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**Human Rights Committee****Concluding observations on the third periodic report of Albania\***

1. The Committee considered the 3<sup>rd</sup> periodic report of Albania<sup>1</sup> at its 4197<sup>th</sup> and 4198<sup>th</sup> meetings,<sup>2</sup> held on 11 and 12 March 2025. At its 4213<sup>th</sup> meeting, held on 21 March, it adopted the present concluding observations.

**A. Introduction**

2. The Committee is grateful to the State party for having accepted the simplified reporting procedure and for submitting its third periodic report in response to the list of issues prior to reporting prepared under that procedure.<sup>3</sup> It expresses appreciation for the opportunity to renew its constructive dialogue with the State party's high-level delegation on the measures taken during the reporting period to implement the provisions of the Covenant. The Committee thanks the State party for the oral responses provided by the delegation and for the supplementary information provided to it in writing.

**B. Positive aspects**

3. The Committee welcomes the following legislative and policy measures taken by the State party:

- (a) Adoption of the Law No. 79/2021 on Foreigners, on 24 June 2021;
- (b) Adoption of the Law No. 10/2021 on Asylum in the Republic of Albania, on 1 February 2021;
- (c) Adoption of the Law No. 113/2020 on Citizenship, on 29 July 2020;
- (d) Adoption of the Law No. 111/2017 on Legal aid guaranteed by the state", in 2017
- (e) Establishment of the Special Anti-Corruption and Organized Crime Structure (SPAK), on 19 December 2019;
- (f) Adoption of an Intersectoral Strategy Against Corruption 2024-2030;
- (g) Adoption of a National Strategy on Gender Equality, 2021-2030;
- (h) Adoption of a National Action Plan on LGBTI+ persons, 2021-2027;

\* Adopted by the Committee at its 143rd session (3 – 28 March 2025).

<sup>1</sup> [CCPR/C/ALB/3](#).

<sup>2</sup> See [CCPR/C/SR.4197](#) and [CCPR/C/SR.4198](#)

<sup>3</sup> [CCPR/C/ALB/QPR/3](#)

- (i) Adoption of a National Strategy Against Violent Extremism, 2021-2026;
  - (j) Adoption of a National Action Plan against Trafficking in Persons, 2024–2025;
4. The Committee also welcomes the ratification of, or accession to, the following international instruments by the State party:
- (a) The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, on 19 February 2025;
  - (b) The Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (ILO), on 6 May 2022;
  - (c) The Optional Protocol to the Convention on the Rights of the Child on a communications procedure, on 29 May 2013;
  - (d) The Convention on the Rights of Persons with Disabilities, on 13 February 2013.

### C. Principal matters of concern and recommendations

#### National Human Rights Institution

5. The Committee is concerned about the continuous postponement of the appointment of the mandate holder for the position of ombudsman for the Office of the People’s Advocate of Albania, since 2022, as well as the Commissioner for Protection against Discrimination since 2023. Despite increases in the allocated budgets of these institutions, the Committee remains concerned about reports that the institutions still lack the human and financial resources needed to effectively fulfil their mandate across all regions of the State party. In addition, according to information received, a substantial number of the People’s Advocate’s recommendations are not adequately implemented. The Committee also takes note that the re-accreditation procedure to maintain its A-status was deferred in 2020 and it is expected to take place in 2026 (art. 2).

**6. The State party should ensure a prompt appointment of a new mandate holder for the position of ombudsman for the Office of the People’s Advocate of Albania and a Commissioner for Protection against Discrimination, in a transparent and participatory process, as well as expedite the re-accreditation procedure by the Global Alliance of National Human Rights Institutions. It should also:**

**(a) Guarantee that the Office of the People’s Advocate of Albania fully complies with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);**

**(b) Continue increasing financial and human resources to the Office of the People’s Advocate of Albania and the Commissioner for Protection against Discrimination, so they fulfil their mandate adequately, including in all regions of the country;**

**(c) Establish an institutional framework to effectively implement and follow-up the recommendations made by the People’s Advocate of Albania.**

#### Anti-corruption measures

7. The Committee welcomes the pledge submitted by the State party to the Human Rights 75 Secretariat in 2023 in which it prioritises the punishment and prevention of corruption. However, it is concerned that corruption remains prevalent in both the public and private sphere and that preventive measures appear to have a limited impact. The Committee takes note of the efforts of the Special Anti-Corruption and Organized Crime Structure to combat corruption but regrets the difficulties faced in the recruitment process to ensure to be fully staffed, due to a lack of applications from magistrates (arts. 2 and 25).

