



KOMITETI SHQIPTAR I HELSINKIT ALBANIAN HELSINKI COMMITTEE

*Anëtar i Federatës Ndërkombëtare të Helsinkit për të Drejtat e Njeriut
Member of International Helsinki Federation for Human Rights*

ALBANIA - REPORT ON HUMAN RIGHTS - 2007 Albanian Helsinki Committee

Introduction

The Albanian Helsinki Committee (AHC) is the first non-governmental organization for the protection of human rights and freedoms in Albania, established in 1990. AHC's primary mission is to monitor respect for human rights and freedoms, reinstatement of violated rights, sensitization of citizens on the protection of their rights and freedoms, and the improvement of legislation and the practice of law enforcement.

This report addresses the situation of human rights in the areas in which AHC worked during 2007, the most important developments for 2007; legal and institutional reforms; problems of infrastructure and logistics that in one way or another affected the level of respect for human rights; problems encountered during AHC's monitoring missions or contacts with citizens, arrested and detained persons, minority representatives, etc.

Rule of law and efforts for integration into the European Union and NATO

During 2007, the Albanian Government made efforts to fulfill standards for entry into Euro-Atlantic structures. During 2007, the process for the ratification of the Stabilization Association Agreement by parliaments of European Union member countries continued. In the context of Albania's integration into the European Union, the review process of the SAA National Implementation Plan was realized and the MSA National Implementation Plan for 2007-2012 was approved.

Beside economic developments, the Albanian Government should fulfill the political criteria of Copenhagen, which include: completion of electoral reform, election infrastructure and administration, equipping Albanian citizens with high security level identification documents, reform of the justice system, decentralization, public administration reform, and the fight against crime and corruption.

During 2007, electoral reform and justice reform consisted only in the establishment of parliamentary commissions that would work in the respective areas, without marking further progress. The Albanian political class did not demonstrate political maturity in the local February 18, 2007, elections and the election of the President of the Republic in July 2007. The lack of constructive cooperation and political will for collaboration between the majority and the opposition led to a year of political debates and conflicts between the political forces. Although the election of the President of the Republic was carried out within the constitutional framework, procedures did not ensure the required confidence of the parties, which then was reflected in conflicting debates after the election.

The year 2007 saw numerous debates and mutual accusations, particularly between the two largest parties, the Democratic Party and the Socialist Party. Some parliamentary sessions were suspended and did not take place in normal conditions due to political tension. Such tension led to delays in realizing of reforms in important areas. The Assembly of Albania



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established a new parliamentary investigative commission to investigate the Prosecutor General. The Commission, within a short period of time, took the decision to propose to the President of the Republic the dismissal of the Prosecutor General. The President of the Republic decreed the dismissal.

Elections

Although 19 months went by since the July 3, 2005, parliamentary elections, the parliamentary commission on amendments to the Electoral Code, due to party disagreements and the lack of consensus between political forces, did not function. None of the recommendations by OSCE/ODIHR or local monitoring organizations were addressed. Political forces reached only one agreement to amend two articles of the Constitution that dealt with the fact that elections for local government bodies should be held once every four years and the makeup of the CEC be increased from 7 to 9 members. It was also decided that other electoral commissions should consist of 13 instead of 7 members.

There were long and harsh debates between the parties, particularly between the two largest parties, regarding the postponement of election day from January to February 2007 and, in the end, an agreement was reached. Elections for local government bodies were set for February 18, 2007. Starting from the last quarter of 2006 until January 2007, discussions focused on the removal from the Electoral Code of provisions dealing with the right of voters with temporary residences to vote. After numerous debates and discussions, an agreement was reached and was reflected in the law.

Another serious problem was that of equipping voters with valid identification certificates for voting. An agreement was reached on this issue too, very late, in January 2007. It is worth mentioning that amendments to the Electoral Code, including those involving certificates issued by the civil registry offices, were made only in January 2007, that is only a few days before the day of elections for the local government bodies.

