

**REPORT ON FREE LEGAL AID OFFERED BY AHC
IN
THE FRAMEWORK OF LEGAL CLINIC
JANUARY-SEPTEMBER 2008**

1. Albanian Helsinki Committee (AHC), the first ever human rights organization for the protection of human rights and freedoms, since 2007 is implementing the “Free Legal Aid Clinic”, financed by Swedish Helsinki Committee. The main objective of the project is the better protection of vulnerable human rights groups of Albanian society, when their rights are violated by representatives of state institutions.
2. The program is focused in three main groups as: the persons who are subjects of exercising of violence, inhuman and degrading treatments, by the police authorities, personnel of pre-trial detentions and prisons; persons who are subject of discrimination from employees of state institutions in general, persons who belongs to Roma minority and Egyptian community in particular, and persons who are restrained from the right to have a fair trial.
3. During the period January – September 2008, AHC has treated 969 complaints¹ presented by 437 complainants. According the residence, the complaints have come from different zones of Albania. The most number of complaints have come from big cities with large population. According to the social status of the citizens, the complaints came from persons with free status, from detained persons in pre-trial detentions, prisoners who serve the sentence in the local prisons, from accompanied persons in the police commissariats.
4. AHC has received complaints and requests in different ways such as: citizens come to the AHC offices, letters, e-mail, telephone and taking complains during the monitoring missions. The monitoring missions are carried out to watch the respect of the rights of deprived liberty person’s rights (as detained persons, prisoners, accompanied persons), and Roma minority and Egyptian community. The observations have been planned and sporadic.
5. Planned observations have been carried according the plan of monitoring where the areas /institution that will be observed, the period of observation and the persons who

¹ The data are based on the number of complaints and not on the number of complainants. One person may has addressed more than one complaint during the year or in his complaint has presented more than one problem

will be monitored have been decided. Accompanying and detaining facilities in police commissariats, pre-trial detentions and local prisons, the regions where is present Roma minority and Egyptian community were areas of the monitoring missions during the period covered by this report.

6. Sporadic monitoring missions have been carried during the whole period of January-September 2008. These observations have been necessary for verifications of the complaints that AHC received.
7. The persons who have addressed the complaints to the AHC office during the period January-September 2008 mainly were: the monitoring groups, who transmitted the complaints of the vulnerable groups who have not had the opportunity to bring their complaints to the AHC's offices for different reasons as: deprived liberty, health and social-economic conditions, lack of information; victims themselves, mainly they have been with free status. AHC's correspondents (Shkodër, Elbasan, Fier, Korçë and Gjirokastër) have transmitted the complaints of the citizens who don't live in Tirana and have not the opportunity to come to the AHC's offices; relatives of victims who have brought complaints in behalf of the persons with deprived liberty. Organizations with whom AHC collaborates such as TLAS, ADRF, Sfinksi, ect also addressed cases to the AHC. AHC used also information provided by media for taking the initiative to verify or to held a monitoring mission.
8. Complaints regarding the treatment of the persons in pre-trial detentions and prisons have as object violations of rights in pre-trial detentions and prisons, requests for transferring of complains for non-transferring the persons, complaints on ill-treatment from prisons personnel, complaints about the way the personnel handled the conflicts between the co-prisoners/detained persons.
9. During the period covered by this report, AHC has received complaints with object unfair actions from police authorities such as: unjustified detentions, unfair holding in the detention/accompanying facilities, staying above the terms provided by law, not-notifying the persons about their rights in the moment of the detention/accompanying, bad conditions in the detention/accompanying facilities, exercising physical and physiological violence from police effectives.
10. The citizens complained also for the actions of prosecutor office. They claimed for unfair dismissal of penal proceedings from prosecutor office, lack of information about the criminal proceedings, for ill-founded charges from prosecutor during the investigation process, not-admission of the accusations.
11. Regarding the justice system, the complaints were mainly for the unfair trial aspects such as: disclaimer of the rights to be defended by a lawyer, inequality of legal armies in penal process, not-notifying the family of the minor in penal process, lengthening the judicial process; claims for unfair sentences, claims for non-executions of judicial sentences from bailiff office, non-profiting of the witness status according to the law that exists in Albania.

12. AHC also treated complaints and requests in civil and administrative rights field regarding the non-taking the pension/economic assistance, unfair actions and non transparent procedures from central and local administrative authorities, claims for violence in family, divorce, claims for non registering of the children, proprietary issues, housing problems, employment, discrimination of children in schools, requests for more social programs for youth and elder, the lack of health centers, ambulances, gardens and schools, infrastructure problems as; paving, lack of canalizations, lack of electricity, lack of drinking water, request for cleaning the surrounding where they live.
13. Complaints regarding the employments relations have as a subject the unfair dismissal from the job.
14. During the period January-September 2008, AHC offered free services such as assistance in compilation of the documentation, legal counseling, monitoring hearing sessions, addressing the problems to the state institutions and verifications.
15. The communication with different state institutions, regarding the treatment of the complaints, has been correct. In general, they collaborate and respond to the requests of AHC. In serious cases of violations of rights, AHC has reacted publicly, expressing the concern for the noted violations as well as calling the state institutions to take the necessary steps for improving the situations.