



QUARTERLY

NEWSLETTER/NO.

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TABLE OF MAIN TITLES:

1. RESPECT FOR CITIZENS' RIGHTS
2. ADVOCATING PROTECTION OF HUMAN RIGHTS
3. CAPACITY BUILDING AND TRAINING ACTIVITIES IN THE PENITENTIARY FIELD
4. ADDRESSING HUMAN RIGHTS PROBLEMS IN STATE INSTITUTIONS
5. RAISING PUBLIC AWARENESS AND EDUCATION
6. STRENGTHENING COOPERATION WITH THE CIVIL SOCIETY FOR BETTER LOBBYING
7. INSTITUTIONAL DEVELOPMENT OF THE ORGANIZATION
8. OTHER AHC PROJECTS
7. ADVOCATING PROTECTION OF HUMAN RIGHTS
8. INSTITUTIONAL DEVELOPMENT OF THE ORGANIZATION

# ALBANIAN HELSINKI COMMITTEE

## NEWSLETTER

April-June 2007

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### **AHC observes respect for Albanian emigrants' rights in Greece**

During May 27 – 30, 2007, a representative group of the Albanian Helsinki Committee organized a visit to Athens. The goal of the visit was to establish contact with Albanian emigrants' associations in Greece, observe and discuss about some human rights problems of concern to the Albanian community in Greece with local authorities and Albanian representatives in Greece. In this context, AHC representatives met with Albanian emigrants' associations in Greece, and representatives of the Albanian and Greek media there.

***Continued on page 2***

### **Consensus on electing the president – an important element of democracy in Albania**

Considering the significance of the election process for the President of the Republic of Albania as the head of state and representative of the unity of the people; with a view to encouraging public and civil society participation in increasing their role in the development of democracy and strengthening the rule of law, on May 11, 2007, representatives of some civil society groups, academics, and the Conference of Rectors of Universities of Albania signed a memorandum.

***Continued on page 11***

### **Albanian Helsinki Committee establishes Free Legal Clinic**

According to observations by human rights organizations, with AHC being among them, free advocacy service in Albania leaves to be desired both in quality and in the outreach of services offered. Because of this and demands addressed by citizens, AHC took the initiative to *establish a Legal Clinic for offering free advocacy services* in the penal area, primarily for persons in need who do not have the financial resources to afford expenses for lawyers and whose rights have been violated. This was done thanks to financial support from the Swedish Helsinki Committee.

***Continued on page 14***

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## **1. RESPECT FOR CITIZENS' RIGHTS**

### **1.1 Monitoring missions**

#### **Situation of detainees' rights after detention centers were moved under the responsibility of the Ministry of Justice**

In the context of its mission to protect and raise awareness about human rights, during March-May 2007, AHC organized a round of monitoring missions in prisons and detention institutions. Their goal was to monitor respect for detainees' rights, after detention facilities were moved under the responsibility of the Ministry of Justice. Upon conclusion of the observations, AHC alerted the main institutions responsible for the human rights situation at prisons and detention facilities regarding the findings of these monitoring missions, achievements, and violations. AHC also made concrete suggestions and recommendations for improving the human rights situation of detainees at these institutions.

#### **AHC observes respect for Albanian emigrants' rights in Greece**

During May 27-30, 2007, a representative group of the Albanian Helsinki Committee organized a visit to Athens. The aim of the visit was to establish contact with Albanian emigrants' organizations in Greece, observe and discuss some human rights problems of concern to the Albanian community in Greece with local authorities and Albanian representatives in Greece. In this context, AHC representatives organized meetings with Albanian emigrants' associations in Greece, the Albanian Embassy in Athens, with representative of the Greek People's Advocate, as well as representatives of the Albanian and Greek media in Greece.

An important part of the visit to Athens was the meeting with the Greek Helsinki Monitor, with whom the group discussed Albanian emigrants' problems, as well as the possibility for concrete actions to be undertaken in the future to cooperate for a more effective protection of emigrants' rights. For more information, visit:

<http://ahc.org.al/kshh/eng/emigrant/EMIGRANT.html>

## **2. ADVOCATING PROTECTION OF HUMAN RIGHTS**

### **2.1 Offering expertise in the area of legislation and its implementation**

#### **2.1.1 Legal critique**

#### **AHC in defense of freedom of the press**

In the context of its mission to protect human rights, in May 2007, AHC sent a letter to the Assembly of Albania suggesting the review of article 159 of the Penal Procedure Code. Paragraph 3 of this article is in contravention of the spirit of the Constitution of the Republic of Albania, the European Convention of Human Rights, and the practice of the European Court of Human Rights with regard to the principle of protection of press freedom. For more information, visit: [http://ahc.org.al/kshh/eng/legal\\_expertises/legal\\_expertises.html](http://ahc.org.al/kshh/eng/legal_expertises/legal_expertises.html)

## **Legal critique on the draft law on the responsibility of legal entities**

During May 2007, AHC gave its views regarding the draft law on the responsibility of legal entities. Considering that Albania's experience in this area is limited, the draft law featured some disputable issues. On these issues, AHC drafted some comments and submitted them to the Assembly of Albania. The draft law was assessed relying upon the United Nations Convention against Corruption, ratified by law no. 9492, dated 13.03.2006, and the Penal Code of the Republic of Albania.

