with their Albanian counterparts. Considering the most urgent training needs of the Albanian State Police, in 1998 MAPE embarked on a new approach to deal with them in particular at Tirana Training Center, by renovating and equipping it to host intensive training sessions. In 1999, when the country was coping with a refugee crisis, MAPE began field training by opening the Durres Training Center. By the end of the year 2000, the MAPE had trained 1300 Albanian police officers, apart from providing new uniforms, police vehicles, spare parts and protection devices.

To enable the police to make best use of modern technologies, an Information Technology Master plan was developed. MAPE also assisted the Albanian authorities in the preparation of a strategy for medium-term development of the Albanian police. This included drafting legislation on professional police regulations as well as on policing economic crime.

3.2 Italian Interforze Mission

The installation of this mission in Albania was done nearly at the same time with MAPE Mission. The first visit of the representatives of the Italian Interior Ministry took place in May 1997. The activity of this mission began based on the Memorandum of Understanding (advise and assistance on re-organizing the Albanian Police forces) signed in Rome on 17th September, 1997.

Interforze Mission collaborates operationally with the Border Police in the fight against illegal trafficking of human beings, as well as through the exchange of information with the Criminal Police. The Memorandums of Understanding have followed each other in 1997, 1998, 1999, 2000.

3.3 ECPA (October 2001-August 2002)

The MAPE Mission in Albania terminated on May 31, 2001. A PHARE-funded EC project of Police Assistance (ECPA) was set up in the autumn of 2001 in order to ensure bridging between MAPE and the start of a full program under CARDS (PAMECA), so that continuity would not be lost. As a bridging mission, the European Commission designed ECPA for the period October 2001-August 2002. Spain led this new project and countries such as Denmark, Finland, Germany, Great Britain, Greece, Holland and Sweden participated in it.

The ECPA Project aimed to continue the support to the Albanian State Police by providing: 1) Short Term Assistance, 2) Medium/Long term Programs, 3) Advice, 4) Training, and 5) Evaluation. ECPA drafted projects and performed respective activities as follows:

1. Standard Procedures Project: (It audited and developed the inspectorate function)
2. Academy and Training Project: (It developed the course content)

3. Logistical Support and Equipment Project: (It evaluated the overall IT situation and jointly assessed the most urgent necessities of procurement)
4. Border Police Project: (Joint group, CAM-ECPA, to achieve cooperation between the Albanian Border Police & Customs)
5. Personnel Support Project: (It worked on the implementation of Law on Ranks, Appraisal System, and Welfare Management)

ECPA attempting to reach the objective achieved the followings:

1. Code of Ethics for the Albanian State Police;
2. Draft Law of Precursors for the Commission of Public Order in the Parliament;
3. Assistance to the PHARE Program Manager, to speed up the process of the renovation of the Police Academy;
4. Installation of a ‘workroom’ and a ‘language laboratory’ in the Police Academy.

3.4 *PAMECA*

3.4.1 Historical account

The Police Assistance Mission of the European Commission to Albania (PAMECA) was instituted on 21st December 2002. The Mission continues the efforts undertaken by the MAPE.

