



# Albanian Helsinki Committee BULLETIN

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NO. 2

APRIL — MAY 2018

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## Legal Clinic

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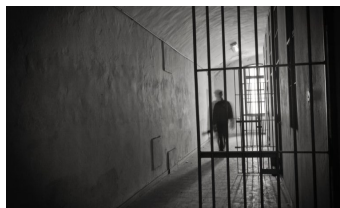
Based on and inspired by the article published in the investigative media BIRN (Reporter.al) "Refinery, not perfumery", regarding the rise of the voice of residents around the former Metalurgic against pollution, on 20 February 2018, AHC verified the field of air pollution, as a result of heavy oil wind and water pollution in irrigation canals, as a consequence of the emergence of hydrocarbon residues. In fulfilling its mission, AHC will continue to follow the legal ways of addressing the situation in an administrative and/or judicial way... For more: [ARTICLE](#)



## VERY GRAVE SITUATION IN THE DIBRA POLICE COMMISSARIAT

On May 8, 2018, a team of the Albanian Helsinki Committee conducted monitoring at the Dibra police commissariat in order to look on site at respect for the rights and freedoms of arrested, detained and accompanied persons. Being there, we verified the premises (rooms) where the arrested, detained and accompanied persons were kept.... For more: [ARTICLE](#)

## THE DEATH OF CITIZEN ENEA FTOI REQUIRES A COMPLETE AND THOROUGHLY INVESTIGATION



AHC on May 17, 2018 was informed by the family members of the citizen Enea Ftoi, arrested from the Korca Police Forces, that he was dead on the police custody and was transported in the Regional Hospital of Korca. AHC expresses his condolences of the victim's family members, and suggests to the relevant criminal prosecution authorities to investigate the case in a comprehensive, objective and complete manner, more so than the death of the victim occurred in the premises of the police station after 3 days of his arrest. For more: [ARTIKULL](#).



## FREEDOM OF PEACEFUL ASSEMBLY AND PARTICIPATION IN THEM IS GUARANTEED

According to information from the media and statements by the police, a total of 23 persons were detained and 13 police officers were injured during the Kukës protest. The criminal case has been initiated and justice bodies are the ones to decide on everyone's responsibility or lack thereof. During monitoring missions that AHC has conducted based on complaints of citizens about violations of their rights, it has found lack of information and consultation on issues and causes of public interest, particularly regarding the situation of the environment and its condition, which runs against article 56 of the Constitution ... For more: [ARTIKULL](#)

## APPLAUD FOR OPENING OF NEGOTIATIONS

AHC is also of the opinion that, for the government and all political forces, this important and historic decision should be a test of reflection for doing a balance sheet of what has been done and what needs to be done. AHC suggests that at the center of this analysis should be constructive criteria, respect for the principle of the checks and balances of powers, increased responsibilities, transparency and accountability by public bodies toward citizens, the avoidance of extreme inequality and the fight against discrimination, the avoidance of hate speech and the tense political environment. ... For more: [ARTICLE](#)



## VETTING PROCESS AND THE ESTABLISHMENT OF THE NEW GOVERNING JUSTICE INSTITUTIONS



*The vetting process is still accompanied by a marked level of lack of transparency by supporting bodies for the broad public, in spite of efforts of the Albanian Helsinki Committee, which turned into legal battles, some of which were won.*

### “VETTING UNDER THE OBSERVATION OF THE ALBANIAN HELSINKI COMMITTEE”.

Pursuant to monitorings realized in the context of the initiative “Increasing transparency, inclusivity and responsibility in the vetting process,” supported financially by the Open Society Foundation for Albania, AHC has published a report on the main findings. Due to the importance and volume of the vetting process, which envisages the transitory re-evaluation of about 800 individuals, AHC is aware that this process is complex and difficult. Nevertheless, AHC deems that this high volume of work requires an activity at a higher and more dynamic pace from independent constitutional institutions of vetting, without affecting the quality of the vetting process... For more: [ARTICLE](#)