## **Legal critique regarding the draft law "On the organization of the judicial system in the Republic of Albania"**

During May 2007, the Albanian Helsinki Committee submitted to the Assembly of Albania its comments regarding the draft law "On the organization of the judicial system." Aside from its views on disputable and delicate issues contained in the draft law, AHC suggested that the draft law, before approval by the respective parliamentary commissions or the plenary session of the Assembly of Albania, become the object of debate and discussions among a broader circle of specialists of constitutional law, penal procedure, and administrative law, including independent civil society experts. The Committee suggested this precisely for the special importance of this law and the numerous problems that justice encounters in Albania.

## **Suggestions regarding the drafting of a new policy regarding health care in the Albanian penitentiary system, with a special focus on infective diseases**

Considering the problems and challenges to health care and the treatment of infective diseases in Albanian penitentiary institutions, AHC and foreign experts engaged by the Committee for this purpose, offered suggestions and opinions to the Ministry of Justice and the General Directory of Prisons regarding the drafting of a policy for health care in the Albanian penitentiary system, with a special focus on infective diseases. In this important document, the experts addressed issues related to the importance of having such a strategy, concrete steps for drafting it, considering the situation at Albanian institutions, as well as the structures/bodies that may be involved in the process of drafting such policies. AHC welcomes the drafting of a clear strategy in this area.

### **2.1.2 Offering expertise and participation in working groups**

#### **Participation in the working group for the implementation of recommendations by the European Commission against Racism and Intolerance (ECRI)**

For the purpose of increasing AHC's role in implementing recommendations by international institutions and their monitoring mechanisms in the area of anti-discrimination and intolerance, during the period April-June 2007, AHC was active with its participation in working groups established by the Ministry of Foreign Affairs with regard to implementing ECRI recommendations in Albania. In this context, AHC expressed its views on the implementation of ECRI recommendations regarding legal reform vis-à-vis non-discrimination, the treatment of asylum seekers, minority rights in general, and the Roma minority and Egyptian community in particular. AHC's views were founded on conclusions emerging from its activity in the respective areas. Participating in the working group meetings were representatives of different state institutions, representatives of minority groups and human rights organizations working in the field of minorities and anti-discrimination.

Such meetings are viewed as useful in coordinating initiatives in the area of anti-discrimination and tolerance and in increasing the role of the civil society in this direction.

## **Participation in the working meeting regarding reform in the European Court of Human Rights**

In the context of reform in the European Court of Human Rights, the Ministry of Foreign Affairs has held several meetings with different experts of this area. The Group of the Wise was set up and has given its views regarding reform in this Court. AHC participated in this meeting to table its views regarding this process.

## **Participation in the working group regarding recommendations of the Committee for the Prevention of Torture (CPT)**

During the period April-June 2007, AHC participated in the meetings of the working groups set up with the initiative of the Ministry of Foreign Affairs regarding implementation of the recommendations of the Committee for the Prevention of Torture (CPT). In this context, a series of meetings were held between the office of the MFA legal representative and civil society representatives. Among other things, participants discussed about the engagement of the civil society in a fast implementation of these recommendations by the relevant state bodies.

During meetings of the working group, participants discussed the progress of measures undertaken by representatives of responsible state structures pursuant to suggestions tabled by civil society representatives in previous working meetings. AHC, as an actor in this area, presented its concerns and recommendations regarding respect for human rights.

## **Experts' meeting on conditions of detained persons**

On May 22-23, 2007, the Council of Europe, in cooperation with the Ministry of Justice, organized a meeting of experts on the progress of the process to move detention facilities under the responsibility of the Ministry of Justice and issues characterizing this process. Civil society experts operating in this area also participated in the meeting. AHC made a presentation of problems encountered in detention facilities that are under the responsibility of the General Directory of Prisons (GDP), as well as of AHC's contribution to the different issues addressed at the meeting. AHC also invited Council of Europe experts to coordinate future efforts in the area of providing expertise on penitentiary legal reform.