3.4.2 Mission goal

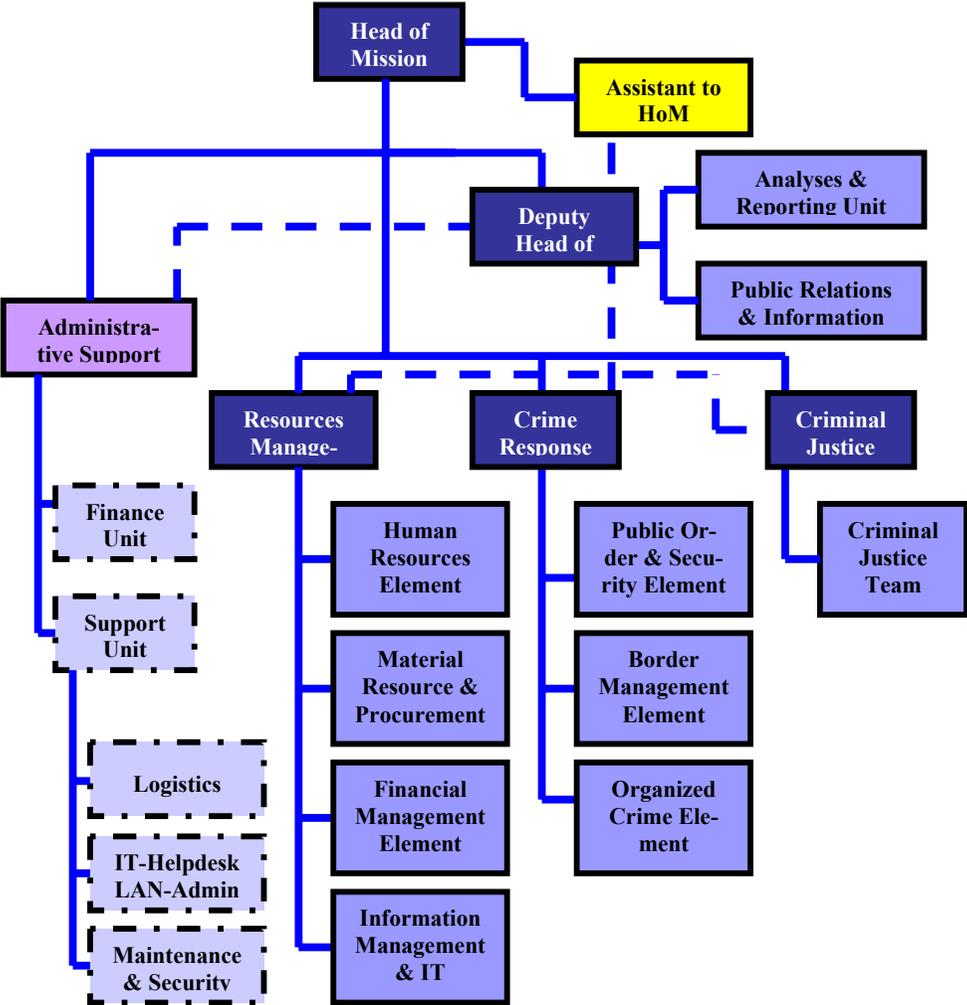
The wider objective of the project is to help establish a more effective police service in Albania, able to professionally and accountably investigate and counter criminal activities and ensure public order in the country, and working in full cooperation with the judiciary. In order to meet it, PAMECA aims to:

1. Improve police cooperation with prosecution and the criminal justice system, making it an effective part of the administration of justice;
2. Produce concrete, reliable and readily available indicators both of the levels of criminal activities in these three key areas and of the response capacity of the Albanian Police thereto;
3. Improve the management of financial, material, information and human resources of the Albanian Police (including internal management, internal controls and disciplinary standards);
4. Improve the professionalism and accountability of the Albanian Police and ensure the exercise of their duties in full accordance with relevant legislation and democratic standards;
5. Strengthen the citizens' confidence in public order and in an impartial and democratic public service;
6. Improve the investigative and response capacity of the Albanian Police Service in the key areas of organised crime, border management, and public order and security.

