

The anatomy of a Kafkaesque drama

Fredi Beleri, ethnic Greek mayor-elect of Himare in Albania, has been in prison for nine months. How was the case against him built?

Fredi Beleri is seen in court. The mayor-elect of Himare has repeatedly requested to be allowed to be sworn in. His request was ultimately rejected in December 2023 by the special court against corruption (SPAK), a court established with European funds. The judges at the SPAK were the same as those who are also trying the main case. Alexandros Mallias

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For the past nine months, Kathimerini has been drawing attention to the judicial odyssey of Fredi Beleri, the mayor-elect of the predominantly ethnic Greek city of Himare in southern Albania, and to the violations of human rights, the rule of law and the principles of democracy entailed in his persecution. As a former ambassador for Greece to Albania and an honorary citizen of Himare since 2005, I hope to explain the judicial crisis in detail and alert readers to the magnitude of the Albanian regime's overreach, with the objective of eradicating Himare's ethnic Greek minority.

Rama's pre-election bomb

The persecution of Fredi Beleri was set into motion after Albanian Prime Minister Edi Rama's visit to Himare on May 6, 2023. He realized that his Socialist Party candidate would be getting a trouncing in the May 14 local elections – as was the case – and even went so far in an very aggressive and incendiary speech to say that he would “deal” with Beleri “personally.” This is exactly what he went on to do, targeting the president of Himare's Omonoia Party, who, on December 22, 2022, had organized Greek Prime Minister Kyriakos Mitsotakis' historic visit to the town, where he introduced him with jubilation to a large gathering of ethnic Greeks.

Proof of a conspiracy

According to the official version of events as outlined in the case file, the “competent” authorities “activated” Arsen Rama, described as a “police agent,” after he told Himare's police chief at the time, Ermal Hajdini, that he had information that Beleri was bribing constituents to vote for him. Hajdini stated that he looked into the claim and informed the prosecutor of nearby Vlore, Matilda Peza, who gave him the green light to put a wire on Arsen Rama and start surveillance on Beleri.

Arsen Rama has never explained to the court how the vote-buying happened or came to his attention; he has not been able to present details of a specific instance or even a witness to such an action. When prodded, all he could say was that he was told of the incident by “someone,” whose name he could not remember. Likewise, Hajdini has

not presented any evidence to justify his actions. Peza, meanwhile, is a member of the Edi Rama's Socialist Party and was appointed to the post of Vlore prosecutor by her brother, who is the president of the court in Vlore. Even though the Beleri affair was outside her area of jurisdiction, her actions were pivotal.

The surveillance

The case file shows that two teams kept Beleri under surveillance 24 hours a day. The telephones, shops and places where Omonoia officials gathered, as well as the party's offices, were also closely monitored. It appears that even certain supporters were placed under surveillance, despite there being no such warrant from the Vlore prosecutor. The most important piece of evidence concerning the surveillance operation is that it began before the warrant was issued – the specific times are not mentioned in the court transcripts – while the record was tampered with so that the dates could align.

Arrest and 'criminal record'

Beleri was arrested on Friday, May 12, two days before the elections, as he was coming out of a restaurant in downtown Himare. The location was 2 kilometers away from the cafe where the alleged vote-buying took place and it was not even the day when it allegedly took place. As the news of his arrest spread, a crowd of people gathered outside the Himare police station, including Beleri's close associate Pantelis Kokavesis, who was also taken into custody. Rama, the Vlore court and later the special court against corruption, SPAK, presented these arrests as being executed on the spot where the suspects were caught in the act.

Following their arrest, Beleri and Kokavesis were transferred to Vlore, where the city's prosecutor just happened to "discover" that Beleri had a criminal record, which meant that he had been convicted in the past. It was later proven that Beleri had a clean record. Whenever a copy has been requested, it has come back clean – except for the day when he was arrested.

Indeed, the committee responsible for due diligence before the local elections checked his criminal history twice before accepting his candidacy and confirmed that it was clean. The clerk responsible for criminal records also said as much in court during the last session of the trial.

Moreover, one of Albania's pre-eminent authorities on information technology came out publicly to confirm that the criminal record used by the authorities to back Beleri's arrest was fake; he even demonstrated how the forgery was made.