### AHC IS STARTING AN INITIATIVE TO MONITOR THE NEW ESTABLISHED INSTITUTIONS IN THE JUSTICE SYSTEM

AHC in the frame of the project “Civic engagement for a functional judiciary system and access to justice in Albania”, funded by the European Union and implemented by “Save the Children” and “Centre of integrated Legal Services and Practices”, for the period of April 2018 – March 2019 will implement the project “To increase the independence, accountability, transparency and efficiency of New Governing Justice Institutions” ..For more: [Artikull](#)

### PUBLIC CALL FOR NATIONAL EXPERTS FOR MONITORING THE PROCESS OF THE ESTABLISHMENT AND FUNCTIONING OF HJC AND HPC

For more: [Artikull](#)



## DISCRIMINATION

### THE COURT FINDS THE DISCRIMINATION OF THE CHILD WITH SERIOUS ACCURACY IN HEARING AND ORDER THE CORRECTION OF HEALTH CONSEQUENCES



AHC addressed the case to the Administrative Court requesting the finding of discrimination of juvenile GL in the form of "Denial of a Reasonable Adjustment", correcting the consequences by performing administrative actions for the provision and placement of the Cochlear Implant to the minor and to compensate for the damage caused by the non-setting of the Cochlear implant device. On dt. 10.04.2018, the Tirana First Instance Administrative Court announced the decision that it acknowledged that because of the inactivity of the above-mentioned health institutions there has been discrimination of the juvenile, GL and has ordered the installation of the Cochlear implant device to the minor and the reimbursement of the calculated damage to the extent of 6 838 590 lekë ... For more: [Artikulli](#)

### ANOTHER STORY OF SUCCESS ...

Thanks to the media investigations, AHC monitored and provided legal assistance to the issue of discrimination due to the economic and social situation of citizens residing near the former Torovica Camp, the Administrative Unit Balldre, the Municipality of Lezha . After identifying the disturbing issues faced by 15 families living in the former camp's building, AHC secured the consent of three of the residents to represent their case legally. These residents lived in very difficult and miserable conditions in the former building that used to serve as a prison camp in Torovica. The Commissioner noted the discrimination of residents due to their economic and social situation, from the Lezha Municipality Structures. Also, the Commissioner ordered immediate measures taken by Lezha Municipality for providing drinking water, urban waste containers, for finding alternative housing solutions and improving road infrastructure for these residents. For more: [Artikull](#)



### COMMISSIONER FOR PROTECTION AGAINST DISCRIMINATION CONFIRMS THE ASCERTAINMENTS OF AHC

PRISONERS AND PREE-DETAINEES, WHO WORK ARE DISCRIMINATED, BECAUSE THEY ARE NOT TREATED EQUALLY WITH THE WORKERS IN FREE STANDING

AHC, in parallel with the judicial process, has followed in an administrative way the issue of discrimination in treatment of prisoners and pre-detainees regarding their rights as employees. For more: [Artikull](#)

## VIOLENT EXTREMISM, THE GREAT ACTUAL CHALLENGE

On April 6, AHC organized a Steering Committee Meeting with the winning organizations of the project "Civil Society Against Violent Extremism". At this meeting, representatives of grants supported by the project presented the activities of their projects implemented so far. Also, cooperation opportunities between organizations were established and joint synergies were established for the implementation of project activities, as well as the establishment of the Local Public Safety Council (LPSC) by the representative of GUS Albania, Derand Krasniqi. The meeting was welcomed by AHC's Executive Director, Erida Skëndaj and also by Mr. Agron Sojati, National Coordinator against Violent Extremism... See: [Artikull](#)



In order to increase the capacity of civil society to promote tolerance and cooperation among the various actors of the society, and to address this phenomenon locally, on 20 April 2018, AHC organized a training where topics related to national and international legal standards against violent extremism, international strategies for the prevention of violent extremism, hate speech and its implications with violent extremism, best practices of co-operation among partners in dealing with violent extremism issues, the role civil society in the fight against this phenomenon, etc. About the activity of partner organizations : [FB'Page](#)

The Albanian Helsinki Committee organized an open forum with civil society organizations in Tirana as well as representatives of local bodies such as structure of the Community Policies in the State Police institution, to discuss the phenomenon of violent extremism... See: [Artikull](#)