## **Meeting of the Prison Reform Group**

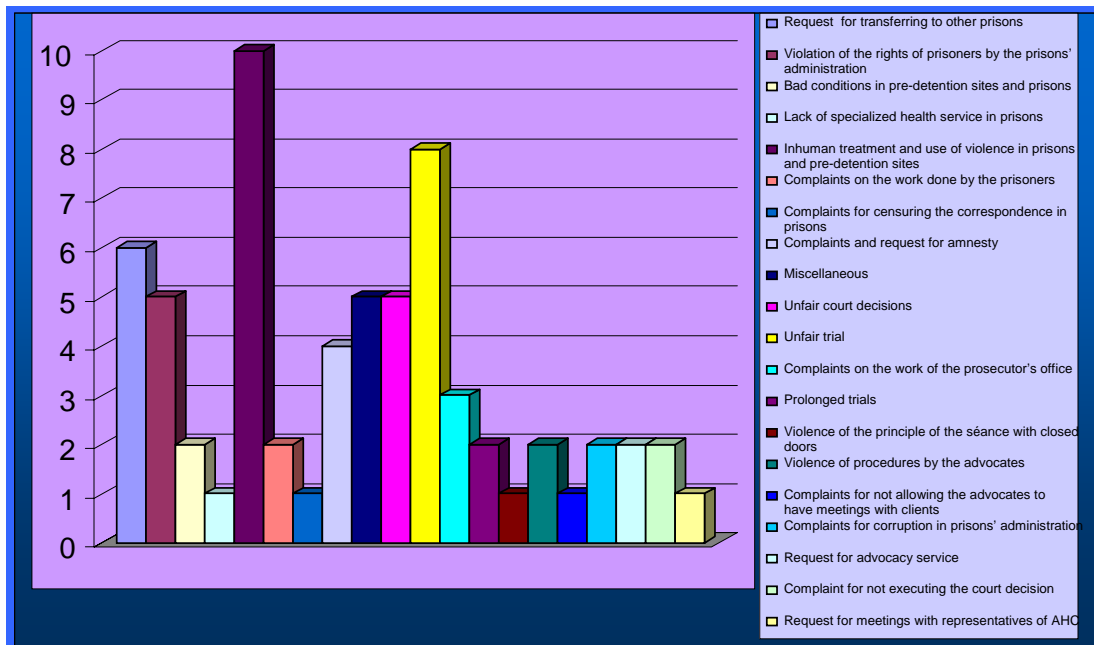
On May 25, 2007, the Prison Reform Group, coordinated by the International Consortium and to which AHC adheres, held a meeting to discuss issues regarding treatment of special groups such as the elderly, the ill persons, etc., problems related to escorting detainees to the courts, etc. AHC brought to the attention of participants relevant issues it had observed. Also, AHC and the Council of Europe presented their activities in the penitentiary area for the period 2007-2008. The working group issued concrete recommendations on the addressed issues.

## **2.2 Legal Counseling**

During the period April-June 2007, AHC received a total of **73 complaints** and requests for legal counsel. The majority came from detained persons or inmates. Complaints generally related to court rulings. The Committee has noticed an increase in complaints toward violations of rights by prison administrations and complaints for bad conditions in prisons and pre-detention sites etc. In the majority of cases, AHC addressed competent bodies, such as the General Directory of

Prisons, the district prosecutor's offices, the police directories, etc. A part of the complaints have been treated in the framework of the Legal Clinic. Based on the information provided and the needs to verify the up-coming cases addressed to AHC, there have been settled 13 missions to accomplish the verifications of the complaints.

**Table of complaints addressed to AHC during the period April-June 2007**



### 3. CAPACITY BUILDING AND TRAINING ACTIVITIES IN THE PENITENTIARY AREA

#### Training basic role personnel and representatives of the civil sector at the Lezha detention institution

On April 12-13, 2007, AHC organized at the Lezha detention institution, the fourth training session<sup>1</sup> with basic role personnel in uniform, of the internal regime, as well as representatives of the civilian personnel, such as the medical care staff, social workers, and educators<sup>2</sup>. The main objectives of the training session dealt with important issues of good management of penitentiary institutions, such as: proper treatment of vulnerable persons<sup>3</sup>, contacts with the outside world, and daily programs in the Lezha detention section. Experts Mr. Jan van den Brand and Mr. Cees Boeij<sup>4</sup>, offered their expertise and experience in this session.

<sup>1</sup> This working session was realized in the context of AHC's project "Leading detention facilities from a human rights standpoint," funded by the U.S. State Department's Democracy and Human Rights Fund.

<sup>2</sup> This activity is part of the training program that AHC is conducting during the period 2006-2007 with the Lezhë institution administration. The main goal of this activity is to create a model of good management for the country's pre-trial detention system.

<sup>3</sup> Vulnerable due to age, sex, nationality, language, religion, political beliefs, physical and mental status, dependency, kind of crime committed, kind and length of prison term.

<sup>4</sup> Both experts are General Directors working in Dutch prisons.

Participants received useful knowledge on different categories of vulnerable groups in penitentiary institutions and the main characteristics of their behaviors. Experts emphasized the need for differentiated protection of vulnerable groups to match their problems and that it is also important to qualify and train personnel working with this category of detainees. An issue addressed at this training session was that related to the right of persons deprived of their freedom to have contacts with the outside world. At the end of the training session, recommendations were made and forwarded to the GDP and the Lezha detention institution. For more information, visit: [http://ahc.org.al/kshh/eng/prison/CAPACITY\\_BUILDING.html](http://ahc.org.al/kshh/eng/prison/CAPACITY_BUILDING.html)

## **Finalization of training sessions with the Lezha detention institution administration**

On May 31 – June 1, 2007, AHC organized at the Lezha detention institution the fifth and last training session<sup>5</sup> with the institution's administration. The main topics of the session were: drafting specific protocols for grave situations at the institution, drafting special daily programs for different categories of detainees with a special focus on juveniles, and providing recommendations on employment projects drafted by the Lezha prison staff. The session's target group was the high and middle level management of the detention regime, including civilian and uniform personnel chiefs, as well as all representatives of the education sector of the detention facility<sup>6</sup>. Experts Mr. Jan van den Brand and Mr. Cees Boeij<sup>7</sup>, offered their expertise and experience in the session.