45 euros per vote

Beleri is accused of paying 360 euros to buy eight votes – that comes to 45 euros a vote. Arsen Rama apparently had a list containing the names of those eight voters, though this was not shown to Beleri or anyone on the Greek-Albanian politician's team. Furthermore, the list, as was later revealed, contains the names of people who are relatives of Arsen Rama, as well as others who testified under oath of knowing nothing about the affair. Some are not even registered to vote in Himare. The

evidence that the head of the Himare police and A.R. (as he is referred to in the court documents) conspired to frame Beleri is compelling.

The calls and the money

According to the “evidence” in the case file, as well as to what was read in court by SPAK prosecutors Dorina Bejko and Adnan Xholi, 30 telephone calls took place between Arsen Rama and Beleri – with most going unanswered. There are photographs of Beleri drinking coffee, of him talking to staff members and one where it was falsely claimed by the prosecutor that he is talking to A.R. It was later proven that the other person in the photograph is a man called Thoma Bogdani, who even testified to the fact. The “evidence” submitted to the court additionally includes messages from WhatsApp showing Beleri’s staffers and friends looking for campaign volunteers and wishing each other a successful election. There is, moreover, a video of Kokavesis talking to A.R. in the cafe where the alleged crime took place and the latter reading Beleri’s associate a list of names. That video was never shown in court. There is also no mention of any other exchange, monetary or otherwise. Arsen Rama could not produce the money he later claimed to have received from Kokavesis or any evidence of money changing hands when asked by Beleri’s lawyers either.

Confession of a paid agent

The prosecution witnesses called by the SPAK prosecutors were Arsen Rama and his brother Abdul, police chief Ermal Hajdini, two residents of the village of Dhermi who were on Arsen Rama’s list, and two residents of Himare who had allegedly been promised Greek papers in exchange for their vote, according to the prosecutor’s investigation.

What is a serious human rights violation and unjustified by the crime he is accused of is that Beleri is the only suspect among 26 accused of similar crimes who was remanded in pretrial custody

I was at the SPAK court session. When it came time for Arsen Rama, the main prosecution witness, to testify, the court was cleared of all citizens, journalists and politicians, and even the Greek ambassador and observers from Greece were ordered out, so that the witness would not “become agitated and make a mistake.” He had claimed that his life had been threatened (the hearing was in early October), even though he continued to work in Himare and go about town without any apparent problems. His testimony was riddled with contradictions and was vague on details; all he could “remember” was receiving money from Kokavesis on Beleri’s orders. He said exactly what he was told to say.

The biggest revelation at that hearing was his admission to being paid for his cooperation with money taken from a police slush fund. The head of the Albanian opposition, Sali Berisha, has previously spoken out against the practice, which is how it became public knowledge and came up in court. It is worth noting that even the SPAK prosecutors had known nothing of the witness having been paid. The trial continued nevertheless!

The second witness, Hajdini, not only confirmed the above but also admitted to giving Arsen Rama instructions, as well as confirming that the informant had a prior criminal history. These were the only two witnesses who testified for the prosecution – and both had a monetary motive.

Hajdini was promoted, given a raise and transferred to a cushier post in Vlore.

Under Albanian law, it is illegal for one citizen to compel another to commit a crime. In this case, however, it is more than clear that the police orchestrated a scenario with the objective of this particular crime being committed – which it was not. Even assuming that it was, it would never have happened without Arsen Rama as the agent provocateur.

The third important witness, Abdul Rama, Arsen's brother, never showed his face in court even though searches were made for his whereabouts. His no-show delayed the trial and extended Beleri's incarceration by a month. Three days after the mayor-elect's arrest, Abdul Rama appeared on Albanian television and said, among other things, that his brother was being framed by the police and that Beleri "never approached them with the intent of bribery." A month later and after disappearing from Himare, he was summoned by a prosecutor and testified the exact opposite. Little surprise that the Albanian police are having trouble tracking him down.

The other witnesses submitted a statement saying that they had no relationship whatsoever with Beleri, didn't even know him or A.R., and did not vote in the election. The couple from Himare, meanwhile, clarified that they never approached Beleri for "Greek papers," because they have had those papers since 2009.

The prosecution seems to have a lot of faith in the SPAK court to present such a flimsy case. It didn't even try to strengthen it a bit.

