



Albania

Ratified the European Convention on Human Rights in 1996

National Judge: Darian Pavli (7 January 2019 -)

[Judges' CVs](#) are available on the ECHR Internet site

Previous Judge: Kristaq Traja (1998-2008), Ledi Bianku (2008-2019)

[List of judges of the Court since 1959](#)

The Court dealt with 116 applications concerning Albania in 2022, of which 107 were declared inadmissible or struck out. It delivered 8 judgments (concerning 9 applications), 7 of which found at least one violation of the European Convention on Human Rights.

Applications processed in	2021	2022	2023*
Applications allocated to a judicial formation	75	85	66
Communicated to the Government	38	12	25
Applications decided:	224	116	55
- Declared inadmissible or struck out (Single Judge)	17	73	29
- Declared inadmissible or struck out (Committee)	203	33	18
- Declared inadmissible or struck out (Chamber)	0	1	0
- Decided by judgment	4	9	8

Applications pending before the court on 01/07/2023	
Applications pending before a judicial formation:	393
Single Judge	27
Committee (3 Judges)	301
Chamber (7 Judges)	65
Grand Chamber (17 Judges)	0

Albania and ...

The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **643** Registry staff members.

* January to July 2023

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#).
Statistics on interim measures can be found [here](#).

Noteworthy cases, judgments delivered

Chamber

Cases dealing with the right to life (Article 2)

[Tërshana v. Albania](#)

04.08.2020

The case concerned an acid attack on the applicant in 2009. She suspected that her former husband, whom she accused of domestic violence, was behind the attack.

[No violation of Article 2 \(right to life\)](#)

[Violation of Article 2 \(investigation\)](#)

[Prizreni v. Albania](#)

11.06.2019

The case concerned the death and alleged ill-treatment of the applicant's brother in hospital after his transfer there from prison.

[Violation of the procedural limb of Article 2 owing to the lack of an effective investigation into the applicant's brother's death in hospital](#)

[No violation of the substantive limb of Article 3 \(prohibition of torture\)](#)

[Violation of the procedural limb of Article 3 \(prohibition of torture\) owing to the lack of a proper investigation into the applicant's arguable claims that his brother had been ill-treated](#)

[Rrapo v. Albania](#)

25.09.2012

The case concerned the applicant's extradition in November 2010 from Albania to the USA, where he faced charges of a number of serious offences, including membership of an organised racketeering enterprise engaged in murder, kidnapping, drug distribution, arson, robbery and extortion.

[No violation of Article 2](#)

[No violation of Article 3 \(prohibition of inhuman or degrading treatment\)](#)

[No violation of Article 1 of Protocol No. 13 \(abolition of the death penalty\)](#)

[Violation of Article 34 \(right to individual applications\)](#)

Cases concerning detention conditions and health care (Article 3)

[Strazimiri v. Albania](#)

21.01.2020

The case concerned the detention of a man, who had been exempted from criminal responsibility on account of mental illness, in a prison rather than a medical institution.

[Violation of Article 3 because of inadequate living conditions in the prison hospital where Mr Strazimiri was detained and insufficient psychiatric care](#)

[Prizreni v. Albania](#)

11.06.2019

The case concerned the death and alleged ill-treatment of the applicant's brother in hospital after his transfer there from prison.

[Violation of the procedural limb of Article 2 owing to the lack of an effective investigation into the applicant's brother's death in hospital](#)

[No violation of the substantive limb of Article 3 \(prohibition of torture\)](#)

[Violation of the procedural limb of Article 3 \(prohibition of torture\) owing to the lack of a proper investigation into the applicant's arguable claims that his brother had been ill-treated](#)

[Groni v. Albania](#)

07.07.2009

The case concerned the applicant's complaint of having received inadequate medical treatment in prison and about the unlawfulness of his detention for the enforcement in Albania of the life sentence imposed by the Italian courts in his absence.

[Violation of Article 3 \(prohibition of inhuman or degrading treatment\)](#)

[Violation of Article 5 \(right to liberty and security\) and 34 \(right of individual petition\)](#)

[Dybeku v. Albania](#)

18.12.2007

The case concerned the applicant's detention conditions and the medical treatment he received in prison, which he considered inappropriate given his state of health.

[Violation of Article 3 \(prohibition of inhuman or degrading treatment\)](#)

Cases on Article 5 (right to liberty and security)

[Strazimiri v. Albania](#)

21.01.2020

The case concerned the detention of a man, who had been exempted from criminal responsibility on account of mental illness, in a prison rather than a medical institution. Violations of Article 5 §§ 1, 4 and 5 (right to liberty and security/ right to have the lawfulness of detention decided speedily by a court/enforceable right to compensation), in particular because of his continued deprivation of liberty in a prison rather than a medical institution and because his appeal against his detention had been pending before the Supreme Court since 2016.