In spite some positive aspects noted in the February 18, 2007, elections, the required standards were not met. According to conclusions listed in the OSCE/ODIHR report on these elections, the elections were a missed opportunity for Albanian politics. Delays in making amendments to the Electoral Code had a negative impact on different aspects of the electoral process, such as: the CEC's activity, the delayed establishment of ZECs, VCCs, and the vote counting groups.

Political parties did not always respect the Code of Ethics, and electoral propaganda was, in some cases, accompanied by hate speech, which influenced the activity of electoral commissions. In cooperation with other civil society organizations¹, AHC called on the candidates to respect the Code of Ethics. In January 2007, through a public statement, AHC called on political parties and their candidates to end hate speech in electoral campaigns.

¹ Center for Parliamentary Studies, Open Society Foundation (SOROS), Society for Democratic Culture, Children's Rights Center Albania, the Coalition for Encouraging the Participation of Women, Youth, and Minorities in Politics, the Civic Legal Initiatives Center, Forum of Free Thought, the Albanian Institute for Election Systems Development.



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In election commissions, particularly in the vote counting groups, in many cases, it was easy to notice bias, protection of narrow party interests, politicization at the cost of rigorous observance of the law, conflicting relations between commission members proposed by the majority and opposition parties. The atmosphere of conflict in some cases led to the interruption or blocking of the vote counting process. Two partial parliamentary elections were held during 2007. During their monitoring, local monitoring organizations noted serious shortcomings.

The OSCE/ODIHR report on the February 18, 2007, elections presented many recommendations that would be useful for a more complete electoral reform. A Special Parliamentary Commission was established to that end. The initiative undertaken for the creation and functioning of this commission was interrupted because of party conflict regarding the election of the President of the Republic. After the election of the president, the mandate of the electoral reform commission was extended twice in a row. The commission, except for some discussions, did nothing concrete. That was the reason why the Assembly of Albania decided once again to extend the mandate of the electoral reform commission. The year 2007 ended without any concrete results from the work of the electoral reform commission. The problems to be solved are numerous. Those considered most important include the equipment of citizens with identification cards, the creation of the computerized citizens fundamental register, taking into consideration the address system.

The Parliament of Albania needed to address issues such as: the electoral system and whether electoral commissions should be proposed by the political parties or consist of professional technocrats.

During 2007, some non-profit organizations with experience in the area of monitoring elections discussed extensively regarding amendments that should be made to the Electoral Code and have submitted the relevant recommendations. In spite of their proposals, in April 2008, the Assembly of Albania passed within a very brief time some important constitutional changes, which include the electoral system.

Respect for citizens' rights by the police

Respect for citizens' rights by the police continued to be part of AHC's attention. In the beginning of 2007, the new law "On the State Police" was approved. Part of the remarks and suggestions submitted by the People's Advocate, AHC, and other civil society organizations were considered in the final version approved by the Assembly of Albania.

During 2007, AHC continued to receive complaints by citizens or detained or arrested individuals claiming violations of their rights by police officers. Based on verifications by AHC, it has resulted that in some cases, the data of persons detained in police commissariats are not held properly and, as a result, it was difficult to contact them and to verify their claims continually, especially after their release from detention or accompaniment premises.



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Citizens complained about maltreatment and exercise of violence by police, but few cases were denounced by them in the prosecutor's office. The verification of these cases was difficult due to the lack of timely denunciations with prosecutors. Besides, persons were not visited by the legal doctor. In the case of juvenile E.D., verifications conducted by AHC showed that, after the use of violence by the police, the juvenile was not sent to hospital to receive the necessary medical treatment. Complainers claim that violence is used during the moment of detention, during their stay in accompaniment rooms, before the court issues a remand measure, or during transport to the relevant commissariat. AHC has requested that measures be taken for the prevention of cases of violence and the conduct of quick, comprehensive, and objective investigations.

