



Canada

# HUMAN RIGHTS BAROMETER IN ALBANIA

2024

**HUMAN RIGHTS BAROMETER IN ALBANIA  
2024**

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**The contents of this publication are the sole responsibility of the Albanian Helsinki Committee (HLC) and do not necessarily reflect the views of the Government of Canada.**

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## **I. INTRODUCTION**

The mission of the Albanian Helsinki Committee (AHC) is to contribute to the respect of human rights and freedoms, strengthening the rule of law and conducting free and fair elections, in accordance with our Constitution and international acts ratified by Albania.

In accordance with its mission and within the initiative 'Monitoring human rights in the Republic of Albania via the empowerment of local human rights defenders (HRD) through work sessions, joint monitoring missions and initial data collection' funded by the Canadian Government, the Albanian Helsinki Committee (AHC) crafted and implemented the 'Barometer for human rights in Albania 2023' to measure the respect of human rights in Albania throughout 2023.

The year 2023 marked challenges and critical developments for the situation of respect for human rights, which are reflected in this report. The purpose of the report is to inform the public, international institutions and organizations in Albania about the state of affairs of human rights in Albania, as well as to increase the accountability of public authorities for improving their activity for a better protection and respect of foundational human rights.

The barometer aimed to objectively analyze and measure the level of respect for 9 rights, including: the right to a dignified standard of living; the right to work; property right; the right to secure life and lawful restriction of liberty; the right to participate in public life and public consultation; the right of access to justice; the right to equality and non-discrimination; the right to clean drinking water; and the right of access to education and quality education. The qualitative and quantitative data of the Barometer related to these rights have been collected and processed through the intersection of information provided by the survey of citizens in 12 regions of the country, official data from state institutions and online research or through data recorded by reports and other studies of the AHC.

Finally, we would like to express our deep gratitude to all those who have supported and contributed to the realization of this report. AHC acknowledges all human rights defenders engaged in this initiative, Ardit Minarolli, Dallandyshe Xhaferri, Edlira Bylo, Enegrida Bënja, Erdion Maçolli, Eriselda Ndreca, Ernest Delia, Luljeta Alibali, Maend Kullaj, Nikolin Muçaj, Nosiana Burnazi and Preng Gjikota for their proactivity, professionalism and dedication. We especially acknowledge the staff of the AHC that contributed to the implementation of this important initiative, as well as the Canadian Government for the support and cooperation for the realization of the Barometer for human rights in Albania for the year 2023.

## **II. EXECUTIVE OVERVIEW**

### **THE RIGHT TO A DIGNIFIED STANDARD OF LIVING**

For 33% of the respondents, the monthly income is below the minimum wage, that is, less than 30,000 per month or they have no income whatsoever. 15% of respondents claim that they spend up to 25% of their monthly income towards providing adequate housing. 41% of respondents claim that the housing program is not implemented equally, and only 1 in 5 people (20%) claimed that the implementation of the social housing program guarantees equality for all. Almost 1 in 5 people (18%) state that their housing is not suitable for a peaceful and dignified life, while the fact that 1 in 3 people claim that their housing does not have facilities or spaces for people with disabilities is worrying. During a monitoring of social housing in the municipality of Korça, problems with poor conditions with extensive dampness and mold were identified.

In Albania, employment continues to remain problematic. It turns out that 15.5% of respondents are unemployed, whereas 10.8% are students. Most of the respondents (73%) have not applied to benefit from employment services vs. 27% of them who claimed to have applied.

82% of the respondents are aware of health or social care vs. 18% who are not aware of these services. Most of the respondents (49%) claim that their support of social assistance is not sufficient at all compared to the needs they have.

### **THE RIGHT TO WORK**

The majority of respondents (59%) claim that they have not been asked to work without a contract with their employer, followed by 41% who have been asked to do so. 62% of respondents affirm that they do possess a written employment contract against 22% who do not have a contract.

56% of the respondents claimed that they are paid only through the bank. For 24% of them, the payment is made in full or partial conditions of informality (13% of respondents affirm that they are paid in cash while 11% affirm that they are paid partially by bank and partially in cash).

14% of respondents claimed that they feel at risk for their health and safety because of the work they do. Most of the respondents, 35% of them, have no information about the organization in trade unions, while 49% affirm that trade unions do not yield the desired result.

AHC monitored the respect of workers' rights, with a focus on the toll manufacturing, call centers, mining and media sectors. The main problems faced by the employees of these sectors are similar, as follows: safety at work, lack of doctors at work, violation of the rights of employees in terms of annual vacations, social insurance, procedures and deadlines for termination of contracts, the non

recognition of seniority at work as well as the lack of effective cooperation between employee unions and the Labor Inspectorate, etc.

## **RIGHT TO PROPERTY**

56% of the respondents claimed that private property was expropriated or used by the state. Indeed, 56% of them affirmed that they have made requests for the return or compensation of nationalized property against 44% who affirmed the opposite. 60.5% of respondents affirmed that they did not exercise the right to appeal in cases of expropriation, return or compensation of property, against 39.5% who affirmed that they exercised this right. 52% of the respondents claimed that the compensation for the expropriation of the property was not right, followed by only 15% who expressed satisfaction with the reward. Despite the fact that the majority of respondents expressed dissatisfaction with the amount of compensation for their expropriation, the vast majority of them affirmed that they did not complain about the amount of compensation (59%).

Worrying is the fact that the majority of respondents (37%) state that this process has lasted over 30 years, followed by 22.44% who affirm that the processes have lasted 11-20 or 21-30 years. As a result of the protracted nature of the duration, most of the respondents or 55% of them affirmed that they did not pursue the judicial path in cases where they did not agree with the decisions related to their property, v. 45% of the respondents who affirmed otherwise

Reasons for delays and injustices in the judicial process include: corruption, lack of professionalism, frequent changes in laws, workload in courts of law, lack of will from incumbent institutions, non-respect of ECJ decisions, political influence, etc.

## **PARTICIPATION IN PUBLIC LIFE AND PUBLIC CONSULTATION**

86% of the respondents affirmed that they participated during the voting in the 2023 elections. 80% of them affirmed that they had prior information about the center where they were voters. More than 1 in 5 people (22.7%) claim that they were pressured to vote in elections against their will, while the majority (77.3%) claim the opposite.

AHC estimates that an important indicator of citizens' engagement in public life is engagement in the decision-making processes of the Municipal Council near their place of residence. 73% of the respondents claimed that they have never been consulted on issues that are discussed in the municipal council meeting against 27% who claimed that they have been consulted. 66% of the respondents claimed that they have no information about the public consultation of the draft budget of the municipality where they live, against 34% who claimed that they are informed about the consultation of the draft budget. It is worrying that 40% of the respondents claimed that this process is not carried out with the purpose of obtaining the opinions of the citizens, followed by

26.5% who do not know whether the consultation has this purpose or not. Only 17.5% of respondents claim that the consultation is true.

### **ACCESS TO JUSTICE**

Most of the interviewees affirm that they are informed about the legal aid guaranteed by the state (37.7%) or partially informed (21.7%), while 40.6% of the respondents deny being aware of it. These data are indicative of the need to raise awareness to ensure better access of citizens to the legal assistance offered by the state in case of financial insolvency.

14% of respondents have benefited from free legal assistance. For 57% of these cases, this assistance has not been professional and effective, compared to only 24% of cases that received positive remarks, and in 19% of cases partially positive (professional and effective).

32% of respondents claimed that the court in their city has been dissolved, compared to 38% who denied such a thing. For the majority of respondents (39.4%), the distance (from a Court of Law) would prevent them completely or partially from initiating a court process, followed by 36% who deny this being an obstacle.

For the majority of people who have read a court decision, it turns out that the decisions are partially (38%) or not at all clear and simple (39%) to understand without the help of a lawyer. Only 23% of the respondents affirmed that the decisions they read were understandable.

Access to justice institutions for persons with disabilities is limited, as appropriate infrastructure (separate parking, ramps and elevators, toilets and Braille writing) are only available in recently built institution buildings.

### **EQUALITY AND NON-DISCRIMINATION**

About 1 in 4 people have experienced bullying in the workplace, compared to the majority of respondents, 80.5%, who deny having experienced bullying. Among the most common cases are the use of racist labels, labels due to origin, gender labels (targeting girls and women).

11% of respondents claimed to have been sexually harassed at work, while 89% of them deny such situations. Worrying is the fact that only a very small part of the respondents who claimed to have been a victim of sexual abuse in the workplace claimed to have reported it (7% of them), v. 93% of the respondents who have not reported.

### **THE RIGHT TO EDUCATION**

Most of the respondents (59%) are parents of a child who is attending school in the pre-university system. 33% of respondents claimed that their monthly income allows them to meet their children's educational needs, followed by 24% who claim that they meet these needs only partially. Meanwhile, 21% of the respondents claim that they cannot fulfill their children's educational needs due to their insufficient monthly family income.



The majority of respondents (53.8%) are aware of scholarships, v. 46.2% of respondents who state that they are not aware of scholarships available to vulnerable categories. In most cases, enrolling in school does not pose a problem or difficulty for the respondents (60%). For 19% of them, registering the child in the school closest to the place of residence turns out to have been difficult (10%) or partially difficult (9%).

About half of respondents (or 47%) affirm that they have regular communication with school staff regarding their child's education, followed by 17% of them, for whom communication is partial, and 12% of respondents who claimed that they lack this regular communication.

51% of respondents think that the opportunities for children to attend school are equal, followed by 20% of respondents who think that such opportunities are partially equal, while 13% of them think that these opportunities are not equal.

### **RIGHT TO SECURE LIFE AND LAWFUL RESTRICTION OF LIBERTY**

AHC monitored the Fushë Kruja Institution for the Execution of Criminal Decisions in order to verify the living conditions of citizens who are serving sentences at this institution. Some of the problems identified during monitoring are: overpopulation; vacancies in administrative staff, uniformed staff and medical staff; depreciation of building infrastructure; lack of up-to-date publications in the library; lack of warm water and drinking water.

### III. METHODOLOGY

#### Questionnaire and report construction methodology

Within the initiative financially supported by the Canadian Government<sup>1</sup> the National Barometer for measuring respect for human rights in Albania throughout the year 2023 has been carried out, which aims to objectively analyze and measure the level of respect for 9 rights:

1. The right to a dignified standard of living (e.g. housing conditions, minimum living standards, etc.);
2. The right to work (focusing on respecting working conditions in sectors such as: toll manufacturing, call centers, mining and media);
3. The right to property (focused on compensation and its return);
4. The right to a safe life and the legal restriction of freedom (focusing on security in prisons or closed institutions; guaranteeing safety in the community, etc.)
5. The right to participate in public life and public consultation (e.g. decision-making processes, the right to vote);
6. The right of access to justice (focusing on marginalized groups);
7. The right to equality and non-discrimination (focusing on minorities, children, LGBTIQ+ and women);
8. The right to clean drinking water (with a focus on rural areas);
9. The right to access to education and quality education (with a focus on rural areas).

The Barometer's qualitative and quantitative data related to these rights have been collected and processed by cross-referencing the information provided by the following sources:

- **Survey of citizens:** Data on the respect of rights collected by direct interviewing of citizens, grouped according to the target groups defined for each of the 9 rights;
- **Information from state institutions:** Official data from incumbent institutions;
- **Research:** Data collected through an online research or through data evidenced from reports and other studies of the AHC.

Survey data on citizens' perceptions were collected through a questionnaire which was divided into 8 different sections. Each of the sections aims to measure the perception of respect for one of the 8 rights listed above, excluding life and its security from this monitoring typology. Based on the right that the questionnaire aims to address, the interest group to which the questionnaire was distributed was also selected. For this reason, as noted in each chapter below, for the analysis of each of the rights, the surveyed sample is different.

The questionnaire was distributed electronically in the Google Form format, through the contact points of AHC in different cities of the country, as well as to the participants in the work sessions

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<sup>1</sup> 'Monitoring of human rights in the Republic of Albania through the empowerment of local human rights defenders (HRD) through working sessions, joint monitoring missions and initial data collection.'

organized within the framework of this project, with human rights defenders. Questionnaires were completed by a number of 5,002 citizens. AHC does not exclude the possibility that the same individual has completed more than one of the questionnaires that are part of this barometer.

#### *Selection of survey participants*

The selection of the respondents was mainly carried out in a representative manner mixed with random selection, in order to ensure that the sample is representative of the population divided by districts according to the methodology. Previously, AHC carried out a planning on the methodology and quotas foreseen for each geographical region in the country based on the population data in the regions that were the focus of the questionnaire. It is worth mentioning that, like any form of research work, this process was also characterized by limits (for example, the impossibility to reach the appropriate number of citizens with residence in Lezha District) which, in the end, also impacts the end results of the data set.

Data collection was conducted online using the Google Form electronic platform. During the data collection, AHC noted that the questionnaire is anonymous and that participation in the survey was voluntary. In accordance with Albanian legislation, no personal data will be distributed by AHC and the information provided to the survey will be used only for the purposes of data analysis in this study.

The survey was conducted with individuals over 18 years of age. AHC developed a preliminary analysis taking into consideration the percentage distribution of the population in the territory of the Republic of Albania who belong to this age category.

The survey generated a total of 5,002 responses from the people who were surveyed for each of the sections. Based on the data, for each section were surveyed

- In the section "The right to a dignified standard of living", participated 751 respondents
- In the "Right to work" section, were surveyed 658 individuals
- In the "Property right" section, participated 542 respondents
- In the "Participation in public life and public consultation" section, were surveyed 729 citizens
- In the "Access to justice" section, in the questionnaire participated 612 respondents
- In the section "Equality and non-discrimination", in the questionnaire participated 630 respondents
- In the "Right to clean and drinking water" section, were surveyed 550 individuals, whereas
- In the section "The right to access to education and quality education" the data was generated by 531 respondents.

In general, each of the sections of the questionnaire aims to collect data on:

- The level of information that the respondents have on the legal framework in force which guarantees the respect of the right which the questionnaire intends to address;

- The access that the respondents have to the exercise of legal means and to the institutions that ensure the respect of these rights;
- Perception of measures taken by state institutions to guarantee these rights;

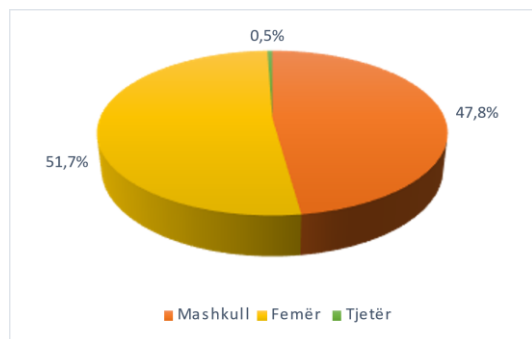
The data in Chapter II of this report were collected as a result of observation missions carried out by human rights monitors, whose capacities were strengthened by the AHC, as well as official correspondence carried out with key institutions to address different issues that this report takes into analyzes.

## I. THE RIGHT TO A DIGNIFIED STANDARD OF LIVING

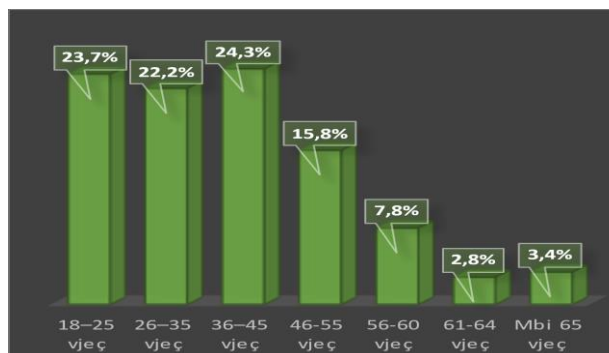
### *General information for respondents*

751 individuals were included in the survey, of which 51.7% were female and 47.8% male. About 0.5% of respondents (4 people) prefer not to provide this information.

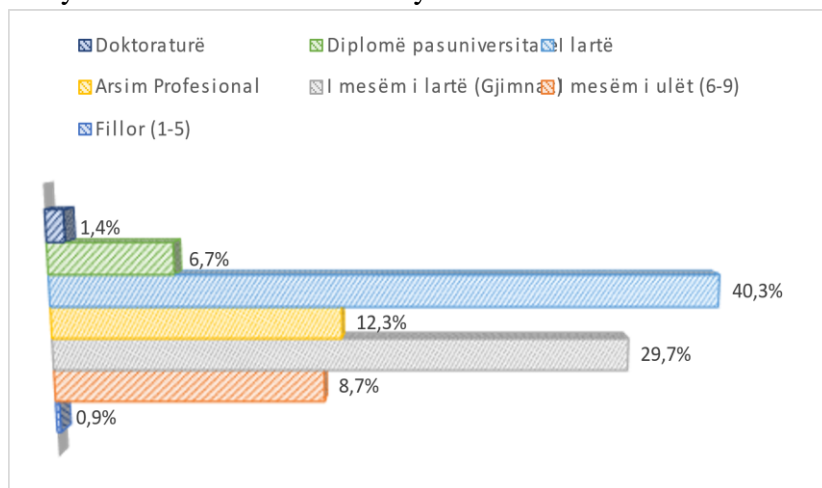
**Figure 1.** Gender representation of respondents



**Figure 2.** Representation of respondents by age



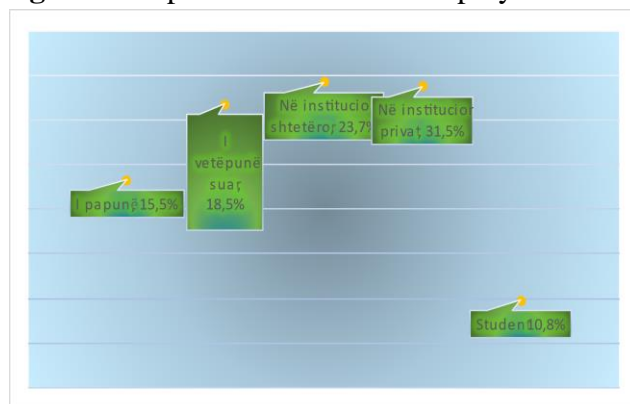
During data collection, the inclusion of all age groups was of particular importance. Thus, as can be seen in Figure 2, most of the respondents belong to the age group of 36-45 years (24.3%); 18-25 years old (23.7%), 26-35 years old (22.2%) and 46-55 years old (15.8%), making up almost 86% of the interviewees. The 60+ age group is the least represented category in the survey with only 6.2% of individuals surveyed.



As for the educational level of the respondents, most of them or nearly 47.9% have higher university and/or postgraduate education, followed by 29.7% who have graduated only the high school. The rest of the respondents have lower secondary education (8.7%), 12.3% respondents with vocational training, and 1.4% have primary education.

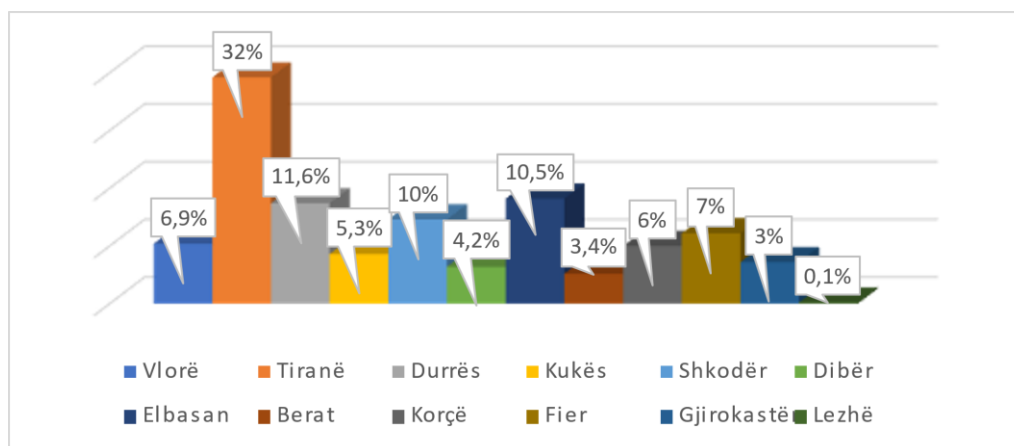
**Figure 3.** Representation of respondents according to educational level

**Figure 4.** Representation on the employment relationship of respondents



It is noted that the majority of respondents are employed in the private sector (31.5%) followed by those employed in public institutions (23.7%). The self-employed make up 18.5% of the respondents, compared to people who are unemployed, represented by 15.5% of the sample surveyed. Students also participated in the survey, where it turns out that 1 in 10 respondents or 10.8% belongs to this category.

The representation of the respondents according to the place of residence shows that the Tirana region contains the highest percentage of respondents (32%), followed by the Durrës region (11.6%). Elbasan district is represented by 10.5% of respondents followed by Shkodra district with 10% of respondents. The smallest part of respondents is concentrated in Lezha, represented by only 1 respondent.



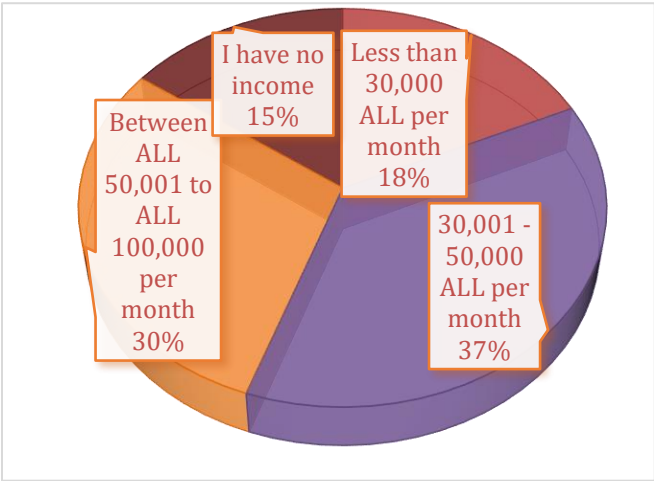
**Figure 6.** Representation of respondents by district

## II. Main Findings: The right to a dignified standard of living

Regarding the right of every person to a dignified standard of living, the HSC aimed to collect data first and foremost on the housing conditions as well as the minimum living standards of the respondents, based on the legal framework<sup>2</sup> in the Republic of Albania, which guarantees the

<sup>2</sup> Constitution of the Republic of Albania: Article 52, 55 and 59 of the Constitution; [Pakti Ndërkombëtar për të Drejtat Ekonomike, Shoqërore dhe Kulturore: neni 7, 11, 12 të paktit; Ligji nr. 22/2018 “Për strehimin social”; Ligji nr 43/2015 “Për sektorin e energjisë elektrike”;](#) [Ligji 57/2019 “Për asistencën sociale në Republikën e Shqipërisë”](#) and Law 121/2016 "On social care services in the Republic of Albania"

respect of this right. Taking into consideration the rising cost of living and the immediate impact on ensuring a dignified standard of living for citizens, the AHC first queried the respondents what their monthly income is.



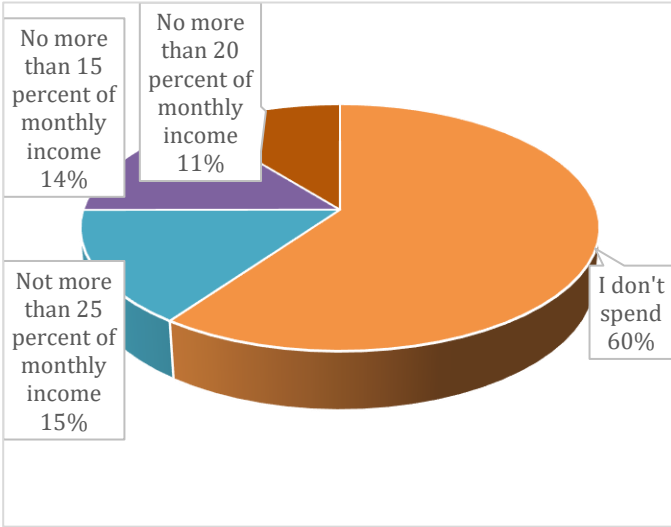
**Figure 7.** *What is your individual monthly income?*

As evidenced in figure 7, for a significant part of the respondents (33%) the monthly income is below the minimum wage, with 18% of them receiving less than 30,000 AL Lek per month, compared to 15% who affirmed that they have no income. Most of the respondents (37%) claimed that they have an average income of 30,000-50,000 ALL per month followed by one in three (or

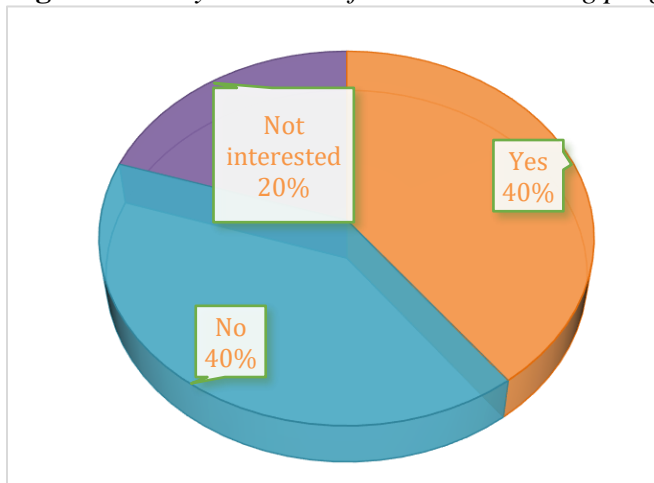
30% of the respondents) who claimed that their individual income is between 50,000 -100,000 ALL per month.

**Figure 8.** *What percentage of monthly family income do you spend on providing adequate housing (affording housing)?*

Estimating that housing is one of the biggest costs for a family, survey data reveals that about 60% of respondents claimed that they do not spend on providing adequate housing. This may reflect some housing trends in Albania which may be related to the inheritance of properties from parents/relatives, the living of several persons/families in the same dwelling, or in less cases social housing provided by state institutions. About 15% of respondents claim that up to 25% of their monthly income goes towards providing adequate housing.

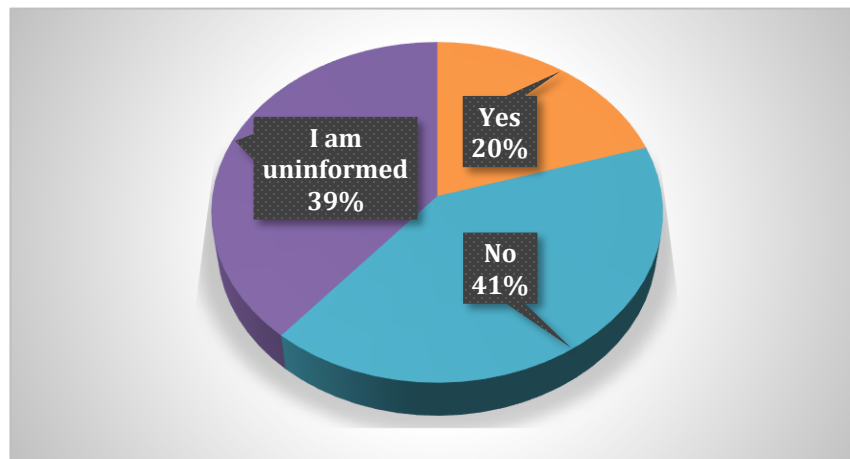


**Figure 9.** *Are you aware of the social housing program that applies in your local self-government unit, the conditions, procedure and assistance?*



About 20% of respondents claim that they have no interest in housing programs, indicating that their housing is provided via other forms. Meanwhile, the rest of the respondents are divided between two opinions where 40% affirm that they have knowledge about social housing and assistance programs, conditions and procedures related to them, against 40% are unaware.

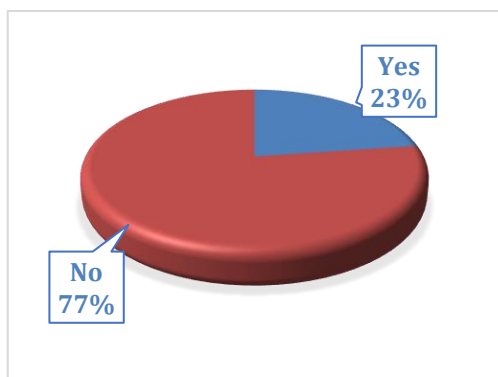
Through the questionnaire, the respondents were asked whether these programs are implemented equally or not. Most of the respondents, 41% of them claim that the housing program is not implemented equally, followed by 39% who stated that they are uninformed. Only 1 in 5 people (20%) claimed that the implementation of the social housing program guarantees equality for all citizens in their city.



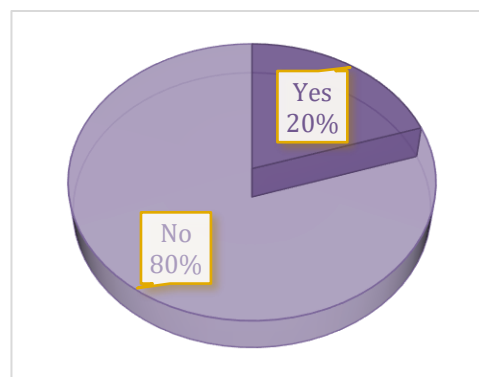
**Figure 10.** *Do you think that the social housing program in your government unit applies equally to all citizens in your city?*

It is also noted that of the respondents, more than 1 in 4 people (23%), affirm that they have applied at least 1 time to be a beneficiary of the social housing program, vs. 77% of the survey participants who deny such a thing (Fig. 11).



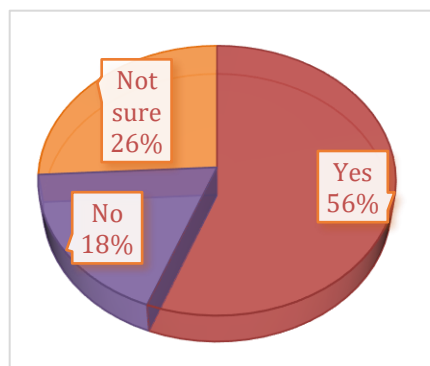


**Figure 11.** Have you ever applied to be a beneficiary of the social housing program?



**Figure 11.1** If you applied to be a beneficiary of the social housing program, were you a beneficiary with housing?

Of the people who claimed to have applied to be beneficiaries of social housing programs, it turns out that in 20% of cases they have benefited from housing program compared to 80% of those who have not benefited from it.



**Figure 12.** Do you consider your accommodation suitable for a quiet and dignified life?

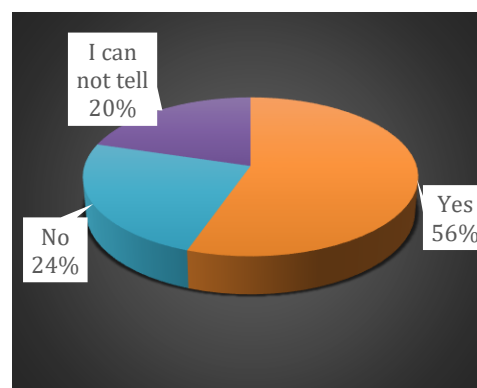
Respondents were asked about the safety of their housing and whether their housing was suitable for a peaceful and dignified life.