Participants divided into working groups drafted a type of protocol that will be used at the Lezha institution in cases of different situations regarding suicides. Also, working groups worked on drafting three different proposals to improve the Lezha detention institution's daily program, which were discussed and commented by the experts. For more information, please visit: [http://ahc.org.al/kshh/ARKIV/2007/2806sesioni\\_lezha.htm](http://ahc.org.al/kshh/ARKIV/2007/2806sesioni_lezha.htm)

## **4. ADDRESSING HUMAN RIGHTS PROBLEMS AT STATE INSTITUTIONS**

### **4.1 Meetings with state authorities**

#### **AHC presents the start of its new projects at an official meeting with the General Director of Prisons**

On April 27, 2007, a representative group of AHC met with Mr. Saimir Shehri, General Director of Prisons and his close management staff. At the meeting, the Committee presented its two new projects it began to implement with financial support from the European Union Delegation in Tirana and UNICEF. Both initiatives found the full support of Mr. Shehri and his institution. Among other things, participants also discussed issues of concern accompanying the process of moving detention facilities under a different responsibility, as well as AHC's suggestions for guaranteeing detained persons' rights at these institutions.

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<sup>5</sup> This working session was realized in the context of AHC's project "Leading detention facilities from a human rights standpoint," funded by the U.S. State Department's Fund for Democracy and Human Rights.

<sup>6</sup> With this training session, AHC finalized the round of training courses that the Committee conducted with the administration of the Lezhë detention institution during 2006-2007. The main goal of this activity was to create a model of good management for the country's pre-trial detention system.

<sup>7</sup> Both General Directors at the service of Dutch prisons.

## **AHC presents its concerns regarding respect for Albanian citizens' rights while crossing the border<sup>8</sup>**

In April 2007, AHC representatives met with Mr. Gazmend Barbullushi to present AHC's concerns regarding the treatment of Albanian citizens stopped in Croatia for illegal border crossing, while heading for Slovenia and Italy. At the meeting, participants also discussed complaints received by AHC regarding the treatment of Albanian prisoners in Greek prisons<sup>9</sup>. By means of this meeting, AHC representatives also discussed other issues raised with AHC through complaints received from citizens.

## **AHC lobbies with high state authorities to not vote the candidacy of Belarus at the Human Rights Council**

On the occasion of the periodical meeting of the Human Rights Council, on May 3, 2007, the Albanian Helsinki Committee sent a letter to high state authorities in Albania to not vote the candidacy of Belarus to become a member of the Human Rights Council, a structure of the United Nations. This was an appeal to high state authorities by Helsinki Committees of the respective countries, arguing why Belarus should not become a member of this Council. The main arguments related to failure to meet the criteria of a democratic country where human rights are respected.

## **AHC addresses issues of the penitentiary area to the Minister of Justice**

On May 8, 2007, AHC representatives met with Mr. Ilir Rusmali, Minister of Justice, and Ms. Enkeledi Hajro, General Director of Justice Issues. At the meeting, the Committee discussed the positive aspects of moving the detention system under the responsibility of the Justice Ministry, problems observed by AHC in this direction, progress of some normative acts such as Council of Ministers Decisions on the organization of employment and rewards for inmates, food norms, suggestions for policies to prevent, control, and treat infective diseases in penitentiary institutions, etc.

During the meeting, AHC presented its new projects scheduled to begin in the area of training detention and prison administrations. These projects found financial support from the European Commission Delegation in Tirana and UNICEF. Both initiatives found the full support of the Minister of Justice and his institution.

## **AHC builds bridges of cooperation with the Police Directory in the context of the legal clinic**

On May 9, 2007, AHC representatives held a meeting with the General Director of State Police regarding implementation of the of the SA Agreement and the establishment of bridges of cooperation in the context of offering free legal aid and verifying concrete complaints. Besides AHC, participating in the meeting were representatives of the Roma Center for Contemporary Vision. Representatives of the General Directory of Police expressed their readiness to cooperate with the Albanian Helsinki Committee to denounce and verify cases AHC receives. The meeting was also useful to establish contacts and create opportunities for cooperation between the Roma organization and the General Directory of Police in order to hold meetings and refer human rights violations cases to this institution.

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<sup>8</sup> This meeting was realized in the context of the project "Monitoring respect for the human rights of Albanian emigrants and returned persons," supported financially by the Norwegian Helsinki Committee

<sup>9</sup> This problem has been raised also at meetings that AHC has realized in Athens, Greece

## **Fair 2008 at I.E.D.P. Ali Demi, Tirana**

On May 18, 2007, I.E.D.P. Ali Demi organized Fair 2008, thus continuing a good tradition of coexistence and respect for the cultures of different areas where women convicts came from. AHC attended this activity represented by Ms. Edlira Papavangjeli, Program Coordinator.

