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O 232257Z JUL 96  
FM SECSTATE WASHDC  
TO AMEMBASSY TIRANA IMMEDIATE

C O N F I D E N T I A L STATE 153071

OFFICIAL INFORMAL

E.O. 12958: DECL: OADR

TAGS: AMGT AL

SUBJECT: OFFICIAL INFORMAL NO. 93

TUESDAY 07/23/96 OI NO. 93

BUSINESS AS USUAL (C)

1. CHARGE IS CORRECT TO CONTINUE BUSINESS AS USUAL WITH  
THE GOA PENDING FURTHER INSTRUCTIONS. CONTACTS WITH  
MEMBERS OF PARLIAMENT AND NEWLY-SELECTED CABINET MEMBERS  
SHOULD BE LIMITED TO BUSINESS AND PERSONAL MATTERS,

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HOWEVER; CEREMONIAL CONTACTS ARE NOT ENCOURAGED AND MAY  
BE PROHIBITED IN FUTURE. FORMAL GUIDANCE MAY/MAY EMERGE  
FROM FUTURE INTERAGENCY MEETINGS.

INTERAGENCY MEETING (C)

2. THE IWG MEETING CHAIRED BY U/S WIRTH AGREED ON MONDAY  
07/22 TO:

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UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: WILLIAM J GEHRON  
DATE/CASE ID: 28 JUL 2003 200103236

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(1) TRANSMIT A LETTER FROM THE ACTING SECRETARY TO D/PM AND FM SHEHU CONTAINING THE MESSAGE WIRTH WOULD HAVE DELIVERED TO BERISHA;

(2) BE STRAIGHTFORWARD IN HANDLING PRESS AND OTHER INQUIRIES ABOUT THE WIRTH CANCELLATION (SEE PARA 3);

(3) SHARE PERINA'S PREPARED STATEMENT FOR HIS THURSDAY 07/25 TESTIMONY BEFORE THE HIRC HR SUBCOMMITTEE WITH EU COMMISSIONER VAN DEN BROEK, WHO TRAVELS TO TIRANA TO MEET WITH BERISHA ON THURSDAY 07/25 (SEE PARA 4);

(4) TO PREPARE A BRIEFING CABLE FOR EU AND OSCE CAPITALS; AND

(5) MEET AGAIN IN ABOUT A WEEK.

WIRTH ALSO STATED THAT HE WOULD CALL REPRESENTATIVES ENGEL, LANTOS, PORTER, AND MCCAIN TO CONFER ON OUR APPROACH AND GET A READ-OUT ON ENGEL'S TRIP. THE IWG MEETING NEXT WEEK WILL CONSIDER POST'S READOUT OF GOA RESPONSES TO THE LETTER TO SHEHU AND TO PERINA'S

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TESTIMONY, AND REVIEW USAID, DOD, AND OTHER USG PROGRAMS WITH AN EYE TO DECIDING WHAT SHOULD GO FORWARD AND WHAT TO HOLD OR CUT.

PRESS GUIDANCE ON WIRTH (U)

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3. IN CASE POST HAS NOT RECEIVED IT IN THE REGULAR EUR PRESS BRIEFING CABLE, THE Q AND A ON WIRTH'S CANCELLATION IS PROVIDED BELOW:

Q: DID UNDER SECRETARY WIRTH CANCEL PLANS TO VISIT ALBANIA TO CARRY A MESSAGE FROM THE PRESIDENT? DOES THIS SIGNAL A COOLING OF OUR RELATIONS WITH ALBANIA?

A: UNDER SECRETARY FOR GLOBAL AFFAIRS TIMOTHY WIRTH PLANNED TO HEAD AN INTERAGENCY TEAM TO ALBANIA ON JULY 19 TO MEET WITH PRESIDENT BERISHA.

- THIS PROPOSED VISIT WAS INTENDED TO CONTINUE OUR DIALOGUE WITH THE GOA ON THE RECENT FLAWED

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PARLIAMENTARY ELECTIONS AND OTHER DEMOCRACY ISSUES.

- WIRTH VISITED ALBANIA IN APRIL AND DISCUSSED PREPARATIONS FOR THE ELECTIONS, AMONG OTHER ISSUES, WITH BERISHA.

- GIVEN THE PROBLEMS OBSERVED IN THE ELECTIONS, WIRTH INTENDED TO REITERATE U.S. CONCERN TO PRESIDENT BERISHA OVER THE TREND IN ALBANIA AWAY FROM PLURALISTIC DEMOCRACY AND TO DISCUSS MEASURES  
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TO PROMOTE POLITICAL DIALOGUE AND NATIONAL RECONCILIATION.