The majority of respondents (56%) estimate that their housing is suitable for a dignified life, vs. 26% of them who state that they are not sure if their housing offers them this opportunity. Almost 1 in 5 people (18%) say that their housing is not suitable for a

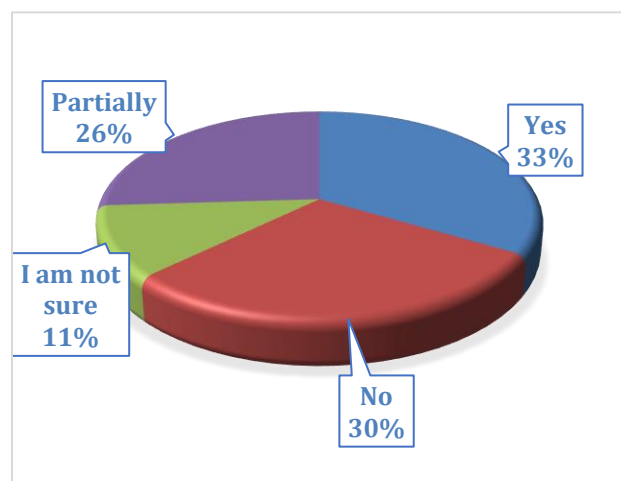
peaceful and dignified life.

**Figure 13.** Does your accommodation provide you with security (e.g. you are not at risk of being homeless in the future)?

In almost the same trends as the data above, 56% of the respondents affirmed that their housing offers them security that they are not at risk of becoming homeless in the future, followed by 24% of the respondents who affirmed the opposite, and 20% of respondents who can not tell whether their housing is safe or not.

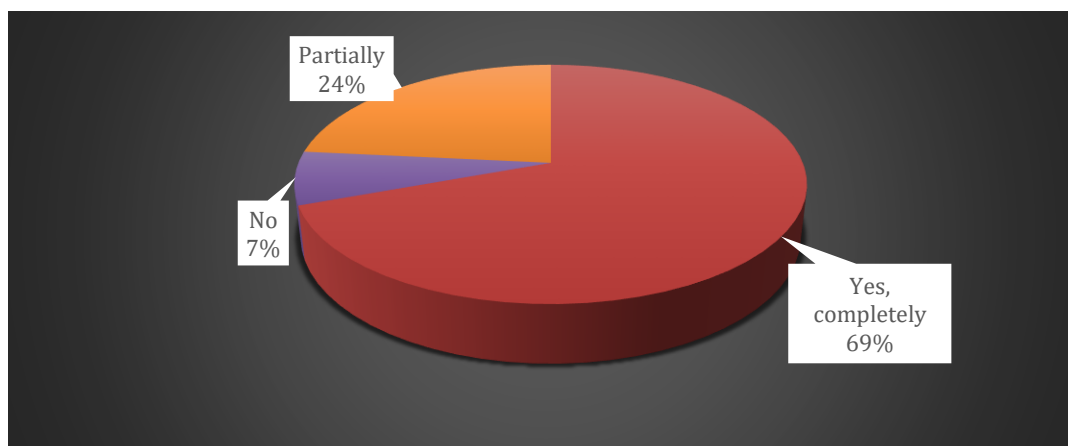


**Figure 14.** *In your accommodation/apartment, are there adequate facilities and space for people with disabilities, the elderly and children?*

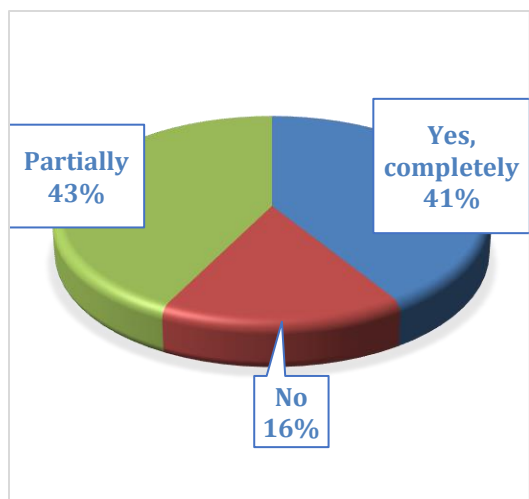


AHC also evaluated the perceptions of respondents' housing standards for vulnerable groups. 33% of the respondents affirm that their dwelling has sufficient and suitable facilities and spaces that accommodate the needs of such categories, followed by 26% who affirm that these facilities are partially guaranteed in their dwelling place. Worrying is the fact that 1 in 3 people (30%) claim that in fact their dwelling does not have facilities or spaces for the categories in question, followed by 11% who say they are uncertain about it.

**Figure 15.** *Do you benefit from public services such as drinking water and electricity supply, sewage disposal and waste management?*



Access to public services such as drinking water, electricity, and sewage and waste disposal is essential for maintaining a dignified standard of living. According to the survey, 69% of respondents fully benefit from these services, 24% partially benefit, and 7% lack access altogether (Fig. 15). Data from the Ministry of Health and Social Protection indicates that beneficiaries of social assistance and disability programs are entitled to financial compensation for electricity consumption. Additionally, these beneficiaries receive free installation of water meters and free contracts with water supply and sewerage services.



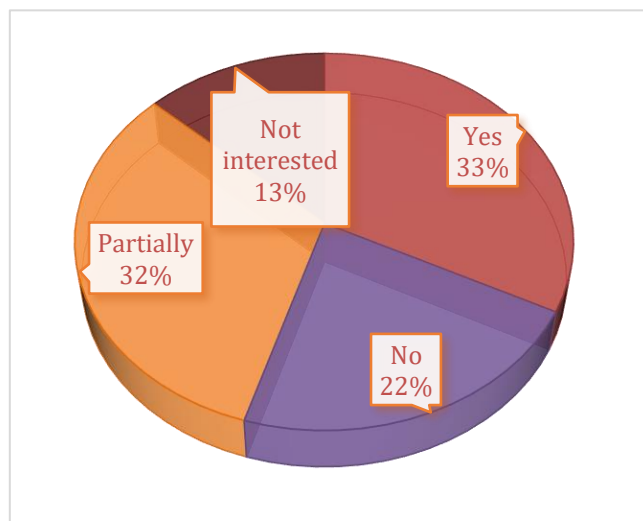
**Figure 16.** *If you are a beneficiary of the public services mentioned in question 11, are you satisfied with the quality of these services??*

AHC notes that the vast majority of respondents are completely (41%) or partially (43%) satisfied with the public services mentioned above. About 16% of the citizens participating in the survey claim dissatisfaction with these services.

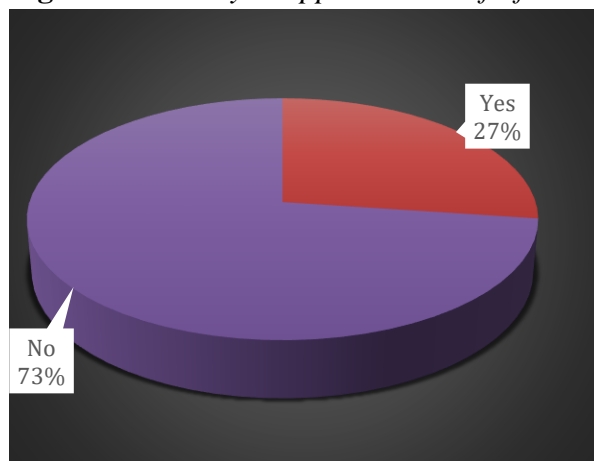
Another standard for a safe and dignified life is access to employment opportunities. In Albania, employment continues to remain problematic. According to the respondents' data, 15.5% are unemployed, and 10.8% are students.

**Figure 17.** *Do you have information about services that provide employment for you in the city where you live?*

The majority of respondents stated that they have either full (33%) or partial (32%) information about such services, compared to 22% who said they are unaware of employment services. Meanwhile, 13% of respondents expressed disinterest in these services, indirectly indicating that they currently have secure employment.

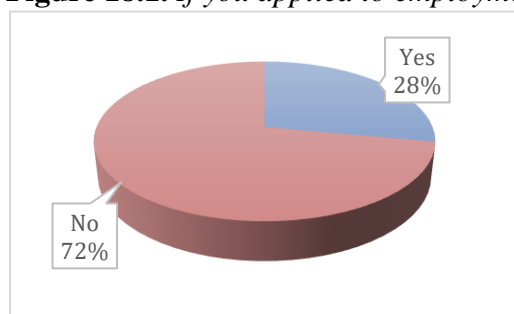


**Figure 18.** *Have you applied to benefit from employment services?*



Reflecting a trend similar to the answers given earlier, the majority of respondents (73%) have not applied to benefit from employment services, while 27% claimed to have applied for or benefited from these services.

**Figure 18.1.** *If you applied to employment services, were you a beneficiary?*



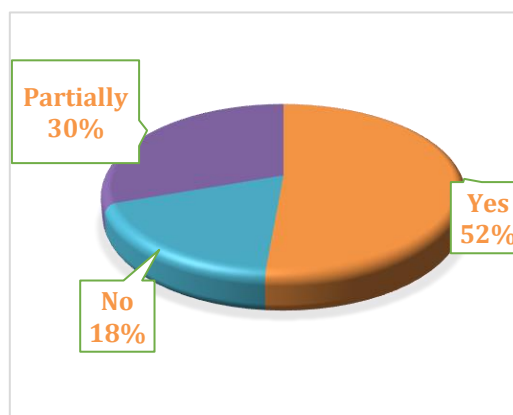
The majority of people who applied to benefit from employment services turned out to be non-beneficiaries (72%), compared to 28% who claimed to have applied and benefited from these programs.

Access to health and social care services is another aspect that guarantees a better standard of living. To benefit from such services, it is necessary for citizens to

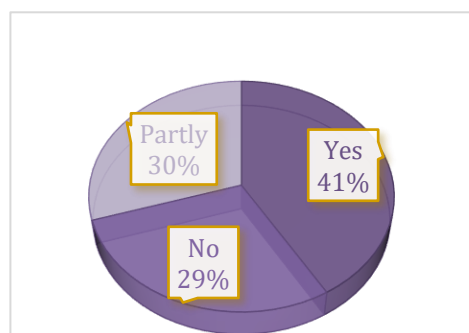
be well-informed. According to data from the Ministry of Health and Social Protection, several awareness campaigns were carried out during the process of reforming the economic assistance scheme, which may contribute to improving this situation.

**Figure 19.** Figure 19. Are you aware of health and social care services?

Regarding awareness of health and social care services, the questionnaire data reveals that more than 80% of the respondents have either full (52%) or partial (30%) information about these services. Only 18% of respondents claimed that they are unaware of health or social care services in their place of residence (Figure 19).

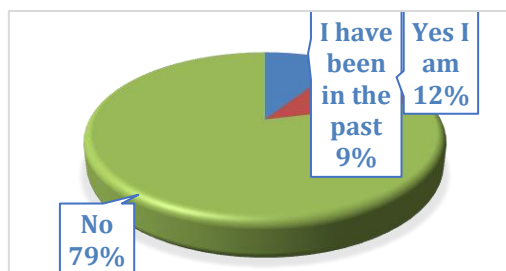


**Figure 20.** Are you familiar with the opportunities and conditions for receiving social assistance, economic assistance, and disability benefits?



About 71% of respondents are aware of the conditions surrounding social assistance or economic assistance, evidencing a good level of awareness about these services, compared to 29% who are uninformed.

**Figure 21.** Are you or have you been a recipient of social assistance, economic assistance or disability payment?

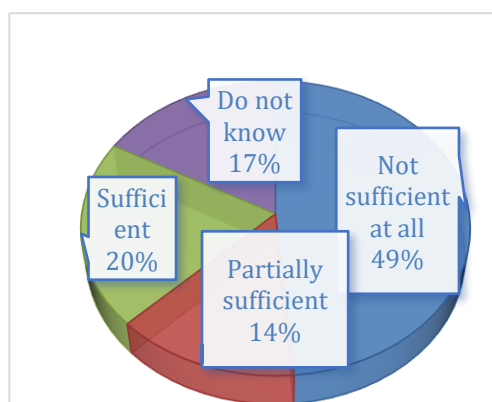
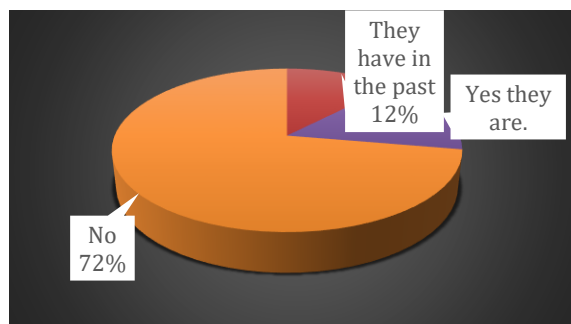


79% of respondents stated they are not or have never been beneficiaries of such assistance, while 9% indicated they have been beneficiaries in the past, and 12% are current beneficiaries.

**Figure 22.** Your family

members with whom you live been, are they beneficiaries or have they benefited from these aids (assistance)?

Nearly identical percentages are also reported for family members who are or have been beneficiaries of these aids. 72% of respondents stated that their family members did not receive social assistance or economic aid, followed by 16% who are current beneficiaries of these aids, and 12% who claimed their family members were not beneficiaries in the past.

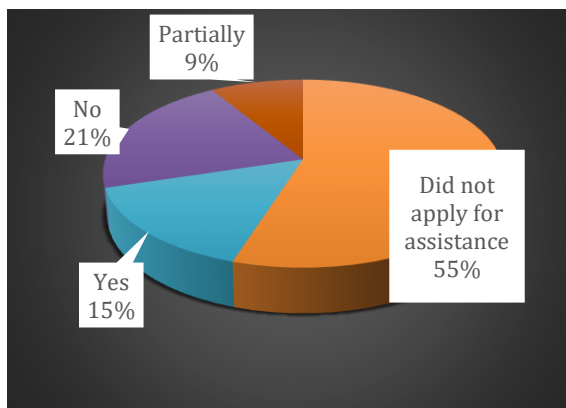


**Figure 23.** How do you assess the level of social assistance, economic assistance or disability payment for the needs of the categories that are entitled to benefit from it?

AHC also notes that the majority of surveyed citizens who earlier claimed to be beneficiaries of social assistance (49%) report that the support is not sufficient at all in relation to their needs, despite recent increases in these payments. Only 20% of respondents claim that this income is sufficient to meet the needs of beneficiary individuals.

**Figure 24.** If you have applied to receive social assistance, economic aid, or disability payments and your application has been rejected, were you clearly and fully informed of this assessment by the institutions?

Only 15% of the respondents received a clear and comprehensive explanation from the institutions when their application for social assistance, economic assistance, or disability payments was denied.



## **SOCIAL HOUSING AND SOCIAL HOUSING MANAGEMENT, KORÇA MUNICIPALITY**

In February 2024, human rights defenders from the AHC conducted a monitoring mission in Korça to assess the progress of social housing initiatives. The right to housing is guaranteed under Article 59 of the Albanian Constitution, emphasizing the *state's responsibility to meet citizens' housing needs through constitutional powers and available resources, as well as private initiatives*.

The HRDs monitoring revealed that the application process for social housing benefits is conducted online through the government platform e-Albania. The AHC highlighted concerns about unequal access to digital services among citizens of Korça municipality and recommended that incumbent institutions conduct information campaigns and provide support during the application process.

HRDs ascertained that approximately 1,350 families were registered as homeless in Korça municipality in 2023, while only 129 families benefited from housing programs. This disparity underscores a slow implementation process where a majority of homeless individuals do not benefit from housing initiatives.

The Municipality of Korça stated that housing activities are guided by local 5-year plans 2021-2026, focusing on social housing and employment opportunities. Beneficiaries include persons with disabilities, families displaced due to eviction orders, Roma and Egyptian communities, single parents with dependent children and with very low incomes, new families, individuals under 40, the elderly, and rural communities.

However, AHC noted that while these are only a few of the vulnerable groups, others such as victims of domestic violence, trafficking, members of the LGBTI community, and families of fallen policemen, appear not to benefit from these housing programs, despite legal provisions stipulations.

The HRDs also identified the primary challenge in Korça municipality's housing sector as the need to provide suitable and affordable social housing for vulnerable groups, ensuring access to education, health services, infrastructure, and municipal amenities. During their inspection of social housing facilities, HRDs observed significant issues such as humidity and mold due to inadequate building waterproofing.

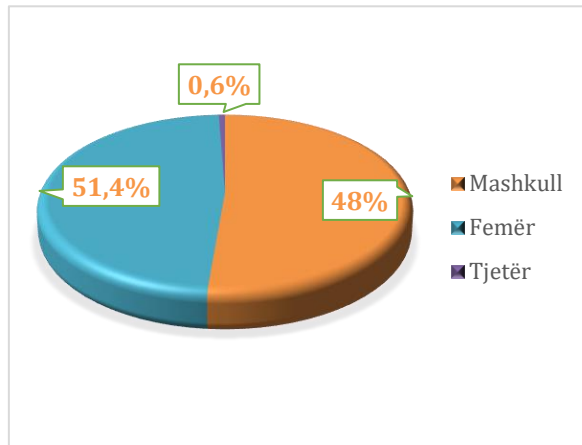
In response to these findings, AHC emphasized the urgency of the situation and called upon the Municipality of Korça to take immediate action. They requested the municipality to allocate budget resources and initiate plans for reconstructing existing social housing units. Additionally, AHC urged the construction of new housing units to meet the housing needs of vulnerable populations in the area.

## II. THE RIGHT TO WORK

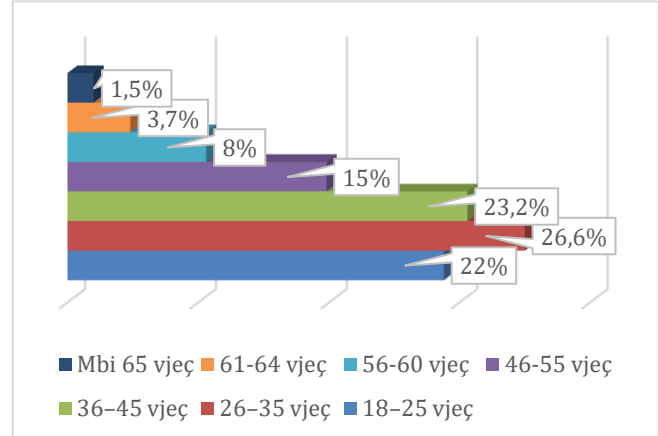
### *General information about respondents*

The survey included 658 individuals, with 51.4% being female and 48% male. 0.6% of the participants chose 'Other' as their gender identity alternative.

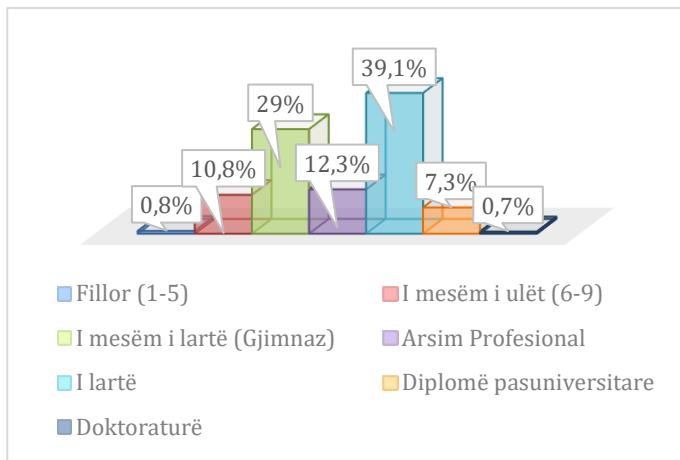
**Figure 1.** Gender representation of respondents



**Figure 2.** Representation of respondents by age



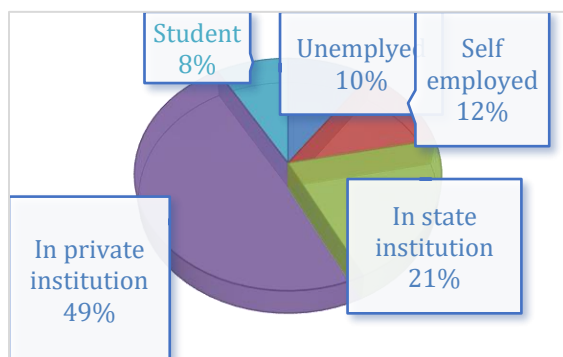
The majority of respondents fall within the age brackets of 26-35 years (26.6%), 36-45 years (23.2%), and 18-25 years (22%), totaling nearly 71.8% of all participants. Conversely, individuals over 60 years old represent the smallest segment surveyed, comprising only 5.2% of the sample.



**Figure 3.** Representation of respondents according to educational level

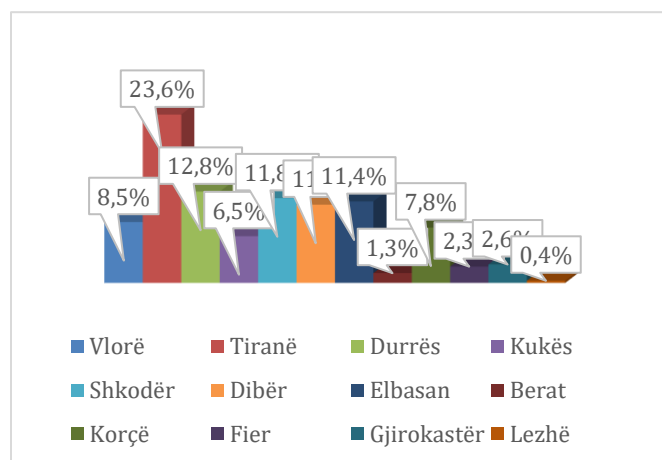
Regarding the educational level of the respondents, most of them or 47.1% have higher university or postgraduate education, followed by 29% who have secondary education and 12.3% who have professional education. The least represented categories in the survey remain the respondents without any primary education level (0.7%).

**Figure 4.** Employment representation of respondents



**Figure 6.** Representation of respondents by district

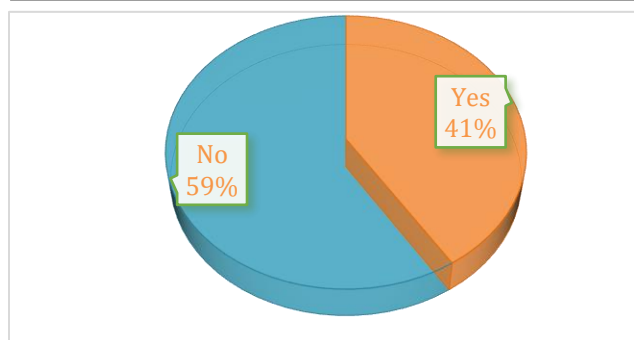
The district of Tirana boasts the highest percentage of respondents (23.6%), followed by the largest districts in the country: Durrës (12.8%), Shkodra (11.8%), and Dibra (11.4%). The smallest proportion of respondents is concentrated in Lezha, accounting for just 0.4% of them.



### *Main Findings: The right to work*

This section of the questionnaire aims to collect data regarding the respect of working conditions in sectors such as: toll manufacturing, *call centers*, mining and media, in accordance with our legal framework<sup>3</sup>.

**Figure 8.** Have you ever been asked to work regularly without a contract??



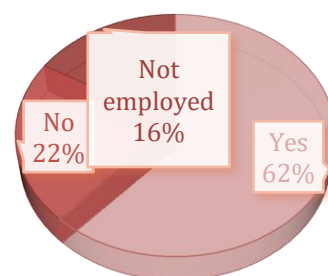
According to the data collected by AHC, the majority of respondents (59%) stated that they have not been asked to work regularly without a contract. In contrast, 41% reported that they have been asked to work without a contract by their employer.

<sup>3</sup> Constitution of the Republic of Albania: Chapter IV of the Constitution, International Pact on Economic, Social and Cultural Rights: Article 6, 7, 8 of the Pact, Labor Code.



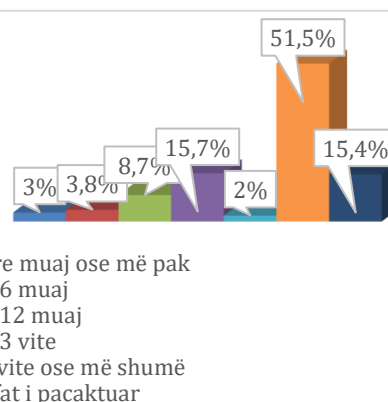
**Figure 9.** If you are employed, do you currently have a written contract under the Labor Code?

The majority of respondents, constituting 62%, affirm having a written employment contract in accordance with Article 21 of the Labor Code, which stipulates that "*The employment contract shall be concluded in writing.*" Additionally, 22% of respondents, totaling 5 people, claimed they do not have a written contract with their employer. Moreover, 17% of the respondents stated that they are currently unemployed.

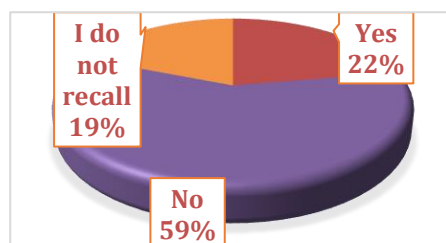


**Figure 10.** What is the duration of your current contract (or your last contract)?

Regarding the duration of the employment contract, AHC also notes that 51.5% of the respondents are employed with an indefinite term of the contract, followed by 15.7% who are contracted for a period of 1-3 years. Additionally, 15.4% of respondents who answered this question claim they have never had a written contract. This data appears contradictory to the earlier finding where 22% of the respondents claimed not to have a written contract with their employer.



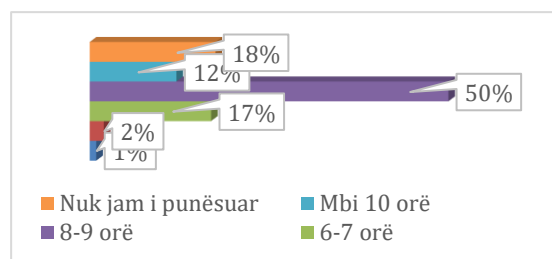
**Figure 11.** Have you ever been asked to sign an employment contract without being allowed to read and understand the terms of the contract before signing it?



The majority of respondents found the terms of their contracts clear and were not asked to sign without reading them. However, 22% of respondents reported being asked to sign an employment contract without having the opportunity to review its terms.

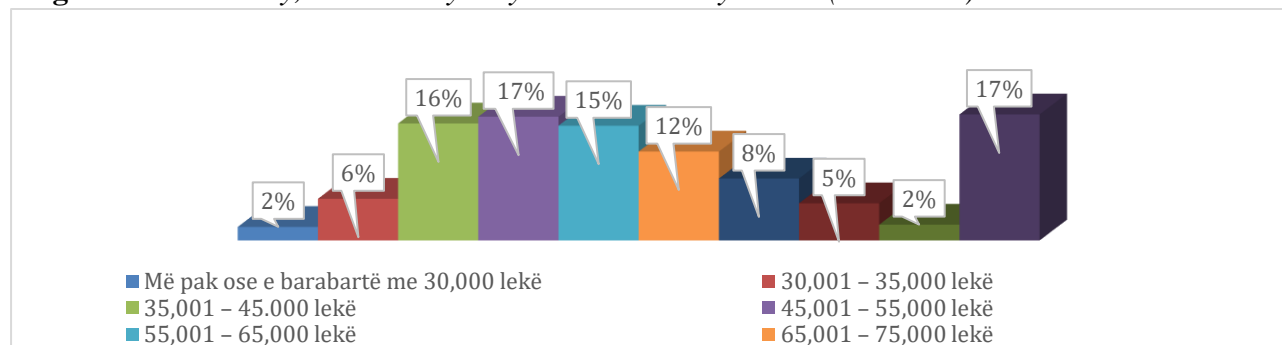
**Figure 12.** On average, how many hours a day do you work?

Half of the respondents (50%) report working around 8-9 hours per day, followed by 17% who work approximately 4-7 hours daily. Additionally, 12% of respondents state that they work over 10 hours each day<sup>4</sup>.



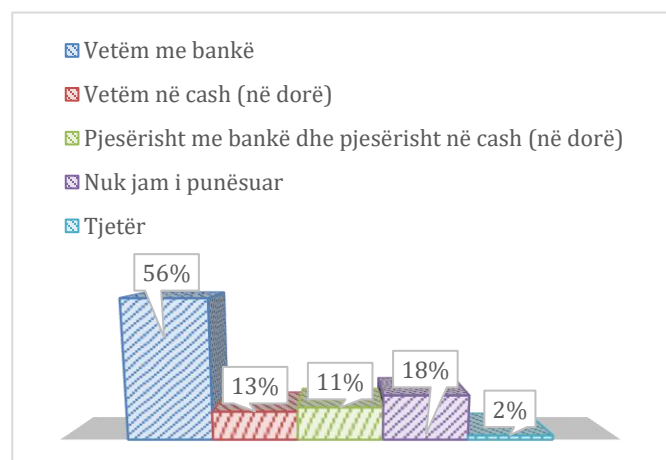
<sup>4</sup> Article 78 of the Labor Code stipulates that "The normal daily working time is no more than 8 hours. It is determined by the decision of the Council of Ministers, in the collective contract, or in the individual labor contract, within the limits of the maximum weekly working time."

**Figure 13.** Currently, what salary do you receive every month (net in Lek)?



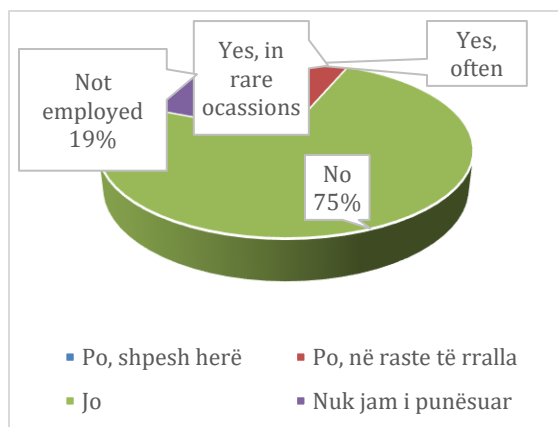
Starting from March 2023, the current minimum wage in Albania is 40,000 Lek per month. According to AHC, 2% of respondents receive a salary below 30,000 Lek, while 6% are paid between 30,000 and 35,000 Lek. The majority of respondents earn between 35,000 and 100,000 AL Lek monthly, with only 2% receiving more than 100,000 ALL. These findings indicate that most respondents earn a salary within a relatively average range.

The majority of respondents (56%) stated that they are paid exclusively through bank transactions. This method of payment ensures greater transparency regarding obligations for both parties, including contributions to state institutions such as taxes, social, and health insurance. In contrast, 24% of respondents receive payments under conditions of informality: 13% are paid entirely in cash, while 11% receive partial payments through bank transactions and partial payments in cash.



**Figure 15.** Does your employer declare the real salary you received to the state authorities??

In assessing the transparency of monthly salary transfers, AHC queried respondents about their employers' declarations of their salaries to state authorities. Half of the respondents (50%) confirmed that their real salary is declared to authorities, indicating transparency in this regard. Nearly one in four respondents (24%) stated they have no information on whether their salary is declared. Conversely, 7% of respondents claimed that their real salary is not declared by their employer to state authorities.