## WE ARE LATE ON ELECTORAL REFORM

The Albanian Helsinki Committee (AHC) expresses its concern about the fact that although today, April 13, 2018, the 6-month mandate of the Special Parliamentary Commission on Electoral Reform ends, there is no information on whether consensus has been reached on any important issue that has been addressed or whether work has begun on writing the draft-amendments to this Code. AHC suggests that the pace of the Commission for Electoral Reform be accelerated and the results be effective. This would create the conditions for meetings to realize inclusivity to focus on the main issues that also are of public interest especially for voters .... For more: [Artikull](#)



*AHC thinks we are late and this delay is unjustified if we look at the history of electoral reform in recent years!*

## STUDENTS SHOULD BE ENCOURAGED TO DENOUNCE CORRUPTION IN THE HIGHER EDUCATION SYSTEM

In forums organized by AHC in recent months, with students in Public Universities in Shkodër, Durrës, Elbasan, Vlorë, the Science Institute in Tirana, etc., there have been numerous and very disturbing discussions about the phenomenon of corruption, particularly in terms of ensuring fictive grades. During discussions, it

resulted that this phenomenon was not sporadic, but practiced and spread for a long time. Students also raised claims about other corruptive forms, namely inclusion in exams of students who have exhausted the maximal number of absences for registration for exams, as well as cases of abuse by the secretariat and administrative staff to change grades, or obtain documents from the Faculty.

Students also shared cases of unethical behavior by professors, such as the mandatory purchase of textbooks and materials prepared by the professors themselves, "ghost" professors who never came to class for the majority of the academic year. For more please read: [Article](#)



**STUDENTS SHOULD BE ENQUIRED TO DENOUNCE CORRUPTION IN THE HIGHER EDUCATION SYSTEM**



## PRESS RELEASE

### FOR ORGANIZATION AND ACTIVITY OF GAMBLING GAME IN OUR COUNTRY

In analyzing the German legislation model and the jurisprudence of the German Federal Constitutional Court, the AHC addressed to the Committee on Economy and Finances, by suggesting the review of the opportunities to exercise parliamentary thematic oversight over the framework regulating the activity of casinos and gambling in our country, as well as its implementation. Until the exercise of the right to a legislative initiative aimed at adapting this legal framework to the best models of other countries and to the socio-economic conditions of our country, AHC has suggested looking at the possibility of revising this legal framework. To get to know the official letter click on the link: [ARTIKULL](#)



### ARE THE CITIZENS' RIGHTS OF VILLAGE VERRI VIOLATED FROM THE CONSTRUCTION PROJECT OF THE INCINERATOR LOCATED IN FIER ?

AHC has carried out a verification mission on this issue, among which it has been found that the non-respect of internationally re-enforced acts by our country seeking consultation on environmental issues (Aarhus Convention) has been found. For more info. See the interview from AHC: [LINK](#)



### ON THE DRAFT LAW "FOR THE PROFESSION OF THE LAWYER IN THE REPUBLIC OF ALBANIA"

The Albanian Helsinki Committee (AHC), having been informed by the media about the discussions in the Laws Commission regarding the Draft Law "On the profession of lawyer in the Republic of Albania", has forwarded some legal arguments on the opinions expressed in this commission "not be allowed to exercise the profession of the lawyer also the judges and prosecutors resigned or dismissed by decision of the responsible institutions of Vetting"... For more: [ARTIKULL](#)

### FOLLOW UP TRAININGS WITH THE PRISON'S STAFF

Within the project 'Civil Society Against Violent Extremism' funded by the European Union, the AHC is organizing the Follow Up Training with prison staff at the IECD Elbasan, IECD Vlora and IECD Shkodra, where expert Jacques Burger of the Netherlands Helsinki Committee is addressing of different aspects of the phenomenon of violent extremism... For more see: [ARTIKULL](#)



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The content of this bulletin is the full responsibility of the Albanian Helsinki Committee and does not reflect the attitude of the Swedish Government or the Civil Rights Defenders organization.

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