



KRISPOU 9, THESSALONIKI 546 34, GREECE, tel: +30 2310 960820-1 – fax: +30 2310 960822- e-mail: info@cdsee.org

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**Project: *Disclosing hidden history: Lustration in the Western Balkans***  
**Seminar *Lustration Legislation and Procedures***  
**Tirana, 14-17 October 2004**

The Center for Democracy and Reconciliation in Southeast Europe, Thessaloniki and the Albanian Human Rights Group, Tirana\* jointly organised a seminar in Tirana. The seminar was attended by 45 experts (legal field, parliamentarians, officials of public administration, academics, journalists, NGOs) from 8 countries\*\*. The seminar attracted significant local and international media attention.

The main questions of the seminar were: Which are the positive experiences in the countries of the region, which of them are applicable in other countries of the region, and which negative experiences should be avoided? These questions were posed especially with respect to two topics: lustration legislation and procedures on one side, the issue of the access to the files of the secret services on the other.

The first part of the seminar dealt with legal and political developments with respect to lustration in the Western Balkans. Case studies gave an overview on developments in Albania, Bosnia and Herzegovina, Croatia, The former Yugoslav Republic of Macedonia, and Serbia and Montenegro. Even if the individual cases are quite different, the overall general balance shows remarkable similarities. Weak results despite lustration legislation (Albania), lustration legislation only as a legal act but without any consequences (Serbia and Montenegro), or no legislation at all.

The second part of the seminar was devoted to the provisions and procedures with respect to the public access to the files of the secret services. Again, differences in methods go along with similarities in results. In most cases, some kinds of legal regulations have been adopted, but the reality of public access to the files shows everywhere strong restrictions or even abuses.

The third part of the seminar analysed general conclusions. There was a broad consensus that the situation is deplorable everywhere, albeit with small individual differences. The discussion on the consequences also raised the question if a serious undertaking in lustration is possible after a rather extended period which has passed since the most substantial changes. In any event, the interest in lustration differs from country to country: in Albania interest is concentrated on the pre-1991 era, in Bosnia and Herzegovina, in Croatia and in Serbia and Montenegro, interest is focused on the 1990's.

Overall, participants agreed that legal, political and social preconditions for the necessary catharsis still have to be created, but that due to the different conditions, the starting point has to be the specific environment; i.e. the concrete history of the respective country. It was emphasised that one "model" for all of the countries cannot work.

\* in cooperation with the Center for Antiwar Action in Belgrade, the Center for Interdisciplinary Postgraduate Studies of the University of Sarajevo, the Croatian Helsinki Committee for Human Rights in Zagreb, the Foundation Open Society Institute Macedonia in Skopje

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