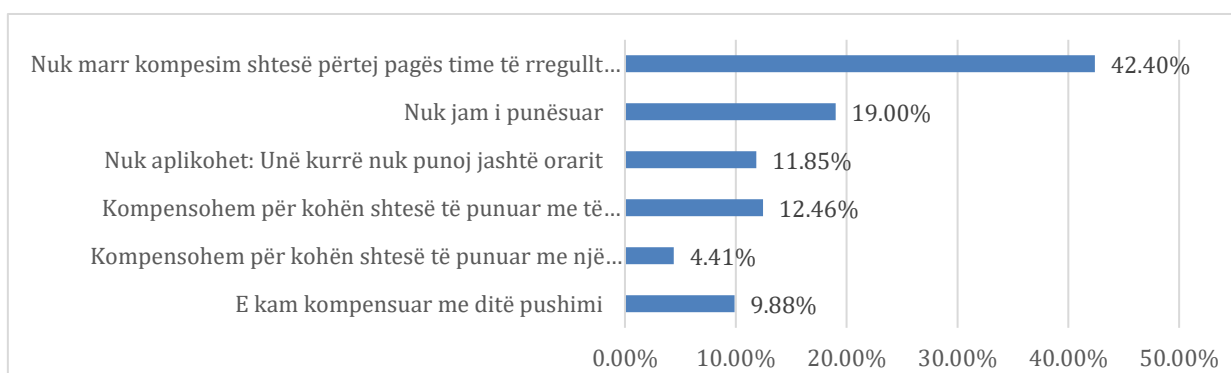


**Figure 16.** Has your employer ever asked you to return part of your salary to him/her?

AHC also noted that in the majority of cases (75%), respondents claim they have not been asked to return any part of their salary. However, a minority of 6% of respondents reported that their employer has asked them to return a portion of their salary, either frequently (2%) or occasionally (4%)

**Figure 17.** How are you usually compensated for overtime work?<sup>5</sup>

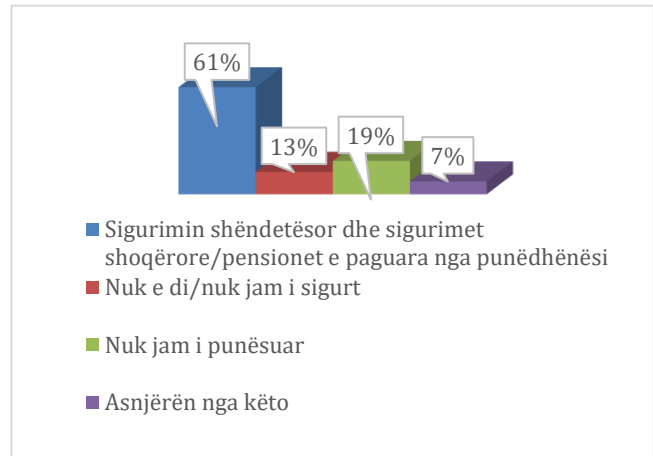
Based on the gathered data, it is observed that 42.4% of respondents do not receive additional compensation beyond their monthly salary. However, it is found that 16.87% of respondents are compensated for overtime at the same rate as their regular pay or at a higher rate. Additionally, 9.88% of respondents report that they are compensated for overtime with days off, while 11.85% of respondents claim they do not work overtime at all.



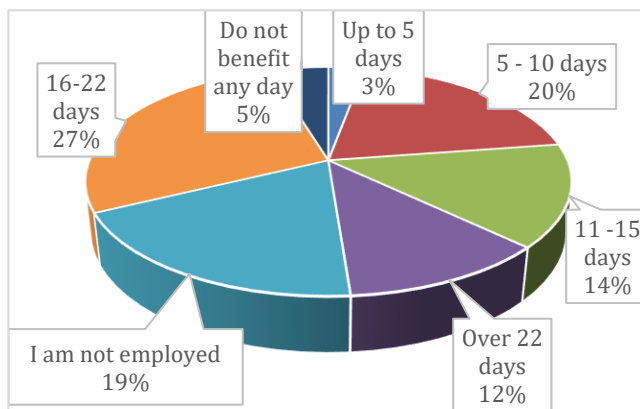
<sup>5</sup> The Labor Code, as stipulated in Article 88, defines overtime as any hours worked beyond the normal daily or weekly working hours, compensated with a salary of at least 25 percent additional or with a break of at least 25 percent greater, corresponding to the duration of the overtime.

**Figure 18.** In your job, are you entitled to any of the following benefits?

61% of the respondents claimed that they benefit from health insurance and social insurance from the employer. 13% of the respondents are unaware and 7% of them affirm that they do not benefit from any of them.



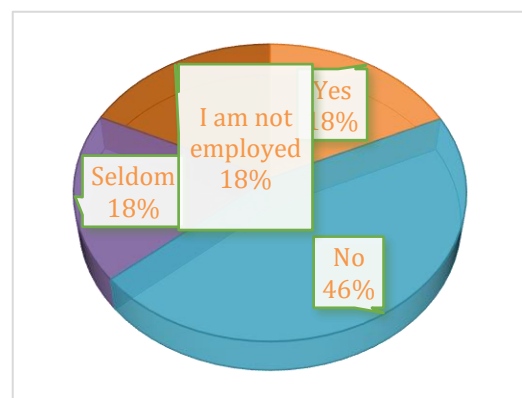
**Figure 19.** How many days of annual leave do you get according to your employment relationship? (Saturday and Sunday are not considered annual holidays).<sup>6</sup>



27% of respondents take 16-22 days of annual leave, followed by 20% of respondents who take 5-10 days of leave. 12% of respondents take more than 22 days of annual leave, while 5% of respondents claim that they do not take any days of annual leave.

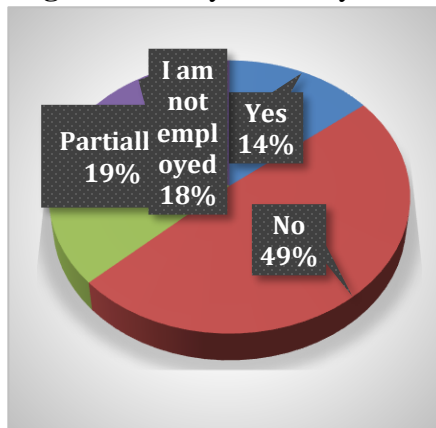
**Figure 20.** Have you ever been denied the right to take sick leave, annual leave or national holidays, envisaged in the Labor Code?

Approximately 46% of respondents claimed they have not been denied the right to receive medical leave, annual leave, or leave for national holidays. On the other hand, 18% of respondents reported being denied this right, while another 18% said they have rarely been denied such leave or holidays.



<sup>6</sup> According to the Labor Code, the duration of annual vacations is not less than 4 calendar weeks or 22 working days during the current working year.

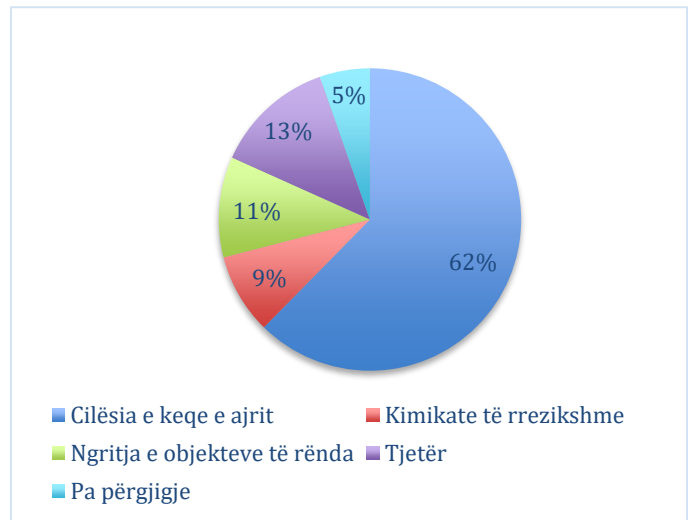
**Figure 21.** Do you think your health or safety is at risk because of your work??



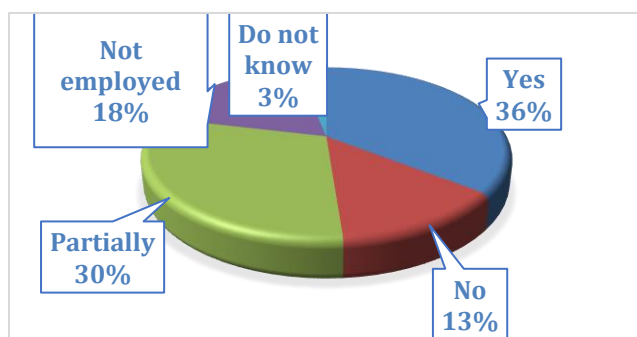
Roughly half of the respondents (49%) claim that their work does not pose a risk to their health and safety. Another 19% of respondents believe their work partially puts their health or safety at risk. Only 14% of respondents felt at risk for their health and safety due to the nature of their work.

**Figure 22.** For what reasons do you feel at risk (more than one option can be selected)?

14% of respondents who expressed feeling threatened regarding their health and safety were asked about the reasons of feeling so. Of them, 62% mentioned concerns related to bad air quality, while 11% mentioned risks associated with lifting heavy objects. Additionally, 13% reported feeling at risk due to the presence of various chemicals in their work environment. About 5% preferred not to disclose their reasons, and another 13% mentioned other factors contributing to their perceived risk, such as prolonged use of headphones, high levels of stress, extended periods sitting in front of a computer, lack of hygiene, working in dim lighting conditions for extended periods, and potential hazards like landslides for miners, among others.



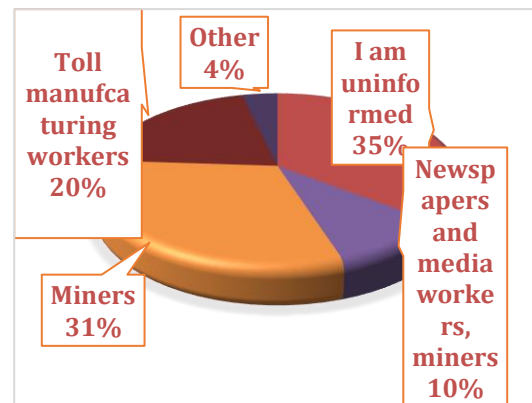
**Figure 23.** Are the working conditions and workload affordable and consistent with the specific job/task?



For 36% of respondents, the working conditions and workload are deemed manageable and appropriate for the specific tasks they perform. Another 30% of respondents find their working conditions partially manageable. However, 13% of respondents find the workload and conditions at work unbearable and not suitable for the tasks they are assigned.

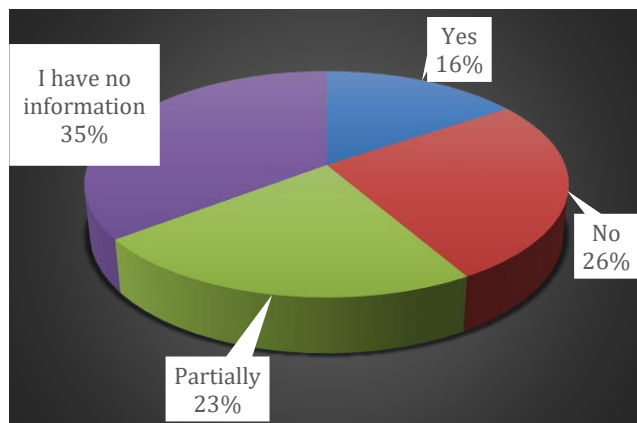
**Figure 24.** To your knowledge, which of the following categories are organized in a trade union for the protection of rights at work

The majority of respondents, 35%, have no information about organizing in trade unions. Meanwhile, 31% claim that miners are organized in unions, 20% believe toll manufacturing workers have their own organization, and 10% think journalists and media workers are organized in unions to protect their rights. Respondents also mentioned awareness of the teachers' union.

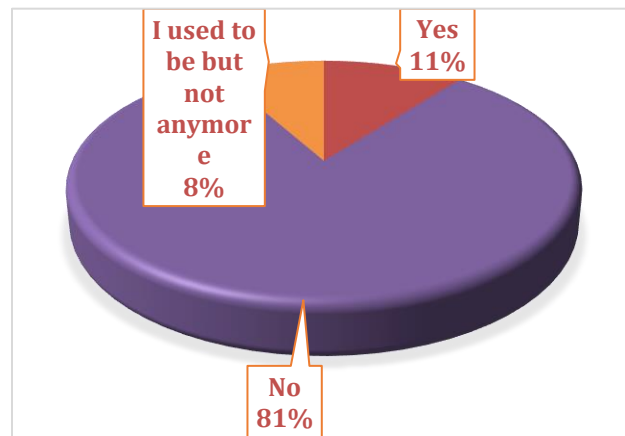


According to AHC's findings, 49% of respondents believe that trade unions do not achieve the desired results (26%) or only partially achieve them (23%). Additionally, 35% of respondents stated they have no information about trade unions, while 16% expressed trust in trade unions. These data are concerning considering the significant role trade unions play in safeguarding employee rights in democratic societies, especially with 84% of respondents either lacking confidence, having partial confidence, or having no knowledge of union effectiveness.

Furthermore, the questionnaire revealed that 81% of respondents are not active members of any trade union representing their vocation. Approximately 11% claim to be active members currently, while 8% reported having been members in the past but are no longer affiliated.



**Figure 27.** Do you think that these unions yield the right results in protecting your rights at work?



**Figure 28.** Are you an active member of one of the unions mentioned above or other unions?

## MONITORING THE RESPECT OF THE RIGHTS OF TOLL MANUFACTURING, CALL CENTER, MINING AND MEDIA EMPLOYEES

Through Human Rights Defenders (HRDs), AHC monitored the adherence to workers' rights, focusing on sectors such as toll manufacturing, call centers, mining, and media. Meetings were conducted with the heads or representatives of trade unions in these sectors.

The methodology involved processing and analyzing information gathered from these meetings and correspondence, including requests for information sent by AHC to entities such as the Union of Trade Unions of Albania, the National Authority for Safety and Emergencies in Mines, and the State Inspectorate of Labor and Social Services.

Across these sectors, common issues regarding working conditions and labor rights were identified. The importance of robust trade union organizations to address these concerns through legal channels was underscored. In Albania, there are instances where foreign companies exert pressure or discriminate against workers who seek to join unions, particularly notable in the manufacturing sector. The absence of a union representing media workers in a democratic country like Albania is also a significant concern.

- ***Mining sector***<sup>7</sup>

The main problems faced by the employees of the mining sector are as follows:

- Safety at Work:** The issuance of numerous licenses for underground works has led to the opening of galleries without proper feasibility studies, placing mining workers in extremely hazardous conditions concerning life and health safety. Institutional control over the compliance with license conditions and safety measures at work is minimal, resulting in frequent violations of miners' rights, especially by companies with a small number of employees. In some cases, life insurance is not provided; even when it is available, the compensation is often not commensurate with the risks and potential consequences faced by the workers. Employers fail to provide adequate safety training at work. These trainings are often conducted only formally, with employers requiring employees to sign off on having completed the training and reviewed the materials, even though the actual training has not been delivered. Regarding inspections and accidents in the mining sector, the Authority for Safety and Emergencies (AKSE) informed AHC that from January 2020 to January 2024, it conducted a total of 2,125 inspections.<sup>8</sup> The number of accidents for this

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<sup>7</sup>The HRD held a meeting with the president of the Confederation of Trade Unions of Albania, who highlighted the main problems faced by employees in the mining sector. Information was also received from the Union of Independent Trade Unions of Albania

<sup>8</sup> Year 2020 - 494 inspections; year 2021 - 519 inspections; year 2022 - 518 inspections and year 2023 - 594 inspections.

period is very high, recording 79 such cases<sup>9</sup>, 13 of which have been fatal with 16 lives lost.<sup>10</sup> AKSEM states that there is no evidence of accidents being concealed in the mines. However, in a few cases, accident reports were delayed by several hours or were only made after police notification. In these instances, AKSEM inspectors imposed administrative fines. AKSEM also reports that there are currently two mining entities operating under a gas regime, which increases the risk for underground workers. The main challenges, according to AKSEM, include increasing entrepreneurs' investments in safety and health measures and introducing new technologies to improve working conditions for underground workers.

- ii. **Lack of Qualified Doctors:** Despite the high risk and prevalence of occupational diseases among miners, it has been noted that the doctors employed by mining companies do not have the proper qualifications to treat these employees.
- iii. **Workers' Rights:** Violations of miners' rights are more prevalent in companies with fewer employees, extending to issues such as annual leave, social insurance, termination procedures, and contract terms. Additionally, the influence of mining workers' unions in improving working conditions and rights is absent in these companies. The unions have managed to conclude only four collective contracts, all with the largest companies in the mining sector. There is a concerning lack of information among employees regarding their rights under the Labor Code.
- iv. **Lack of Cooperation:** Cooperation between mine workers' unions and the Labor Inspectorate is non-existent. Requests sent by the Albanian Union Confederation (KSS) or other mining sector unions regarding workplace accidents are often not registered by the Inspectorate. In cases when they are registered, it is claimed that the Inspectorate frequently rules that the accidents occurred outside working hours.
- v. **Collective Contracts:** The Union of Independent Trade Unions of Albania (BSPSH) states that, through the Independent Union of Miners of Albania (its member), it has signed 117 collective contracts in the mining sector to date. BSPSH reports that from 2020 to 2023, there were 15 fatal accidents, with one fatality in 2023. Between 2021 and 2023, 78 general accidents were registered.

## ***2. Sector of Telephone Operators (Call Centers)***<sup>11</sup>

The main problems these employees face are:

- i. **Lack of Recognition of Seniority:** Employers do not recognize seniority for telephone operators, resulting in situations where new employees are paid the same or more than those who have worked for over three years in the same company. In some cases, to prevent employees from reaching the minimum years required to benefit from seniority, they are transferred to another company in their third year of employment.

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<sup>9</sup> Year 2020- 17 reported accidents; Year 2021- 23 reported accidents; Year 2022-16 cases of accidents reported and year 2023- 23 cases of accidents reported.

<sup>10</sup> Year 2020: in 3 accidents, 5 victims; Year 2021: 6 losses of life; Year 2022: in 3 accidents, 4 victims; Year 2023: 1 accident with loss of life.

<sup>11</sup>HRD held a meeting with the president of SKOT. The available data are summarized and analyzed in this section.



ii. **Lack of Awareness:** Call center employees are not well informed about their rights guaranteed by the Labor Code or the advantages of union membership. To address this, SKOT has initiated efforts to raise awareness among employees.

iii. **Achievements of the Trade Union Movement:** The National Union of Telephone Operators (SKOT) is advocating for a legal initiative in the Albanian Parliament to create a special status for these employees, similar to the status of miners. This initiative stems from the unique challenges of this type of work, which justify earlier retirement or other benefits.

SKOT reports that informal employment in the call center sector has been eliminated due to efforts to secure favorable collective contracts between employers and employees. In one notable case, SKOT intervened when the largest company in the sector refused to sign a collective contract. An arbitration court ordered the company to sign the collective contract and imposing of fines in case of non-compliance. According to the head of SKOT, the company signed a collective contract with a different union, involving 20 employees, but the contract's terms were no better than individual labor contracts. One of the main challenges is that the union lacks legal mechanisms to compel employers to enter into collective agreements. Legal proceedings are costly and time-consuming, and they do not guarantee the conclusion of a collective contract. In some instances, employers have immediately dismissed union members participating in strikes, leading to legal action.

### **3. *Toll Manufacturing sector***<sup>12</sup>

Employees of the toll manufacturing sector face more problems regarding the respect of their rights and working conditions, according to the provisions of the Labor Code. The problems they face are as follows:

i. **Employee Rights:** Issues affecting employees include uncertainty regarding the continuity of employment contracts, non-compliance with annual leave entitlements, non-payment of social and health insurance in some cases, low and non-motivating salaries (which have only increased following state interventions to raise the minimum wage), non-recognition of overtime work and seniority, closure of toll manufacturing factories without prior notice to employees and non-payment of accrued wages in such cases, non-compliance with legal procedures and deadlines for employment termination in cases of workforce reduction or enforced resignation, and lack of information about contracts provided to employees.

ii. **Challenges of the Trade Union Movement in this sector:** In some cases, the Union pursues dismissals through legal proceedings, but in most of them, toll manufacturing workers are afraid or withdraw from their claims due to fear that continuing the judicial process will jeopardize their future employment. Additionally, there is a lack of desire among employees to participate in trade union activities and show solidarity for their rights. The SPF reports that employers pressure employees not to complain to the union and to assert that they are satisfied with their working conditions and rights<sup>13</sup>.

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<sup>12</sup> The HRD held a meeting with the representative of the Toll Manufacturing Workers' Union (SPF), and addressed the main issues faced by employees in the toll manufacturing sector.

<sup>13</sup> Thus, for example, when the Union conducts various surveys or in cases when the employer determines that the employee has had contact with the Union, the employer meets the employee to ask him/her what he/she has shared with the Union.

#### **4. *The media sector***<sup>14</sup>

Employees of the media sector continue to face some problems in terms of the conditions and rights they should enjoy in accordance with the provisions in the Labor Code, which include:

i. **Lack of a Trade Union:** Despite efforts, a trade union has not yet been established to represent the rights of media workers, unlike in other sectors mentioned above. According to the president of the Union of Journalists of Albania, employers are the main obstacle to forming trade unions. They often fire applicants or interested parties immediately upon submission of a union creation request or discriminate against them compared to other employees.

ii. **Employee Rights:** Key issues include the lack of collective contracts due to the absence of a union, non-compliance with legal procedures and deadlines for notifying employees about termination of employment, and the Union of Journalists' inability to represent them in such cases because it does not have trade union status. Other problems include informal employment, reliance on service contracts instead of employment contracts (particularly for district reporters) who are thus forced to work on different job positions while lacking social insurance coverage, non-consultation of contractual conditions with employees, and non-recognition of seniority.

iii. **Inflation of Media Portals and Lack of Institutional Control:** There is a high inflation of media portals in the sector, with 740 active portals according to Union statistics. Some portals delay payments to employees by 2 to 3 months. The large number of portals makes it difficult for public bodies to monitor or control them, leading to many employer violations going undetected.

Based on the violations widely reported by representatives of trade unions and organizations covering the aforementioned four sectors, it is concerning that the State Inspectorate of Labor and Social Services lacks statistical or qualitative information on complaints filed by employees in toll manufacturing, mines, call centers, and media. The explanation given for this data deficiency is that sector classification follows International Labor Organization (ILO) categories. Objectively, this creates a public perception of the Inspectorate's ineffectiveness in responding transparently and accountably to the challenges faced by the most vulnerable sectors in labor relations.

## **ACCESS TO EMPLOYMENT IN THE CITY OF KUKËS**

Access to employment is crucial and directly linked to an adequate standard of living. On February 7, 2024, human rights defenders from the AHC conducted a monitoring mission in the city of Kukës. The mission aimed to observe the access of Kukës citizens to the National Employment Agency and the Local Office in the city. Additionally, the mission assessed the level of information citizens had about these institutions, particularly regarding their responsibilities and duties in facilitating employment for the unemployed.

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<sup>14</sup> The HRD held a meeting with the President of the Union of Journalists of Albania.

The HRDs at the AHC found that the services at the professional training and education offices provide accessible information to every individual, fostering a safe, equal, and supportive environment. However, citizens face challenges such as a lack of trust in public institutions offering employment programs, insufficient information on application procedures and required documentation, and the misuse of the opportunity to register as job seekers solely to benefit from economic assistance and similar bonuses. Among the 34 citizens interviewed by AHC observers, 8 refused to comment on employment; 10 had no information at all, and 3 expressed deep pessimism, stating that "this country is no longer possible." The longstanding lack of employment culture has led to widespread pessimism and discouragement among citizens. This has been compounded by a trend towards seeking wealth through emigration and a get-rich-quick mentality among the youth.

Regarding this issue, the AHC recommended that incumbent institutions employ informative, stimulating, and awareness-raising techniques and mechanisms about the rights enjoyed by unemployed individuals and those without economic income. These efforts should aim to be more comprehensive, targeting a broader group of citizens. The AHC also emphasized the importance of introducing new professional courses and training programs to provide a variety of professional training opportunities based on the labor market's needs. A focus on vocational training programs that ensure a dignified standard of living, is crucial. The AHC highlighted that recommendation as the limited expansion of vocational training schools or classes—currently reduced to only three options—significantly restricts access for a large portion of the population.

HRDs found that there is an improvement in the community's access to services. This includes the use of technology and new communication methods to ensure that even those living far from the center have equal access to services and can apply for employment and vocational training. However, the AHC notes that this information needs to be more accessible and user-friendly for citizens.

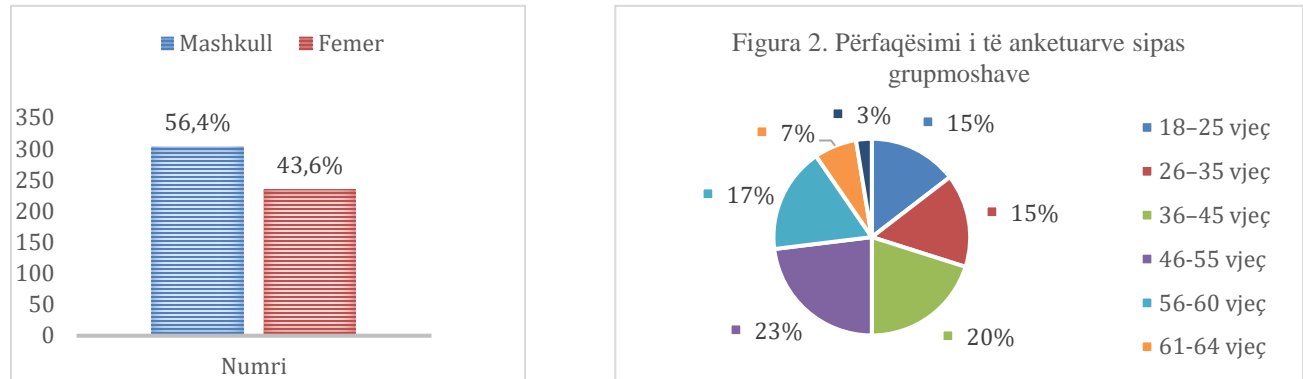
The AHC recommends that, within the framework of institutional cooperation between state bodies responsible for social services and employment, it is essential that the process of hiring a person registered as an unemployed job seeker, goes beyond merely signing the contract. Mechanisms must be established to guarantee the systematic monitoring of the effectiveness of these contracts and ensure that the rights derived from labor legislation are respected. This recommendation stems from practical cases where many contracts have been found to be fictitious.

### III. RIGHT OF PROPERTY

#### General information for respondents

542 individuals were included in the survey, of which 55.9% are male and 43.2% are female. About 1% of respondents (5 people) prefer not to provide this information.

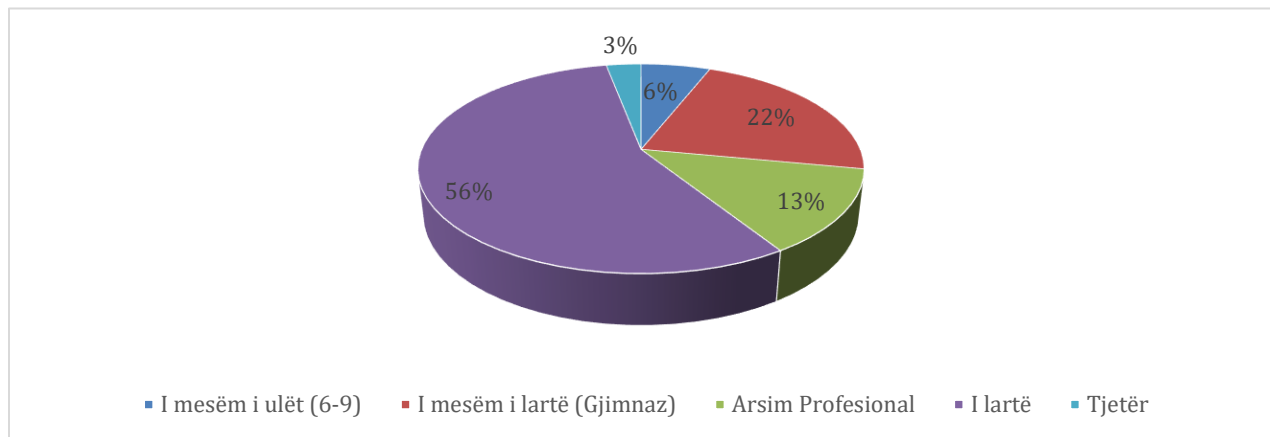
**Figure 1.** Gender representation of respondents **Figure 2.** Representation of respondents by age



Most of the respondents belong to the 45-55 age group (23%); followed by the age group of 36-45 years (20%) and 56-60 years (17.3%) which make up almost 60% of the interviewees. Young people aged 18-25 and 26-35 make up 15% and 7% of respondents, respectively.

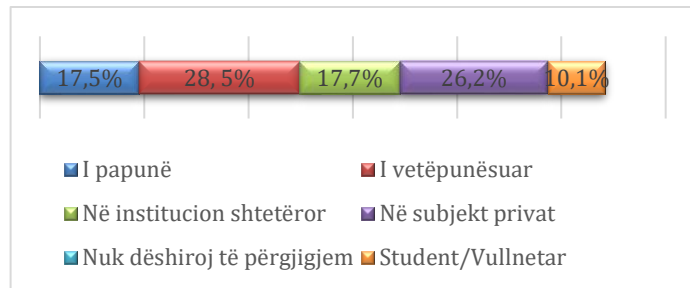
The majority of respondents have higher education and beyond with 56%, followed by 22% who have higher secondary education and 13% of the respondents with vocational training. The least represented categories in the survey remain the respondents with primary education or no education background.

**Figure 3.** Representation of respondents according to educational level



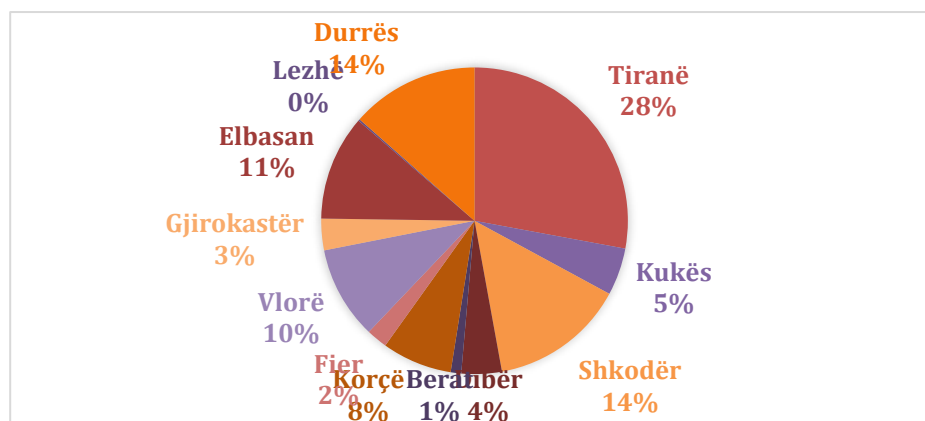
**Figure 4.** Employment representation of respondents

54.7% of the respondents for this right are self-employed or employed in the private sector, making it the most represented group in this survey, followed by an almost equal participation between those employed in a state institution (17.7%) and unemployed (17.5%). Students make up a minimal percentage of respondents.



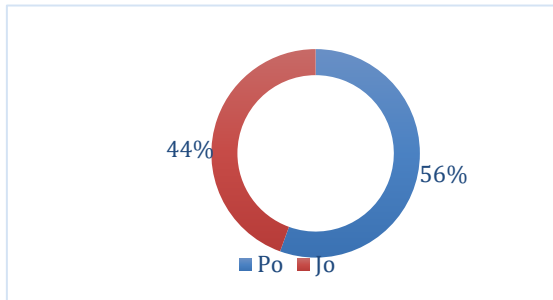
The district of Tirana is represented in the survey by the highest percentage of respondents (28%), followed by the districts of Durrës and Shkodër with 14% of respondents and Elbasan with 11%. The smallest part of respondents is concentrated in Lezha, represented by only 1 respondent.