**8. The State party should increase its efforts to prevent and eradicate corruption at all levels and to ensure the effective implementation of legislation and policy measures to combat corruption. It should therefore:**

**(a) Redouble its efforts to investigate all allegations of corruption at all levels, including in the judiciary and the public and private sectors, promptly, thoroughly, independently and impartially, and also ensure that perpetrators are prosecuted and, if convicted, punished with penalties commensurate with the gravity of the offence, and provide redress to victims of corruption;**

**(b) Guarantee the effectiveness of the Special Anti-Corruption and Organized Crime Structure, including by ensuring that it remains fully staffed and operational;**

**(c) Implement training and awareness-raising campaigns to inform public officials, politicians, the business community and the general public about the economic and social costs of corruption and the mechanisms in place to report it.**

#### **Fight against impunity and past human rights violations**

9. Recalling the Committee's previous recommendations<sup>4</sup>, the Committee remains concerned that the killing of four individuals in the context of demonstrations in January 2011 have yet to be effectively investigated. Some perpetrators have not been promptly identified nor brought to justice, and victims and their families have not received adequate redress. The Committee is also concerned that, despite the efforts made by the State party to address human rights violations during the dictatorship, the families of victims of enforced disappearances have faced challenges in gaining victim status, such as the need to provide evidence of political persecution. The Committee regrets that the State party has not yet put in place a comprehensive legislative and institutional framework that secures the rights of both the families of forcibly disappeared persons and society at large to know the truth about these violations and has insufficiently informed them about their right to adequate reparations as well as the right to bring criminal cases of enforced disappearance before the courts (arts. 2, 6, 7 14 and 21).

**10. The State party should redouble its efforts to expedite and finalize the investigations of the January 2011 demonstrations, identify and prosecute the perpetrators, and if they are convicted, impose penalties commensurate with the gravity of the offences, and ensure access to effective remedies for victims and their families. The State party should also expand the legislative and institutional framework to comprehensively secure the rights to the truth of families of victims of enforced disappearance during the dictatorship; to have the remains of their loved ones identified and returned to them; to have access to justice and obtain reparation, and to guarantee non-repetition, and foster and preserve memory. The State party should consider granting victim status to families of forcibly disappeared persons, by expressly recognising victims of enforced disappearances as beneficiaries, without requiring evidence of political persecution.**

#### **Non-discrimination**

11. The Committee notes with concern discrimination faced by women, Roma and Egyptian communities, persons with disabilities and lesbian, gay, bisexual and transgender (LGBT) persons, which implies significant barriers to the full enjoyment of their human rights. With reference to its previous Concluding observations<sup>5</sup>, the Committee is also concerned about the prevalence of stereotypes and prejudices against LGBT persons as well as the recurring negative statements made by public officials against them. The Committee notes the commitment of the State party to improve the legal framework for the protection of LGBT rights, including legal recognition and protection of same-sex couples, but regrets that such framework has not yet been adopted (2, 26 and 27).

**12. The State party should step up its efforts to prevent, combat and eradicate all forms of discrimination. The State party should, inter alia:**

<sup>4</sup> CCPR/C/ALB/CO/2, para. 9

<sup>5</sup> CCPR/C/ALB/CO/2 para. 8

**(a) Guarantee that its legislative and policy framework prohibits discrimination, in particular direct, indirect and intersectional discrimination, in both the public and private spheres.**

**(b) Ensure that all acts of discrimination and alleged offences motivated by prejudice and stereotypes are promptly and effectively investigated, that perpetrators are prosecuted and, if convicted, punished with appropriate sanctions and that victims are provided with adequate remedies.**

**(c) Increase targeted training for the judicial sector and law enforcement officials and awareness raising campaigns and civil education for the public, on human rights and to promote tolerance and respect for diversity**

**(d) Continue combating stereotypes about, and negative attitudes towards persons on the basis of their real or perceived sexual orientation or gender identity, including through public information campaigns and education programmes in schools.**

**(e) Expedite the adoption of a legal framework for the recognition and protection of same-sex couples.**

### **Gender equality**

13. The Committee appreciates the progress made by the State party in enhancing the representation of women in political life, including at the ministerial level and through the 2015 amendment to the Electoral Code, which established a 50% quota for candidates for councillors in local elections. The Committee notes that parity has not yet been achieved in other political institutions, such as in Parliament and at the municipal level. The Committee is also concerned by the low number of women owning or managing businesses and the difficulties they face in asserting property rights, particularly land rights for women living in rural areas or after the 2019 earthquake. The Committee is concerned by reports of ongoing practices of prenatal sex-selective abortions and by the possibility that the extension of the legal window for abortion from 12 to 14 weeks of pregnancy in the new draft bill on sexual and reproductive health could increase the practice of sex-selective abortions (art. 2, 3, 6, 25 and 26).