- WE REGRET THAT PRESIDENT BERISHA WAS NOT AVAILABLE TO MEET WITH U/S WIRTH ON JULY 19. CONSEQUENTLY, WIRTH CANCELLED THE TRIP.

- THE UNITED STATES INTENDS TO CONTINUE EFFORTS AIMED AT OVERCOMING PROBLEMS STEMMING FROM THE ELECTIONS AND RESTORING THE CONFIDENCE OF THE ALBANIAN PEOPLE AND THE INTERNATIONAL COMMUNITY IN ALBANIAN DEMOCRACY.

REVISED TESTIMONY (C)

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4. A FEW PHRASES HAVE BEEN ALTERED IN PERINA'S STATEMENT FOR THE HUMAN RIGHTS SUBCOMMITTEE WHICH WAS INCLUDED IN OUR LAST OI. PLEASE REPLACE YESTERDAY'S TEXT WITH THE FOLLOWING. IT REMAINS EMBARGOED UNTIL AFTER THE HEARING (THURSDAY 2 P.M. EDT).

MR. CHAIRMAN, THANK YOU FOR THE OPPORTUNITY TO APPEAR BEFORE THE COMMITTEE AND DISCUSS THE HUMAN RIGHTS SITUATION IN ALBANIA. THIS IS A PARTICULARLY TIMELY MOMENT FOR THIS HEARING, GIVEN THE CONCERNS EXPRESSED INTERNATIONALLY AND WITHIN ALBANIA ABOUT THE MAY PARLIAMENTARY ELECTIONS.

I WOULD LIKE TO BEGIN WITH A FEW WORDS ABOUT THE HISTORICAL CONTEXT BEHIND RECENT DEVELOPMENTS. THEN I WILL ADDRESS THE FLAWED PARLIAMENTARY ELECTIONS AND OTHER  
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CONCERNS WE HAVE ON HUMAN RIGHTS. FINALLY, I WOULD LIKE TO SUMMARIZE THE EFFORTS THE UNITED STATES GOVERNMENT IS MAKING TO OVERCOME THESE DIFFICULTIES AND TO ENCOURAGE ALBANIA TOWARD HEALTHY MULTIPARTY DEMOCRACY AND THE RULE OF LAW.

MR. CHAIRMAN, AS YOU KNOW, ALBANIA SUFFERED FOR 45 YEARS UNDER EUROPE'S MOST BRUTAL COMMUNIST REGIME. IN 1991 HUNDREDS OF THOUSANDS OF CHEERING ALBANIANS RALLIED IN TIRANA ON THE OCCASION OF THE FIRST VISIT TO THEIR COUNTRY OF A UNITED STATES SECRETARY OF STATE. THEY WANTED THE TOTALITARIAN NIGHTMARE TO END. AND THEY BROUGHT IT TO AN END. THE FAMILY OF DEMOCRATIC NATIONS WELCOMED THE NEW DEMOCRACY WITH OPEN ARMS. WE ADMIRERD THE SPIRIT WITH WHICH ALBANIANS TOOK TO THE TASK OF REBUILDING THEIR COUNTRY ON THE BASIS OF DEMOCRATIC IDEALS AND RESPECT FOR HUMAN RIGHTS AND THE RULE OF LAW. PRESIDENT BERISHA'S DEMOCRATIC PARTY GOVERNMENT INSTITUTED BOLD ECONOMIC REFORMS, A RADICAL MILITARY REORGANIZATION, COMPLETE REDISTRIBUTION OF AGRICULTURAL LAND, WHOLESALE PRIVATIZATION, AND LIBERAL INVESTMENT LAWS. THE U.S. WAS A MAJOR SUPPORTER OF POST-COMMUNIST ALBANIA. SINCE 1991 THE USG HAS PROVIDED OVER 200 MILLION DOLLARS TO SUPPORT ALBANIA'S POLITICAL AND ECONOMIC TRANSITION.