**Figure 6.** Representation of respondents by district



### *Main Findings: Property Right*

The transition from a totalitarian communist regime to a democratic regime did not enable expropriated owners and their heirs to reclaim their lost rights promptly, with quality, and through efficient procedures. Frequent legislative changes and the tendency to reduce the value of property compensation have eroded the confidence of owners in the process and in the authorities responsible for its administration. In accordance with the legislation in force and considering the sensitivity and injustices faced by these owners over the 34 years of democracy, who are entitled to compensation or returned their expropriated property, the AHC conducted this survey, establishing research standards in alignment with these considerations.

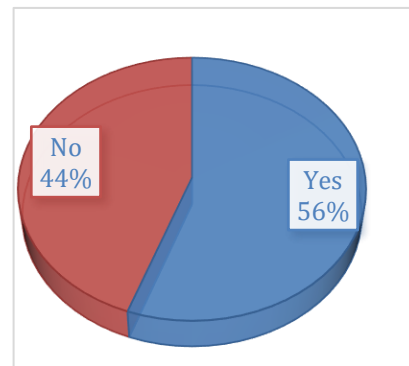


The AHC asked respondents if their private property had been expropriated or temporarily taken for public use by the state. More than half (56%) affirmed that such an occurrence had happened to them, while 44% denied facing such an issue (Figure 7).

**Figure 7.** Has your private property been expropriated or temporarily taken for public use by the state?

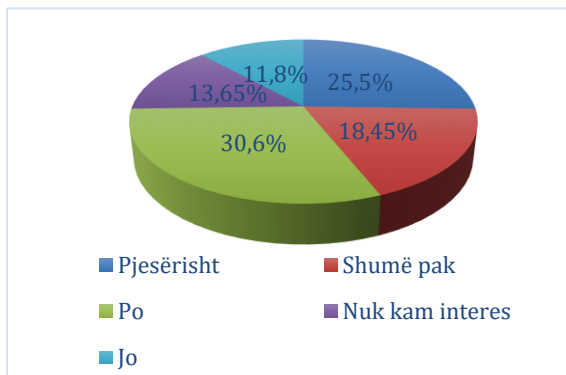
**Figure 8.** Have you ever made requests for the return and/or compensation of nationalized property?

Respondents were also asked whether they had made claims for the return or compensation of nationalized property. Similar to the trend above, 56% of respondents claimed to have made such requests, while 44% claimed the opposite.



**Figure 9.** Are

you informed regarding the procedures for expropriation, restitution, and compensation of property, as well as your rights?

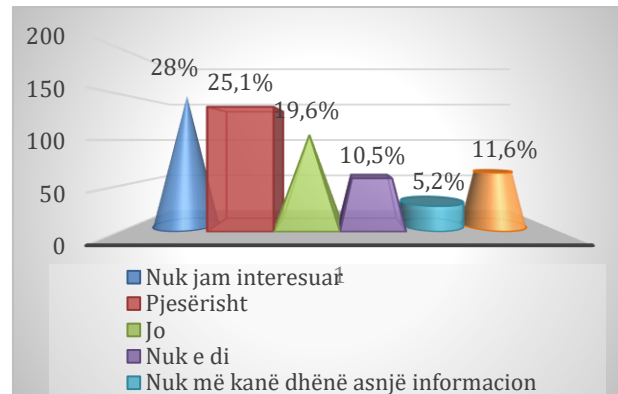


Respondents were asked about their knowledge of the procedures for expropriation, restitution, and compensation of property, as well as their rights in this context. The responses were as follows:

30.6% claimed to have information regarding these procedures. 25.5% reported having partial knowledge. 11.8% stated that they have no knowledge. 13.65% indicated a lack of interest in information related to their property rights.

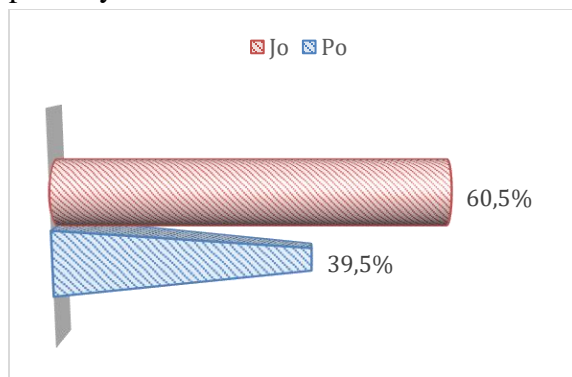
**Figure 9.1.** If the institutions have explained to you the procedures and conditions of expropriation for public interest, return, or compensation of property, was this information clear?

Most of the interviewees (28%) stated that they did not ask, vs. 13.65% of the respondents who stated that they were not interested. 25.1% of the respondents affirmed that the information was partially clear, followed by about 1 in 4 interviewees (19.6%) who stated that the information was unclear, while there is also a trend regarding the lack of information provided by the relevant institutions affirmed by 5% of the interviewees.

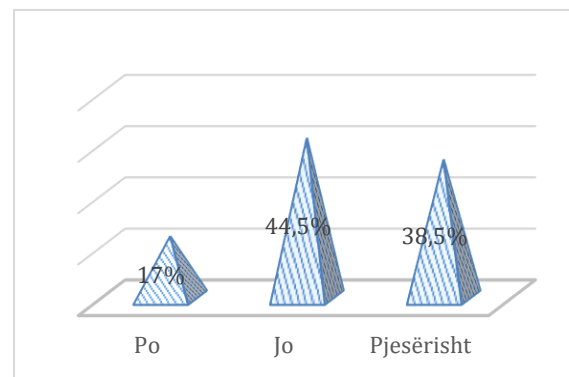


The majority of citizens (60.5%) affirmed that they have not exercised the right to appeal in cases of expropriation, restitution, or compensation of property. This reflects a continuing trend of lack of trust in institutions. In contrast, 39.5% of respondents affirmed that they have exercised this right.

Among those who exercised the right to appeal: 44.5% stated that the incumbent state institutions did not respond within the stipulated deadlines. 38.5% affirmed that they received a response only partially within the deadline.



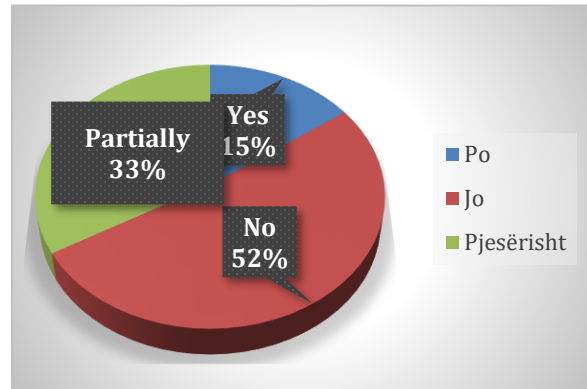
**Figure 10.** Have you exercised the right to appeal regarding the procedures and conditions of expropriation, return or compensation of property, in administrative ways?



**Figure 10. 1.** If the answer to the above question is yes, did the incumbent state institution replied to you in time within the deadlines?

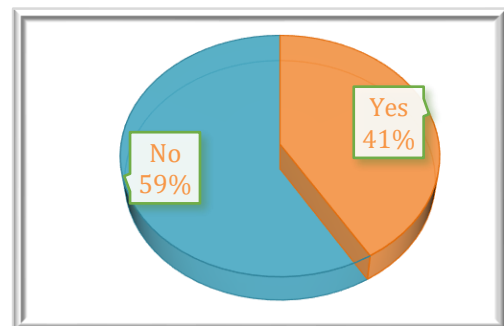
**Figure 11.** *If you were expropriated, was the compensation fair for the expropriation of your property in the public interest?*

Most of the respondents, 52% of them claimed that the compensation for the expropriation of the property has not been fair, followed by 33%, who think that they have been rewarded partially fairly. A small part of the respondents, only 15% of them affirmed that their remuneration was fair.

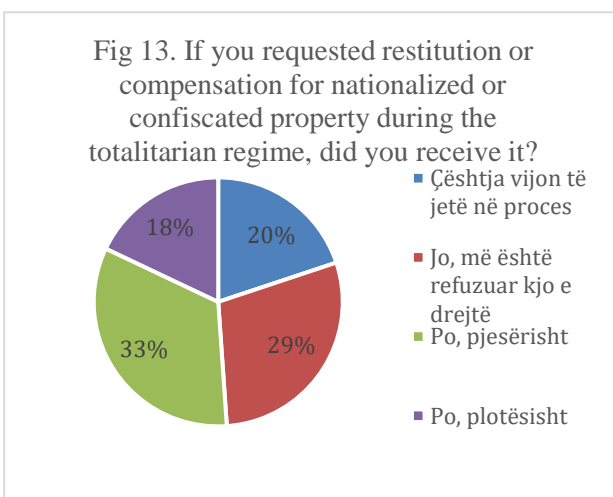


**Figure 12.** *Have you complained about the amount of compensation?*

Despite the majority of respondents expressing dissatisfaction with the amount of compensation for their expropriation, 59% affirmed that they did not complain about the amount received.



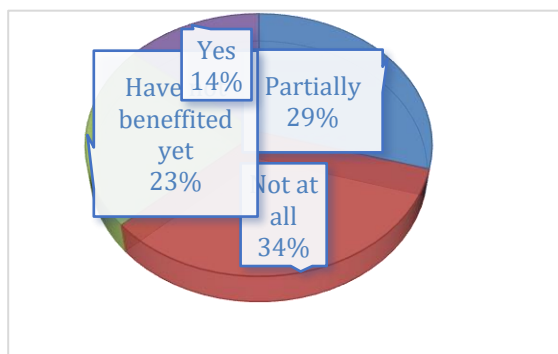
For the 41% of respondents who claimed to have complained about the compensation amount, the AHC inquired about the outcomes of their complaints. Some respondents are still undergoing the judicial process, citing very lengthy durations (e.g., 7 or more years). Several respondents mentioned that the property was devalued by being misclassified, such as being awarded compensation for agricultural land when it was actually plot land. Most respondents reported that despite their appeals, the compensation amount did not change.



Among the 362 respondents who affirmed that they had requested the return and/or compensation of their property, about 18% stated that they had received their property or compensation in full. Approximately 33% reported receiving their property or compensation partially, while for 20%, the process is still ongoing. Nearly 29% of the respondents indicated that their request for property return or compensation had been denied.

**Figure 14.** *Do you think that the compensation and return of the property was fair??*

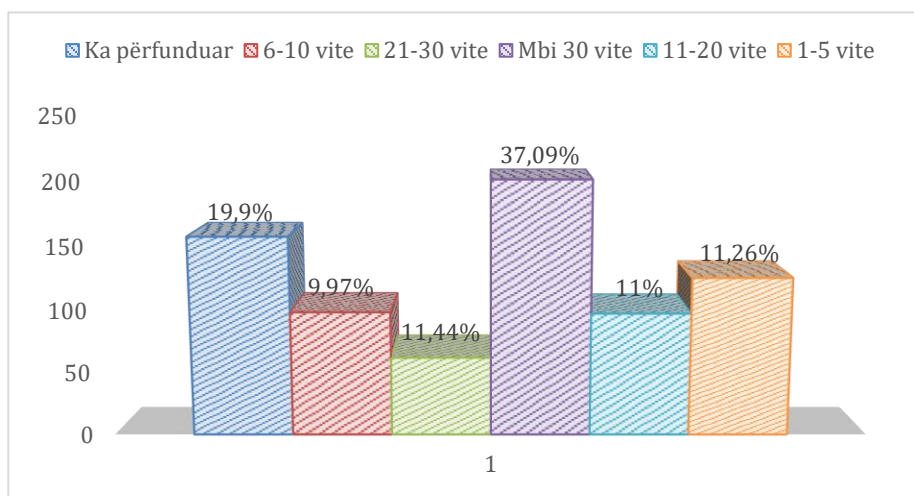




Only 14% of respondents affirmed that the compensation or return of their property was fair, while the majority expressed dissatisfaction. For 29% of respondents, the compensation was partially fair. The highest percentage, 34%, comprised respondents who were not at all satisfied with the return or compensation of their property. Additionally, 23% of respondents stated that they have not yet received any

compensation or return of the property expropriated during the previous totalitarian regime.

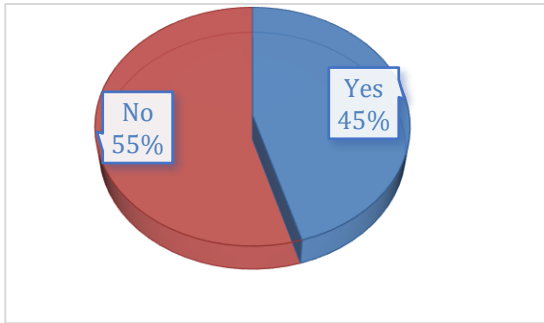
**Figure 15.** How long does the process of property return and compensation last??



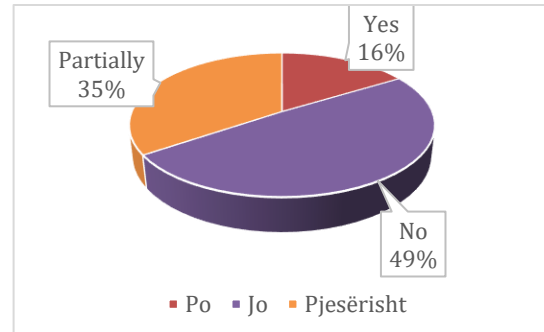
As evidenced above, the AHC notes that the prolongation of the processes is a harmful factor in the recovery of property rights lost due to nationalization during the totalitarian regime. It is particularly concerning that the majority of respondents, 37%, stated that this process has

procrastinated for over 30 years. This is followed by 22.44% who affirmed that the processes have lasted 11-20 or 21-30 years. Only 19.9% of the respondents claimed that this process has concluded, while for about 31.23% of the respondents, the duration of these processes was more reasonable, lasting between 1-5 or 6-10 years.

Due to the extremely prolonged nature of these processes, judicial appeal is not a preferred path when respondents disagreed with the decision-making of the administrative bodies in charge. Specifically, the majority of the respondents, 55%, affirmed that they did not pursue the judicial path in cases where they disagreed with decisions regarding their property, compared to 45% of respondents who affirmed the opposite.



**Figure 16.** Have you pursued the judicial path when you did not agree with decisions on compensation from expropriation or decisions on return and compensation of property?

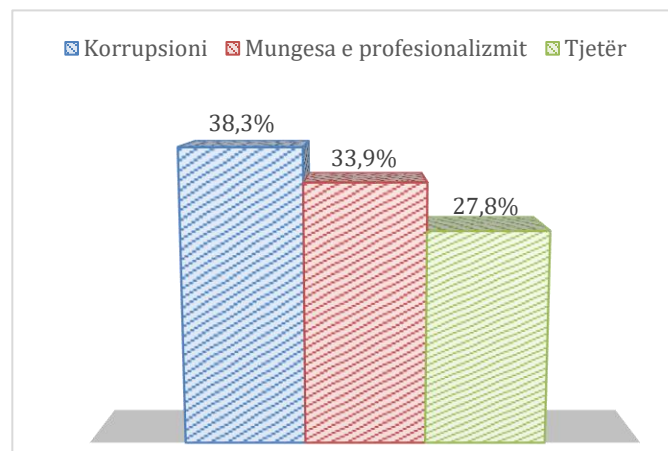


**Figure 16. 1.** If the answer to the above question is yes, was the trial as a whole fair and conducted within a reasonable time?

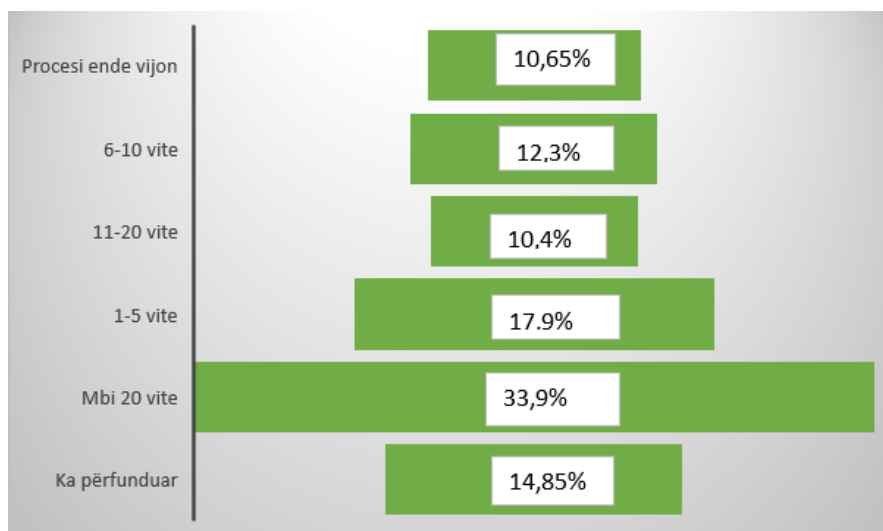
Among those who pursued judicial appeal, the majority (49%) affirmed that the trial was neither fair nor conducted within a reasonable time. Meanwhile, 16% of respondents affirmed that they had a timely and fair trial, and 35% of respondents indicated that they received a partially fair judgment within a reasonable time.

**Figure 17.** What are the reasons that have caused delays and injustice in judicial processes for these issues?

Most of the respondents, 38.3%, affirm that corruption is the main reason affecting the judicial process, followed by 33.9% who believe that delays or injustices in decisions are also due to the lack of professionalism within the institutions. Other reasons contributing to delays and injustices in the judicial process include frequent amendments of laws, overload of the courts, lack of goodwill from incumbent institutions, disregard for decisions from the European Court of Human Rights, political influence, etc.



**Figure 18.** If you resorted to a court of law, how long was the court process in all of its stages?



In addition to administrative processes, judicial proceedings are also notorious for their unreasonable duration. The tendency towards prolonged judicial processes mirrors the data recorded above for other processes related to the return and compensation of property. Specifically, 33.9% of respondents indicated that the judicial process has lasted for more than two decades, followed by 10.4% who reported durations of 11-20 years. Approximately 14.85% of respondents stated that their judicial process has concluded, while 10.65% mentioned that their process is still ongoing.

## TRANSPARENCY TO CITIZENS AND THEIR PARTICIPATION IN DECISION-MAKING PROCESSES RELATED TO PROPERTY AND ENVIRONMENTAL RIGHTS

The International Covenant on Civil and Political Rights (ICCPR) emphasizes in Article 25 the right of every citizen to "participate in the conduct of public affairs, directly or through freely elected representatives." The Human Rights Committee of the United Nations, in its General Comment 25, outlines that methods of citizen participation, including debate and public dialogue, should be established by the constitution and other laws of the respective state.<sup>15</sup>

In line with these principles, the Constitution of the Republic of Albania and our framework laws safeguard the right to information and promote processes of public consultation and prior engagement with citizens in decision-making processes that impact their lives, such as environmental issues and property rights. Building upon these rights, the AHC conducted two monitoring exercises through human rights defenders, focusing on upholding the rights of residents

<sup>15</sup>Please refer to pages 51-52 of the report published by the Albanian Helsinki Committee, accessible at the following link:  
<https://ahc.org.al/wp-content/uploads/2022/10/Raport-Studimor-Instrumentet-ligjore-dhe-sfidat-e-angazhimit-te-qytetareve-dhe-te-shoqerise-civile-ne-proceset-vendimmarrese-dhe-legjislative-te-kuvendit.pdf>

affected by building collapses and those residing near the Drin River, where the construction of Hydro central Skavica is planned to be constructed.

*i. On the demolition of the building near "Myslym Keta" street, in the framework of the reconstruction process*

The human rights defenders at the AHC conducted monitoring of complaints from residents of apartment building no. 4 on "Myslym Keta" Street during the reconstruction process.

In April 13, 2023, AHC observers interviewed a former resident of block no. 4 and also requested official information from the Tirana Municipality.<sup>16</sup> Due to the municipality's failure to adhere to the legal deadline for providing information, the AHC exercised its right to administrative appeal to the Commissioner for the Right to Information and Protection of Personal Data. Following the administrative appeal process conducted by the Commissioner's Office, information from the Municipality of Tirana became accessible. Upon receiving information that the Municipality of Tirana had implemented special legislation due to the earthquake emergency, AHC submitted a new request to the municipality. However, the response received was again partial, specifically covering only the rent subsidy<sup>17</sup>.

The information conveyed by the Municipality of Tirana through the above-mentioned letters did not address the AHC's requests regarding the fulfillment of responsibilities recognized by the Local Government Units, as outlined in Article 9 point "b" of Law No. 22/2018 "On Social Housing" and point 21 of DCM No. 361, dated 29.05.2019.

This issue arises from the residents' concerns about the violation of property rights and the failure to effectively guarantee the right to housing. According to Article 11 of Normative Act No. 9, dated 16.12.2019, "On Coping with the Consequences of the Natural Disaster," the AHC observed that the obligation to ensure the principle of inclusiveness by encouraging community participation in the decision-making process, was not respected.

At the end of this process, the AHC recommended that the Municipality of Tirana take concrete measures to guarantee full transparency to the residents regarding the process followed for the demolition of building No. 4 in the "Myslym Keta" neighborhood as part of the reconstruction process.

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<sup>16</sup> In line with its competences under Law No. 22/2018 "On Social Housing" and Administrative Instruction No. 361, dated 29.05.2019, which determine procedures for the relocation of individuals or families from their residences or housing under specified legal circumstances.

<sup>17</sup> Regulated by Normative Act No. 9, dated 16.12.2019, and Normative Act No. 8, dated 16.12.2019.

ii. *Lack of information and involvement of residents in environmental issues (the construction of the Skavica dam on the Drin i Zi river)*

On December 18, 2023, Human Rights Defenders at the Albanian Helsinki Committee (AHC) conducted a monitoring visit to the Dibër District regarding the construction of the Skavica Dam on the Drin i Zi River. During meetings with activists and residents of the area, AHC was informed that prior to the approval by Parliament of Law No. 38/2021 "For the Determination of the Special Procedure for the Negotiation and Execution of the Contract with the Company 'Bechtel International Inc.'," no information or consultation process had been conducted with the residents whose lands and properties would be affected by the water basin coverage. The residents' claims highlight violations of Article 41, point 1 of the Constitution, which stipulates: *"Freedom, property, and rights recognized by the Constitution and by law cannot be violated without due process of law,"* as well as Article 56 of the Constitution: *"Everyone has the right to be informed about the state of the environment and its protection."*

According to the residents, the construction of the dam will impact eight administrative units in Dibër Municipality<sup>18</sup> and two in Bulqiza Municipality<sup>19</sup>. They assert that this will lead to the flooding of one-third of the agricultural land in Dibër Municipality, affecting about 32 villages and 13,000 hectares, and displacing more than 12,000 people against their will. The dam's construction will have further impacts beyond these figures, affecting other natural and human aspects related to the submerged area. This situation results in a violation of Article 59, point 1, letter "dh" of the Constitution, which provides: *"The state, within the constitutional powers and means at its disposal, as well as in addition to private initiative and responsibility, aims at: Dh) the rational use of forests, waters, pastures, and other natural resources on the basis of the principle of sustainable development."*

They expressed their fear that even with compensation for their properties and homes, they would still be unable to find suitable opportunities and conditions to work or live in the area. The arable land, which is expected to be flooded after the construction of the dam, will make it impossible for them to remain in the area, as they will have no opportunity to practice their vocations related to the land. In these circumstances, the residents say they will be forced to leave the area. This situation entails a violation of Article 49 of the Constitution: *"Everyone has the right to earn his livelihood through legal work, of his/her own choosing or acceptance."*

The data from this monitoring became part of the trial process in the Constitutional Court, opposing the law for the construction of the Skavica Hydropower Plant (HEC Skavica). This process was initiated and represented by the Albanian Helsinki Committee and a group of organizations focusing on human rights and the rights of the residents affected by this investment. For the first

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<sup>18</sup> Adm. Unit Kastriot; Adm. Unit Reç; Adm. Unit Zall Dardhë; Adm. Unit Fushalie; Adm. Unit. Arras; Adm. Unit Muhërr; Adm. Unit. Luzni; Adm. Unit. Tomin; Adm. Unit. Maqellarë.

<sup>19</sup> Adm. Unit. Gjoricë; Adm. Unit. Shupenzë

time in its jurisprudence, the Constitutional Court established a positive standard in environmental matters, finding a violation of the right to information about the state of the environment and its protection as a result of the procedures for adopting Law No. 38/2021. The court ordered the public authorities to rectify the violation found and to guarantee the right to information during the first phase of implementing Law No. 38/2021. It also reminded the authorities of their obligation to consider the results of the environmental protection information process, as far as possible, in accordance with Article 8 of the Aarhus Convention.<sup>20</sup>

## **THE IMPACT OF THE CONSTRUCTION OF HYDRO POWER PLANTS ON THE CITIZENS OF GRAMSH MUNICIPALITY**

The Human Rights Defenders (HRD) at the Albanian Helsinki Committee (AHC) conducted a monitoring mission in the municipality of Gramsh in December 2023 to verify the implementation of the right to access drinking water and the property rights of residents in the Kukur Administrative Unit. This monitoring was in response to concerns about the construction of hydropower plants in the area and to check whether the affected residents were involved in consultations regarding this procedure.

The HRDs found that the primary concern of the residents is the potential drying up of the Gribë River, which would deprive them of access to drinking water, water for washing, irrigation for crops, and water for livestock. Residents have repeatedly expressed this concern through petitions and complaints to the authorities in charge.

The HRDs also found that the residents have participated in four public hearings for the approval of the draft law regarding environmental impact assessment, mainly organized by the licensed entity. Residents claimed that these hearings were formal and did not provide necessary information related to the project.

AHC underlines that, according to the Aarhus Convention, member states, including Albania, are under the obligation to guarantee the effective participation of the public during the preparation of executive regulations and other general and binding legal rules by public authorities, which can significantly affect the environment. This participation should occur in the early stages of regulation preparation and include several steps, such as determining sufficient time limits for effective participation, publishing or making publicly available drafts and regulations, giving the public an opportunity to comment directly or through representative advisory bodies, and taking into account the results of public participation as far as possible (Article 8).<sup>21</sup> In its jurisprudence regarding the implementation of the Aarhus Convention, the Compliance Committee has

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<sup>20</sup> Decision no. 3, dt. 30.01.2024.

<sup>21</sup> Decision no. 3 dated 30.01.2024 (V-3/24), Constitutional Court of RoA, p. 32

emphasized that the Albanian state must provide adequate opportunities for public participation in the decision-making process. It also must adopt a clear, transparent, and stable legal framework for implementing the provisions of the Convention (see the decision of the Compliance Committee).<sup>22</sup>

## **THE IMPACT OF THE THUMANË-KASHAR ROAD AXIS ON THE PROPERTY RIGHTS OF THE RESIDENTS OF THE MUNICIPALITY OF BËRXULLA**

In February 2024, the HRDs at the AHC carried out a monitoring in the Bërxull administrative unit to verify the concerns of the residents regarding their property rights, which have been affected by the Thumane-Kashar road axis construction project. The residents' fundamental concern is related to the violation of their right to freely and peacefully enjoy their property, a right protected by the Constitution and the European Convention on Human Rights.

The HRD found that some residents affected by the Thumanë-Kashar road axis project had applied for the legalization of their constructions, such as residential houses, at ALUIZNI since 2006. However, they only received a response in October 2023, which exempted them from the legalization of their construction without a prior permit. In December 2023, the residents were notified by the road axis construction company about the decision of disqualification and their entitlement of the rent bonus. Nevertheless, the residents reported issues related to the payment of the rent bonus by the municipality of Vorë.

AHC recommends that incumbent institutions adhere to the legal deadlines for notifying residents of the Bërxull administrative unit about the demolition of their homes. Additionally, the municipality of Vorë should undertake the necessary measures to approve the rent bonus for residents affected by the Thumanë-Kashar road axis construction.

## **IV. PARTICIPATION IN PUBLIC LIFE AND PUBLIC CONSULTATION**

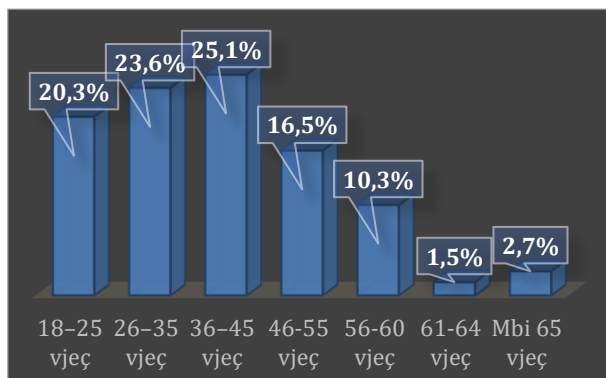
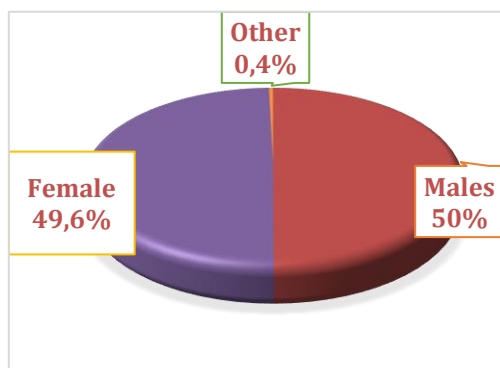
### *General information about respondents*

729 individuals were included in the survey, of who 50% are male and 49.4% are female, while 0.4% of respondents prefer not to provide this information.

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<sup>22</sup> Idem, p. 33.

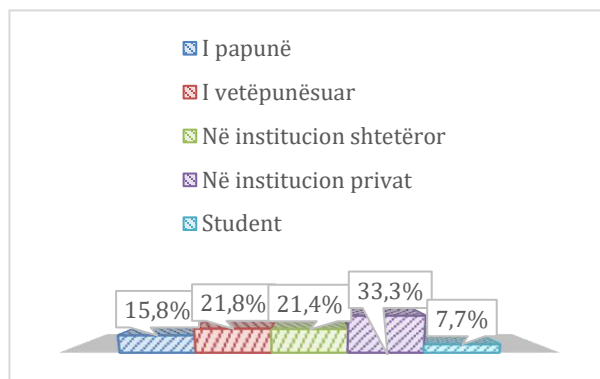
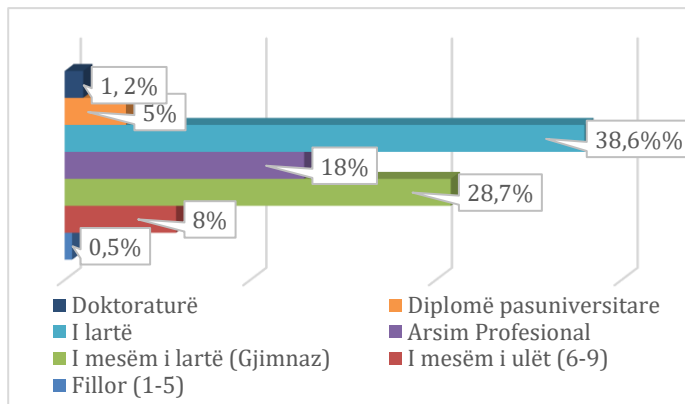
**Figure 1.** Gender representation of respondents **Figure 2.** Representation of respondents by age



Most of the respondents belong to the 35-45 age group (25.1%); 26-35 years old (23.6%) and 18-25 years old (20.3%), which together make up almost 69% of the interviewees. The age group over 60 constitutes the least represented category in the survey with only 4.2% of individuals surveyed.

