

THE PRESENT SITUATION IN BERISHA'S ALBANIA

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Rule of Law, Private Property and Minority Rights

A recent flare up near Loukovo, one of the towns in the predominantly ethnic Greek province of Cheimarra (Albanian, Himara) over questions of property rights suddenly raises questions about the nature and extent to which the Albanian government, headed by Prime Minister Sali Berisha, has accepted basic democratic values such as the primacy of the rule of law, property rights and the basic human rights of ethnic minorities.

Indeed there is a clear sense that economic development (which ironically also was a major priority for the late and unlamented Communist regimes, their failures in this field notwithstanding) is used as a cover for organized violation of property rights and illegal seizures of property (even by Albanian law), which in turn are used to pressure the ethnic Greek minority. As an official in the Berisha government put it last week, "we will drive you [i.e. the ethnic Greeks] to the sea."

The Recent Events at Kakomaia (Alb. Kakome)

Kakomaia is one of the lovely small valleys in the province of Cheimarra that culminate in a jewel of a beach on the Ionian Sea. Kakomaia also is the site of a Christian monastery and is near the village of Nivitsa (Alb., Nivica), which is in turn near Loukovo, a small and wealthy town, before the Communist take-over in 1945, which has been inhabited by ethnic Greek Christians for centuries.

In 2004 the Albanian government leased for 99 years 70 hectares (700,000 square meters) to Riviera, a construction company headed by the Albanian businessman Dritan Çelaj. The problem immediately arose as to the ownership title of the land in question, as there are 120 private individuals (and the Albanian Orthodox Church) claiming ownership of individual parcels that make up this property. In July 2008 the claimants filed a suit on the basis of earlier title records and other evidence. Subsequently the suit was dismissed by the courts and the claimants filed appeals, which are still pending.

Recent Moves that Ignored the Legal Process and Pending Decision

Meanwhile, and on the administrative front, on September 19, 2008 the "Commission for the Return of Properties" (Komisioni i kthimit te pronave), a body created by the Berisha administration to afford it more direct control on the property issue and headed by Berisha's son-in-law Jamarber Malltezi, rejected the applications of the 120 ownership claims of the Kakomaia properties.

At 8:00 AM on November 6, five truck convoy carrying building and fencing materials presumably for the Riviera construction company set out for Kakomaia. The convoy was intercepted by crowds of local inhabitants who protested these arbitrary and basically extra-legal moves by blocking the road and forced the trucks to stop. The drivers abandoned the vehicles.

The next day, November 7, the mayor and town officials issued Municipal Orders 40 and 41, by which the trucks were then driven to and parked at the municipal facility of Loukovo. The owners of the vehicles were notified and were requested to remove them, which they did on November 15.

On November 9 police from Agioi Saranta (Alb., Sarande) raided Loukovo and arrested ten persons on nebulous charges. These were released the next day.

The aforementioned five truck convoy again tried to enter the Kakomaia area on November 19. It was stopped by a large number of protestors, many more than had appeared on November 6; the protestors poured in from all the ethnic Greek villages of Cheimarra and other contiguous areas. Again the convoy was stopped. The protestors continued their vigil, day and night, so as not to allow access to the contested area.

November 22 the police arrived and there followed clashes in which were arrested four persons, including Kleomenis Bantzeris, one of the town elders of Loukovo (from Nivitsa). As the police withdrew the clashes continued between the inhabitants and a private security squad brought in by the company. The local inhabitants charged that most of the members of the private security squad were former convicts or others known to have committed criminal offences, paid thugs in short. As a result of the clashes a number of people were injured, including elderly and children.

Leaders of the community and their families were threatened with violence, to the extent that some removed their families for reasons of safety. Meanwhile the four persons arrested were “tried” in court in Agioi Saranta (Alb. Sarande) on November 27 and convicted of a range of charges such as disrupting the peace and theft of equipment (the moving of the trucks to the Loukovo parking facility until they were picked up by the owners) and they are still held in prison.



Kakomaia is on coast south of Cheimarra (about where the letters "AP..." are)

The Background, or Is Berisha’s Past a Measure for the Future

In the 1990s the Albanian regime headed by former Communist Berisha targeted the Greek minority in an effort to diminish its influence or even to ethnically cleanse it. The tactics the regime had used were heavy-handed, and included harassment and violence against ethnic Greeks, the arrest of their leadership and its detention for six months before any charges were filed. Pressures from Greece, which received and gave work to hundreds of thousands of impoverished Albanians, and by the United States (mostly originating by Greek-Americans), eventually led to the reversal of these policies.

In 1997 the Berisha regime collapsed as a result of widespread systemic corruption culminating in the pyramid scandals that resulted in the loss to the Albanian people of hundreds of millions of their hard-earned dollars.

Sali Berisha won reelection in 2004, apparently a reformed and effective leader who developed a close relationship with the US and the EU, reasonable relations with Albania's neighbors, especially Greece, where over 750,000 Albanian citizens live and earn enough to remit yearly over a billion euros to their country of origin. Berisha's political high point was reached when Albania was nominated for entry into NATO in April of this year.