GIVEN THAT RECORD OF SUPPORT, IT IS WITH GREAT REGRET THAT THE UNITED STATES HAS TAKEN NOTE OF THE SERIOUS SETBACKS TO THIS YOUNG DEMOCRACY IN RECENT MONTHS. IN PARTICULAR, WE ARE ACUTELY DISAPPOINTED WITH THE FAILURE OF THE GOVERNMENT TO ENSURE THAT THE

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PARLIAMENTARY ELECTIONS HELD IN MAY WERE CONDUCTED IN A FASHION WHICH STRENGTHENED, RATHER THAN WEAKENED, CONFIDENCE IN ALBANIAN INSTITUTIONS. DESPITE OFFERS OF ASSISTANCE FROM THE UNITED STATES AND INTERNATIONAL ORGANIZATIONS IN THE LEAD-UP TO PARLIAMENTARY ELECTIONS, AND REPEATED ASSURANCES BY ALBANIAN OFFICIALS THAT THE ELECTIONS WOULD BE SCRUPULOUSLY FREE AND FAIR, SERIOUS IRREGULARITIES WERE NOTED BY MOST OBSERVERS. OPPOSITION REPRESENTATIVES WITHDREW THEIR CANDIDATES AND THEIR PARTICIPATION IN VOTING COMMISSIONS ON ELECTION DAY, CHARGING INTIMIDATION AND OTHER OFFICIAL ABUSES. THIS

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COMPOUNDED THE CONFUSION IN VOTE COUNTING BUT BY NO MEANS RELIEVED THE GOVERNMENT OF ITS RESPONSIBILITY TO ENSURE STRICT ADHERENCE TO ALBANIAN LAW AND INTERNATIONALLY ACCEPTED PROCEDURES. A PROTEST RALLY HELD FOLLOWING THE ELECTION WAS DISPERSED WITH ACTS OF POLICE VIOLENCE.

THE GOVERNMENT ACKNOWLEDGED SHORTCOMINGS IN THE ELECTIONS, BUT DID NOT TAKE ADEQUATE STEPS TO REDRESS THEM. IT REPEATED ELECTIONS IN 17 OUT OF 140 DISTRICTS ON JUNE 16, IGNORING U.S., EU, AND OSCE REQUESTS TO POSTPONE THEM UNTIL AN INTERNATIONAL MECHANISM COULD BE SET UP TO INVESTIGATE IRREGULARITIES AND MAKE RECOMMENDATIONS FOR CORRECTIVE ACTION. THESE ACTIONS CONTRAVENE COMMITMENTS WHICH ALBANIA MADE WHEN IT SIGNED AND RATIFIED THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS AND ADHERED TO THE HELSINKI FINAL ACT.

THE NEW PARLIAMENT WAS CONVENED ON JULY 1, THE RULING DEMOCRATIC PARTY OCCUPYING 122 OUT OF 140 SEATS -- A MAJORITY OF OVER 87 OPPOSITION PARTIES CALLED FOR A  
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RE-RUN OF THE ELECTIONS AND MOST HAVE DECLINED TO OCCUPY THE FEW PARLIAMENT SEATS THEY WON.

THESE IRREGULARITIES, AND THE GOVERNMENT'S FAILURE TO TAKE ADEQUATE MEASURES TO CORRECT THEM, CAST A SHADOW ON THE PROSPECTS FOR DEMOCRATIC PROGRESS, WHICH REMAINS THE CORNERSTONE OF OUR RELATIONSHIP WITH ALBANIA. THE FLAWED ELECTIONS ARE ALL THE MORE DISTURBING COMING IN THE CONTEXT OF OTHER TROUBLING DEVELOPMENTS THAT SUGGEST A DRIFT AWAY FROM THE DEMOCRATIC TRACK. A LUSTRATION LAW PREVENTED A NUMBER OF MAJOR OPPOSITION CANDIDATES FROM PARTICIPATING IN THE ELECTIONS. A NEW ELECTION LAW GAVE SUPPORTERS OF PRESIDENT BERISHA DOMINANCE OF THE CENTRAL AND LOCAL ELECTION COMMISSIONS. THE INDEPENDENT AND OPPOSITION PRESS CAME UNDER GREATER PRESSURE FROM THE GOVERNMENT.

THE JUDICIAL SYSTEM HAS ALSO EXPERIENCED DISTURBING SETBACKS. THE MOST SERIOUS WAS THE UNCONSTITUTIONAL SACKING OF THE CHIEF JUSTICE OF THE COURT OF CASSATION IN SEPTEMBER 1995. ALTHOUGH THE GOVERNMENT HAS UNDERTAKEN SOME JUDICIAL REFORMS, THE JUDICIARY REMAINS DOMINATED BY THE EXECUTIVE, AND MORE NEEDS TO BE DONE TO ENSURE GREATER RESPECT FOR HUMAN

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RIGHTS THROUGH THE WORK OF AN INDEPENDENT JUDICIARY.