3.4.3 Structure

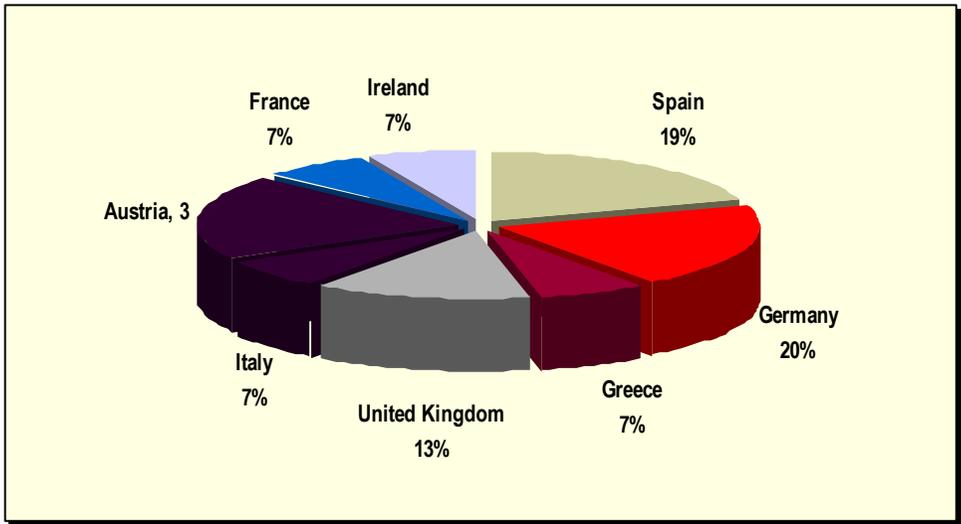
The mission is organized around two main police teams (a thematic “crime response” team and a horizontal “resource management” team), a separate criminal justice team, and an administrative support unit. The thematic “Crime Response” team consists of three elements: Public Order & Security Element, Border Management Element and Organized Crime element. The Horizontal “Resource Management” team consists of 4 elements: Human Resources, Material Resources & Procurement, Financial Management and Information Management & IT. The Head of Program is responsible for the overall management of the program and the attainment of the program objectives, while The Deputy Head of Program is in charge of reporting and analysis.

Figure 1: PAMECA Organizational Chart



There are 15 international staff, selected from the 15 member states, and 21 local staff working at the premises of PAMECA.

Figure 2: PAMECA Personnel



3.4.4 PAMECA Partners

The PAMECA project will be closely co-ordinated with the other actions undertaken in support of the Albanian Police. This includes past and ongoing EC (PHARE or CARDS) assistance in equipment and material, bilateral programmes of EU member states such as the Italian Interforce programme, and programmes of the donors such as the US-funded ICITAP program. Structured donor co-ordination in this area was already initiated under the form of an International Consortium, which started operating in early 2002, and in which the PAMECA Mission takes an active part.

The PAMECA project will also be co-ordinated with related EC programmes, such as the customs assistance mission (CAM-A) and other foreseen programmes in the area of Justice and Home Affairs (including asylum and immigration, correctional services, justice, etc.)

3.4.5 Activities, achievements and future activities

Below are given some of the main activities, achievements and future activities of each element of PAMECA.

1. Organised Crime Element

Activities include the development of the Specific Action Oriented Measures Against Organized Crime, drafting assessments for the ECD and providing information for SAA and CTF reports, participation in the working groups for Reorganization of the CID and OC structures and State Police Law.

Achievements have centred on the restructuring the CID directorate at the central level and provided the basis of a future structure of a new organised crime directorate, the provision of training to the Organised Crime Task Force and Economic Crime Unit and, finally, support to the multi-agency working group for drafting a national strategy against narcotics.

2. Border Management Element

Activities here include the provision of advice and assistance to the ministry of public order border police directorate, assistance to land, sea and border crossing sectors and general training.

Achievements here include the evaluation of the border situation in Albania, equipment needs assessment and assessment of the MoPO Statistic/Analysis Office and currently applied procedures and practices.

3. Public order & Security Element

Activities, participation and achievements focus on advice on public policing, public relations and support to municipal elections.

4. Criminal Justice Element

Activities focus on the organisation of seminars at the Albanian School of Magistrates on the subjects of anti-corruption, cooperation between judicial police, prosecution and the criminal justice system, mutual assistance in criminal matters; and environmental crimes. Workshops on different up-to-date operational issues at the General Prosecutor's Office and the Durres Training Centre have also been organised. PAMECA also coached the Economic-Crime and Corruption-Unit at the Tirana Prosecution Office in cooperation with the General Prosecutor's Office.

Achievements include the principal support by PAMECA of training for Albanian judges, prosecutors and judicial police officers at the School of Magistrates of the Republic of Albania in the field of criminal law during winter term 2003/2004. PAMECA also established permanent co-operation with the General Prosecutor's Office of the Republic of Albania and the Tirana Prosecution Office and permanent cooperation with the Serious Crimes Court Prosecution Office.

5. Financial & Material Resources Element

Activities include the development of skills and competencies for the efficient and effective management planning and monitoring of assets and the financial aspects to ensure a quality Police Service.

PAMECA managed to have the Albanian State Police/Logistics and Finance as service provider. Encouragement of the use of new methods in planning and monitoring of projects and cooperation between logistics and operations are among the major achievements in this element.