Regarding the educational level of the respondents, there is a dominant participation of graduates with higher education and beyond at 38.6%, followed by 28.7% who have a secondary education level. Respondents with vocational training make up 18% of the total number of participants, followed by people with lower secondary education at 8%

**Figure 3.** Representation of respondents according to educational level



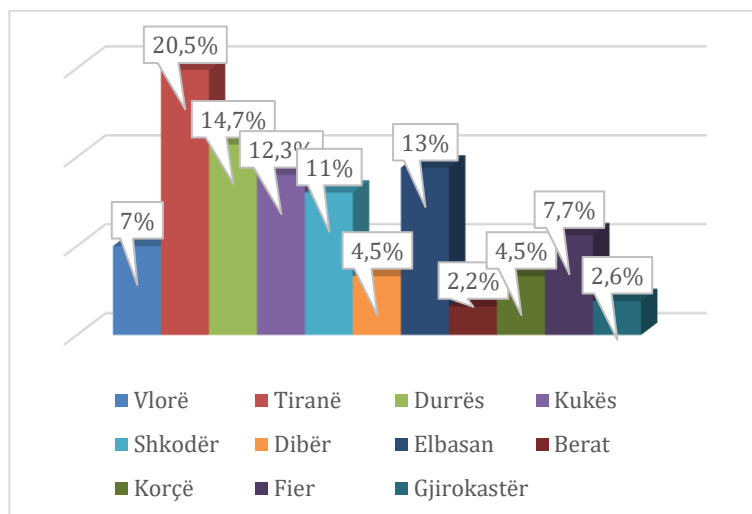
**Figure 4.** Employment representation of respondents

Regarding the employment of the respondents, according to the data in figure 4, the majority of the respondents are employed in the private sector (33.3%), followed by the self-employed at 21.8%, and employees in a state institution at 21.4%. The unemployed status represents 15.8% of the total number of respondents. Students make up a minimal percentage of respondents at 7.7%.



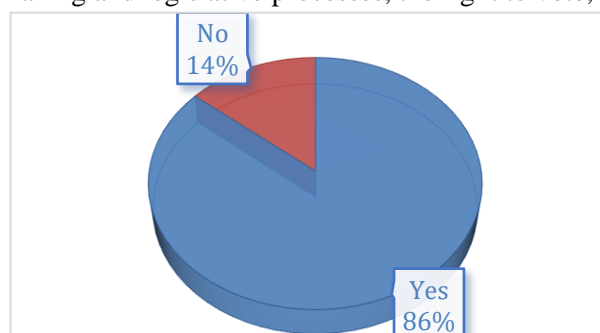
The district of Tirana has the highest percentage of respondents at 20.5%, followed by the largest districts in the country: Durrës (14.7%), Elbasan (13%), Kukës (12.3%), and Shkodra (11%). The smallest part of respondents is concentrated in Berat, representing 2.2% of respondents.

**Figure 6.** Representation of respondents by district



### *Main Findings: Participation in public life and public consultation*

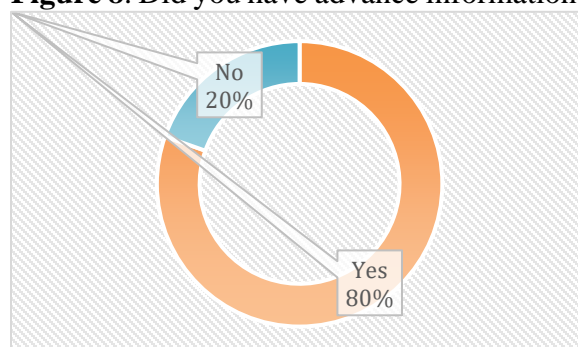
The questionnaire aimed to measure the level of respect for the right of citizens to participate in decision-making and legislative processes, the right to vote, following research standards (questions) in accordance with the legislation in force.<sup>23</sup>



Most of the respondents, about 86% of them affirm that they participated during the voting in the local elections of 2023.

**Figure 7.** Did you participate in the voting process in this year's local elections?

**Figure 8.** Did you have advance information about your polling station before polling day, 14 May 2023?

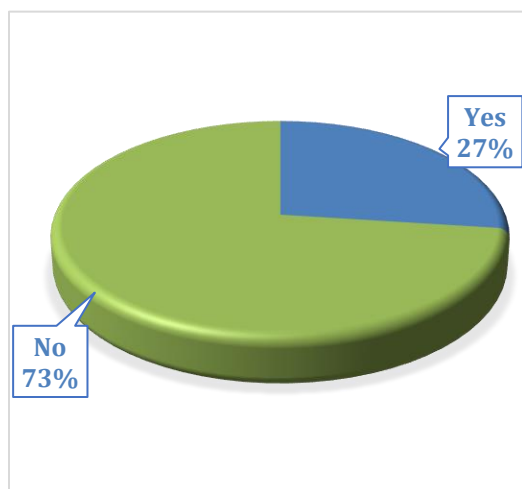
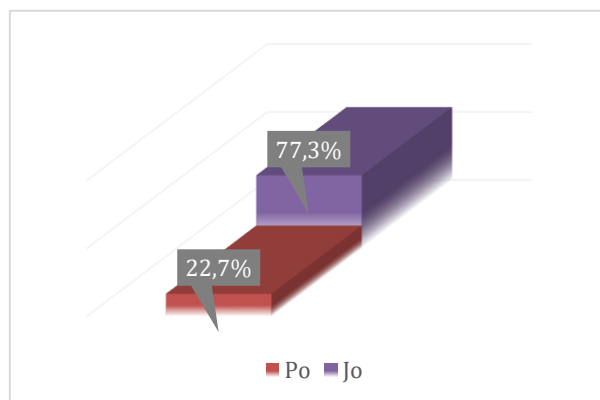


A significant majority of 80% of respondents affirmed that they had prior information about their polling station, v. 20% or 1 in 5 respondents who did not have information. This situation may come as a direct result of the data in the above figure, about participation in the voting process.

<sup>23</sup> Constitution of the Republic of Albania: article 45, 81 of the Constitution of the Republic of Albania; Electoral Code; Law no. 54/2019, dated 18.7.2019 "On the legislative initiative of voters in RoA"; Law 146/2014 "On public consultations"; Regulation of the Assembly of the Republic of Albania;

**Figure 9.** Have you been pressured, in any way, to vote in an election against your free will?

More than 1 in 5 people (22.7%) claim that they were pressured to vote in elections against their will. Most of the respondents were not put under this pressure (77.3% of them).

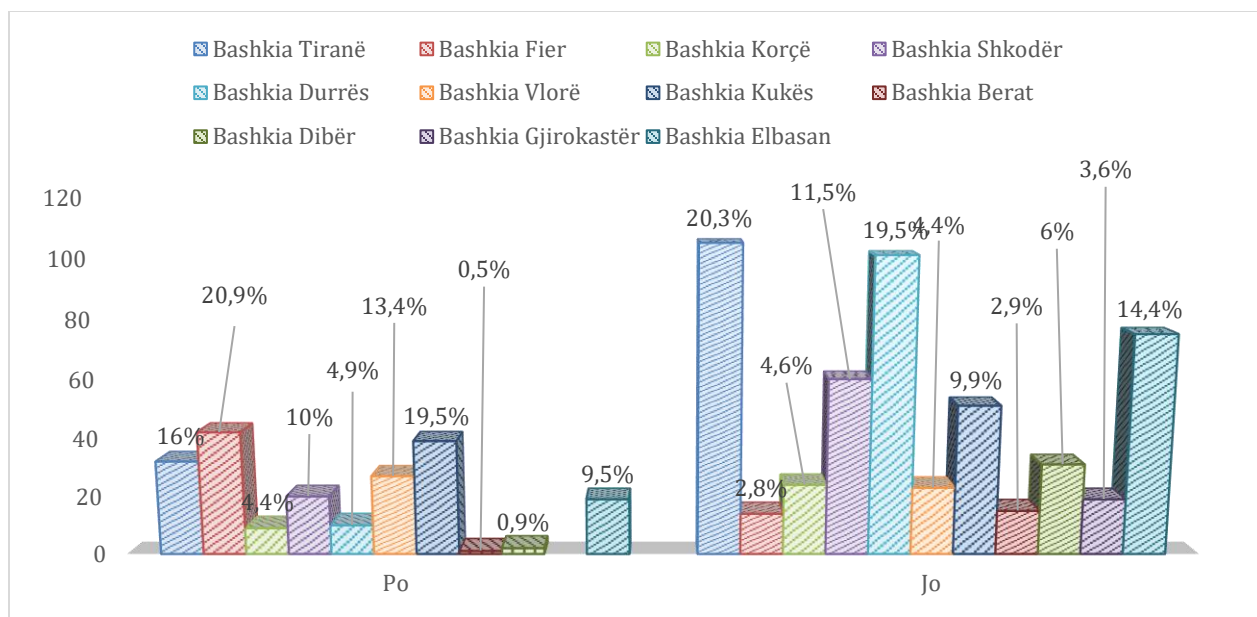


**Figure 10.** Have you ever been consulted on issues or draft decisions that are discussed at a city council meeting?

AHC assesses that an important measure of the level of engagement of citizens in public life consists of engagement in the decision-making processes of the Municipal Council near their place of residence. 73% of the respondents affirmed that they have never been consulted on issues or draft decisions that are discussed in the municipal council meeting, compared to 27% who affirmed that they actually have.

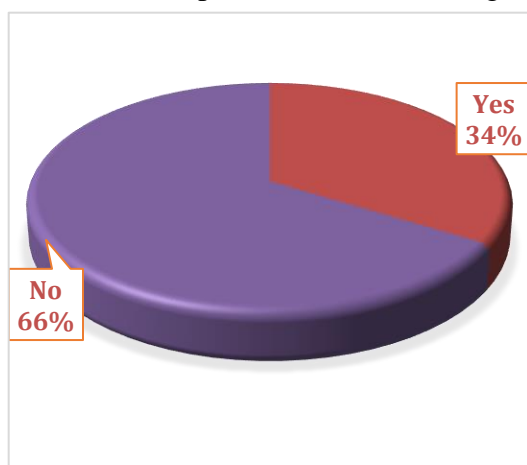
As results from Figure 11, 20% of the respondents in the city of Fier affirmed that they were consulted on draft decisions or issues in the municipal council meetings, followed by the municipality of Kukës where 19.5% of citizens affirmed the same. 16% of the respondents in the Tirana municipality also claim that they have been involved in public consultations by the municipality, followed by 13.4% of the citizens of Vlora and 1 in 10 citizens (10%) in the Shkodra municipality who claim that this municipality has consulted with the citizens about draft decisions in the Municipal Council.

The most problematic municipalities in terms of citizens' perception regarding their involvement in public consultation are the municipality of Tirana, where 20.3% of respondents claim that they have not participated in public consultations; Durrës municipality, where 19.5% of respondents deny being involved in public consultations; and Elbasan municipality, where 14.4% of respondents also deny their involvement in public consultations.



**Figure 11.** Consultations of draft decisions in the municipal council by municipalities.

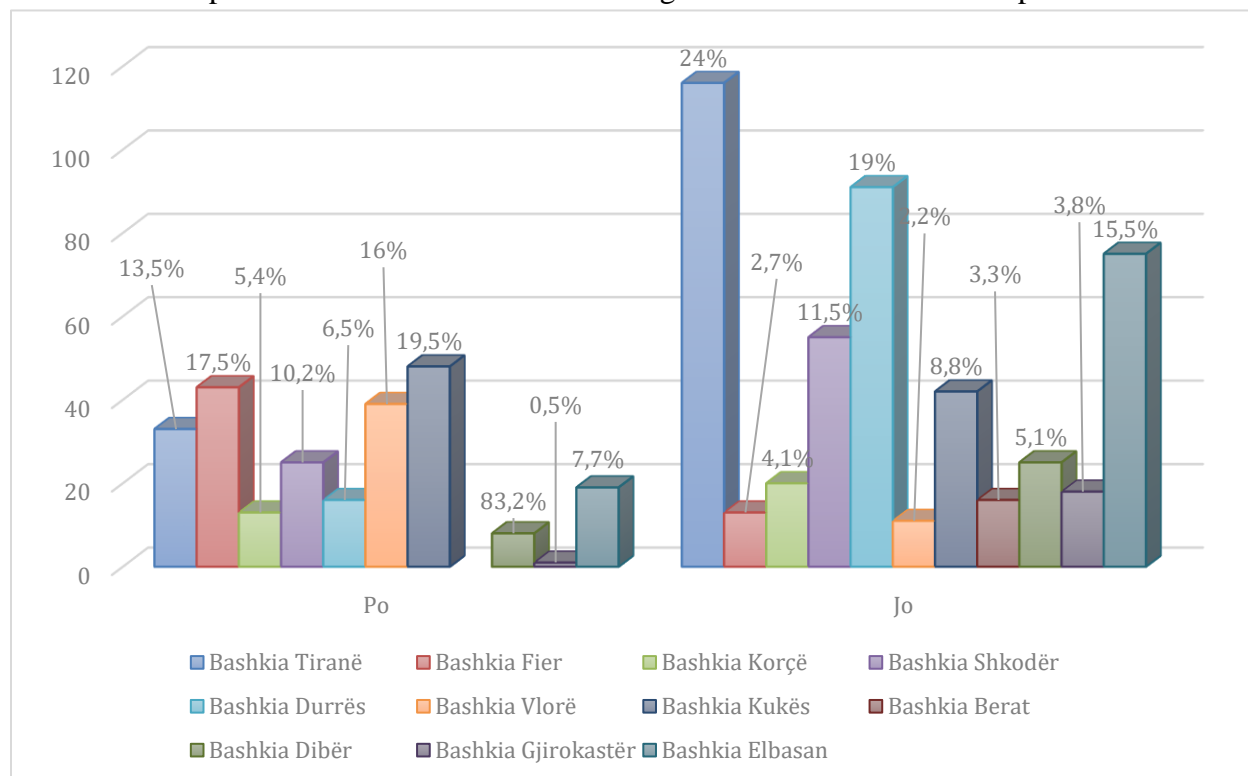
66% of the respondents claimed being uninformed regarding the possibility of public consultation with the citizens of the draft budget of the municipality where they live. Only 34% of the surveyed citizens affirmed that they are informed about the consultation of the draft budget in their municipality.



**Figure 12.** Are you informed about the possibility of public consultation with citizens of the draft budget in the municipality where you live?

The same trend as above is also observed when the respondents were asked about the information about the opportunity for public consultation of the draft budget of the municipality where they live. The same trend as above is also observed when the respondents were asked about the information about the opportunity for public consultation of the draft budget of the municipality where they live. Citizens in Tirana (24%), Durrës (19%) and Elbasan (15.5%) deny having information regarding the opportunity for public consultation of the draft budget in these municipalities. On the other hand, citizens in the municipality of Kukës

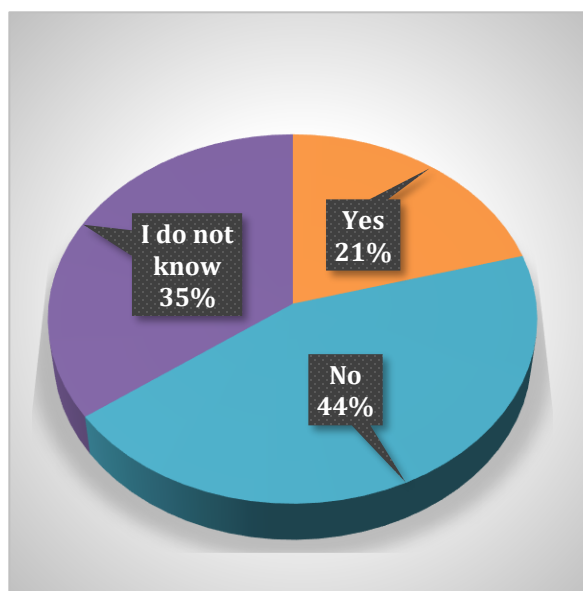
(19.5%), Fier (17.5%) and Vlorë (16%), affirm that they are informed about the possibility to be included in the public consultation of the draft budgets of each of these municipalities.

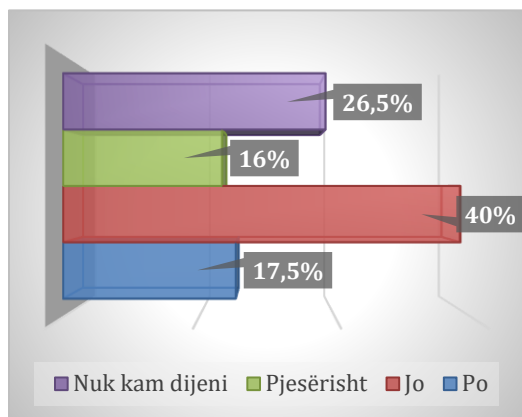


**Figure 13.** Information about the possibility of public consultation of the draft budget according to the municipality where the respondents live?

The majority of respondents, or 44% of them, believe that the municipal budget project is not genuinely subject to public consultation. This is followed by 35% who are unsure if such consultations are actually conducted. Only about 1 in 5 people (or 21%) of the respondents claim to have participated in these consultations.

**Figure 14.** To your knowledge, is the draft budget of the municipality really subject to public consultation with citizens?





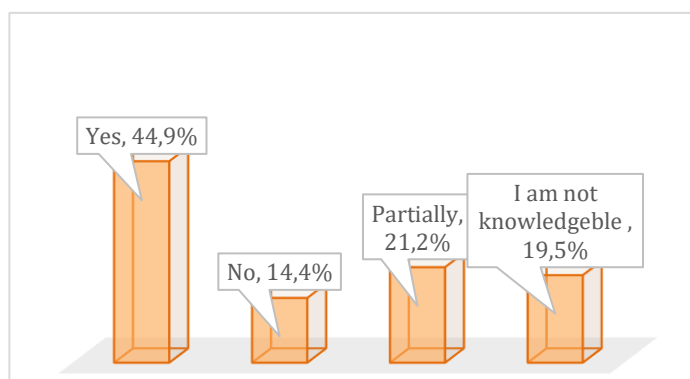
**Figure 15.** Do you think that the public consultation with citizens that is carried out by municipalities really aims to take into consideration their opinions and suggestions?

It is worrying that 40% of the respondents claimed that the public consultation process is not conducted with the intent of genuinely obtaining the opinions of citizens. This sentiment is followed by 26.5% who are uncertain whether the consultation serves this purpose. Only 17.5% of respondents believe that the consultation

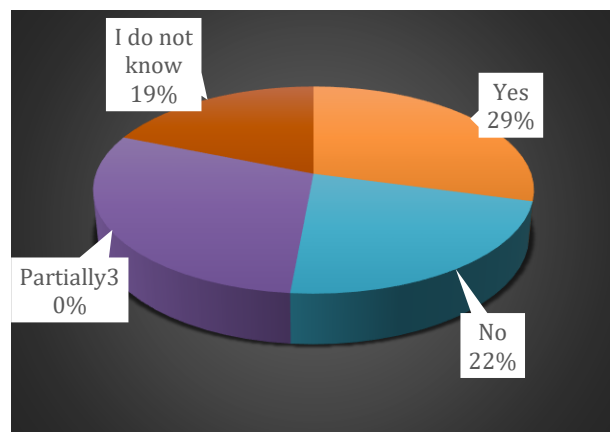
process is genuine and seeks to reflect the true opinions of the public.

**Figure 16.** Are you aware of the obligations that must be paid for local taxes?

Most of the respondents, represented by 66% of them, affirm that they are aware of the obligations that must be paid for local taxes (44.9%) or are partially aware (21.2%) of these obligations. On the other hand, a significant part, 33.9% of the respondents, claimed that they are uninformed about these taxes.



**Figure 17.** Do you think local taxes are affordable with your family income?



AHC notes that 33% of respondents think that local taxes are partially affordable compared to household income, followed by 29% who claim that these taxes can be afforded. For 22% of the respondents, the local taxes turn out to be unaffordable compared to the monthly income, followed by 19% of them who do not know the answer to the question.

## FREEDOM OF ASSEMBLY

Freedom of peaceful and unarmed assemblies, as well as participation in them, is guaranteed in Article 47, point 1, of the Constitution. The exercise of this freedom is not subject to any formal

procedure of approval by police bodies; only notification to the police bodies is required at a specified time according to law no. 8773/2001 "On gatherings." The use of the term "notice" rather than "request" in this law is significant as it guarantees the exercise of the right of assembly by citizens.

State authorities have a positive obligation to facilitate and protect the exercise of this right, except in cases where intervention to limit it is legitimate, in accordance with Article 11/2 of the European Convention on Human Rights and the provisions of local legislation (no. 8773/2001).

In our official correspondence regarding the gatherings and protests announced/held during the 2020-2024 period, the General Directorate of the State Police informed the AHC that its structures had been notified of a total of 242 gatherings by different individuals, informal groups, and NGOs. Additionally, there were 85 cases of emergency gatherings during this period. The total number of allowed gatherings and requests accepted by the State Police was 495. The AHC assesses that the use of terminology such as "permission" or "acceptance" is incorrect because, according to the law, the organizers do not wait to receive permission; they only notify the authorities. Moreover, these data are contradictory. While 242 notified gatherings and 85 emergency gatherings are mentioned, the letter from the state police further states that the total of gatherings is 495, which does not correspond to the sum of the earlier figures.

The main themes for the conducting of the gatherings, which were announced in advance to the State Police during this period, have been varied and significant, reflecting the diverse concerns and issues of the population, including:

- The gatherings and protests conducted during the 2020-2024 period generally had socio-economic and political nature. Specific themes included:
- Price increases
- Arrears of wages and resumption of work, especially in the oil and toll manufacturing industries
- Claimed rights to use water resources
- Taxation system by local government institutions
- Demolition of the National Theatre
- Establishing rules for entering the Divjaka-Karavasta National Park
- Murder of 25-year-old Klodian Rasha in Tirana by a police officer
- Rally about rights of taxi and public transport service providers
- Awareness of the rights of the Roma community
- Children's rights
- Protection of victims of domestic violence
- State subsidies for farmers
- Increased pensions for miners
- Construction of H/C Skavica
- Environmental protection

- Opposition to the Albanian Government's decision for the approval of the agreement with the Italian government regarding the accommodation of foreign immigrants in Shëngjin and Gjadër
- Improvement of road infrastructure, etc.

Meanwhile, during the COVID-19 pandemic, the State Police stated that announced gatherings were prohibited. It is known that the European Court of Human Rights (ECHR) has stated that the freedom of assembly is not absolute and may be limited according to paragraph 2 of Article 11 of the Convention. The intervention need not be a complete ban but may consist of various other measures taken by the authorities. An interference with the freedom of peaceful assembly constitutes a violation of Article 11 unless it is "prescribed by law," pursues one or more "legitimate aims" as per paragraph 2 of Article 11 and is "necessary in a democratic society" to achieve the specified purpose or objectives.

The Albanian Helsinki Committee (AHC) assesses that the prohibition of the right to assembly during the COVID-19 pandemic imposed a disproportionate restriction on the freedom of assembly and, consequently, on the freedom of collective expression. On May 13, 2020, through a press release, the AHC suggested revising the wording in Normative Act No. 3 dated 15.03.2020 "On taking special administrative measures during the duration of the infection period caused by COVID-19". The AHC noted that, based on the practices of other democratic countries in Europe where gatherings that respect physical distancing and protective measures have been allowed (e.g., physical distancing of protesters, use of protective equipment, etc.), the sanctions in Albanian legislation disproportionately curtailed basic rights and freedoms, including the freedom of assembly and organization. From the monitoring carried out by the AHC during this period, it was noticed that the practices followed by the Local Police Directorates were not unified concerning the exercise of the right to assembly during the pandemic. In some cases, administrative measures were taken against citizens, while some police stations followed a stricter approach, reporting protesters to the prosecutor's office.<sup>24</sup>

The State Police informed the Albanian Helsinki Committee (AHC) that it has not sanctioned any citizen based on the criminal offenses provided for in Article 24 of Law no. 8773/2001, but only referred criminal offenses to the relevant prosecutor's office. The criminal offenses referred to the prosecution were mainly "Organization and participation in illegal gatherings and demonstrations" and "Obstruction of the circulation of means of transport," provided for in Articles 262 and 293 of the Criminal Code.

It is concerning that law enforcement and judicial bodies continue to exercise their activities related to criminal proceedings and trials for illegal gatherings based on Article 262 of the Criminal Code, which was found to be deficient by the Constitutional Court. Specifically, with decision no. 24, dated May 4, 2021, the Court found that Article 262, first paragraph, of the Criminal Procedure

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<sup>24</sup> <https://ahc.org.al/wp-content/uploads/2022/09/PERFUNDIMTARE-BAROMETRI-KOMBETAR-2-.pdf>

Code uses the expression "without first obtaining permission from the competent body according to special provisions" for holding gatherings in public squares or walkways. However, Law no. 8773/2001 stipulates that the State Police must be notified in writing for these types of gatherings. These two terms are not harmonized, creating uncertainty and ambiguity, and thus violating the principle of legal certainty. This discrepancy makes it difficult for individuals and law enforcement bodies to recognize, understand, and apply this criminal norm.

Despite three years having passed since the Constitutional Court's decision in May 2021, and civil society organizations having addressed a petition to the Assembly in August 2022 to fill the legal vacuum and exercise parliamentary control for the implementation of these provisions, there has been no reaction from this institution. The Constitutional Court's decision remains unimplemented, creating a restrictive legal environment regarding the exercise of freedom of assembly.

The AHC assesses that the lack of a clearly formulated and complete norm, in accordance with the binding decision of the Constitutional Court, creates legal uncertainty among citizens and provides grounds for violating the freedom of assembly. This situation is exacerbated by the potential misapplication of this incomplete provision by the incumbent bodies for reporting, initiating criminal proceedings, investigating, or judging criminal cases related to charges of organizing and participating in illegal gatherings and demonstrations. Consequently, citizens participating in gatherings deemed illegal by the State Police risk having their procedural guarantees violated when exercising this right, as provided by Article 11/2 of the European Convention on Human Rights (ECHR).

## **PARTICIPATION IN PUBLIC LIFE AND THE DIRECT EXERCISE OF THE PEOPLE'S SOVEREIGNTY**

Human rights defenders at the AHC carried out a partial observation of the legal framework on referendums and its implementation in practice, based on correspondence with official letters with public institutions responsible for the administration of referendum requests, progress, and follow-up of their success. The purpose of this observation was to identify and analyze the causes of non-use of the referendum instrument by voters and its unsuccessful cases.

Referendum, as an instrument of exercising direct sovereignty by the people (direct democracy), is generally regulated in three legal acts, including the Constitution of the Republic of Albania, the provisions on Referendum in Law No. 9087, dated 19.6.2003 "Code Election Commission of the Republic of Albania," as well as Law No. 139/2015 "On Local Self-Government."

In Albania, there is still no approved law for the complete and detailed regulation of the referendum mechanism. Consequently, even the few provisions that are in force do not fully and coherently provide for the rules pertinent to its exercise.



Civil society actors have encountered difficulties in organizing referendums at the local level for issues that have had high public sensitivity or interest (e.g., the construction of the oil plant in Vlora). It is noted with concern that every initiative undertaken for a local referendum in Albania, has failed. During the 34 years of democracy, Albania has not held any local referendum.<sup>25</sup>

As for completing the legal framework in this regard, there were initiatives in 2020 and 2022 by members of the Assembly, where two draft laws for the referendum were proposed. The second bill is still in process. These draft laws have introduced innovations in the regulation of holding referendums, particularly regarding the financial burden of conducting referendums, which should be part of the state budget, as well as the representation of Albanian citizens living abroad through provisions for electronic signatures, which guarantee inclusive participation by recognizing their right to participate in the referendum.

#### *Data on the history of referendums in Albania*

The table below provides data on the referendums held in Albania from 1997 to 2023. As can be seen, the Albanian people have had the opportunity to fully and freely express their will, successfully concluding only two referendums: one on the form of government in 1997 and the adoption of the Constitution in 1998.

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<sup>25</sup>Since Albania first adopted law no. 7491, dated April 29, 1991, "On the main constitutional provisions," which provided for the right of referendum, and then the Constitution of 1998, which offers a better constitutional regulation of this instrument, it is important to understand how the referendum process is put into motion and what its forms are.

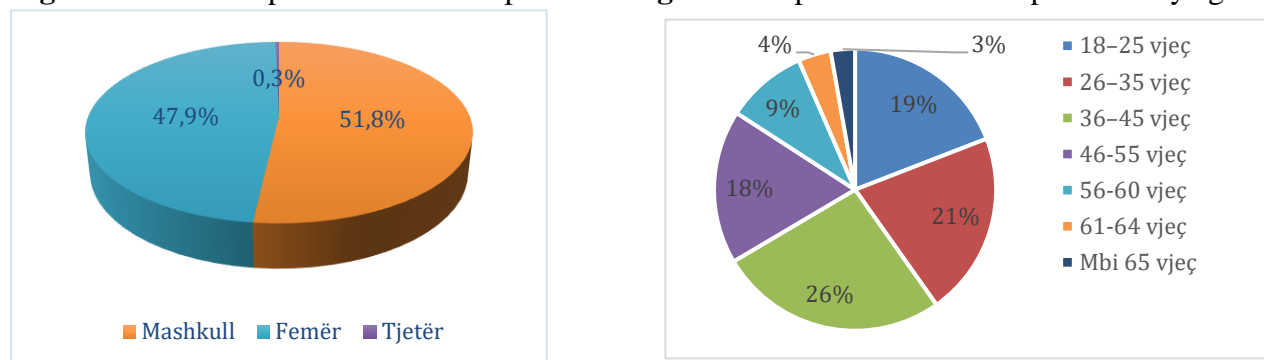
No.	Date	Object of the referendum	Result
1	29.06.1997	- A general referendum on the form of government offered two alternatives: "Parliamentary Republic" or "Constitutional Monarchy."	- "Parliamentary Republic" is voted.
2	28.11.1998	- A referendum for the approval of the new Constitution.	- Approval of the new Constitution.
3	23.10.2003	- A constitutional referendum on the repeal of articles 4 and 6 of the law "On Social Security in the Republic of Albania."	- The referendum is considered unconstitutional (contrary to Article 151 of the Constitution).
4	29.05.2008	- A request by an initiator group of 24 voters for a general referendum on the repeal of Articles 5, 7, and 8 of Law no. 9904 "On some changes to the Constitution of RoA" is submitted to the Central Election Commission.	- The referendum is considered unconstitutional.
5	14.11.2013	- The Democratic Party, through its 28 MPs, submits a request to the Assembly for a general referendum on the prohibition of waste imports.	- The request is dismissed.
6	31.10.2014	- Residents of 82 municipalities address the CEC, stating they are against the new territorial changes and requesting a "Local Referendum."	- The request is dismissed.
7	29.09.2016	- The Democratic Party, with a request signed by more than 1/5 of all Parliament MPs, call for a general referendum on the "Importing, Transporting, and storing in the Republic of Albania of chemical weapons and other toxic military substances."	- The request was not approved by the Assembly, but after many protests by Civil Society, the importation of weapons was banned.
8	04.03.2016	- The Democratic Party requests a "Local Referendum" from the Central Election Commission for three projects of the Municipality of Tirana: Playground at the Artificial Lake, Underground Parking at the Taiwan center, and Motorway at the Concert Hall.	- The request is dismissed.
9	02.06.2020	- Civil Society addresses the Central Election Commission for changes in the Electoral Code.	- The CEC rejects this request, justifying that the quorum could not be met.
10	29.06.2023	- Small opposition parties, led by the "Nisma Thurje" party, request changes to the Electoral Code, arguing that it favors the three main parties: "PD-PS-PL."	- The request is dismissed

## V. ACCESS TO JUSTICE

### *General information for respondents*

612 individuals were included in the survey, of which 51.8% are male and 47.9% are female.