After this activity, Ms. Papavangjeli made comments for the daily newspaper *Shqip* regarding problems noticed with women serving their terms at this prison as well as the delay of entering into force of the Council of Ministers Decision on the organization of employment at prisons and how to reward employed inmates.

### **4.2 Communication with state authorities**

During the period April-June 2007, AHC had continued communication with state authorities. Communication primarily involved the handling of letters and complaints, addressing human rights problems that AHC encountered during its monitoring missions, giving ideas in the context of draft laws, etc.

In general, there is an increase in the responsiveness of state authorities for taking into consideration demands and recommendations submitted by AHC.

## **5. RAISING AWARENESS AND EDUCATION WITH THE PUBLIC AND THE PUBLIC ADMINISTRATION**

### **5.1 Round table discussions**

#### **Systematic and unified use of the permits system at institutions executing imprisonment sentences**

On June 7, 2007, AHC organized a round table discussion about the system of permits at institutions where prison sentences are executed.<sup>10</sup> The purpose of the meeting was to discuss the topic and draft some main recommendations on guaranteeing the normal, unified, and systematic system of permits. Invited experts brought models of advanced countries' permit systems and offered valuable recommendations about the good functioning of the Albanian permit system.

Among other things, participants discussed about proposed amendments to the law "On the rights and treatment of persons sentenced to imprisonment." They suggested that these amendments be subjected to discussions by specialists in order to attract the best opinions. At the conclusion of the round table discussion, participants drafted some recommendations that were submitted to the Ministry of Justice and the General Directory of Prisons.

Participating in the round table discussion were representatives from the Ministry of Justice, the General Directory of Prisons, as well as all directors of Albanian prisons. Experts Mr. Jan van den Brand<sup>11</sup> and Mr. Peeter Naks<sup>12</sup> offered their expertise.

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<sup>10</sup> This activity was realized in the context of AHC's project "Leading detention facilities from a human right standpoint," funded by the U.S. State Department's Fund for Democracy and Human Rights

<sup>11</sup> International experts with long experience in the penitentiary field.

<sup>12</sup> Expert from the Euralius Mission in Albania.



## **AHC's contribution to strengthening cooperation between Roma associations<sup>13</sup>**

On the occasion of the founding of Albanian Roma organizations, the Democratic Union of Albania's Roma (DUAR) organized the Conference on "Time for Understanding – Space for All." The conference sought to discuss about the work of Roma associations, other local and foreign associations, and state institutions, the generalization of experiences, with a view to having better cooperation and coordination of programs between them for the Roma minority.

AHC also gave its contribution for the organization of the event. Furthermore, the Executive Director gave remarks regarding the importance of good organization of the civil society in general and Roma associations in particular in their work for the Roma minority. On this occasion, AHC presented its latest publication "Study of policies on minorities and funding strategies in Albania."

## **Lobbying the civil society to defend freedom of the media<sup>14</sup>**

On April 11, 2007, at the Tirana International Hotel, the Mjaft organization organized a round table discussion with media representatives and different actors of the civil society. The discussion was about the role the civil society should play to defend media freedom and independence as a fourth estate in a democratic country from pressure by executive power bodies. Participants at the round table discussed about the influence that politics and certain segments of it had on the free and independent media as well as about ways to be pursued by the civil society in order to preserve the democratic principle of non-violation of the media's power, its transparency and freedom. Participants at the meeting discussed about the impact of selective and biased controls of tax administration bodies on a given commercial subject.

### **5.2 AHC's public reactions**

During the period April-June 2007, AHC was sensitive to developments in the Albanian society and reacted publicly through statements to the press. In these statements, AHC reacted toward events such as: the explosive in the car of MP E. Braçe, accusations to the media by the PM of Albania, the situation at the Korçë detention institution based on AHC's monitoring, the removal of antennas of televisions TOP Channel and Vizion +, the case publicized by the media regarding violence on two young men by Greek police, etc. AHC's good cooperation with other organizations in issuing joint statements to the press is worth mentioning. For more information, visit: <http://ahc.org.al/kshh/eng/press.html>

### **5.3 Raising public awareness through the media**

#### **5.3.1 Sensitizing program on Roma minority rights**

In the context of the Roma week, Ms. Vasilika Hysi, Executive Director of AHC, participated in the program "Roma women," aired by the Albanian Public Television on April 4 and rebroadcast on April 5, 2007. In the program, the AHC representative addressed different problems, such as: education for Roma children, increasing Roma minority access to public services, the need for

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<sup>13</sup> This activity was realized in the context of the project "Raising the role of the civil society and state institutions in promoting and better respect for minority rights," with financial support from CORDAID

<sup>14</sup> This activity was realized in the context of the project "Monitoring respect for human rights and institutional development," with financial support from CORDAID

cooperation and coordination on Roma organizations' efforts in general and women's organizations in particular.

### **5.3.2 Press conference**

On May 14, 2007, some non-profit organizations such as the Office for Consumers' Protection, the Center for Development and Democratization of Institutions, the Albanian Human Rights Group, the Albanian Human Rights Center, and the Albanian Helsinki Committee, organized a press conference to make public their views on the law on "Tourism." In spite of the intention to improve the tourism situation in Albania, AHC and the other partner organizations expressed their concern that the law "On tourism" violates the right to privacy protected by the Constitution of Albania.

