



Albania

Ratified the European Convention on Human Rights in 1996

National Judge: National Judge: Ledi Bianku

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

Previous Judge: Kristaq Traja (1998-2008)

The Court dealt with 101 applications concerning Albania in 2015, of which 79 were declared inadmissible or struck out. It delivered 7 judgments (concerning 22 applications), which found at least one violation of the European Convention on Human Rights.

Applications processed in	2013	2014	2015
Applications allocated to a judicial formation	106	82	147
Communicated to the Government	70	38	99
Applications decided:	57	150	101
- Declared inadmissible or struck out (Single Judge)	46	113	56
- Declared inadmissible or struck out (Committee)	2	10	20
- Declared inadmissible or struck out (Chamber)	0	6	3
- Decided by judgment	9	21	22
Interim measures:	0	1	1
- Granted	0	0	0
- Refused (including out of scope)	0	1	1

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#).

Applications pending before the court on 01/01/2016	
Total pending Applications	423
Applications pending before a judicial formation:	407
Single Judge	8
Committee (3 Judges)	249
Chamber (7 Judges)	150
Grand Chamber (17 Judges)	0

* including applications for which completed application forms have not been received

Albania and ...

Its contribution to the Court's budget

For 2016 the Court's budget amounts to approximately 71 million euros. That budget is financed by contributions from 47 member States of the Council of Europe in accordance with scales based on population and GDP; the 2016 contribution of Albania to the Council of Europe's (EUR 326 million) budget is **EUR 477,412**.

The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **679** Registry staff members of whom **3** are Albanian.

Noteworthy cases, judgments delivered

Chamber

Cases dealing with the right to life (Article 2)

[Rrapo v. Albania](#)

25.09.2012

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

[No violation of Article 2](#)

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

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

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

Cases concerning detention conditions and health care (Article 3)

[Groni v. Albania](#)

07.07.2009

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

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

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

[Dybeku v. Albania](#)

18.12.2007

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

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

Cases dealing with Article 6

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

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

08.10.2013

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

[No violation of Article 6 §§ 1 and 3 \(a\) to \(d\)](#)

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

[Manushage Puto and others v. Albania](#)

31.07.2012- pilot judgment¹

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

[Violation of Article 13 \(right to an effective remedy\)](#)

[Violation of Article 6 § 1](#)

[Violation of Article 1 of Protocol no. 1 \(protection of property\)](#)

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

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

months from the date on which the judgment became final.

Caush Driza v. Albania

15.03.2011

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

[Violation of Article 13 \(right to an effective remedy\)](#)

[Violation of Article 6 § 1](#)

[Violation of Article 1 of Protocol No. 1 \(protection of property\)](#)

Laska and Lika v. Albania

20.04.2010

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

[Violation of Article 6 § 1](#)

Mullai and Others v. Albania

23.03.2010

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

[Violation of Article 6 § 1](#)

[Violation of Article 1 of Protocol No. 1](#)

Gjyli v. Albania

29.09.2009

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

[Violation of Article 6 § 1](#)

[Violation of Article 13 \(right to an effective remedy\)](#)

Driza v. Albania and Ramadhi and Others v. Albania

13.11.2007

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

[Violation of Article 6 § 1](#)

[Violation of Article 1 of Protocol No. 1 \(protection of property\)](#)

[Violation of Article 13 \(right to an effective remedy\)](#)

[Right of access to court](#)

Shkalla v. Albania

10.05.2011

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

[Violation of Article 6 § 1 \(access and fairness\)](#)

[Right to a fair hearing within a reasonable time](#)

Mishqjoni v. Albania

07.12.2010

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

[Violation of Article 6 § 1](#)

[Violation of Article 13 in conjunction with Article 6 § 1 \(length\)](#)

Gjonbocari and Others v. Albania

23.10.2007

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

[Two violations of Article 6 § 1](#)

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

Other noteworthy cases, judgments delivered

Alimucaj v. Albania

07.02.2012

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

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

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

Noteworthy cases, decisions delivered

Ceka v. Albania

Decision of 23.10.2012

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

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

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

Decision of 14.06.2011

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

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

Noteworthy pending cases

Kasmi v. Albania (no. 1175/06)

Communicated to the Albanian Government in February 2009

The case concerns the impossibility for the applicant to recover possession of his house, which is presently occupied by tenants. It is believed that the issues raised may concern other potential applicants.

Mr Kasmi alleges a violation of Article 1 of Protocol No. 1 (protection of property) to the Convention.

Beleri and Others v. Albania (no. 39468/09)

Communicated to the Albanian Government in May 2010

The case concerns the alleged breach of the applicants' right to freedom of expression as a result of their conviction of incitement to national hatred and defamation of the Republic and its symbols on account of public statements made in the evening of the local government elections day in 2003. The applicants also rely on Article 6 § 1 (right to a fair trial within a reasonable time) of the Convention.

Delijorgji v. Albania (no. 53694/08)

Communicated to the Albanian Government in February 2011

The case, together with three other applications, concerns an explosion at an arms depot in the village of Gërdec in March 2008, which killed more than two dozen people. Following the incident, Mr Delijorgji, the administrator of a company responsible for munitions-disposal work at the site was remanded and his property was seized.

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