The complaints of detained persons and those arrested in flagrancia have consisted especially in obstacles they have encountered in ensuring meetings with their defense lawyers, which is in contravention of constitutional provisions and the Criminal Procedure Code.

Respect for citizens' rights in the criminal justice system

Although the judicial system and justice reform is one of the priorities of reforms for membership in the eu, justice reform proceeded at a relatively slow pace. During 2007, different citizens, detained and convicted persons, or their family members complained to AHC about violations of their rights in judicial processes.

Citizens complain about lack of **information** at courts of different levels, particularly regarding their requests for a review of cases. The greatest concern is presented by persons who are serving their prison sentences in institutions for the execution of prison sentences and persons who have an insufficient juridical culture regarding complaints about decisions and complaint procedures. Displeasure was also reported in cases when convicted persons were defended by assigned lawyers. A study of the OSCE Mission published in 2007, regarding the functioning of appeals courts, it resulted that procedural regulations governing complaints often are not respected².

Persons accused of criminal offenses by Albanian justice claim *unfair judicial decisions*. Contact with these persons shows that part of them lack the necessary legal knowledge regarding investigation and adjudication procedures and have not been defended by professional lawyers. The lack of sufficient financial resources has, in numerous cases, led to citizens' claims of disorderly judicial processes and of unprofessional legal services by their lawyers.

Outdragging of judicial processes remains a disturbing problem. Verifications by AHC have shown that causes for delays vary: the absence of the defense lawyer in the trial session, failure to send the defendant from the detention facility to the court session, unmotivated postponements by judges, etc. Outdragging of judicial processes in some cases goes beyond maximal detention deadlines established in the Criminal Procedure Code, leading to the suspension of detention deadlines.

² Reference to the OSCE Report "Analysis of criminal complaints in Albania," 2007, p. 3.



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In the case of citizen M.M. and some other defendants, being adjudicated by the Serious Crimes Court in Tiranë, verifications in the electronic database of the court showed that there were absences of lawyers of different defendants. This led not only to postponements of trial sessions, but also to the suspension of detention deadlines of other defendants, whose lawyers had been present.

Based on complaints submitted to AHC, in June 2007, AHC addressed the National Chamber of Lawyers with the recommendation to take measures toward defense lawyers who have caused outdragging of judicial processes. Besides, in July 2007, AHC sent a letter to the Ministry of Justice highlighting the fact of delays in procedures for errand letters to foreign countries. To date, we have not been notified of any measures by the National Chamber of Lawyers seeking to prevent outdragging of judicial sessions. The Ministry of Justice reacted to this issue through a letter to AHC in April 2008.

According to Albanian law, the lawyers' service is independent and private. Different citizens have complained about lawyers chosen by them and lawyers assigned by the state in criminal cases. Arrested and detained persons contacted by AHC representatives have claimed irregular judicial processes toward them and see salvation in the European Court of Human Rights. Regarding claims of undue legal processes, AHC has clarified complainers that they may turn to the Constitutional Court.

AHC appreciates the fact that Albanian citizens are becoming more aware of the ECHR for the protection of their constitutional rights, while, at the same time, expressing concern that many of them lack the necessary culture as before seeking to set in motion the ECHR, they should exhaust domestic mechanisms, as well as the fact that they do not have confidence in Albanian courts.

Access to justice, as is known, is a right recognized by Albanian legislation. The law recognizes the right that persons lacking the necessary financial resources are entitled to free legal services and expenses are paid for by the state.

Free legal service continues to face problems, particularly regarding the review of requests for a review of final court decisions at the Supreme Court. Albania's criminal legislation features a legal vacuum as the possibility to have a state-assigned free lawyer is only available at the first and second instances of adjudication, but not at the Supreme Court level. Pursuing adjudication in the Supreme Court becomes almost impossible for that category of convicts who lack the financial resources for a private lawyer and considering that there is no legal clinic in Albania that offers such services. In spite of repeated requests, responsible state institutions have not yet taken concrete measures to correct this problem legally. The Albanian Helsinki Committee has raised this issue with relevant state authorities several times, but no solution has been found to date.