[Economic Development as a Cover for Ethnic Cleansing](#)

It now has become apparent that behind the mask of the statesman Berisha has reverted to the more sinister past agenda of persecuting the ethnic Greek minority, but this time he is using much more sophisticated approach: Berisha's strategy to diminish or eliminate the millennial ethnic Greek presence in the space that is now southern Albania is legitimized by having international organizations, such as the World Bank, assist in drawing up its economic development plan (for example the Albanian Southern Coast Development Plan).

The Development Plan, seemingly a serious document, appears to address a number of planning and environmental issues that need to be addressed. A key element of the Development Plan is tourism, and as such the areas near the ethnic Greek towns of Cheimarra, Drymades (Alb. Dhermi), Gialos (near Vouno), Palasa and Loukovo, have been earmarked for the creation of "tourist villages." This concept is promoted by Berisha's the aforementioned son-in-law, who is focused on the exploitation of properties that were seized by the Communist regime in 1946 and that have never been restored to their rightful owners or their descendants.

[Restoration of Property: An Authoritarian Approach or Simple Theft](#)

A note of the restoration of private properties is in order: In the early 1990s all former Communist bloc states were pressured to restore private properties to their rightful owners, as part of the process of the transition to democracy. In the case of Albania the process should have been relatively easy in the sense that the Italians had created a very accurate and detailed title registry during their occupation of the country.

When the Berisha regime of the early 1990s approached the issue of the restoration of private properties it opted not to refer back to the pre-Communist title registry, but passed Law 7501 instead, by which arbitrarily he granted 3,000 square meters of land to each Albanian citizen residing in the country.

Over the last fifteen years the restoration of private property was carried out throughout most of the country based on the above law, until it was abolished in favor of the Commission cited above—this afforded Berisha even greater control over the land privatization process. The notable exception to this policy has been in the south, where the ethnic Greek minority lives; there few residents have been restored their properties, virtually none in the province of Cheimarra.

It is in the abovementioned towns of Cheimarra that large tracts of land have been arbitrarily seized and given to individuals or entities linked to the Berisha regime. In the coast near Palermo, near the village of Keparo, 800 hectares were leased to an Orthodox Christian Albanian, while the aforementioned 70 hectares in Kakomaia (a site that includes a monastery and that is near Loukovo) were leased to a Riviera, a construction company headed by Dritan Çelaj.

These and many other tracts in fact have legitimate owners, whose families held these properties for generations, and who have been struggling to have them restored to them. Given the present situation Berisha and his associates, under the cover provided by "economic development" plans sanctioned by international organizations, seem poised for a land grab of properties historically owned by the ethnic Greek community and its institutions. Given Berisha's previous history it is clear that his predatory impulses aim not only to enrich him and his associates, but also to break the economic back of the ethnic Greeks thus providing the reason for them to leave. A kind of ethnic cleansing with velvet gloves.

[The Greek Government's Response](#)

The leadership of the Cheimarra ethnic Greek community has been providing information on the events to the Greek Embassy in Tirana on a virtual real-time basis. At the same time the Enosis

Cheimarrioton, consisting of people from Cheimarra living in Greece, has been in constant touch with Epirotan organizations in Athens (a motivation for this writing in part is to inform the Greek-American, Greek-Canadian and Greek-Australian diasporas). The Cheimarriots of Athens are planning a protest at the Albanian Embassy in Athens on Monday, December 1.

Meanwhile, Deputy Minister of Foreign Affairs Ioannis Valinakis, testifying in Parliament on November 17, in response to a formal question submitted by Athanasios Plevris, an MP from the L.A.O.S. party, stated that government's objective is to safeguard the properties of the ethnic Greek minority, both on the legal and political levels. The Deputy Minister went on to link the need for the resolution of the property rights issue to Albania's relationship with the European Unions and noted that the EU placed a priority on the return of the seized properties. Valinakis was less specific about the actions Greece will take to deal with the harassed and imprisoned ethnic Greeks, and with the Kakomaia situation.

A more puzzling response was that of the official Foreign Ministry Spokesman George Koumoutsakos, in a news conference held on November 27. In response to a question about the "Albanian government's operation that is under way to seize properties of the omogeneis" Koumoutsakos stated, "From time to time the inhabitants of Greek origin (sic) have dealt with problems relating to the security of their properties that are sometimes serious and sometimes less so." Koumoutsakos then went on to say that he was not informed as to the specifics of this case (his Deputy Minister was ten days earlier!), and said that the Greek Embassy in Tirana "is undertaking all actions, is in touch with the Albanian authorities, in order that such phenomena be addressed."

In short, the Greek Foreign Ministry spokesman obfuscated (in contrast to the Valinakis response, which while weak recognized the Greek Government's obligations to protect the rights and security of the minority in Northern Epirus). In fact Koumoutsakos' comments evidence a lack of will to act, something which in diplomacy invites the other side to continue with its untoward behavior. According to educated observers in Athens, the Ministry spokesman reflects the attitude and posture of his Foreign Minister, Mrs. Bakogiannis, who has been showing untoward passivity when dealing with authoritarian individuals, whether Berisha or Albania or Gruevski of Skopje.