AS REGARDS THE ETHNIC GREEK MINORITY, THERE HAS BEEN SOME PROGRESS TOWARD ADDRESSING ITS ASPIRATIONS FOR GREATER ACCESS TO GREEK-LANGUAGE EDUCATION AND THE RETURN OF CHURCH PROPERTIES EXPROPRIATED BY THE PREVIOUS COMMUNIST REGIME.

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EDUCATION IS THE MOST IMPORTANT ISSUE FOR THE GREEK MINORITY. IN 1995 ALBANIA PASSED AN EDUCATION LAW WHICH PERMITS PRIVATE SCHOOLING IN MINORITY LANGUAGES. PUBLICLY FUNDED, BILINGUAL EDUCATION IS ALREADY PROVIDED AT 46 PRIMARY SCHOOLS AND A SIMILAR NUMBER OF 8-YEAR SCHOOLS IN THE SOUTHERN DISTRICTS. WE UNDERSTAND THAT MORE PUBLIC AND PRIVATE GREEK-LANGUAGE SCHOOLS WILL OPEN. HOWEVER, THERE ARE ALSO TROUBLING SIGNS. A GREEK-LANGUAGE ELEMENTARY SCHOOL IN THE VILLAGE OF FRASHTANI WAS DESTROYED BY FIRE THE NIGHT OF FEBRUARY 28. THE GOVERNMENT HAS UNDERTAKEN AN INVESTIGATION, BUT TO DATE NO RESULTS HAVE BEEN REPORTED. WE WILL CONTINUE TO WATCH DEVELOPMENTS IN THIS AREA CLOSELY.

ORTHODOX CHURCH PROPERTIES EXPROPRIATED BY THE PREVIOUS COMMUNIST REGIME ARE BEING RETURNED. THE LAST BUILDING AT THE MONASTERY OF ARDENITSA HAS BEEN RESTORED TO THE CHURCH.

OUR HUMAN RIGHTS REPORT CITES OTHER PROBLEM AREAS, INCLUDING SECURITY FORCE BEATINGS OF CITIZENS, PROLONGED PRETRIAL DETENTION, POOR PRISON CONDITIONS, OCCASIONAL RESTRICTIONS ON FREEDOM OF SPEECH AND THE PRESS, LIMITATIONS ON FREEDOM OF ASSEMBLY AND ASSOCIATION, AND DISCRIMINATION AND VIOLENCE AGAINST WOMEN.

MR. CHAIRMAN, LET ME TURN NOW TO WHAT WE ARE DOING TO ADDRESS THE POLITICAL SITUATION IN THE WAKE OF THE ELECTIONS, WHICH IS AT THE TOP OF OUR AGENDA.

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FROM THE FIRST REPORTS OF ELECTION OBSERVERS TO

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THIS DAY WE HAVE MADE CLEAR, BOTH PUBLICLY AND PRIVATELY, OUR GREAT CONCERN ABOUT THIS BACKWARD STEP FOR THE PROCESS OF DEMOCRATIZATION.

MULTILATERALLY, OUR DIPLOMATIC EFFORTS HAVE FOCUSED ON ENLISTING OUR EU FRIENDS AND OSCE PARTNERS IN A JOINT EFFORT TO ESTABLISH AN INTERNATIONAL MECHANISM FOR INVESTIGATING IRREGULARITIES AND RECOMMENDING CORRECTIVE ACTIONS. THESE EFFORTS ARE CONTINUING AT THE OSCE IN VIENNA AND WITH EU REPRESENTATIVES IN BRUSSELS AND WASHINGTON. THE GOVERNMENT OF ALBANIA REBUFFED A PROPOSAL BY THE OSCE CHAIRMAN-IN-OFFICE TO SEND A PERSONAL REPRESENTATIVE. HOWEVER, THE OSCE OFFICE OF DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS IS PLANNING TO SEND A TEAM OF TECHNICAL EXPERTS TO ALBANIA TO ADDRESS THE ELECTORAL FRAMEWORK, AN EFFORT WHICH WE HAVE STRONGLY ENCOURAGED.