Considering the importance of the law and the violation of the constitutional right of individuals to privacy, partner organizations sent an official letter to the President of the Republic of Albania, suggesting not decreeing the above law and its review in accordance with constitutional principles.

## **5.4 Awareness campaigns**

### **Participation in the campaign against children's illegal work and exploitation<sup>15</sup>**

On June 12, 2007, on the occasion of the international day against children's work and exploitation, upon the initiative of the Center for Children's Protection (CRCA), a manifestation was organized in front of the building of the Ministry of Labor, Social Affairs, and Equal Opportunities, demanding the elimination of children's work and economic exploitation. Besides AHC, the movement was joined by other organizations working in the area of human rights in general and children's rights in particular. Representatives of the participating organizations placed an emphasis on the indispensability of the state taking the necessary measures to reduce children's illegal economic exploitation and employment. Present at the activity was also the media, which interviewed representatives of the participating organizations. For more information about the open letter, please visit: [www.ahc.org.al](http://www.ahc.org.al)

## **5.5 New AHC publications**

During the period April-June 2007, AHC released several publications:

### **Respect for juveniles' rights in the penal process<sup>16</sup>**

This study sought to realize an assessment of respect for the rights of juveniles coming into contact with justice in the courts of the judicial districts of Tirana, Shkodra, Fier, Elbasan, Gjirokastra, Vlora, and Korça for 2005 and part of 2006. Also, the study includes conclusions regarding respect for juveniles' rights in penal processes, recommendations to encourage policy and decision making bodies to accelerate measures for better treatment of needy juveniles and assistance in improving legislation on penal juvenile justice.

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<sup>15</sup> This activity was realized in the context of the project "Increasing the role of the civil society and state institutions in promoting better respect for minority rights," with financial support from CORDAID

<sup>16</sup> The publication was realized with financial support from CORDAID

## **Study on minority policies and funding strategies in Albania<sup>17</sup>**

The purpose of this study is to collect basic information on the policies and actions of all actors that affect and directly and publicly influence the Roma and Egyptian communities with a view to better coordination between them.

The study contains data on the main projects implemented during the period 2003-2005. Furthermore, the study reflects current policies and actions undertaken by different actors operating in this area. The study managed to establish a simple database regarding projects and programs addressing issues of the Roma and Egyptian communities.

In this context, this study will allow other programs and projects to focus better on those directions needing the most attention.

## **“Observation of Korça Municipality’s respect for minority rights”<sup>18</sup>**

The goal of the project was to assess respect for minority rights at the local level and highlight opportunities for their development. The basis for the project’s realization was the surveying of Korça Municipality citizens and administration.

All conclusions drawn from the survey of citizens and the Korça Municipality administration were discussed at a round table discussion, organized in the city of Korça, and were included in the publication “Observation of Korça Municipality’s respect for minority rights.”

By means of this publication, AHC seeks to offer concrete approaches, considering the particularities of the city of Korça, minorities living in it, and the quality of governance at the local level. Through this initiative, besides general assessments of the situation of respect for minority rights by the municipality, AHC seeks to offer local government bodies concrete conclusions and recommendations on improving the situation in the city.

## **6. STRENGTHENING COOPERATION WITH THE CIVIL SOCIETY FOR BETTER LOBBYING**

### **6.1 AHC participates in the round table discussion on respect for human rights in mental health**

On April 30, 2007, the Albanian Center for the Rehabilitation from Trauma and Torture, in cooperation with the Ministry of Health, organized a round table discussion on “Monitoring respect for human rights in mental health services.”

The goal of the activity was to give a general overview regarding the current legal framework in defense of individuals’ mental health. In this aspect, several specific aspects of the law “On mental health” were discussed, seen from the standpoint of their implementation in practice with human rights in mind. AHC gave its opinions on the improvement of this law, assessing it from the human rights’ protection standpoint. It also discussed the need to complete the legal framework with other sub-legal acts that enable its implementation.

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<sup>17</sup> This study was funded by Cordaid in the context of the project “*Minority policies and funding strategies in Albania*,” implemented with local experts.

<sup>18</sup> This study was realized in the context of the project “Monitoring respect for human rights in the Korçë Municipality,” made possible financially by Friedrich Ebert Stiftung

## **6.2 Consensus on the election of the president – an important element of democracy in Albania**

Assessing the importance of the process to elect the President of the Republic of Albania as the head of state and the representative of the people's unity, in order to encourage the public and civil society's participation in increasing their role in to develop democracy and strengthen the rule of law, on May 11, 2007, representatives of some civil society groups, representatives of academia, and the Conference of Rectors of the Universities of Albania signed a memorandum.

Through the memorandum, the signatories requested that political parties understand constitutional rules for the election of the President as an absolute indispensability to find consensus on the qualities of the process and the candidate until the election, and not use the moment for narrow party gain; the candidates' selection process should be broad, open, not last minute.