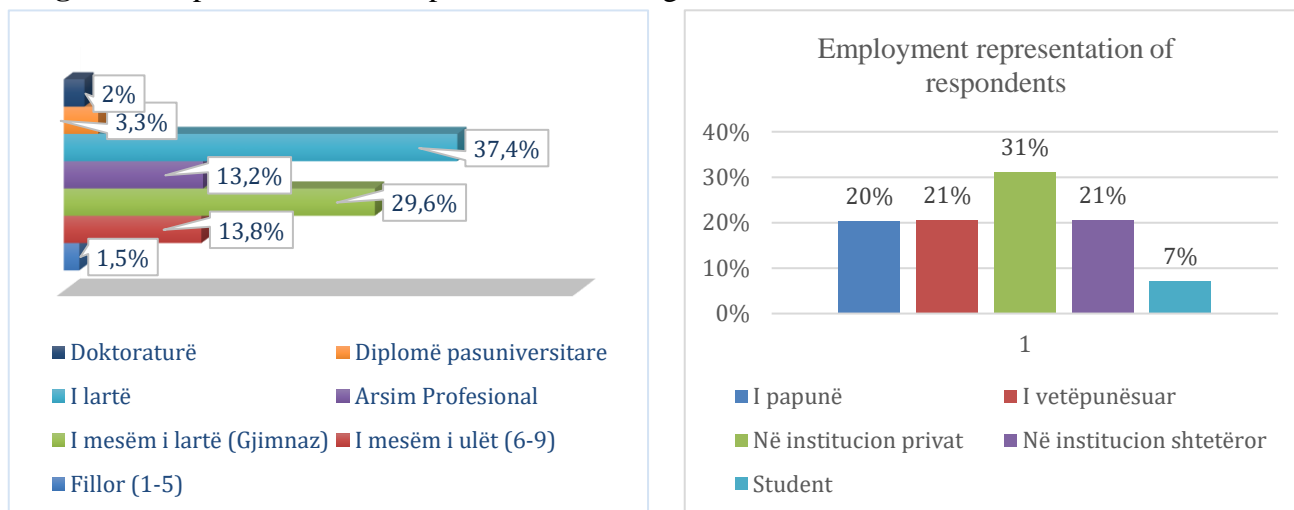
**Figure 1.** Gender representation of respondents **Figure 2.** Representation of respondents by age



Most of the respondents belong to the 35-45 age group (26%), followed by the 26-35 age group (21%), and the 18-25 age group (19%), collectively making up almost 66% of the interviewees. The 60+ age group is the least represented category in the survey, with only 7% of individuals surveyed.

Regarding the educational level of the respondents, the majority have higher education or beyond, at 37.4%, followed by 29.6% with secondary education, and an almost equal representation of those with vocational training (13.2%). The least represented categories in the survey are respondents with primary education (18.8%) and those with a doctorate (7%).

**Figure 3.** Representation of respondents according to educational level.

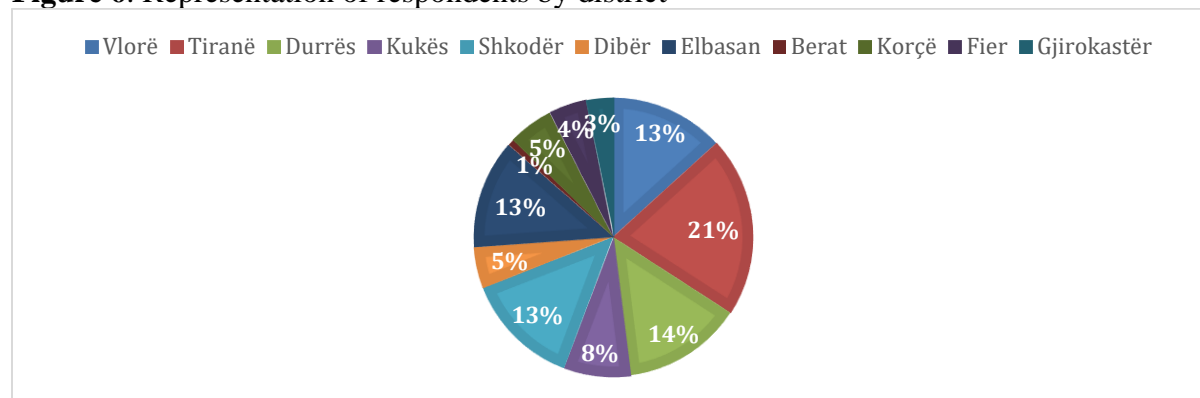


**Figure 4.** Employment of Respondents

The majority of respondents are employed in the private sector (31%), followed by almost equal participation between those employed in a state institution (21%), self-employed (21%), and unemployed (20%). Students make up 7% of respondents.

The district of Tirana has the highest percentage of respondents (21%), followed by the larger districts of the country: Durrës (14%), Elbasan (13%), Shkodra (13%), and Vlora (13%). The smallest portion of respondents is concentrated in Berat (1%).

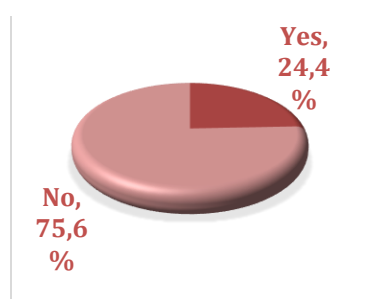
**Figure 6.** Representation of respondents by district



### *Main Findings: Access to justice*

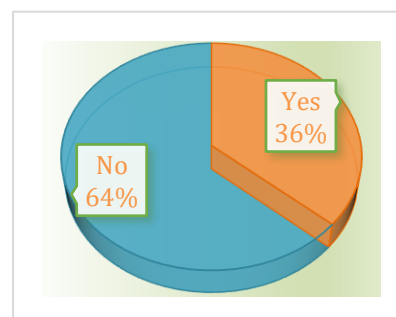
The data from this part of the survey aims to shed light on the challenges and needs of marginalized groups in their access to justice in Albania. The questions addressed to the respondents, which form the basis of the research standards, are grounded in the current legislation<sup>26</sup>.

**Figure 7.** Do you identify as a member of a marginalized group?



24.4% of the respondents affirmed that they belonged to vulnerable groups. However, this data may not reflect the full picture, as respondents may choose not to affirm their identification with certain groups due to reasons such as discrimination (see Figure 7).

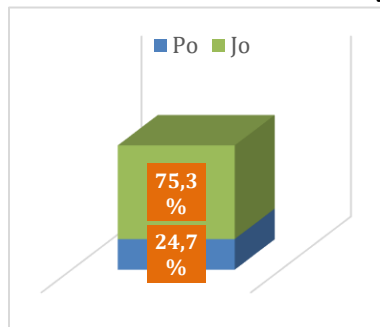
Respondents were also asked if they had been involved in legal disputes that required them to go to court, to which 1 in 3 (36%) of respondents answered affirmatively (Fig. 8).



**Figure 8.** Have you been involved in a legal dispute that required you to go to court?

<sup>26</sup> Constitution of the Republic of Albania, Law on Legal Aid Guaranteed by the State.

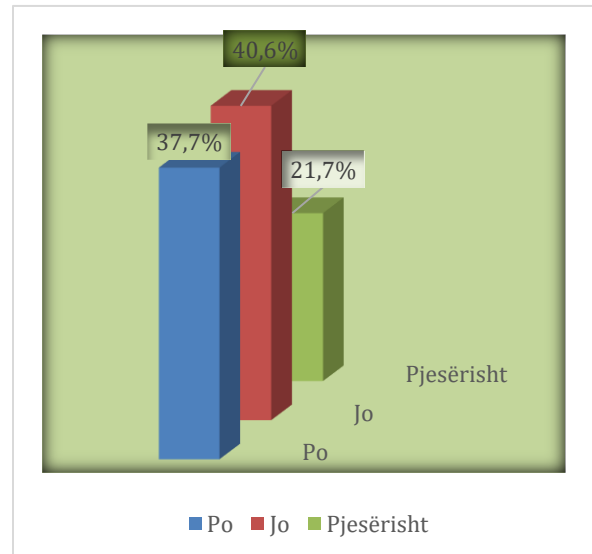
**Figure 8.1.** If so, did you refrain from pursuing the court route due to financial inability to pay the court fee and/or obtain a lawyer/legal representative??



AHC notes that the majority of respondents, 75.3%, affirmed that financial constraints were not a reason for them not to pursue their case in court. However, 1 in 4 people indicated that there have been cases where, due to financial inability to pay court fees or obtain a lawyer, they did not seek resolution of their disputes through the court.

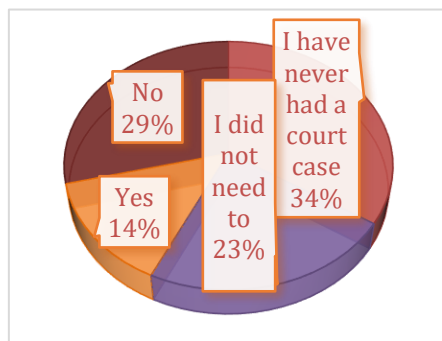
**Figure 9.** Are you aware of the possibility of free legal aid from the state in conditions where you do not have the financial means to file a lawsuit in court?

When asked whether they were informed about the free legal aid offered by the state, most of the interviewees claimed to be informed (37.7%) or partially informed (21.7%), while 40.6% of the respondents stated that they were not aware of the legal aid guaranteed by the state. These findings highlight the need to increase awareness to ensure better access for citizens to state-provided legal assistance in cases of financial inability.



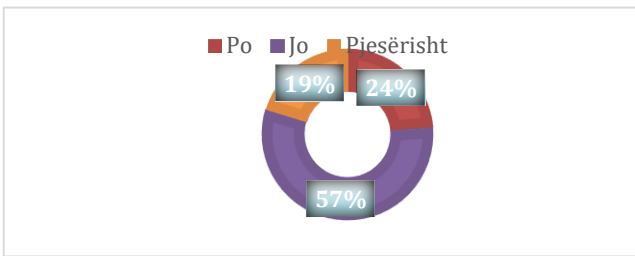
**Figure 10.** Have you been a beneficiary of free legal aid from the state in any court proceedings?

Based on the findings, 14% of the respondents reported having benefited from free legal aid. The majority indicated no court proceedings (34%), followed by those who stated they did not receive legal aid (29%), and those who did not require legal aid (23%).



The receipt of legal aid by a small part of citizens may indicate the low level of information of citizens about this facility, or their lack of trust in such a service provided by the state. This can also be seen in the following figure.

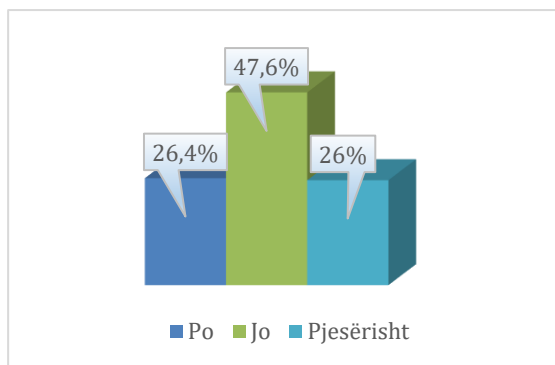
**Figure 10.1.** If so, has it (state-guaranteed legal aid) been professional and effective in defending your legal case before the court?



The minority (14%) of respondents who affirm that they have benefited from legal aid guaranteed by the state, results that in 57% of cases, this aid has not been professional and effective, against only 24% of cases that is evaluated with positive grades, and in 19%

of cases partially positive (professional and effective).

**Figure 11.** Are you aware of non-governmental organizations that offer free legal aid to individuals in need or to marginalized groups?

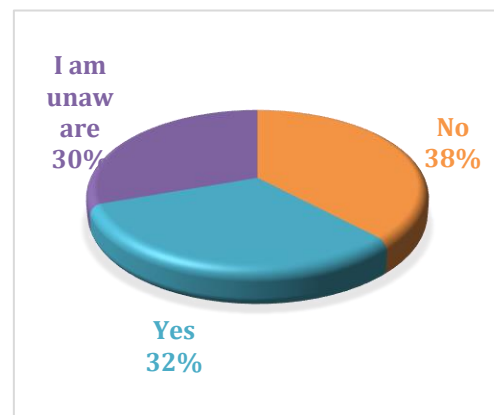


The trend regarding awareness of legal assistance provided by NGOs mirrors that of state-provided assistance. Data indicates that nearly half of the respondents (47.6%) are unaware of NGOs where they can request free legal services, while approximately 52.4% affirmed they have full or partial knowledge of these services.

The decision to reform the judicial map resulted in its reorganization, including the merger of 18 courts, leaving 16 others operational. This restructuring has raised concerns among lawyers, legal advocates, and human rights organizations regarding access to justice for citizens, particularly vulnerable groups.

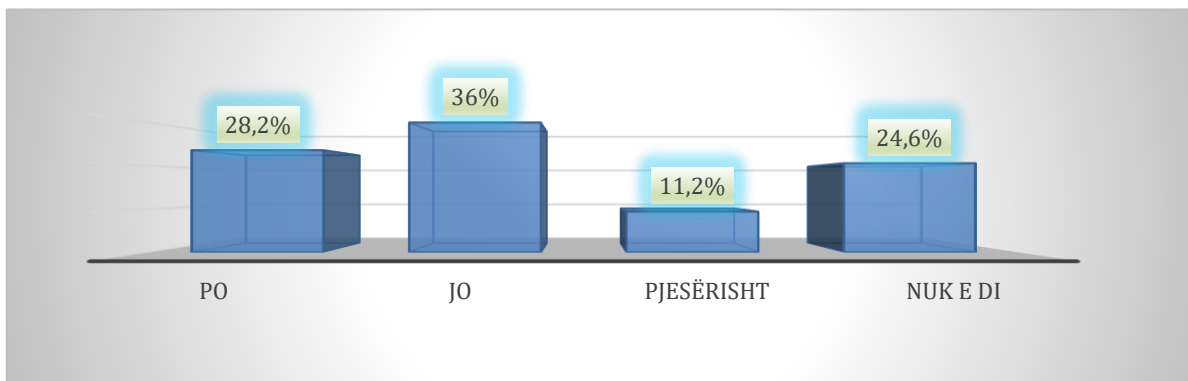
**Figure 12.** Have any of the courts that used to be in your city (or a city close to yours) merged under the new court map?

About 32% of respondents claimed that the court in their city has been dissolved, while 38% denied this occurrence. However, it is noted that citizens are not well informed about the implementation of the new judicial map, as approximately one-third of people stated they are unaware of any court mergers near their place of residence.



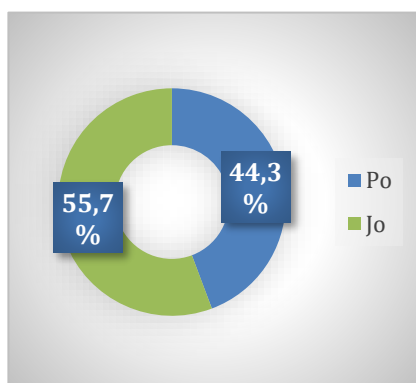
**Figure 12. 1.** If the answer to the previous question about court mergers is yes, does the distance of the new court location prevent you from filing a lawsuit?

It appears that for the majority of respondents, about 39.4%, the distance would either completely

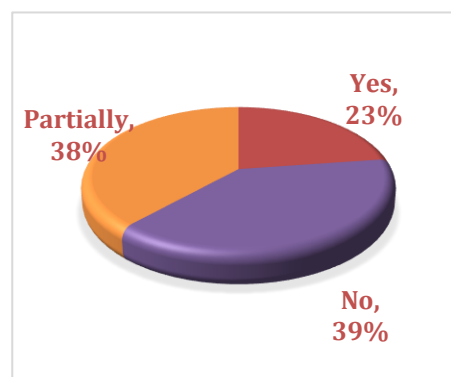


or partially prevent them from initiating a legal process. This is followed by 36% who do not perceive this distance as an obstacle.

AHC asked respondents whether they had the opportunity to read a court decision in a case where they were a party or in other cases. A significant portion of respondents affirmed that they have read court decisions (44.3%), while 55.7% denied having done so. For the majority of those who have read court decisions, it appears that the decisions are partially (38%) or not at all clear and simple (39%) to understand without the assistance of a lawyer. Only 23% of respondents stated that the decisions they read were understandable to them.



**Figure 13.** Have you ever read a court decision, such as in a case where you were a party or in any other case)?



**Figure 13.1.** If the answer to the previous question is yes, are court decisions generally clear and understandable to the general public without the need for assistance from a lawyer?

## ACCESS TO JUSTICE OF VULNERABLE GROUPS

### 1. Accessibility of persons with disabilities in justice institutions and bodies of the judicial system

The human rights defenders at AHC monitored justice institutions and judicial bodies in Tirana to assess whether their buildings provide suitable conditions (reasonable accommodation) for easy accessibility by persons with disabilities, in accordance with the provisions of the Convention on the Rights of Persons with Disabilities ratified by Albania and Albanian law no. 93/2014 "On the inclusion and accessibility of persons with disabilities". The institutions monitored include the High Inspectorate of Justice (ILD), High Prosecution Council (KLP), High Judicial Council (KLGJ), Judicial Appointments Council (KED), Court of First Instance, Administrative Court of First Instance, Civil Chamber, Court of First Instance, Criminal Chamber, Court of Appeal, Supreme Court, Constitutional Court, Special Court of First Instance for Corruption and Organized Crime, Special Prosecution Office (SPAK), Tirana Judicial District Prosecutor's Office, and General Prosecutor's Office.

During the monitoring, the observers were restricted from closely verifying the accessibility standards within the premises of these institutions due to denied access to their interiors. As a result, part of the information had to be requested from the institutions through an official letter.

#### *a. Special parking for people with disabilities*

A large number of institutions do not provide special parking for persons with disabilities because their buildings were constructed long ago and lack the necessary planning to meet these conditions. The institutions that do offer this service are the Supreme Court, KED, GJKKO, and SPAK.

#### *b. Ramps and lifts for easier access for people with disabilities*

In most of the monitored institutions, the presence of ramps at their entrances was observed. It is noteworthy that even institutions built a long time ago have installed ramps to facilitate accessibility for people with disabilities. Among the institutions lacking ramps are the Constitutional Court, the Prosecutor's Office of the First Instance of Tirana, and the Criminal Chamber of the Court of the First Instance of Tirana. Regarding accessibility within buildings, the presence of elevators in most institutions to facilitate movement between floors for people with disabilities, is positive. The institutions without elevators include the Administrative Court of the First Instance, the Constitutional Court, the ILD, and the Court of Appeal.

#### *c. Doors and toilets suitable for people with disabilities*



Each institution, in their responses, asserts that the size of entrance doors to the institution or courtrooms is suitable for persons with reduced mobility who use wheelchairs. However, it is noted that in most institutions, there are no toilets for people with disabilities. In the Civil Chamber of the Court of First Instance, the public toilets are not accessible and are used exclusively by the court staff. Institutions that do provide accessible toilets for people with disabilities include GJKKO, Tirana First Instance Prosecutor's Office, and SPAK, which are newly built facilities.

d. Appropriate *braille* in institutions

All institutions claim that the orientation signs at their entrances are in a relatively large font, which is suitable for partially sighted people. However, for people with complete visual impairment, the majority of institutions state that there are no orientation texts in Braille available. The Administrative Court of the First Instance provided the following information: *“The external path for persons with disabilities (PWDs) was constructed with three types of concrete slabs: textured and colored orientation strips; textured and colored bumps for hazard indicators; and textured and colored stripes indicating a 90-degree turn.”*

***Based on the above, AHC assesses that the access of persons with disabilities to justice institutions should be prioritized, especially in the reconstruction of old buildings where some of these institutions are located. For new constructions of justice institutions, and other buildings, AHC suggests appropriate budget planning and taking measures to guarantee easier access for people with disabilities.***

## **2. Access to justice as an effective result of the practical implementation of the new judicial map**

Human rights defenders at the AHC, based on a petition from the residents of Mati district<sup>27</sup>, conducted a monitoring mission to verify the complaint in question. This mission aimed to observe the damages reported by the residents, which have been attributed to the implementation of the new judicial map. These damages are associated with the merger of the Burrel Judicial District Court, located in the center of the Mati district, with the Dibër Judicial District Court. The residents claim that this merger has resulted in significant obstacles to accessing justice. These challenges include the lack of public transport, poor road infrastructure, and the long distances between the administrative units of these municipalities and the Dibër Judicial District Court. Additionally, the residents face extremely high and unaffordable costs for private transport.

From the verifications in the field, human rights defenders at the AHC noticed these problems:

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<sup>27</sup>Concept used in the old territorial division: The district of Mat consists of 2 municipalities and 10 communes, which are: Mat commune (Burrel Municipality), Klos commune, Baz commune, Derjan commune, Gurrë commune, Komsî commune, Lis commune, Macukull commune, Rukaj commune, Suç commune, Ulëz commune, and Xyber commune.

- a) Lack of public transport lines to cover the entire area, from the villages and administrative units towards the center of the city of Burrel and vice versa. In Burrel, the only transportation available for school students are several "van" type vehicles provided by the residents themselves. This situation has led to overcrowding of these vehicles beyond their capacity.
- b) Lack of suitable infrastructure and unrealistic distances. Residents expressed concerns that many administrative units and villages lack adequate road infrastructure, making roads often impassable during adverse weather conditions. To verify the actual distances, since the proponents of the new judicial map relied on distances calculated via satellite imagery of Google Maps, AHC Human Rights Defenders drove through one of the road routes used by residents from the most remote areas of Mati to the Court of the Dibër Judicial District.<sup>28</sup> It is noted with concern that the actual distance, under suitable atmospheric conditions, from the center of the farthest administrative unit of Burrel Municipality to the Court of First Instance of General Jurisdiction in Dibër is 3 hours and 20 minutes, not the 2 hours and 23 minutes as referred to by the proponents of the judicial map.
- c) High transport costs. The travel costs for taking a taxi from Burrel and Mat District Administrative Units to the City of Dibra amount to at least 1600 AL Lek. The necessity to use a taxi arises because private transport lines do not accommodate a return home within the same day. If citizens opt for traveling by van, they would need to pay for an overnight stay in Dibra or Burrel (when coming from distant villages), which is even more expensive.
- d) Due to the high costs and long distances, residents expressed demotivation to pursue their cases in court. As a result, they indicated that the fastest way to resolve conflicts often leads to "self-justice," or else the conflict remains unresolved. Previously, the presence of the Burrel court provided residents with a sense of security for public order. The merger of this court creates a perception of impunity for illegal acts or even crimes in the area. Additionally, residents believe the court's merger will lead to the depopulation of areas that lack direct access to essential services.

## VI. EQUALITY AND NON-DISCRIMINATION

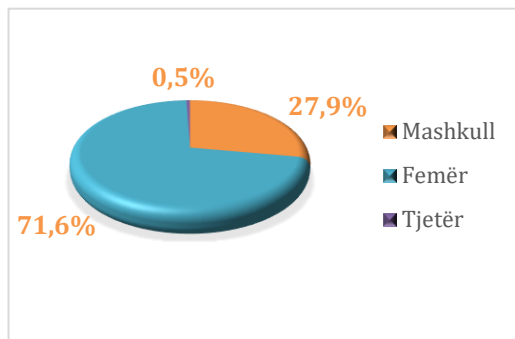
### *General information for respondents*

The survey included 630 individuals of which 71.6% are female and 27.9% are males, followed by a minority of 0.5% who chose the "other" alternative for gender.

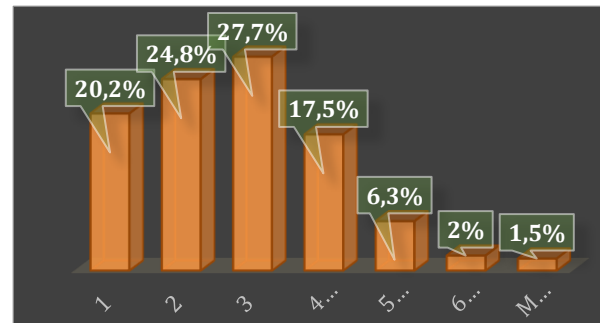
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<sup>28</sup> The Macukull Administrative Unit, a remote unit of the Mat area within Burrel commune, needs to first reach the Burrel City Center and then travel to Dibra Municipality, where the court with territorial competence for these residents is located.

**Figure 1.** Gender representation of respondents



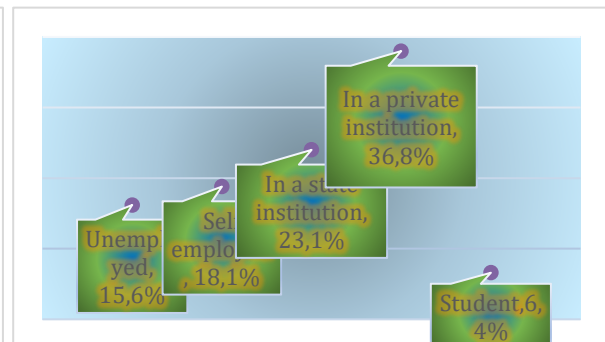
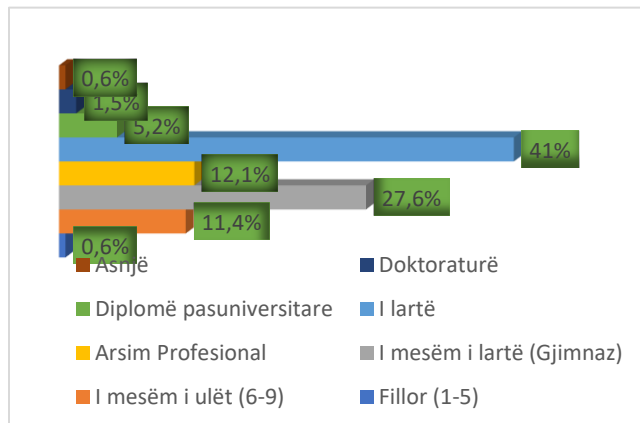
**Figure 2.** Representation of respondents by age



Most of the respondents belong to the 35-45 age group (27.7%), followed by those aged 26-35 (24.8%) and 18-25 (20.2%), which together make up almost 72.7% of the interviewees. The over 60 age group is the least represented category in the survey, with only 3.5% of individuals surveyed.

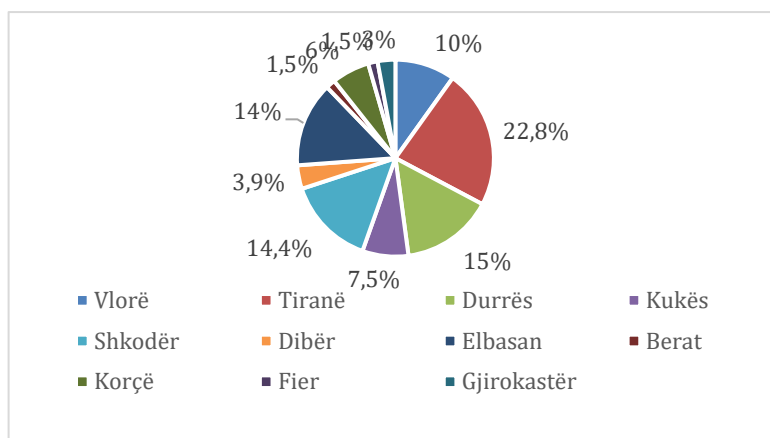
Regarding the educational level of the respondents, it is observed that the majority (41%) are of a higher education, followed by 27.6% with a higher secondary education level. The least represented categories in the survey are respondents without any education level (0.6%) and those with primary education (0.6%).

**Figure 3.** Representation of respondents according to educational level



**Figure 4.** Employment representation of respondents

Most of the respondents are employed in the private sector (36.8%), followed by an almost equal participation between those employed in a state institution (21%), the self-employed (18.1%), and the unemployed (15.6%). Students make up a minimal percentage of respondents, only 6.4%.



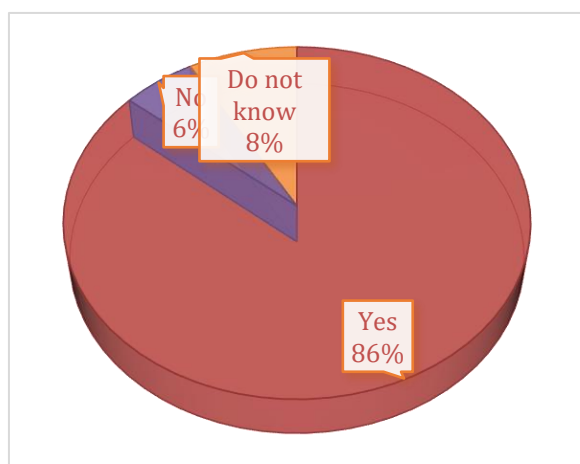
The district of Tirana contains the highest percentage of respondents (22.8%), followed by the largest districts in the country: Durrës (15%), Elbasan (14%), and Shkodër (14%). The smallest part of respondents is concentrated in Lezha, with only 2 respondents).

**Figure 6.** Representation of respondents by district

#### *Key Findings: Equality and non-discrimination*

The groups most affected by the lack of equality or discrimination continue to be, among others, children, women, the LGBTIQ+ community, minorities, the elderly, and people with low incomes who face economic difficulties due to unemployment or for various social reasons. This part of the survey aims to identify the perceptions of different societal groups regarding equality and non-discrimination, based on research standards built in accordance with the applicable legislation in Albania<sup>29</sup>.

The AHC initially aimed to identify whether the respondents belong to a marginalized group. Most of the respondents, 75.2%, denied belonging to such a group, while 24.8% admitted that they identify as part of a marginalized group. Respondents were also asked whether it was illegal to discriminate against someone in the workplace based on sex, race, religion, sexual orientation or gender identity, political beliefs, etc. The majority of respondents, 86%, affirmed that discrimination on such grounds is illegal, 8% did not know the answer, and a minority of 6% do not consider it



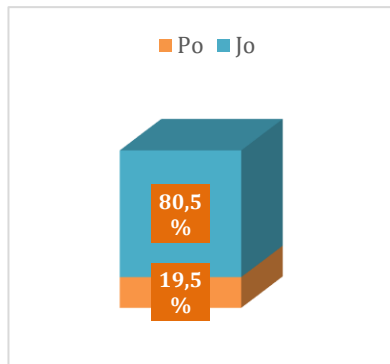
discriminate against someone in the workplace based on sex, race, religion, sexual orientation or gender identity, political beliefs, etc. The majority of respondents, 86%, affirmed that discrimination on such grounds is illegal, 8% did not know the answer, and a minority of 6% do not consider it

**Figure 8.** Is it illegal to discriminate against someone in the workplace because of gender, race, religion, etc.?

<sup>29</sup> Constitution of the Republic of Albania: Article 18 of the Constitution; Law on Protection from Discrimination

illegal to discriminate against someone for these reasons.