Cases dealing with Article 6

[Right to a fair trial/hearing](#)

[Thanza v. Albania \(no. 41047/19\)](#)

04.07.2023

The case concerned the vetting of the applicant by the authorities, which had resulted in his dismissal from his post as a Supreme Court judge.

Violation of Article 6 § 1 (right to a fair trial)

No violation of Article 8 (right to respect for private and family life)

[Besnik Cani v. Albania \(no. 37474/20\)](#)

04.10.2022

The case concerned a former prosecutor who was dismissed in 2020 as part of an exceptional process for the re-evaluation of all serving judges and prosecutors – known as vetting proceedings – following a reform of the justice system in Albania, and his doubts about one of the judges appointed to hear his case.

Violation of Article 6 § 1 (right to a fair trial / right to access to court)

[Xhoxhaj v. Albania](#)

09.02.2021

The case concerned a Constitutional Court judge who had been dismissed from office following the outcome of proceedings commenced in relation to her, as part of an exceptional process for the re-evaluation of suitability for office of all judges and prosecutors in the country, otherwise known as the vetting process. The applicant's case was examined by the

vetting bodies and her dismissal was confirmed in private by the Appeal Chamber.

No violation of Article 6 § 1 as regards the alleged lack of independence and impartiality of the vetting bodies, the alleged unfairness of the proceedings, the alleged lack of a public hearing before the Appeal Chamber and the alleged breach of the principle of legal certainty

Press release in [Albanian](#)

[Haxhia v. Albania and Mulosmani v. Albania](#)

08.10.2013

These cases concerned the criminal proceedings against two high-ranking police officers following the assassination in 1998 of a Member of Parliament for the opposition party, as well as his bodyguard. One of the officers was convicted of the assassination and the other officer was convicted of aiding and abetting the murder.

No violation of Article 6 §§ 1 and 3 (a) to (d)

The Court further declared inadmissible, in particular, the applicants' complaints under Article 6 § 2 (presumption of innocence).

[Manushaqe Puto and Others v. Albania](#)

31.07.2012- pilot judgment¹

The case concerned the complaints by 20 Albanians that, despite their inherited title to plots of land having been recognised by the authorities, final administrative decisions awarding them compensation in one of the ways provided for by law in lieu of restitution had never been enforced.

Violation of Article 13 (right to an effective remedy)

Violation of Article 6 § 1

¹ Since 2004 and in response to the large number of cases deriving from systemic or structural problems in certain countries the Court has developed a pilot-judgment procedure. This consists in identifying in a single judgment systemic problems underlying a violation of the European Convention on Human Rights and indicating in that judgment the remedial measures required to resolve such situations. The pilot-judgment procedure is not only intended to facilitate effective implementation by respondent states of individual and general measures necessary to comply with the Court's judgments, but also induces the respondent State to resolve large numbers of individual cases arising from the same structural problem at domestic level, thus reinforcing the principle of subsidiarity which underpins the Convention system.

Violation of Article 1 of Protocol no. 1 (protection of property)

Noting that the complaints reflected a widespread problem in Albania affecting a large number of people, the Court decided to apply the pilot-judgment procedure in this case. It held that Albania had to take general measures in order to effectively secure the right to compensation within 18 months from the date on which the judgment became final.

Caush Driza v. Albania

15.03.2011

The case concerned, *inter alia*, the lack of an effective domestic remedy in relation to the applicant's right to in-kind compensation *in lieu* of the physical restoration of property.

Violation of Article 13 (right to an effective remedy)

Violation of Article 6 § 1

Violation of Article 1 of Protocol No. 1 (protection of property)

Laska and Lika v. Albania

20.04.2010

The case concerned the unfairness of the criminal proceedings against the applicants, notably the conduct of an identification parade in which the applicants were made to wear balaclavas the same colour as those worn by the offenders, in the absence of their lawyers.

Violation of Article 6 § 1

Mullai and Others v. Albania

23.03.2010

The case concerned the lack of consistent interpretation by the Supreme Court as regards the lawfulness of a building permit awarded to the applicants.

Violation of Article 6 § 1

Violation of Article 1 of Protocol No. 1

Gjyli v. Albania

29.09.2009

The case concerned the non-enforcement of a final domestic court decision ordering the applicant's reinstatement as well as the lack of an effective domestic remedy as regards the non-enforcement of a final court decision.