BILATERALLY, WE HAVE UNDERScoreD OUR CONCERNS TO THE ALBANIAN GOVERNMENT AND OPPOSITION AND MADE CLEAR THAT FUTURE GOOD RELATIONS WITH THE UNITED STATES DEPEND ON ALBANIA'S OVERCOMING THESE SETBACKS. WE HAD INTENDED TO SEND A HIGH-LEVEL DELEGATION TO CONTINUE OUR DIALOGUE WITH THE GOVERNMENT OF ALBANIA ON THESE ISSUES, BUT PRESIDENT BERISHA DECLINED TO MEET WITH THE DELEGATION. THE ACTING SECRETARY OF STATE HAS WRITTEN TO THE FOREIGN MINISTER TO EXPLAIN OUR VIEWS IN DETAIL. THE UNITED STATES DID NOT SEND ANY REPRESENTATIVE TO ATTEND THE OPENING OF PARLIAMENT TO DEMONSTRATE OUR CONCERN OVER THE FLAWED ELECTIONS.

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WHILE ONLY ALBANIANS CAN DECIDE ON THE PARTICULAR STEPS WHICH NEED TO BE TAKEN TO FURTHER POLITICAL CONSENSUS AND RECONCILIATION, THE FOLLOWING ISSUES MUST BE ADDRESSED:

- O POLITICAL DIALOGUE: THROUGH A ROUND TABLE OR OTHER MECHANISM, POLITICAL PARTIES SHOULD STRIVE TO REACH AGREEMENT ON GROUND RULES FOR UPCOMING LOCAL ELECTIONS, PROMULGATING A CONSTITUTION, AND HOLDING NEW PARLIAMENTARY ELECTIONS. WE EXPECT BOTH THE GOVERNMENT AND THE OPPOSITION TO TAKE STEPS TOWARD RECONCILIATION.

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- O LOCAL ELECTIONS: IT IS IMPORTANT THAT THESE BE FREE AND FAIR, AND MONITORED BY LOCAL AND INTERNATIONAL OBSERVERS. A BROAD SPECTRUM OF ALBANIAN POLITICAL OPINION MUST HAVE A SAY IN PREPARING FOR THE ELECTIONS.
- O CONSTITUTION: A DEMOCRATIC CONSTITUTION WHICH PROMOTES CONSENSUS IS NEEDED. TO ENSURE BROAD-BASED SUPPORT, ONE APPROACH WOULD BE ELECTION OF A CONSTITUENT ASSEMBLY WHICH WOULD DRAFT A CONSTITUTION TO BE APPROVED BY A REFERENDUM.
- O NEW PARLIAMENTARY ELECTIONS: THESE REMAIN A PRESSING REQUIREMENT, TO PROMOTE POLITICAL RECONCILIATION AND RESTORE THE FAITH OF THE ALBANIAN PEOPLE AND THE INTERNATIONAL COMMUNITY IN

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ALBANIAN DEMOCRACY. ONE WAY TO ADDRESS THIS WOULD BE TO HOLD NEW ELECTIONS BASED ON A NEW CONSTITUTION.

THE GOVERNMENT AND OPPOSITION PARTIES HAVE AGREED TO HOLD LOCAL ELECTIONS DURING THE LAST TWO SUNDAYS IN OCTOBER. THE UNITED STATES WILL ENCOURAGE A STRONG INTERNATIONAL OBSERVER PRESENCE AT THOSE ELECTIONS. WE WELCOME THE DIALOGUE THAT THE DEMOCRATIC AND SOCIALIST PARTIES HAVE OPENED, AND HOPE THAT IT IS BROADENED TO INCLUDE OTHER PARTIES AND THAT IT LEADS TO EFFECTIVE COOPERATION ON STEPS TO SURMOUNT THE PRESENT POLITICAL IMPASSE.

RELATIONS BETWEEN THE UNITED STATES AND ALBANIA HAVE EVOLVED IN RECENT YEARS ON THE BASIS OF ALBANIA'S RESPECT FOR DEMOCRACY AND HUMAN RIGHTS. THE UNITED STATES HOPES THAT GOVERNMENT AS WELL AS OPPOSITION POLITICAL LEADERS WILL REMAIN COMMITTED TO THIS COURSE. AT THIS TIME, HOWEVER, WHEN THE FOUNDATION ON WHICH U.S.-ALBANIAN RELATIONS HAS WEAKENED, WE ARE INITIATING A THOROUGH REVIEW OF OUR RELATIONSHIP, A REVIEW WHICH INCLUDES OUR ASSISTANCE PROGRAMS.  
TALBOTT

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