**Figure 9.** Have you ever felt bullied/made fun of in the work environment?

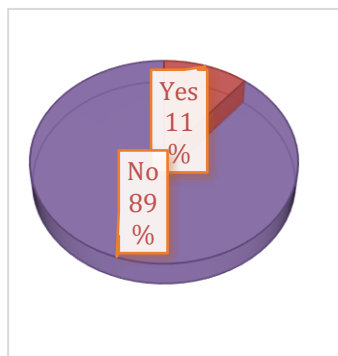


Respondents were also asked if they had ever felt bullied in the workplace. Respondents reveal that about 1 in 4 people have experienced bullying in the workplace, while the majority of respondents, 80.5%, deny having experienced bullying.

AHC asked the 20% of respondents who claimed to have been bullied in the workplace to explain the situations where they felt bullied. The respondents shared several examples where they perceived a tendency of supervisors or higher-ups to bully subordinates. The most common cases included the use of racist labels (e.g., "jevgë," "egjiptiane"), labels based on origin (e.g., "malok," "fshatar"), and gender-based labels (directed at girls and women).

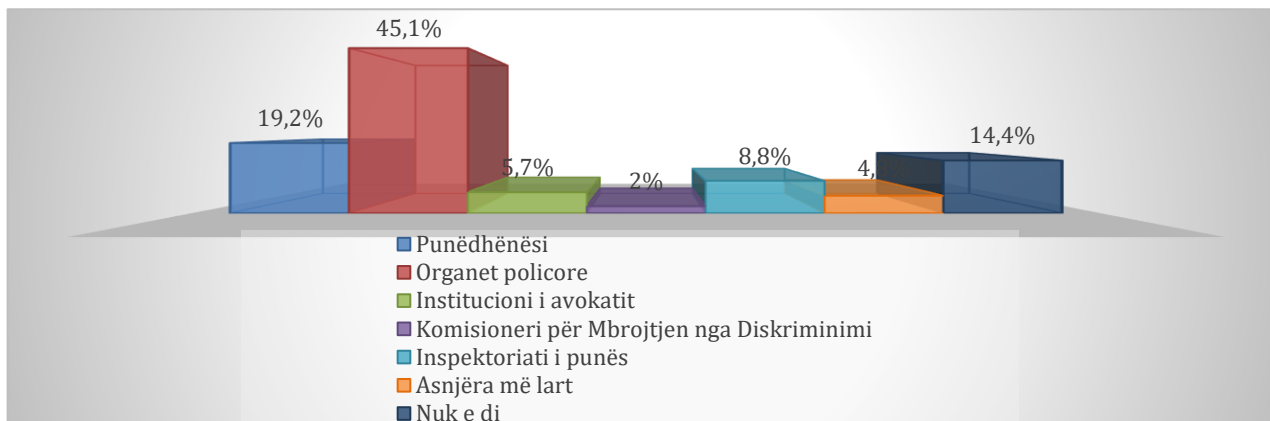
Less frequently mentioned reasons for workplace bullying included financial status, gender transition, disability, and age.

**Figure 10.** Have you ever been sexually harassed by someone at work?



11% of respondents claimed to have been sexually harassed at work, while 89% denied experiencing such situations. The data shows that most of the respondents who reported being sexually harassed were girls or women. They also provided examples of cases where they felt sexually harassed by the actions or words of their colleagues. One case highlights the difficulty citizens find themselves in, in identifying sexual harassment at work, with a respondent stating, *"I am not clear if I have been harassed or not, but in my view, I have been touched more than then what is acceptable between colleagues"*.

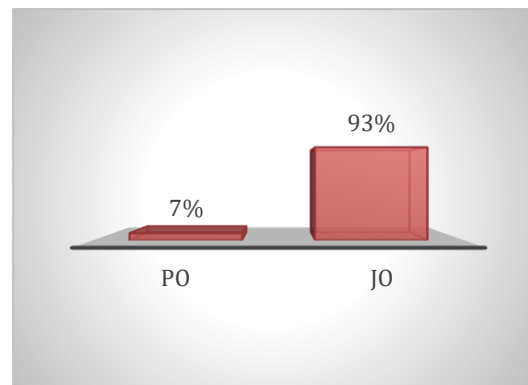
**Figure 10.1.** If this situation occurs in the workplace (sexual harassment), where should it be reported?



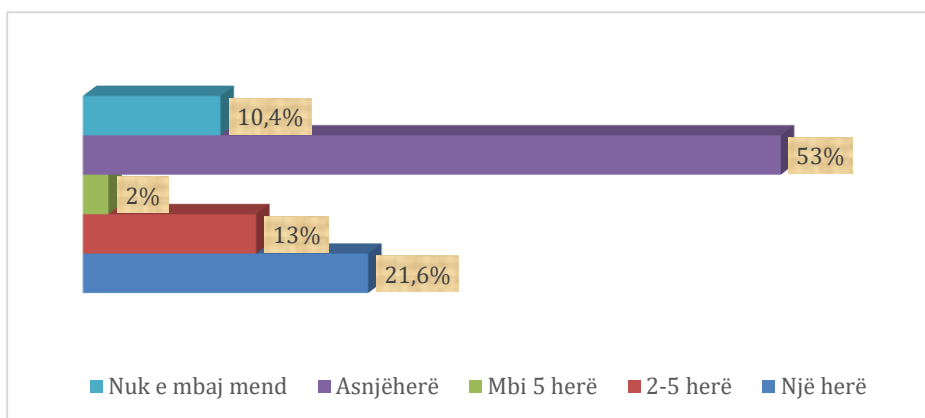
The data reflect the sub-categorized responses of the 11% of respondents who claimed to have been sexually harassed. Among these respondents, 45.1% believe such cases should be reported to the police, followed by 19.2% who suggest reporting to employers. Additionally, 14.4% of respondents admitted they do not know where to report, 8.8% referred to the Labor Inspectorate, 5.7% opt for the Ombudsman, and 4.8% selected none of the alternatives.

**Figure 11.** If you were a victim of sexual harassment in the workplace, did you report this abuse?

Worryingly, only a very small portion of respondents who claimed to have been victims of sexual harassment in the workplace reported the incidents (7%), compared to 93% who did not report. Those who did report such harassment primarily reported it to their employer, superior, human resources structures or employees, or even family members.



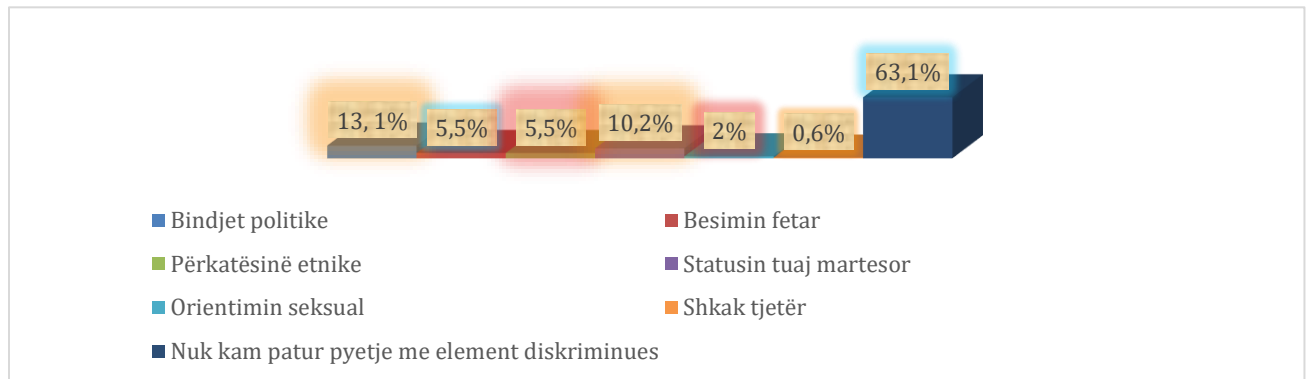
**Figure 12.** How many times have you been to a job interview since January 2022?



36.5% of respondents claimed to have participated in a job interview more than once, compared to 56% who have not had any job interviews recently. Contradictorily, 10.4% of respondents stated

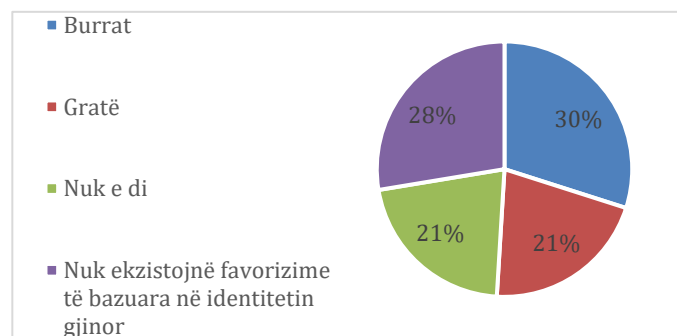
that they do not remember how many times they have been in a job interview.

**Figure 13.** If you have been in a job interview, have you ever been asked discriminatory questions (more than one alternative can be selected from the reasons listed)?



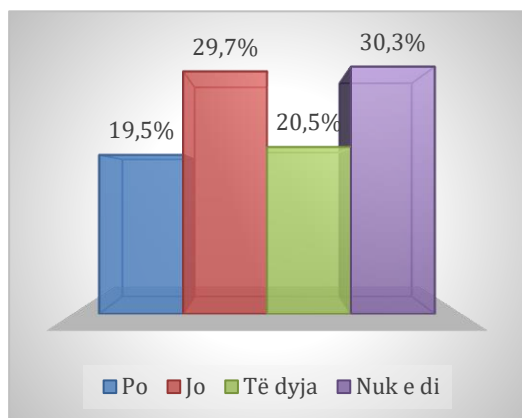
63.1% of respondents claim they have not been asked questions with discriminatory elements. 13.1% of the respondents faced discriminatory questions about political beliefs, followed by 10.2% who mentioned questions about marital status. About 5.5% reported encountering questions about ethnicity, and an equal percentage about religious beliefs (5.5%).

**Figure 14.** To your knowledge, who are favored to be employed in a workplace (in general)?



One-third of respondents claim that favoritism at work mainly benefits men, whereas about 28% of respondents state that there is no favoritism based on gender identity. One in four respondents, or nearly 21%, claim that women are more shown favoritism.

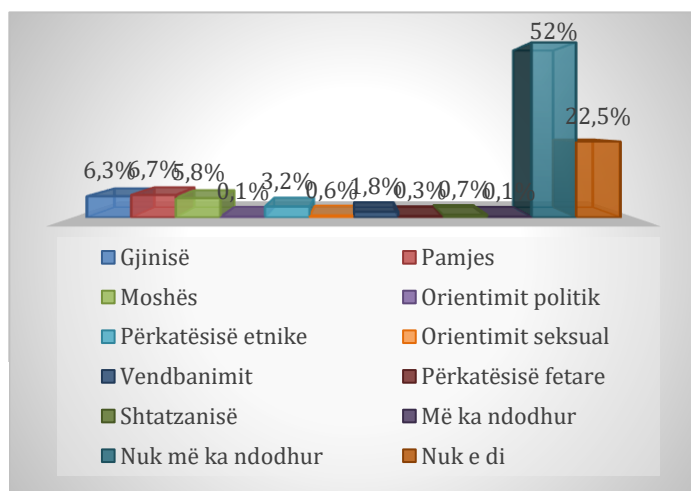
**Figure 15.** Do you believe that the employer has given you and other employees equal opportunities to be promoted?



Only 19.5% of the respondents answered the question positively, while 20.5% of them affirm that it depends on their employer. 29.7% deny equal opportunities in promotion at work, while 30.3% answered that they do not know.

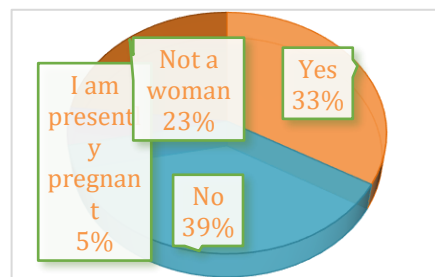
About 22.5% of respondents claim that this happened because of sexual orientation, followed by gender (6.3%) and appearance (6.7%), etc.

**Figure 16.** Have you not been considered for a promotion for one of the following reasons?

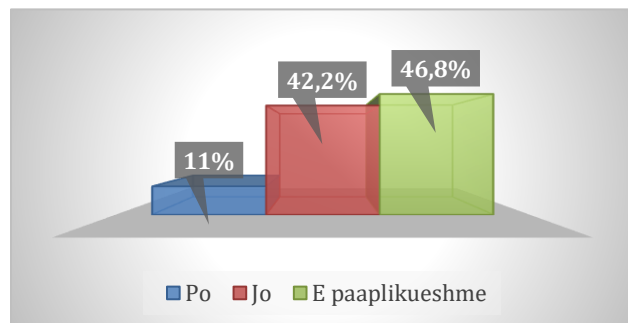


**Figure 18.** If you are a woman, have you ever been pregnant while you were employed?

About 1 in 3 respondents (33% women or girls) have affirmed that they were pregnant when they were employed or are currently pregnant. (5%).



**Figure 19.** Were you forced to work 35 days before the birth and 63 days after the birth (if they were pregnant during the employment relationship)?



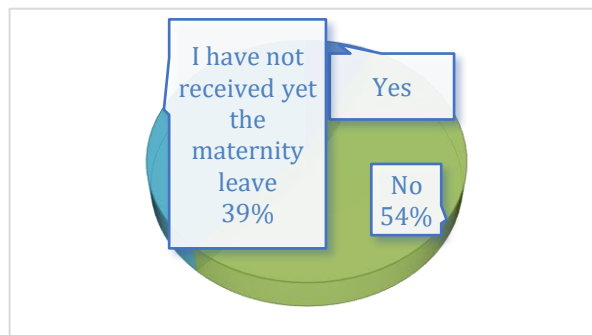
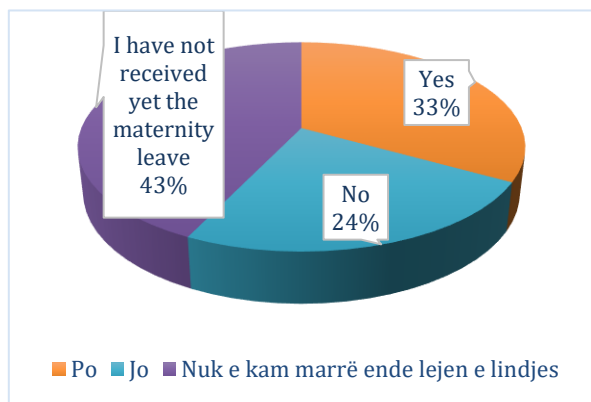
Based on the provisions of the Labor Code regarding rights related to maternity leave, the AHC asked respondents if they were required to work up to 35 days before giving birth and 63 days after giving birth. It turned out that a significant portion of respondents (42.2%)



were not required to work during this time. Another 11% worked during this period, which is not in accordance with Albanian legislation. Meanwhile, 46.8% chose an option indicating the question did not apply to them, which statistically contradicts the data provided in the previous answer.

**Figure 20.** Have you ever not been paid or received state benefits while on maternity leave?

54% of respondents who were pregnant during their employment affirmed that they received all specified benefits during maternity leave, whereas only 7% of them affirmed the opposite.

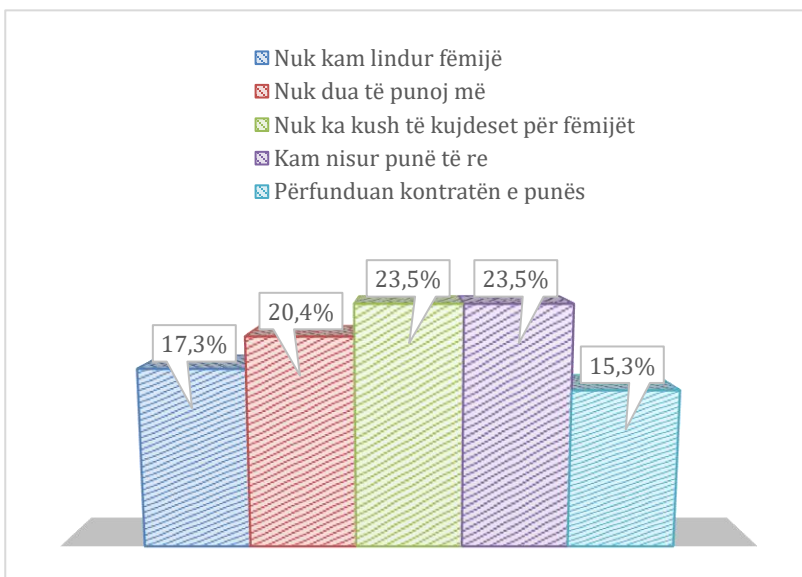


**Figure 21.** Have you returned to your previous place of work after your most recent maternity leave?

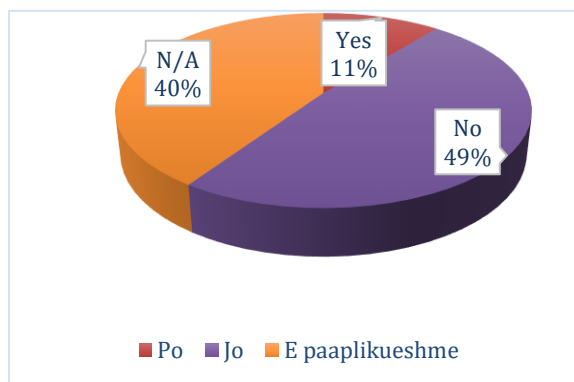
In 33% of cases, women have returned to their previous place of work in accordance with the obligations of the legislation in force, against 24% of them who claimed the opposite.

**Figure 21.1.** If the answer to the above question is no, why have you not returned to work?

Some of the main reasons mentioned that have led women not to return to their previous job include: lack of childcare and high cost of childcare services (23.5%), starting a new job (23.5%), lack of desire to continue working (20.4%). Approximately 15.3% of respondents stated that they did not return to work because their employers terminated or did not renew their employment contracts.



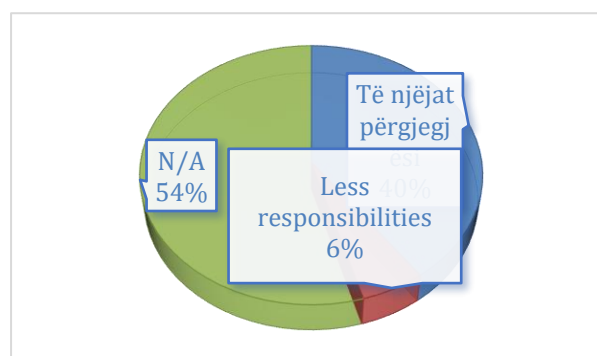
**Figure 22.** Has an employer pressured you to return to work earlier than you had planned for the duration of your maternity leave?



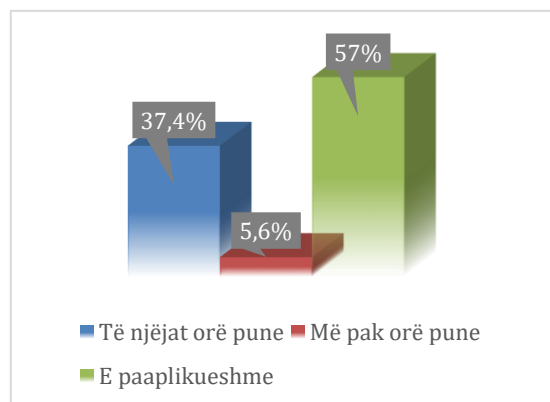
Excluding the 40% of respondents for whom maternity leave is not applicable, 49% of them affirm that they did not experience pressure from their employer. Only 11% of respondents affirmed that they felt pressure.

**Figure 23.** When you returned to work (from maternity leave) did you retain the same responsibilities?

Most of the respondents (40% of those who acknowledge returning from maternity leave to work) affirm that they had the same responsibilities when they returned, while only 6% of them affirm that they were assigned by the employer fewer responsibilities.

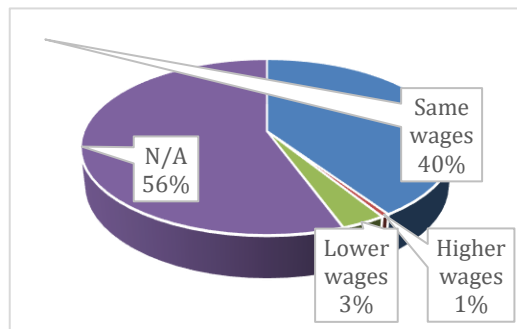


**Figure 23.1** When you returned to work did you have the same working hours??



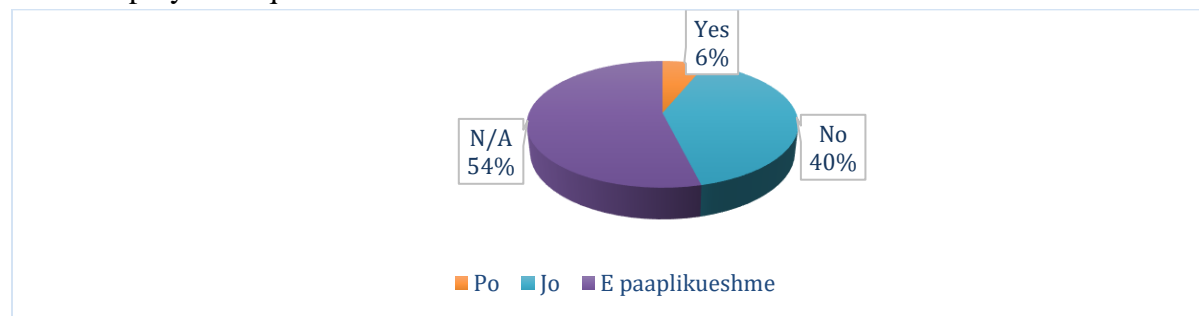
The trend of responses in Figure 23.1 regarding working hours after returning from maternity leave shows that 37.4% affirm they had the same working hours, while 5.6% report more favorable treatment from the employer, resulting in a reduction in working hours.

**Figure 24.** When you returned to work, did you have the same salary?



The majority of respondents who returned from maternity leave claim they received the same salary (41%), while only 3% reported receiving a lower salary.

**Figure 25.** While you were pregnant and until your child was 1 year old, did you work overtime at the employer's request?



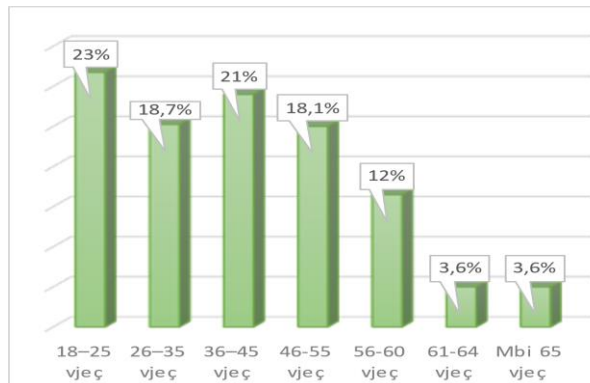
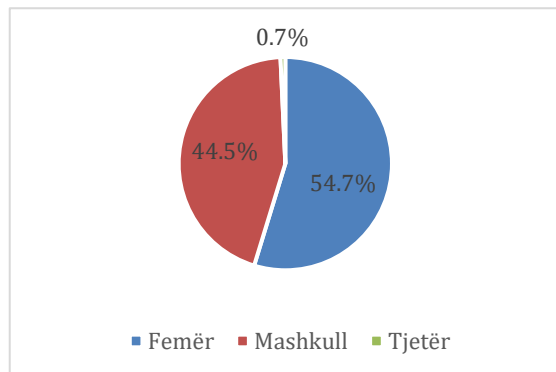
The data showed that only 6% of the respondents had requests for additional working hours from the employer during this period, while 40% of the respondents who have returned from maternity leave, deny the additional working hours, which reflects the same trend statistical as in the answers to the previous questions.

## VII. THE RIGHT TO CLEAN AND DRINKING WATER

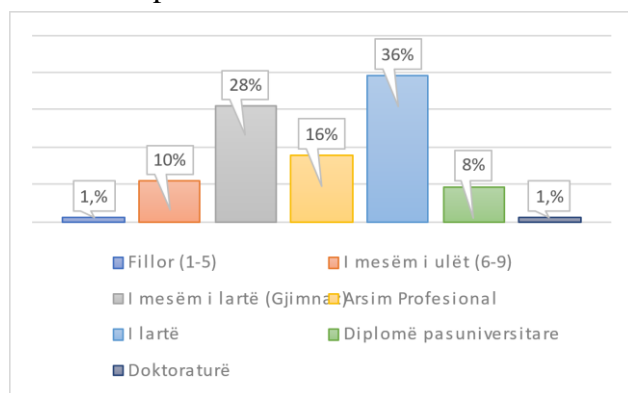
### *General information for respondents*

550 individuals were included in the survey, of who 54.7% are female and 44.5% are males. About 0.7% of respondents chose not to provide this information.

**Figure 1.** Gender representation of respondents **Figure 2.** Representation of respondents by age



Most of the respondents are within the age groups of 18-25 years (23%), 36-45 years old (21%), 26-35 years old (18.7%), and 46-55 years old (18.1%), totaling approximately 80.8% of those respondents. The age group over 60 is the least represented category in the survey, comprising 7.2% of respondents. In terms of educational attainment, the majority of respondents have higher

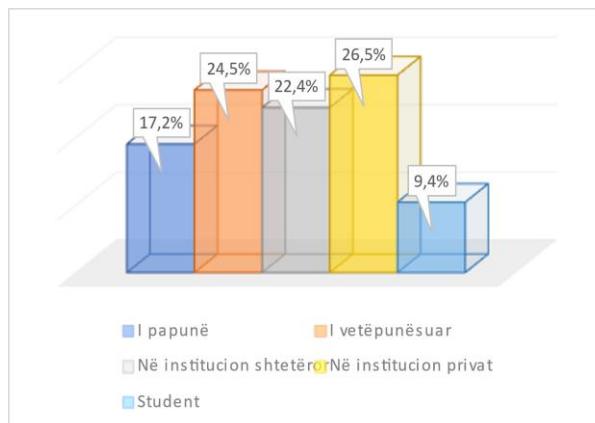


university and postgraduate education, accounting for 44%. This is followed by 28% who have completed high school. Lower secondary education is reported by 10% of respondents, while 16% have professional education, and 1% have primary education.

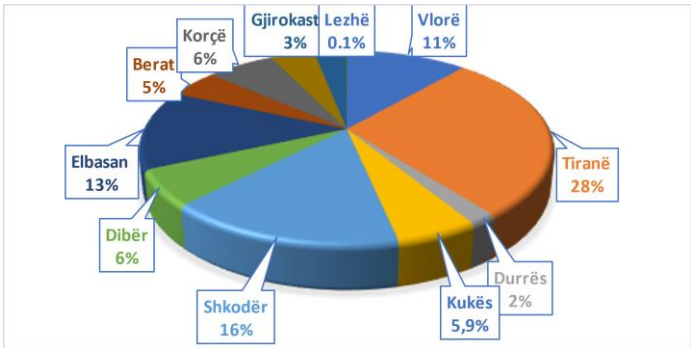
**Figure 3.** Representation of respondents according to educational level

**Figure 4.** Employment representation of respondents

It is noted that the majority of respondents are employed in various sectors: 26.5% in the private sector, 22.4% in state institutions, and 24.5% are self-employed. Unemployment is reported by 17.2% of the respondents. Additionally, 1 in 10 of the respondents were students.



The district of Tirana has the highest percentage of respondents at 28%, followed by Shkodra with 16% and Elbasan with 13%. Lezha district has the smallest representation among respondents, accounting for only 0.1%.

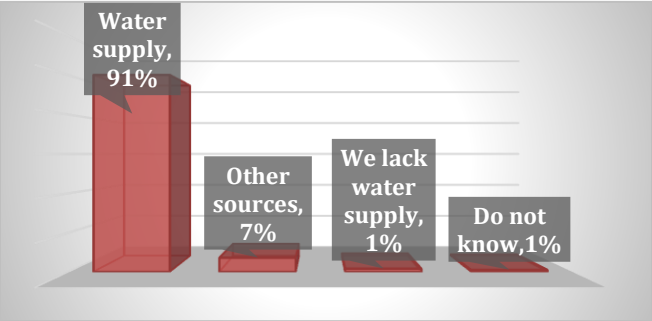


**Figure 5** Representation of respondents by district

*Main Findings: The right to clean drinking water*

The research standards for the realization of this part of the survey regarding the right to clean and drinking water were based on our current legislation<sup>30</sup> and aimed to collect data for rural areas as well.

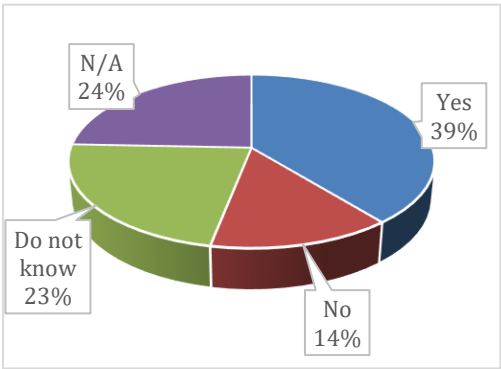
**Figure 6.** You have the water supply in your apartment through the water supply pipe system or from other water sources (wells, water tank trucks, etc.)?



For 91% of the respondents, the water supply enables the supply of water to the residence, followed by about 7% of the respondents who claimed that they provide water through other sources such as wells, water tank trucks, etc.

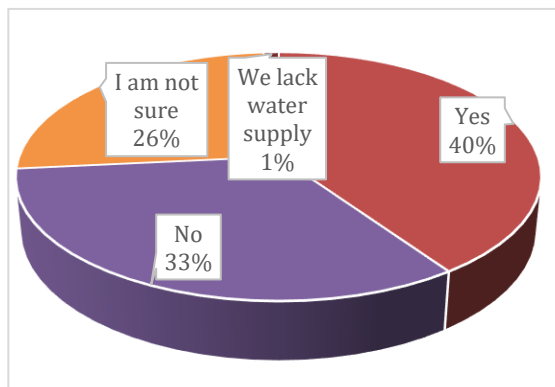
**Figure 7.** If the water supply to your apartment is from other sources, are you informed about the water quality?

For the minority of respondents who selected "other sources" in response to the previous question, 39% of them claim to have information about water quality, while 23% state that they do not know, and 14% deny having information about the quality of water supplied from sources such as water tanks or wells.



<sup>30</sup> Constitution of the Republic of Albania: Article 59 of the Constitution. Law on the regulatory framework of the water supply sector and the removal and processing of polluted waters.