Violation of Article 6 § 1

Violation of Article 13 (right to an effective remedy)

Driza v. Albania and Ramadhi and Others v. Albania

13.11.2007

The cases concerned the non-enforcement of judgments and administrative decisions in restitution of property cases, a widespread problem affecting large numbers of people in Albania.

Violation of Article 6 § 1

Violation of Article 1 of Protocol No. 1 (protection of property)

Violation of Article 13 (right to an effective remedy)

Right of access to court

Shkalla v. Albania

10.05.2011

The case concerned the unfairness of the criminal proceedings *in absentia* against the applicant and the hindrance of his right of access to court on account of the Constitutional Court's refusal to examine his constitutional appeal.

Violation of Article 6 § 1 (access and fairness)

Right to a fair hearing within a reasonable time

Bara and Kola v. Albania

12.10.2021

The case concerned proceedings before the domestic courts at a time when judicial reforms had been taking place. An election to the post of rector of a university had been at issue in Mr Bara's case, while Mr Kola's had concerned his trial for murder.

Violation of Article 6 § 1

Violation of Article 13 (right to an effective remedy) concerning the first applicant only

Mishqjoni v. Albania

07.12.2010

The case concerned the applicant's complaint about the excessive length of proceedings with regard to her dismissal in 2002 from her post as a district court judge. She also complained that the related proceedings concerning payment of salary arrears had been excessively long as well as unfair.

Violation of Article 6 § 1

Violation of Article 13 in conjunction with Article 6 § 1 (length)

Gjonbocari and Others v. Albania

23.10.2007

Concerned three sets of proceedings in which the applicants claimed restitution of land which had belonged to their parents but had been confiscated without compensation by the authorities during the communist regime.

[Two violations of Article 6 § 1](#)

[Violation of Article 13 \(right to an effective remedy\) in conjunction with Article 6 § 1](#)

Cases regarding private and family life (Article 8)

Gashi and Gina v. Albania (no. 29943/18)

04.04.2023

The case concerned a criminal investigation into the applicants on suspicion of irregularities related to their declaration of assets and financial interests over the years, and their suspension from their positions as prosecutors as required by the relevant legislation.

[Violation of Article 8 in respect of Mr Gina](#)

Nikëhasani v. Albania (no. 58997/18) and Sevdari v. Albania (no. 40662/19)

13.12.2022

The case concerned two prosecutors who had been dismissed from their posts after Albania had embarked on far-reaching reform of the justice system in 2016. The reform involved an exceptional re-evaluation of all serving judges and prosecutors – otherwise known as “vetting proceedings”.

[No violation of Article 8 as concerned Ms Nikëhasani. The Court considered that her dismissal had been justified, the vetting process having revealed serious doubts over her financial propriety after a careful examination of her case.](#)

[Violation of Article 8 as concerned Ms Sevdari’s dismissal. There had been no sign of bad faith in her declarations during the vetting process; any alleged irregularities had essentially concerned the payment of tax on some of her husband’s income from lawful activities abroad.](#)

[The Court considered under Article 46 \(binding force and implementation\) that an appropriate redress for Ms Sevdari would be to reopen the proceedings.](#)

Xhoxhaj v. Albania

09.02.2021

The case concerned a Constitutional Court judge who had been dismissed from office following the outcome of proceedings commenced in relation to her, as part of an exceptional process for the reevaluation of suitability for office of all judges and prosecutors in the country, otherwise known as the vetting process. The applicant’s case was examined by the vetting bodies and her dismissal was confirmed in private by the Appeal Chamber.

[No violation of Article 8](#)

[Press release in Albanian](#)

Other noteworthy cases, judgments delivered

Sharxhi and Others v. Albania

11.01.2018

The case concerned the demolition of flats and business premises in an Albanian coastal town, Vlora. The applicants, owners of the flats, complained in particular about the seizure, expropriation and subsequent demolition of their properties within a period of one month in 2013, despite a court order telling the authorities to refrain from taking any action that could breach their property rights.

[Violations of Article 6 § 1 \(right to a fair trial\), Article 8 \(right to respect for private and family life and the home\) and Article 1 of Protocol No. 1 \(protection of property\) alone and in conjunction with Article 13 \(right to an effective remedy\)](#)

Alimuçaj v. Albania

07.02.2012

The case concerned the criminal proceedings against the applicant for the criminal offence of deception as a result of taking loans from the public in the period between 1995 and 1997.

[No violation of Article 7 \(as regards the qualification of the applicant’s actions as a criminal offence under national law\)](#)

[Violation of Article 7 \(on account of the fact that a heavier penalty was imposed on the applicant than the one applicable at the time of the commission of the criminal offence\)](#)

Cases regarding Article 1 of Protocol No. 1 (protection of property)

Beshiri v. Albania and 11 other applications

07.05.2020

The case concerned complaints about a prolonged lack of enforcement of final decisions awarding compensation for property expropriated during the communist era.