During 2007, TLAS, a non-profit organization offering services for people in need, took the initiative to draft a bill "On free legal services." In December 2007, a round table discussion was held with different organizations offering services, representatives of the



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Ministry of Justice, and experts of the area participating. By the end of 2007, the bill had not become a topic of discussion in parliamentary proceedings.

The treatment of juvenile persons and ill, physically or mentally challenged persons continues to see serious violations of the rights recognized by the law. Although the Criminal Code envisions the possibility for medical measures to be implemented and obliges the courts to review issued decisions, observations at the Prison Hospital in November 2007 indicated that 72 persons were being kept there although courts of different districts had issued decisions of medical measures. Although more than one year had passed since the issuance of these decisions, they had not been reviewed by the respective courts.

Non-execution of final court decisions by the bailiff's office remains a disturbing problem. AHC often has addressed concerns of citizens it has received with leading officials of this office, seeking enforcement of legal provisions. In some cases, the bailiff's office has responded that decisions are not executed because there is no property or revenues, thus violating the rights of citizens whose rights have been reinstated through final court decisions.

Respect for the rights of detained and convicted persons

During 2007, legal reform in the area of pre-trial detention and prisons concentrated on the improvement of legislation regarding alternative measures and the service of evidence, through amendments to laws such as: the law "On the rights and treatment of persons convicted to imprisonment," the law "On the execution of criminal decisions," and in the improvement of some sub-legal acts, such as: General Regulations of Prisons and Council of Ministers Decision "On the conduct of work activity in institutions for execution of criminal decisions and criteria for its rewards." Besides the General Regulations of Prisons, which entered into force, all other proposals for amendments to the Criminal Code, the laws and decisions mentioned above had not been approved in the Assembly by the end of 2007.

The Ministry of Justice sought the views of different civil society actors and international bodies regarding the draft laws. The Albanian Helsinki Committee, the Euralius Mission offered their legal opinions regarding almost all of the above mentioned draft laws.

For more than one year, debates continued regarding the approval of the draft law "On some changes and additions to the law no. 8678 "On the organization and functioning of the Ministry of Justice" and the law "On the organization and functioning of the judicial system in the Republic of Albania." AHC offered its opinions seeking for the changes to not violate the independence of the judiciary, but, on the contrary, to enhance it.

AHC applauds the actual transfer of the detention system under the responsibility of the Ministry of Justice. AHC is aware that this process represents a challenge for the prison administration. During the coming years, there is a need for maximal attention by all high responsible authorities for the administration of these institutions.



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During 2007, the construction or reconstruction of some prisons and detention institutions continued: the prison of Fushë Krujë, Korçë, Durrës, Kavajë, and the detention institution of Vlorë. The Fushë Krujë prison was about to be handed over to the General Directory of Prisons, but this did not take place. In meetings with relevant authorities, it was said that these projects will be completed during 2008. Other investments have been realized in some existing detention and prison facilities, such as in: Lezhë, Vaqarr, the detention facility “Jordan Misja,” Berat, Elbasan, etc.

A disturbing problem for all monitored prisons and detention institutions remains overcrowding, the considerable number of persons deprived of their liberty who suffer from psychological problems and are kept in different prisons or detention facilities and part of them in the Prison Hospital Center. Nevertheless, the institution for the treatment of this category, planned to be built in Durrës, is not yet completed.

For the most part, detention institutions continue to be in police commissariats and feature a much worn out infrastructure. The situation in some of them is very poor. On November 15, 2007, through a press statement, AHC sensitized the relevant state authorities and the entire public opinion regarding problems at the Vlorë pre-trial detention institution and, through a letter to the Prime Minister and the Minister of Justice, raised the concern about the situation in other detention facilities.