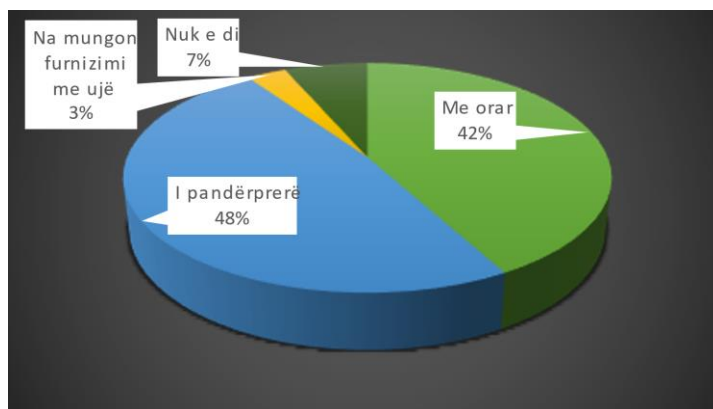
**Figure 8.** If you have this information, is the quality of the water suitable for cooking?



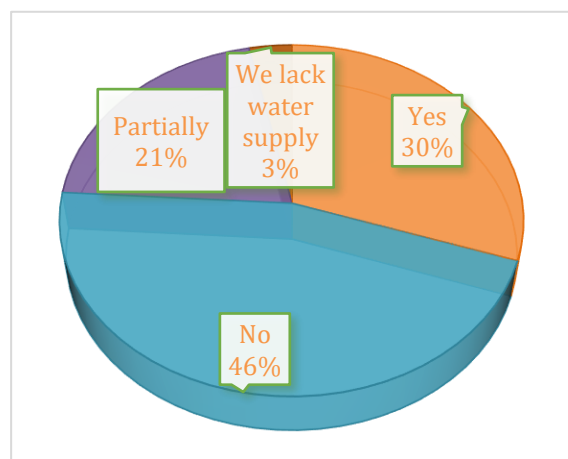
AHC notes that 40% of respondents claim that the water quality is suitable for consumption for cooking, followed by 33% who claim that the water quality is not suitable. Additionally, 25% of respondents are unsure about the water quality, and 1% mention that the drinking water supply is insufficient.

**Figure 9.** If the water supply to your apartment is through the water supply lines, is this supply continuous or scheduled?

48% of the respondents receive uninterrupted water supply in their apartments, while 42% affirm that the water supply is scheduled. A small proportion of respondents, 3%, report that they lack water supply altogether.



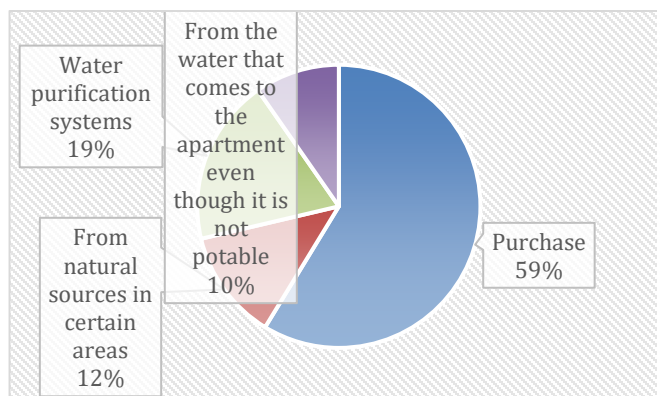
**Figure 10.** Do you use the water you get from the waterworks to drink?



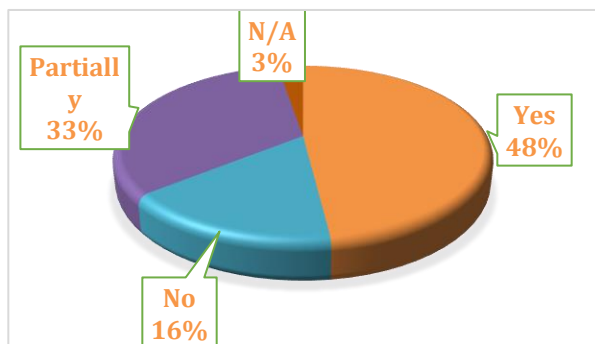
It's concerning that 46% of the respondents indicated that they do not use the water they receive through the water supply for drinking. In contrast, 30% of them stated that they consume it as drinking water, with another 21% using it partially for drinking. The percentage of citizens who affirmed the lack of water supply remains consistent at 3%.

**Figure 11.** If the water through the aqueduct is not potable, what is the form by which you provide the potable water?

One in two people, or 50% of respondents, purchase drinking water. Additionally, 19% of respondents use water purification systems to make the water they receive drinkable. Another 12% of respondents obtain drinking water from natural sources located in specific areas. Surprisingly, 10% of respondents indicated that they are compelled to use water supplied by the waterworks despite it not being potable. This last piece of data contradicts the responses given in the previous question, where 51% of respondents claimed to consume water supply water in full or in part.



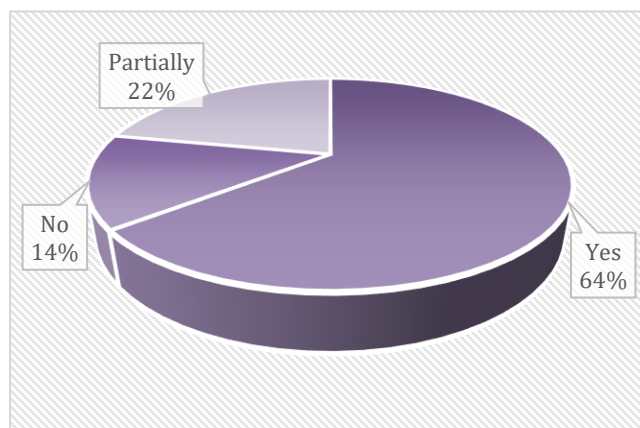
**Figure 12.** Are water service charges affordable based on your monthly income?



The majority (48%) of the respondents, the water supply service fees are considered affordable. Thirty-three percent of respondents find these fees partially affordable, while 16% consider them unaffordable.

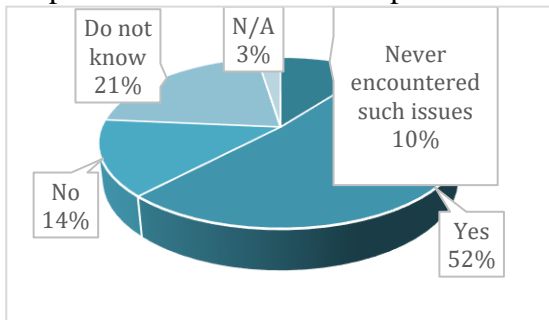
**Figure 13.** Do you know where to go in the event of a water supply interruption or defect?

Regarding addressing issues related to water supply interruptions or defects, 64% of respondents feel well-informed about where to lodge their complaints. Another 22% have partial information, while 14% lack sufficient information on the matter.





**Figure 14.** In case of interruption or any defect in the water supply, has the water supply service responded in time in order to perform the requested service and repair the defect?

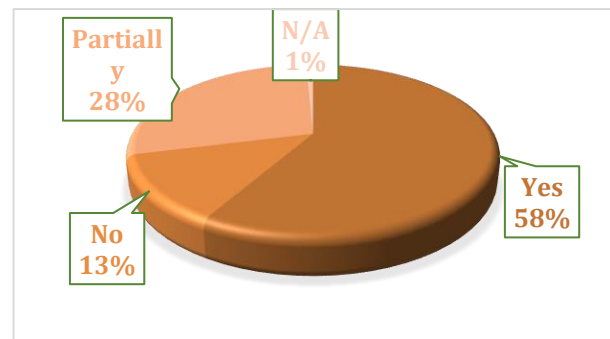


According to the survey, 52% of respondents reported receiving timely responses to issues with their water supply. In contrast, 14% indicated they did not receive timely responses, while 10% stated they never encountered such problems.

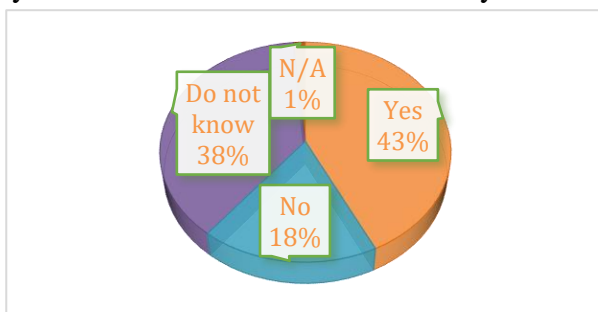
meet all your family needs?

According to the survey, 58% of respondents find that the daily amount of water supplied meets their needs adequately. Another 28% believe it only partially meets their family's needs, while 13% feel that the amount provided is insufficient for their family requirements.

**Figure 15.** Does the daily water supply in your home



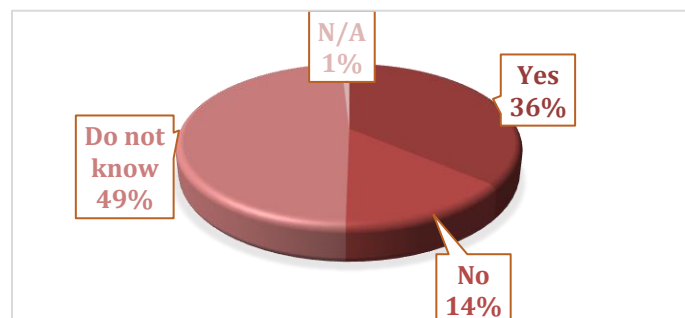
**Figure 16.** Do you think that water supply in your administrative unit is done fairly and transparently?



Regarding perceptions of water supply in their administrative units, 43% of respondents believe it is fair and transparent. About 38% indicated uncertainty or lack of knowledge about the issue, while 18% expressed concerns about potential injustice and lack of transparency in their administrative unit's water supply.

**Figure 17.** Are there efforts by the water utility to manage water resources economically and avoid losses in your administrative unit?

Almost 1 in 2 people (49% of respondents) lack information on whether the water supply service makes efforts to address issues, while 36% believe such efforts exist. However, 14% claim that the water supply service does not make these efforts.



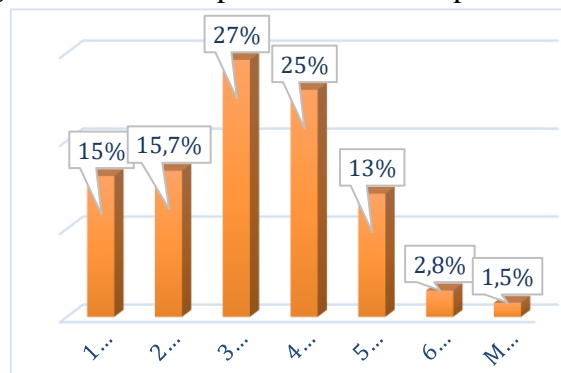
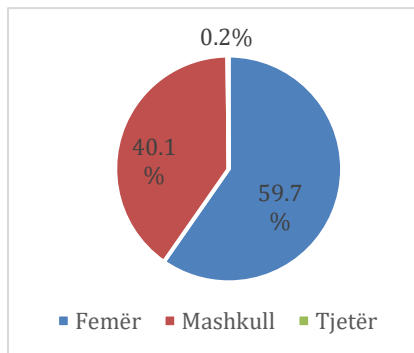


## VIII. THE RIGHT OF ACCESS TO QUALITY EDUCATION

### *General information about respondents*

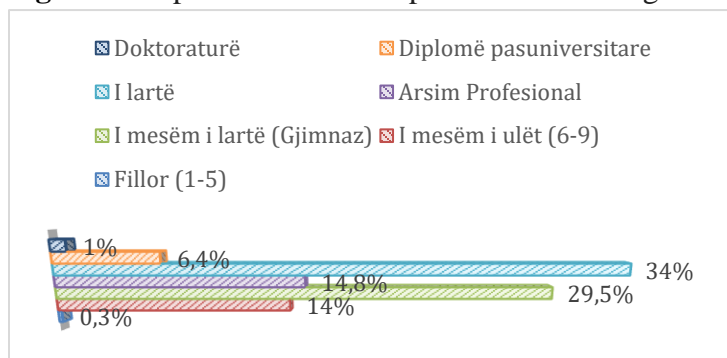
The survey included 531 individuals, with 59.7% being female, 40.1% male, and approximately 0.2% choosing not to provide this information.

**Figure 1.** Gender representation of respondents **Figure 2.** Gender representation of respondents



Most of the respondents belong to the 36-45 age group (27%); 46-55 years old (25%), 26-35 years old (15.7%) and 18-25 years old (15%), which make up 82.7% of respondents. The age group over 60 is the least represented category in the survey with 4.3% represented.

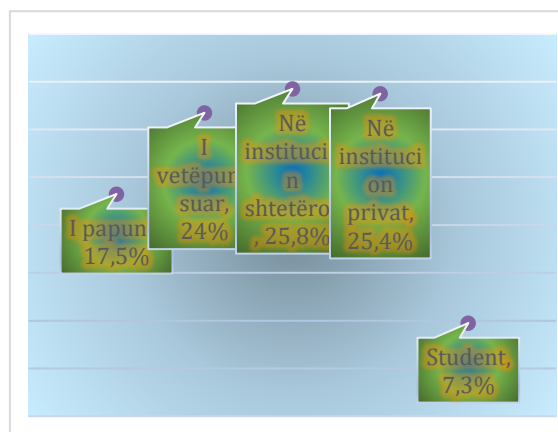
**Figure 3.** Representation of respondents according to educational level



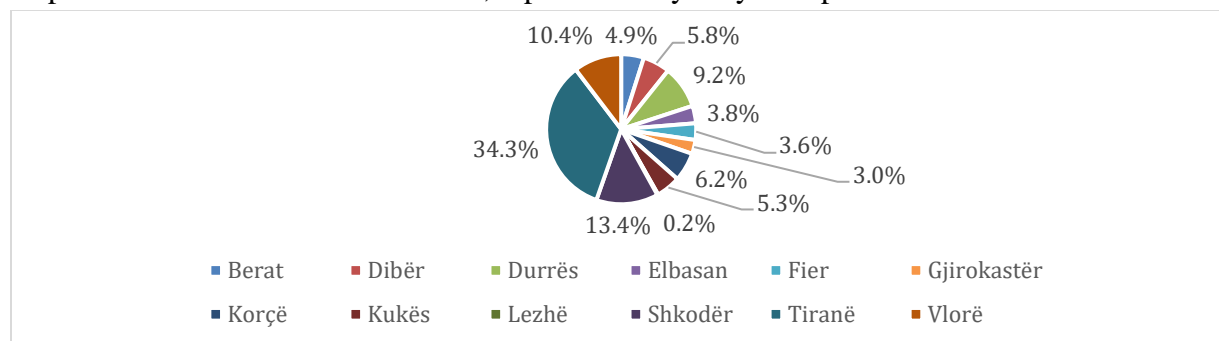
Regarding the educational level of the respondents, the majority (40.4%) have a university or postgraduate education, followed by 29.5% who have graduated from high school, 14% with a lower secondary education, and 14.8% with a professional education.

**Figure 4.** Employment representation of respondents

Most of the respondents are employed in the private sector (25.4%), followed by those employed in state institutions (25.8%). The self-employed make up 24% of the respondents against the unemployed who are represented by 17.5% of the sample surveyed. 7.3% of respondents represent students.



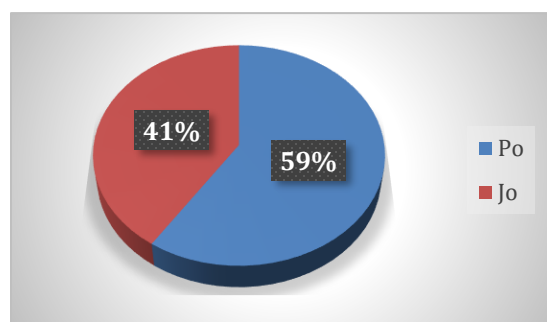
Tirana district continues to reflect the highest percentage of respondents (34.3%) followed by Shkodra district (13.4%), Vlora district (10.4%), Durrës district (9.2%). The lowest number of respondents is concentrated in Lezha, represented by only 1 respondent.



**Figure 5.** Representation of respondents by district

## 2. Main Findings: The right to access to education and quality education

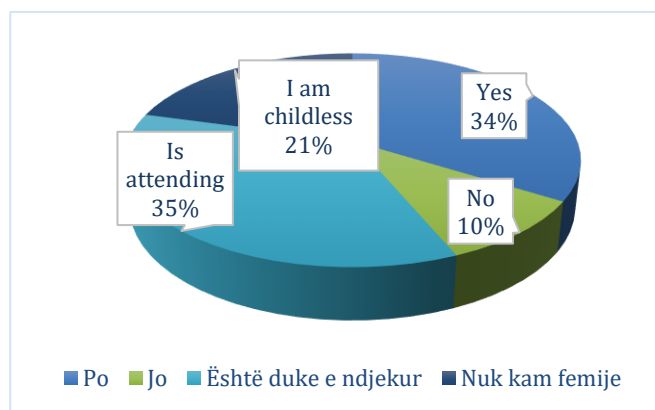
**Figure 6.** Are you a parent of a child who is attending school in the pre-university system?

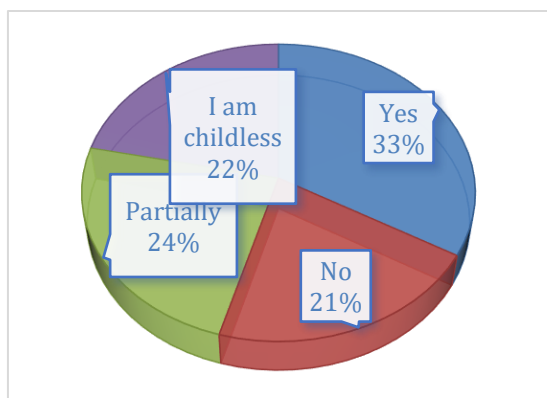


The majority of respondents (59%) are parents of a child who is attending school in the pre-university system, while 41% of them affirmed that they are not.

**Figure 7.** Has your child regularly attended compulsory education (nine years)?

Most of the respondents also affirmed that their child attended (34%) or is currently attending compulsory education regularly (35%). 10% of respondents claimed that their child did not attend compulsory education, while 21% of them stated that they have no children.



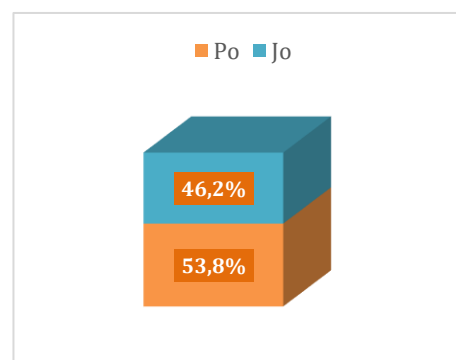


**Figure 8.** Does your monthly family income allow you to meet all the educational needs of your child/children?

33% of respondents claimed that their monthly income allows them to meet their children's educational needs, followed by 24% who claim that they meet these needs partially. Meanwhile, 21% of respondents claim that they cannot meet their children's educational needs due to their monthly family income.

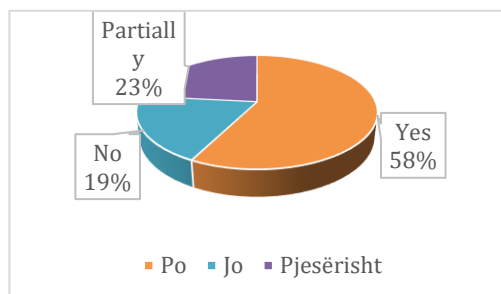
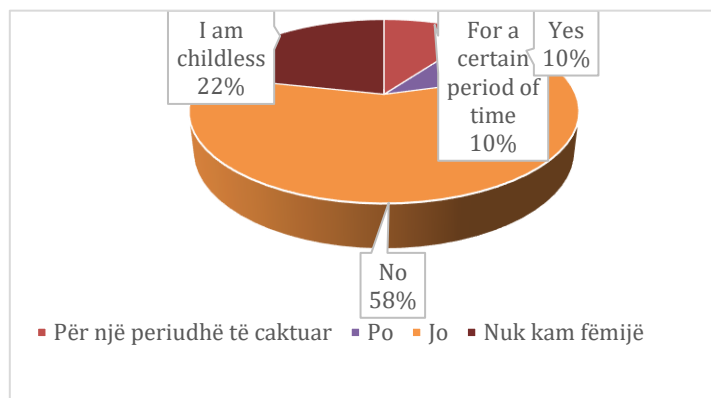
**Figure 9.** Are you aware of the scholarships that are available for the vulnerable categories?

The majority of respondents (53.8%) are aware of scholarships, compared to 46.2% of respondents who state that they are not aware of scholarships for the vulnerable categories.



**Figure 10.** Have you had any difficulties that have forced you not to take your child/children to school?

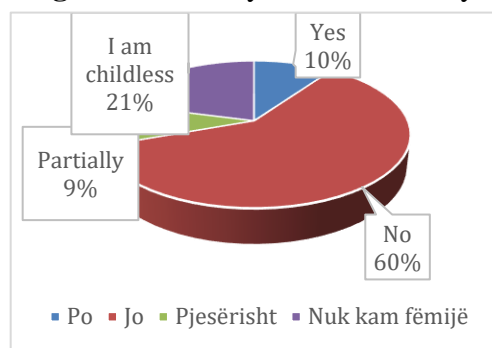
Most of the respondents (58%) claim that they have not had any difficulties that forced them not to take their child to school. In 10% of the cases, the respondents claimed that they did not have the opportunity to take their children to school for a certain period, followed by another 10% who claimed that difficulties resulted in not sending their children to school. The trend remains the same for people who claim that they do not have children, who represent 22% of respondents.



**Figure 11.** In your place of residence, is the school easily accessible by your child/children?

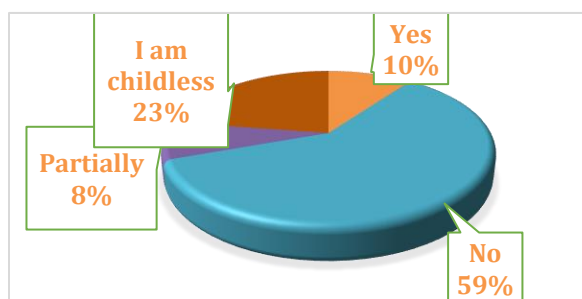
For the majority of respondents (81%), the school is accessible. However, almost 1 in 5 people claimed that school is not easily accessible by their children.

**Figure 12.** Have you had difficulty registering your child in the nearest school near your place of residence?



In most cases, enrolling in school does not pose a problem or difficulty for the respondents (60%). For 19% of them, registering the child in the school closest to the place of residence turns out to have been difficult (10%) or partially difficult (9%).

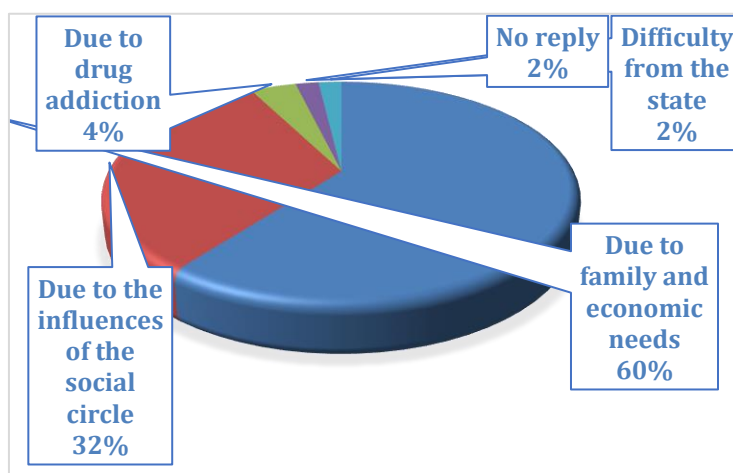
**Figure 13.** Have you had concerns about your child's regular school attendance??



59% of the respondents affirm that they have not had any concerns, followed by about 18% of them who affirm the opposite (of which 8% have partially had concerns).

**Figure 14.** If the answer to the above question is yes, what were the reasons for not attending school regularly?

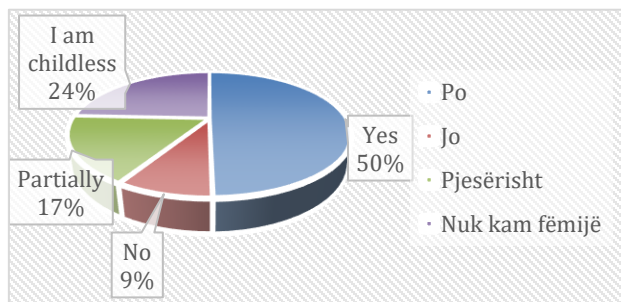
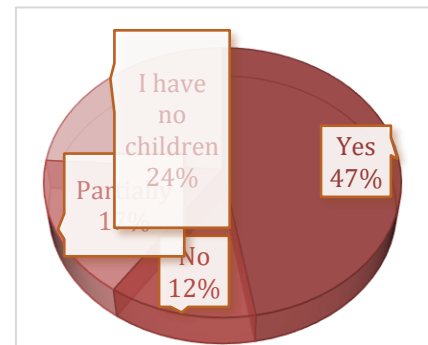
The main reasons that respondents refer to for their children not attending school regularly are economic and family needs (60%), addiction to narcotics or other substances (4%), or due to influences from the social circle (32%). Statistically, the data related to this question create the impression that



the answers were also provided by parents who did not report earlier that they had problems with their children's school attendance. However, these responses may reflect broader difficulties related to attendance rather than simply attending or not attending school, as indicated by the preceding question.

**Figure 15.** Do you have regular communication with the principal and teachers of the school regarding the progress of your child's education?

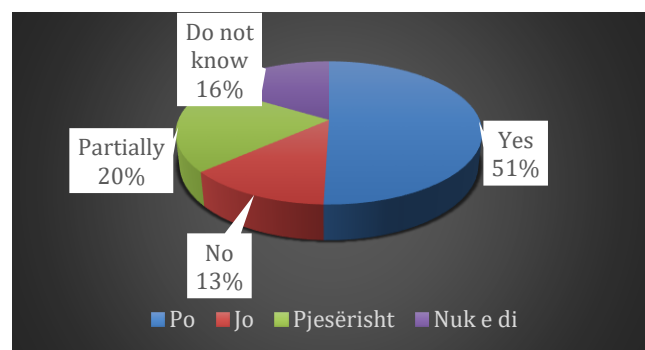
About half of the respondents (47%) stated that they maintain regular communication with school staff regarding their child's education. Additionally, 17% reported having partial communication, while 12% indicated that they do not have regular communication with school staff. Similarly, when asked about the support and understanding received from the school's administration and teachers for their children's educational progress, 50% affirmed receiving support, 17% received partial support, and 9% stated that they did not receive such support.



**Figure 16.** Have you found support and understanding from the directorate and school teachers regarding your child's educational progress?

**Figure 17.** Do you think that in your city/village, all children have equal opportunities to access the pre-university education system?

51% of respondents believe that opportunities for children to attend school are equal, followed by 20% who think such opportunities are partially equal. Meanwhile, 13% of respondents believe these opportunities are not equal.



## **MONITORING ACCESS TO EDUCATION - STUDENTS OF THE BROJA VILLAGE**

Human rights defenders at the AHC carried out a verification mission in the field with a focus on respecting the right to access to education of the students of the village of Brojë, who attend primary, 9-year and secondary education in the public school "Nikë Mernaçaj", in the village of Tamara in the Municipality of Malësi e Madhe. The students complain that they travel about 30-40 minutes by car every day to attend classes, since there is no school in their village. During the monitoring, a number of problems related to the access to education of the minor students of this area resulted, as follows:

- The Nikë Mernaçaj school is also attended by students who live in the surrounding villages, including Tamara, Broja, Kozhnje, Vermosh, Lepusha, Selca, Vukël, Nikç, and Grabom. The distance from four of these villages to the school is over 2 km, making it difficult for students living in these villages to attend school regularly.
- This distance has resulted in student absences, which are considered justified by the teaching staff due to the lack of public transport.
- The lack of transport becomes even more challenging during the winter when the weather conditions in this area are poor. Residents have tried to find temporary alternatives for student transportation, using private vehicles that often transport more than 10 students.
- Transport costs: According to DCM No. 682, dated 29.7.2015, parents receive financial reimbursement that is insufficient to cover private transportation costs. Specifically, families are reimbursed with a daily quota of 121 AL Lek, while they must cover an additional 100 ALL per day out of their own pockets to pay the private transporter. Considering their difficult economic conditions, such as unemployment or lack of economic assistance, this payment is a burden for these families who wish to educate their children.

As mentioned above, the AHC assesses that the situation was very urgent and requires the immediate intervention of the Ministry incumbent with education in terms of providing public transport for children in need so that they have the opportunity to exercise their right to education.

## **IX. RIGHT TO SECURE LIFE AND LEGAL RESTRICTION OF LIBERTY**

AHC monitored the Fushë Kruja Institution for the Execution of Criminal Verdicts to verify the living conditions of citizens serving sentences at this institution. Some of the problems identified during the monitoring are:

### *Overcrowding*

From the data provided by the institution, AHC notes that at the time of construction, the Fushë Krujë Institution for the Execution of Criminal Decisions (IEVP) had an accommodation capacity of 312 people. With subsequent changes in the organization of the institution, the accommodation capacity increased to 382 people. At the time of the monitoring, 362 people were accommodated in the institution, which is within the updated capacity of the IEVP.

### *The organogram of the institution*

In the institution there are several vacancies in the administration of the institution, in the uniformed security staff as well as in the medical staff. The appointment in a acting position of 4 employees in uniform in Zaharia prison, has also caused de facto vacancies for the staff of IEVP Fushë Krujë.

### *Work in the Institution*

At the time of monitoring, 21 convicts were working within the institution in various roles, including sanitary workers, maintenance workers, barbers, laundry workers, assistant cooks, and food distributors. Payments for some convicts were delayed due to issues with opening bank accounts and revalidation of their identity cards.

### *Activities in the Institution*

The institution organizes daily soccer matches and religious activities three times a week. There are premises set up as classrooms, but they lack equipment, making it difficult to conduct social activities. The institution offers 9-year education classes and four types of classes: English, Italian, tourist guide, and social care.

### *Requests/Complaints of Prisoners*

AHC notes that convicts and pre-detainees submit requests/complaints through a form, which are then directed to various units for processing. However, there is concern that the relevant registers do not indicate whether these requests/complaints are addressed and whether the legal deadlines, as per law no. 81/2020 and the General Regulation of Prisons, are respected.

### *Kitchen*

The kitchen facilities were neat, but the equipment and infrastructure used for cooking and serving food were outdated. There was no special menu for individuals with special health conditions, which violates Law No. 81/2020 "On the rights and treatment of prisoners and detainees."

### *Library*

The library was in poor infrastructural condition and stocked with old and non-periodical publications. Enriching the library with more books and developing a concept to encourage convicts to read are important for the rehabilitation of convicts and detainees.

### *Religious Premises*

There are two religious facilities within one of the regime's buildings: a church and a mosque. Both premises were spacious and generally clean, utilized by the convicts.

### *Detention Facilities*

The detention facilities housed detainees in cells with 5-6 individuals. The infrastructural conditions were relatively poor, with insufficient space for 6 people and a room equipped with only one table and two chairs. Due to the lack of hot water, detainees resorted to heating water with an open heater which poses a high danger.

### *Drinking Water*

AHC observed that the water in the institution was not drinkable, forcing detainees to purchase their own. IEVP claimed that the water supplied from a well was drinkable, according to analyses conducted by Local Health Care Unit of Kruja. Detainees also complained about the limited airing time, the lack of opportunities for activities such as utilizing the soccer pitch, high humidity levels especially in the cell's toilet, and inadequate conditions for cooking inside the cells.