The Court declared the applications inadmissible for non-exhaustion of domestic remedies, as premature, or because the applicants were no longer victims of a violation of their rights.

Press release in [Albanian](#)

Noteworthy cases, decisions delivered

Fullani v. Albania (no. 4586/18)

Decision of 13 October 2022

The case concerned Parliament's decision in 2014 to dismiss Mr Fullani from office as Governor of the Central Bank of Albania following his arrest on suspicion of abuse of office. He was subsequently acquitted. He brought legal action to challenge his dismissal, and the courts essentially found in his favour, but rejected his claim for additional compensation and reinstatement. [Application declared inadmissible for non-exhaustion of domestic remedies.](#)

Beleri and Others v. Albania

Decision of 10 May 2016

The case concerned the complaint of a group of Albanian nationals belonging to the Greek-speaking minority of their conviction, in Albania, of incitement to national hatred and denigration of the Republic and its symbols.

[Application declared inadmissible:](#)

[Complaint under Article 10 \(freedom of expression\) dismissed for failure to exhaust domestic remedies](#)

[Complaints under Articles 6 § 1 \(right to a fair trial within a reasonable time\), 14 \(prohibition of discrimination\) and 13 \(right to an effective remedy\) rejected as manifestly ill-founded](#)

Ceka v. Albania

Decision of 23.10.2012

The case concerned the death of Ms Ceka's son in police custody in July 2004 following his arrest on suspicion of robbery.

[Given the Government's admission that, in the present case, there had been a violation of Articles 2 and 3 as well as the amount of compensation proposed - EUR 10,000, a fair amount in this case in the Court's view - the Court considered that it was no longer justified to continue the examination of the case and, under Article 37 § 1 \(c\) \(striking out applications\), decided to strike it out of its list of cases.](#)

Vefa Holding Sh.p.k. and Alimuçaj v. Albania

Decision of 14.06.2011

The case concerned the collapse of a pyramid scheme and the adoption of remedial legislation resulting in the applicants' company being divested of its control and placed under the authority and supervision of State-appointed administrators.

[Application declared inadmissible as the applicants failed to comply with the time-limit laid down in Article 35 §§ 1 and 4 of the Convention.](#)

Noteworthy pending cases

2001 SH.P.K. v. Albania (no. 56080/19)

Case [communicated](#) to the Albanian Government on 10 May 2021

The application concerns an alleged breach of the applicant company's right of access to court.

Vetting process of judges and prosecutors

Bala v. Albania (no. 21141/20)

Case [communicated](#) to the Albanian Government on 2 July 2021

The application concerns the discontinuation of the vetting proceedings (*ndërprerjen e procesit të rivlerësimit*) in relation to the applicant, following her resignation from the position of a legal advisor at the Constitutional Court and in spite of her request to be vetted, and the imposition of a ban on re-appointment in any posts in the justice system for a period

of fifteen years, in accordance with Article G of the Annex to the Constitution.

**Becchetti and Others v. Albania
(no. 53488/15)**

Case [communicated](#) to the Albanian Government on 12 January 2016

In this case, all four applicants complain under Article 6 § 2 (presumption of innocence) of the Convention on account of statements made by the Prime Minister. Furthermore, one of the applicants also complains under Article 3 (prohibition of inhuman or degrading treatment) of the Convention on account of her wearing handcuffs at the hearing at which her house arrest was ordered.

**Delijorgji v. Albania
(nos. 53694/08, 48729/08, 48740/08,
and 54768/08)**

Case [communicated](#) to the Albanian Government on 14 February 2011

The applicants are two Albanian companies and three Albanian nationals.

The case concerns an explosion at an arms depot in the village of Gërdec in March 2008, which killed more than two dozen people. Following the incident, Mr Delijorgji,

the administrator of a company responsible for munitions-disposal work at the site was remanded and his property was seized. All applicants rely mainly on Article 1 of Protocol No. 1 (protection of property) to the European Convention.

Positive obligations by the State

**Durdaj v. Albania (nos. 63543/09 and
12720/14)**

Case [communicated](#) to the Albanian Government on 6 January 2015

The case concerns the authorities' obligation to protect the life of the applicants' son as well as their obligation to conduct an effective investigation into the explosion of a demilitarisation facility. All the applicants in the case rely on Article 2 (right to life) of the Convention.

See similar applications [Selami v. Albania](#) (no. 46707/13) and [Durdaj and Hazizaj v. Albania](#) (no. 46714/13), communicated in January 2015.

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