The transfer of detention institutions under the administration of the General Directory of Prisons was accompanied by selection of new personnel. During 2007, psychologists were hired full time in all prisons and detention facilities at institutions for the execution of imprisonment sentences. Months after such transfer, some positions, such as: doctors and nurses are not filled. The absence of doctors in some detention facilities is a serious concern and seriously violates the right of detained persons to health care services. In some institutions of pre-trial detention, there was a total lack of medical medicaments. In most cases, these medicaments were provided by family members.

The enforcement of alternative measures by the courts is still in poor levels. Nevertheless, some positive measures were taken during 2007, such as: discussion of the draft law on alternatives to prison sentences, training of judges and prosecutors, and the sensitization of the public on the effectiveness of their use, mainly supported by UNICEF, SIDA, the EU and the OSCE.

Some interviewed detainees claimed they were not told their rights at the moment of their detention or arrest. Some interviewed juveniles also stated their family members or custodians were not notified, which is in contravention of the Criminal Procedure Code norms.

Convicts also claimed use of violence by police officers in prisons. In some cases, upon verification, AHC notified the Prosecutor’s Office, which carried out relevant action. There are difficulties in verifying such complaints because, according to data, after the use of violence, involved convicts have been disciplined into isolation with the argument that they had violated the institution’s regulations. After interventions by AHC, in many cases,



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institution leading officials have reacted by claiming that the use of violence against the convicts had been legitimate because they had violated the institution's regulations.

During 2007, the Oversight Commission for the Execution of Imprisonment Criminal Decisions continued to not function. AHC has raised this issue with the Minister of Justice seeking that concrete measures be taken to make the Commission fully functional and has offered concrete recommendations on its functioning, looking at the issue from the human rights and international standards standpoint.

In spite of efforts made, the treatment of arrested and convicted juveniles and women is does not meet minimal standards established in international documents and in Albanian legislation. During 2007, different civil society actors realized several training programs for the education staff dealing with juveniles and women serving prison sentences or who are in detention facilities. AHC realized a training of trainers for 23 social workers, psychologists, and educators who work with women and juveniles in the penitentiary system. The training programs sought to build the staff's professional capacities and to prepare a group of trainers who may then train the staff in other sectors of detention institutions or prisons. AHC was able to monitor closely some of these programs. According to information from the General Directory of Prisons, the programs continued to be realized in other institutions for serving prison sentences.

In the context of the CARDS program, some training courses were held with prison administrations for empowering the prison administration training sector, improve procedures for selections in the prison system, improve professional and leadership skills of senior prison officials; work is underway to improve procedures for selecting new personnel, some of whom will be employed in selecting personnel for new prisons, such as those of Fushë Krujë and Korçë. Nevertheless, a lot of work remains to be done in this aspect to enhance the professionalism of the administration of detention facilities and prisons.

Arrested and detained persons claim lack of transparency in actions of the prison administration, regarding actions such as: purchase of food and other items for convicts, higher prices than the market, lack of knowledge of prison and detention facility regulations, etc.

Although the law has regulated the request-complaint mechanism in prison institutions, the detained and convicted persons complained of lack of timely responses for their complaint-requests by the administration of the institution where they are serving the terms. Numerous complaints were received regarding transfers and the lack of transparent procedures therein, as well as on failure to inform them regarding complaints within legal deadlines. Based on their complaints, AHC addressed senior officials of these institutions such as the General Directory of Prisons, which, in some cases, addressed the complaint of the person or did not accept its existence. Violation of convicts' correspondence by the administration of some prisons is another concern, which was not possible to verify.

Minority rights



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During 2007, the Albanian Government took some measures of a legal and institutional character toward fulfilling recommendations of international bodies for better respect for minority rights. Attention was devoted to monitoring of respect for recommendations by international institutions such as the EU, the CoE, and the European Commission against Racism and Intolerance (ECRI).