The long detainment

Between the arrest and the trial, there have been six court hearings at almost every level on the matter of Beleri's detention in prison, and every single one ended in favor of his continued incarceration on the spurious grounds that he may commit the same crime again, even though the elections are over, the investigations are over and the evidence cannot be tampered with. Beleri won and his victory was confirmed by the Electoral Court. There is no flight risk either, as he has made repeated appeals to be allowed to take his oath of office. He also runs a business in Himare, and has his home and family there. Not to mention that there are all sorts of measures that can be taken to ensure that he does not flee. The only person who would likely gain from Beleri disappearing from Himare and Albania altogether is Prime Minister Edi Rama.

What is a serious human rights violation and absolutely unjustified by the crime he – an elected mayor – is accused of is that Beleri is the only suspect among 26 accused of similar crimes who was remanded in pretrial custody. Another two mayors stand accused of the same offense, yet they are free to go about their lives and their official duties. Beleri's prejudicial treatment is ample evidence of a conspiracy.

A decision is still pending from Albania's Constitutional Court with regard to his incarceration but it is already four months overdue. There is no logical explanation for this delay, other than that it is an obstructionist tactic to prevent Beleri from appealing to the European Court of Human Rights in Strasbourg but mainly to prevent him from being released and taking his oath of office.

The thwarted oath

The day after the May 14, 2023 municipal elections, Edi Rama conceded his party's defeat in Himare and the Electoral Court confirmed Beleri's victory a few days later. The matter of his being sworn in has been discussed repeatedly ever since. His side initially asked for an administrative decision granting him a brief furlough so that the ceremony could take place. The prison director denied the request. There is a precedent, however, as similar leaves have been granted to jailed lawmakers to take their oath of office or to vote on certain pieces of legislation. In fact, some prisoners were even given leave to vote in the May 14 elections.

After dragging their feet for three months, the prison authorities threw out Beleri's appeals and consigned them to the court, turning a purely administrative matter into a judicial one. No one believed that a court would deny his request. After going through the system, the request ended up at SPAK, a new judicial authority established with European resources. Its decision on December 12, 2023 not only denied Beleri leave to take his oath – without even giving a reasoning – it practically authorized the prime minister to appoint whoever he wanted in his place at the Municipality of Himare. It also took three months to issue its decision. The judges sitting on the bench just happened to be the same ones hearing the main trial. In the meantime, the appeal of that decision was heard – and rejected – by one of those same judges, when the Supreme Court requires there to be three judges at such a hearing.

Waiting for the verdict

We are now near the end of the trial and waiting for the verdict. Beleri has already spent nine months in prison. He was not allowed to take his oath. He has not been shown any leniency. Repeated complaints and demarches from Greece have been ignored. Athens' interventions at the European Union level have been downplayed. My thoughts are very much with the Greeks of Himare, who must be asking themselves whether assurances from Athens "they will always be under Greece's wing" have any meaning at all. They have rallied around Omonoia and flock to court every time there is a hearing on the case. I have seen them there and spoken with them. They pay no heed to what consequences they may face under the Rama regime.

And how is Beleri holding up? He is holding up with dignity and perseverance, "alone against the state apparatus," as he himself has said. He decided to wait the matter out and refused any give and take with Rama. Overtures were made, which he turned down.

If convicted, each day in pretrial detention counts as a day and a half, meaning that once the trial ends, Beleri will have spent an equivalent of 15 months in prison. In other recent convictions for similar crimes – and where the evidence against the defendants was overwhelming and they confessed – none was sentenced to over a

year and none had been held in pretrial custody. All of the terms presented by the Greek government to the Albanian prime minister have been rejected. If Beleri is convicted, it will be interpreted as a sign of Greece's weakness vis-a-vis Tirana and the ethnic Greek minority.

We need to acknowledge that Beleri is the victim of prejudice and malice. How I hope I'm wrong! I am not, however, optimistic of a verdict that will allow him to leave prison and assume office. If this is confirmed, it will indeed be a sign of Greece's failure to exercise political clout. It will be an Albanian tragedy, but with Greek protagonists.

The mobilization of the ethnic Greek minority

A large number of ethnic Greeks demonstrated in the southern Albanian city of Himare in August 2023, demanding the immediate release of mayor-elect Fredi Beleri. The rally was organized by Omonoia, an organization representing the ethnic Greek community. Organizers had hoped that the event would activate the international community to demand his release. All this time, the community has remained united around its mayor-elect and flocks to court every time there is a hearing on the case. The biggest revelation at the hearing of the case was the admission of the key witness for the prosecution that he was paid for his cooperation with money taken from a police slush fund. Even the SPAK prosecutors had known nothing of the witness having been paid.



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