6. Information Technology & Information Management Element

Projects include the development of data communication infrastructure, power supply and refurbishment/procurement through the implementation of dedicated programs.

PAMECA completed the design and technical specifications for EU-standards IT infrastructure so that tenders could be launched in the Spring of 2004. 15 communication sites equipped by ICITAP and EU-US TIMS are now up and running.

7. Human Resources Management Element

Activities include the ongoing implementation of the Law on Ranks, the development of performance-based staff appraisal systems through pilot projects in the Commissariats of Korca and Durrës, and review to the State Police Law to allow amendments to personnel and discipline regulations and adequate structure for Albanian State Police.

Achievements include implementation of the first stage of the Law on Ranks, cooperation with the Minister of Public Order and Deputy Prime Minister to reassess the decision of the Council of Ministers on the implementation of the Law on Ranks and an agreement with the international community to work on the amending the State Police Law in conjunction with the Minister of Public Order.

Conclusion

Apart from the positive developments Albania has made after the turmoil in 1997, it remains a country very much in the process of transition from the strict controls of Communism and the norms expected in a democratic society. There is no doubt that self preservation and self interest was necessary during the period of Communist control and this phenomenon remains in the post-Communist era as well. In many occasions self preservation has

changed to absolute greed. Lack of accountability in government institutions in general has mainly resulted in fraud and corruption. Remuneration have not been sufficient to avoid the problem of corruption and because of it motivation is lacking on many occasions.

In Albania, even if laws require it, there is very little (if any) cooperation between the different Ministries/Public Institutions and almost no communication with Civil Society. This is still apparent as far as the cooperation between police, prosecutors and the judges is concerned. A poor communication between high police officials and lower ranks is also being observed.

The activities of the respective government structures are mainly based on immediate reaction without further consideration. There is the continuing tendency to solve the symptoms and not the problem. Focus is on inputs rather the outcomes. For example government officials believe that almost all problems can be solved by additional resources (i.e. cars and computers). Everything is produced in haste, neglecting the need of proper development. They do not allow time to analyse the situation and identify the real problems. There is no structured approach to implement solutions. Project management tools are relatively unknown.

The Albanian laws are mostly “copied and pasted” from other Western countries without adequate adjustments to the local conditions. Many of the laws and regulations, including those which refer or impact on human resources have been drafted with the self interest of the authors paramount. Albanian officials believe that if they adopt a Western piece of legislation, the situation will automatically change in the country. When facing the need to reform the functioning of an institution, the officials immediately address the issue in terms of changing the laws and sub-laws but not in terms of changing their approach and way of behaving.

The process of establishing new structures and/or drafting laws and amendments, however, will not lead to the desired results without a strong willingness to implement them. This is more starkly evident in the police, where

there is still a considerable number of officers have never received training. Because of their recent history and the Communist regime under which the Albanian State Police operated there is a serious lack of capacity and professionalism to deal with the major policing issues in the country.

Rotation and reshuffling of personnel at government organizations from lower to upper levels is a common phenomenon in the country. It is essential that international missions have stable counterparts at all levels of an organization they are dealing with. Otherwise, the investment and efforts made by resource management teams will get lost and will not serve proper institution building.

Lack of funds on the part of international assistance to cover certain activities in specific areas during the project implementation phase is another crucial element. It means that it is often impossible to provide “immediate” assistance. The uncertainty of the availability of money jeopardizes the success of European assistance missions in Albania.

This is the overall situation in which the assistance missions are working in Albania. Therefore it is of paramount importance to ensure the continuity of assistance missions in the country. In order to contribute to the institutional capacity building, eliminating corruption and improving the professionalism of government organizations in general and the Albanian State Police in particular, one must work on a long term basis with them on the real and present problems they are experiencing. The development of different European projects should be undertaken allowing more time than usually needed for comparable projects. Moreover a closer cooperation and coordination among all international organizations operating in Albania is indispensable for achieving the desired outcomes and shorten the time Albania needs to join the ever increasing family of the European Union.

Klaus Schmidt
Police Assistance Mission of the European Commission to Albania
Tirana