During 2007, positive improvements were made to the Criminal Code, including as an aggravating circumstance the commission of a criminal offense inspired by motives related to gender, race, religion, nationality, language, political, religious, or social convictions. Also, the changes foresee the commission of the criminal offense of torture for reasons of discrimination. Although the civil society has taken the initiative to draft a special law against discrimination, the initiative has not been finalized to date.

The amendment of the Electoral Code to include positive provisions allowing the use of minority languages during electoral campaigns in areas where there is a concentration of minorities. In the context of approval of Regulations for the right to use the language of minorities in local signs and other topographic indicators in the areas they live in, memoranda of understanding have been signed between prefects and local government leaders in several districts, such as Korçë, Shkodër, Vlorë, and Gjirokastrë.

The State Committee on Minorities carries out its activity since March 2004. Meanwhile, there is little information and reports on the work of the Committee regarding issues of minority discrimination.

In the context of implementing the National Strategy “For the improvement of living conditions of the Roma minority,” the Sector for Monitoring the Strategy’s Implementation has been established and functioning. During 2007, the sector developed its activity as part of the Directory for Training, Coordination of Projects, and Monitoring at the Social Services Sector at the Ministry of Labor, Social Affairs, and Equal Opportunities. The sector is a relatively weak structure due to the mandate it has and the position it takes up in rapport with other institutions of the state administration. With UNDP support, work was done to build the capacities of and empower the monitoring sector; work was also done to improve the strategy monitoring indicators, build a database (DevInfo) and prepare a reporting format for progress in implementing priority measures and fulfilling envisioned objectives. The sector continued to have the same status during 2007, although its strengthening was sought.

Again during 2007, there was no accurate data regarding the number of the minority population. In spite of problems faced by the Roma minority and the Egyptian community, there are no statistics today to indicate the enrolment of Roma or Egyptian children in kindergartens. The opening and functioning of Roma kindergartens has found broad support among foreign and domestic donors, thanks to cooperation with Roma associations. Local government units have taken measures to encourage the enrolment of Roma children in pre-school education institutions. There are some positive experiences in some municipalities of the country, such as in Tirana, but there is no information on initiatives of this nature among other local government units.



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Sensitizing campaigns for the integration of Roma children in education have been partial and not all-inclusive. They have lacked coordination of tools and forces of associations with those of education institutions. The “Second chance” project was initiated to assist students who have dropped out of school. From meetings with representatives of minorities and institutions offering education, it results that not all Roma children make use of this opportunity and many of them do not attend full education.

During 2007, the media increased its attention to Roma minority issues, but there is room for improvements. Journalistic ethics needs to be respected more. To increase the professionalism of journalists and inform them about concepts related to non-discrimination, the Albanian Media Institute and the Albanian Helsinki Committee have conducted several training programs, but much remains to be done in this regard.

The Egyptian community in Albania has not received any special attention from the state. In spite of recommendations by local and foreign organizations and the difficult economic and social conditions, no special strategy has been envisioned for this community. The participation of the Roma minority and the Egyptian community in the public and political life is poor. Their selection to representative structures is done mainly by considering their involvement in political parties, but the Roma minority and the Egyptian community cannot achieve this easily. According to monitoring after the last local elections, the percentage of registered voters belonging to minority groups was poor, particularly for the Roma and Egyptians. On the other hand, many Roma and Egyptians have not been registered in the electoral voter lists. The implementation of positive favoring measures in employment for minorities is generally not observed. Some measures have been taken toward their representation in the police force, but representation leaves to be desired.

Respect for citizens’ rights at border crossing points

According to AHC, the legal framework regulating the functioning of border crossing points and respect for citizens rights has seen changes. The Strategy for the Integrated Border Management and its Action Plan, the law “On State Police,” and the structural reorganization of border police, although in their first phases, represent a legal foundation for better border management and respect for citizens’ rights at border crossing points.