The memorandum was sent to the Ms. Jozefina Topalli, Speaker of the Assembly of Albania, Mr. Sali Berisha, Prime Minister and Chairman of the Democratic Party, Mr. Edi Rama, Chairman of the Socialist Party, the chairmen of all other parliamentary parties, and all parliamentary group chairmen.

## **6.3 AHC meetings with local and international organizations' representatives**

### **AHC builds bridges of cooperation with other civil society actors in the context of establishing the free Legal Clinic**

On May 3-4, 2007, AHC held several meetings with different civil society actors. The purpose of the meetings was to alert them to new legal services that AHC will offer in the context of the recently opened Legal Clinic. Through them, AHC also sought to update information on the legal services situation in Albania.

In this context, AHC realized meetings with representatives of the Amaro Drom organization, the OSCE Presence in Tirana, the Legal Clinic for juveniles, the Citizens' Advocacy Office, the Albanian Disabilities Rights Foundation, and the National Chamber of Lawyers.

The meetings helped increase cooperation between the different civil society actors working in the field of human rights. They were also helpful in coordinating cases and target groups that these groups cover, through a cooperation agreement with all actors. This will help increase the efficiency of the work of these organizations in resolving problems raised by citizens.

### **Meeting with the Iraqi delegation regarding juvenile justice in Albania**

On May 21, 2007, Ms. Vasilika Hysi, AHC Executive Director, met with the Iraqi delegation that visited Albania on a study visit on Juvenile Justice, organized by UNICEF Iraq (based in Amman, Jordan) and UNICEF Tirana and Kosovo. In the meeting, the delegation became aware of AHC's positive experience in the area of juvenile justice and in monitoring prisons in Albania and prison reform.

Executive Director Ms. Vasilika Hysi responded to delegation members' numerous questions regarding the role of the Albanian Helsinki Committee, its work methodology, and cooperation with state institutions.

## **Meeting with Amnesty International representatives regarding violence toward women in Albania**

On June 25, 2007, AHC representatives met with Amnesty International (AI) representatives, requested by the latter. During the meeting, AHC gave an overview of its activity in the field of human rights in Albania, respect for human rights, and strengthening the rule of law. AI representatives spoke about the purpose of their project on the fight against violence toward women in Albania and exchanged opinions regarding women's rights in the country, achievements, problems, and challenges, AHC and other civil society actors' contributions in Albania. The AHC representative alerted AI representatives on some valuable recommendations regarding improvement of respect for women in the country. A topic of discussion was also cooperation with AI in this area. During this meeting, participants discussed about ways to make such cooperation more effective.

## **Meeting with representatives of the Spanish Agency for International Cooperation regarding needs of penitentiary institutions in Albania**

On June 26, 2007, AHC met with representatives of the Spanish Agency for International Cooperation and its expert in the penitentiary field. Beside an overview of its contributions in the area, AHC also presented in detail its planned activities. Spanish representatives said the Agency was on a mission to assess needs in the penitentiary area so that the Spanish expert could plan assistance that his government could provide for Albanian penitentiary institutions. The meeting contributed to better and more efficacious coordination of current and future funds, expertise, and support to Albanian penitentiary institutions.

## **AHC presents its activity in the penitentiary field at a meeting with the civil society**

On June 27, 2007, AHC was invited by the EURALIUS Mission to make a presentation of AHC's initiatives and activities for 2007-2008 in the penitentiary field, in the context of the CARDS program and the program supported by UNICEF. Participants also addressed potential challenges in the area. Participants were representatives of the EURALIUS Mission and its experts as well as representatives of international organizations in Albania. AHC will be invited in the future to update participants on progress. Participants viewed the meeting as necessary for contributing to better cooperation and coordination between actors operating in the area.

## **7. INSTITUTIONAL DEVELOPMENT OF THE ORGANIZATION**

### **7.1 Capacity building for AHC staff**

#### **Training on legal and management aspects of free advocacy services**

On *June 1, 2007*, the Albanian Helsinki Committee<sup>19</sup> organized a training course for its staff on legal and managerial aspects of the free advocacy services that AHC will offer.

The main issues addressed in the course were basic concepts on free legal assistance, the role and specifics of free legal aid counselors and lawyers of the Legal Clinic, types of cases to be addressed, phases through which cases go, treatment of paralegal and legal issues, aspects of management, administration, and funding of free legal assistance, etc. The training course was accompanied by interactive methods that addressed numerous problems encountered in practice.

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<sup>19</sup> In the context of the project **“For better protection of human rights violations’ victims in Albania”** supported financially by the Swedish Helsinki Committee

Advocates and other staff representatives working at the Tirana Legal Aid Service (TLAS) offered legal and practical expertise.<sup>20</sup>

## 7.2 New staff recruitment at AHC

In order to improve the organization's work, AHC publicized a job opening announcement for the Financial Assistant / Office Administrator. A commission was set up and interviewed the selected candidates who were short-listed.

Among the several candidates, the Commission selected Ms. Valmira Kallushi as the most appropriate candidate for the position of the Financial Assistant / Office Administrator.