In some border crossings monitored by AHC, it was found that returned persons were accompanied to the Albanian border crossings with documents in foreign languages and without any preliminary notification of the deported individual. This practice is in contravention with rules on their readmittance and transfer. The lack of drafting and signing of protocols for the implementation of Agreements ratified by the Republic of Albania with neighboring countries for the readmittance of irregular residents remained a problem.

In general, the TIMS program functioned normally in all border crossing points observed by AHC and presented no problems.

The infrastructure had been improved in some of the monitored border crossings. Nevertheless, the need for further improvement of infrastructure is an important issue in



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almost all border crossing points. AHC deems that the improvement of infrastructure would guarantee better respect for human rights in these border crossing points.

A concern highlighted in almost all border crossing points that were monitored by AHC was the absence of logistical and technical equipment necessary for the functioning of these points in accordance with international standards. The movement and transport of returned persons was a disturbing problem for all monitored border points. The lack of transport means and the very limited amount of fuel made it even more difficult for border crossing police officers to carry out their duties and respect the rights of accompanied persons. Based on contacts with returned persons and personnel, AHC monitors found that returned persons could not be offered food. Their feeding needs were met privately by personnel.

AHC applauds progress made for completing the majority of monitored border crossing points with female personnel. AHC applauds efforts made to improve the professional capacities of border police officers. According to contacted personnel, it resulted that several training programs had been organized for border crossing officers. Nevertheless, AHC considers that personnel still need to increase professionalism and knowledge of legislation in this area. This need is more marked for recently assigned staff.

A concern raised repeatedly by AHC, based on conducted monitoring missions, is the failure to distinguish between the potential “trafficker-victim” influx and the conduct of interviews in the same premises where all other deportees are held. In the monitored border crossings, AHC found a lack of premises built according to legal requirements for deportees with criminal records. AHC notes the absence of psychologists at the time of interviews with trafficked women and children.

AHC applauds the efforts of responsible state institutions and different donors that contribute to improving infrastructure and facilities at Albania’s border crossing points. AHC considers that the improvement of physical conditions at border crossing points and their infrastructure is an important issue that requires the taking of immediate concrete measures.

Some issues related to the media

The year 2007 marked some events that have affected the freedom of the media and the press in general. Certain state bodies have undertaken hurried and critical decisions toward the free media and press. Senior officials of the state administration have made public statements accusing the media of ties to illegal activities. Such positions of the government toward the media not only run counter to the principle of the presumption of innocence, but also represent a deprivation toward it. This situation has led to public reactions by different media representatives, journalists’ associations, and some actors of the civil society. In this regard, appreciating the valued contribution of the media in fulfilling its mission to inform the broad public and be a constructive opponent to state activities, AHC reacted publicly on April 12, 2007 to protect freedom of the press and free speech as well as to appeal for tolerance by the government and its public functionaries toward the free media and press.



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Another important event that drew attention was the decision of the NCRT to remove antennas from the Tarabosh mountain, belonging to two television stations and helping spread their signal in the Shkodër territory. This hurried decision, which was not preliminarily consulted, was justified with the need to implement the law. However, non-regulation of this issue was not the fault of the television stations affected. The decision created the impression of selective stances, running counter to the principle of protecting the free media and, as a result, the principle of uninterrupted and objective information for the public³. Another selective and politically-motivated attack by the government toward the free media and freedom of the press was the imposition of a considerable and intransparent fine on the Top Channel television. In this case, too, on July 15, 2007, AHC reacted through a public statement.

Regarding legal reform, there is still no final version of the law “On the press.” During the year, a draft was prepared that is yet to be approved. There are also some founded claims that the public administration has not implemented correctly the law “On the right to being informed about official documents.”

³ See AHC statement “Hurried decision with harmful consequences,” May 9, 2007.