Also, in the context of AHC's plans to begin implementation of new projects in the penitentiary field, Ms. Klejda Ngjela has been engaged as an assistant for these projects.

## 8. NEW AHC PROJECTS

### AHC ESTABLISHES THE FREE LEGAL CLINIC

According to observations by human rights organizations, including AHC, free advocacy service in Albania leaves to be desired both in terms of quality and the outreach of services offered. In view of that and based on requests by citizens, AHC took the initiative to *establish a Legal Clinic for offering free advocacy service* in the penal area, primarily for individuals in need who cannot afford expenses for lawyers and who are victims of abuse of power. This initiative was made possible thanks to financial support by the Swedish Helsinki Committee.

The *main objective of this service* is to better protect vulnerable groups, whose rights are violated by state institutions representatives.

The novelty that AHC will provide includes *legal assistance* offered to citizens to *complete documentation for the court, address complaints at competent state authorities*, and, in particular cases of flagrant violations of human rights *representation in court*.

This is the first time that free advocacy service is being offered for cases when state institutions representatives use violence, torture, and other inhuman treatment, when they discriminate and violate the rights of persons to due judicial process. For more information, please visit: <http://www.ahc.org.al/kshh/ARKIV/2007/0706klinika.htm>

### AHC CONTRIBUTES TO HUMAN MANAGEMENT OF ALBANIAN PRISONS<sup>21</sup>

In order to improve respect for the rights of detained and convicted persons, increase the level of knowledge of human rights by the administration of penitentiary institutions and management standards, AHC, in cooperation with the Ministry of Justice and the General Directory of Prisons, begins the implementation of the program '**Human Management of Prisons.**'

The main objectives of the program are:

- a) Development of a full system of personnel selection in prison administrations, initial and continued training (with a special focus on penitentiary institutions that will be opened soon);

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<sup>20</sup> AHC has signed a cooperation agreement with this center (TLAS)

<sup>21</sup> This project is realized in the context of the CARDS program, financially supported by the European Union

- b) Strengthening of management and functional capacities and initial and continued qualification programs of the Prison Training Center;
- c) Training of the high level management staff in prisons and of the group of trainers from the local prison administrations;
- d) Increasing management capacities of senior management personnel of institutions that will begin to function soon;

In order to realize this initiative successfully, it is indispensable to have the commitment, good will, and concrete engagement in all planned activities of the Ministry of Justice, the General Directory of Prisons, namely the respective sectors, as well as of other penitentiary institutions that will be the direct beneficiaries of all services offered by this program.

To implement this program, a valued contribution will be given by experts with a long experience in the penitentiary area of the Dutch Prison Service, as well as Croatian experts, AHC experts, experts from academia and practice. Furthermore, the Ministry of Justice and particularly the General Directory of Prisons and penitentiary institutions will offer their full support and capacities throughout the process.

#### **AHC CONTRIBUTES TO IMPROVING RESPECT FOR THE RIGHTS OF JUVENILES AND WOMEN IN PENITENTIARY INSTITUTIONS**

Based on the experience and problems encountered by AHC regarding respect for human rights in penitentiary institutions, particularly at detention facilities and police stations, AHC began the implementation of a new project “For better respect for the rights of juveniles and women in penitentiary institutions.”<sup>22</sup>.

The **main objective** of this project is to contribute to the process undertaken by the Albanian government, particularly by the Albanian prison administration to create an acceptable system of treating juveniles and women in penitentiary institutions, in order to guarantee respect for human dignity and personal safety of these categories of persons deprived of their freedom. For more information, please visit: [www.ahc.org.al](http://www.ahc.org.al)

#### **AHC WILL CONTINUE TO GIVE ITS CONTRIBUTION TO ENCOURAGING THE PROMOTION AND BETTER RESPECT FOR THE HUMAN RIGHTS OF MINORITIES IN ALBANIA**

In order to guarantee better implementation of domestic and international legislation, as well as of international recommendations to improve respect for minority rights in general and of the Roma and Egyptian communities in particular, AHC has begun the implementation of the project “Increasing the role of the civil society and state institutions in promoting better respect for minority rights”<sup>23</sup>. The goal of the project is to improve observation of respect for minority rights in general and of the rights of the Roma and Egyptian communities in particular.

An important part of the project is the observation of local level measures to meet international standards of minority rights in the cities of Tiranë, Fier, Elbasan, and Gjirokastrë, which will be conducted through the polling of citizens and the municipal administration. AHC will be in close cooperation with the local governments of the respective cities. The inclusion of citizens in general and of minority representatives in particular will be an important element for an objective assessment of the situation of minority rights in these municipalities.

Through the project, AHC will intend the mobilization of Roma and Egyptian organizations to lobby with one single voice for improving respect for their rights. The project

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<sup>22</sup> The implementation of this project is supported by UNICEF, Albania and is funded by CARDS 2004 and SIDA

<sup>23</sup> The project’s implementation was enabled financially by CORDAID

also intends to improve the Albanian legal and sub-legal framework in keeping with international standards.

Fruitful cooperation and coordination with civil society actors, state institutions, and local government bodies, will be a valuable contribution toward improving respect for minority rights in Albania.