**14. The State party should continue its efforts to ensure effective equality between men and women in political life and the public and private sectors. It should also:**

**(a) Enforce the prohibition of sex-selective abortions, raise awareness among the general public on the negative effects of this practice and the importance of gender parity, and provide training within the medical sector to be able to recognize it, and establish support, including helplines and psychosocial support for women who are pressured into undergoing sex-selective abortion;**

**(b) Guarantee effective access to land for rural women and ensure and gender-equal co-ownership rights over homes acquired through post-earthquake reconstruction grants;**

**(c) Promote civic education on gender equality, in particular in public and political life.**

### **Violence against women**

15. The Committee is highly concerned about the structural and endemic problem of violence against women in the State party, despite sincere efforts being made to address it, including by the People's Advocate. The Committee is particularly concerned that victims face numerous obstacles in filing complaints, including lack of confidence in the police or judicial system, fear of re-victimisation, precarious economic situations, and lack of effective access to legal aid. The Committee is also concerned that the definition of rape under article 102 of the Criminal code is based on the use of violence rather than the absence of consent. The Committee regrets that reception centres for victims of domestic violence are not yet available throughout the territory of Albania and that there is general lack of awareness as well as administrative barriers that discourage victims to make use of such facilities (arts. 2, 6, 7 and 14).

**16. The State party should increase its efforts to eradicate and prevent violence against women and girls, through comprehensive legislation and policies. In particular, it should:**

**(a) Ensure that the definition of rape under article 102 of the Criminal Code is centered on absence of consent;**

**(b) Ensure that all cases of violence against women are thoroughly and promptly investigated, that perpetrators are prosecuted and, if convicted, punished with penalties commensurate with the gravity of the offence;**

**(c) Ensure that victims receive appropriate legal, medical, financial and psychological support and have access to effective remedies and means of protection, including effective access to reception centers and shelters throughout the country, and raising awareness about them;**

**(d) Establish effective mechanisms to facilitate and encourage the reporting of cases of violence against women, including by ensuring that all women have access to information about their rights and to remedies;**

**(e) Increase targeted and compulsory training for public officials, including judges, lawyers, prosecutors, law enforcement officials and health care and social service providers, on recognizing and handling cases of violence against women**

**(f) Strengthen public awareness-raising campaigns to address social and cultural patterns and stereotypes that facilitate and condone the tolerance of gender-based violence;**

**(g) Consider enhancing rehabilitation programmes for perpetrators of violence against women.**

#### **Maternal mortality and sexual and reproductive rights**

17. The Committee is concerned that access to family planning services and sexual and reproductive health services in certain rural areas remains difficult, resulting in higher maternal mortality rates compared to urban areas and limited access to contraceptive methods and emergency contraception (arts. 3, 6 and 7).

**18. The State party should strengthen access to quality sexual and reproductive health-care services, in particular in rural areas and take targeted measures to reduce maternal mortality rates. It should also promote and facilitate access for everyone to evidence-based information and education about sexual and reproductive health and rights and ensure access to a wide range of affordable contraceptive methods, particularly in rural areas.**

#### **Right to life**

19. The Committee welcomes the measures taken to eradicate blood feud-related crimes, including the amendments introduced to the Criminal Code. However, the Committee notes reports of ongoing incidents of blood feuds. While some reports indicate a general decrease in the number of cases, particularly among younger generations, the Committee regrets that there is insufficient data to confirm this trend as well as on the fact on allegations that some families have moved abroad to avoid the practice. The Committee is also concerned that women and girls have increasingly become direct targets in blood feuds. Furthermore, the Committee notes that the distinction in the criminal law between blood feuds and murders committed for revenge, which carries a less severe punishment, is not sufficiently clear (arts. 6, 12 and 24).

**20. The State party should increase its efforts to prevent, combat and eradicate blood feuds-related crimes. It should also:**

**(a) Ensure that all blood-feuds related crimes are thoroughly and promptly investigated, that perpetrators are prosecuted and, if convicted, punished with appropriate penalties and that victims are provided with adequate reparation and redress;**

**(b) Intensify its efforts to collect data and identify families who, have moved abroad, as well as those who have confined themselves to their homes as a result of this phenomenon and provide them with protection and assistance, particularly to the children;**

**(c) Increase awareness-raising campaigns and educational programmes in order to prevent and eradicate blood feud-related crimes, and support community-based conflict resolution programmes for the non-violent resolution of blood feuds.**

### **Ill-treatment and excessive use of force**

21. The Committee is concerned about reports of patterns of abuse and ill-treatment in police custody, prisons, detention centers, forensic psychiatric institutions, and pretrial detention facilities, as well as a lack of accountability for perpetrators. The Committee further notes with concern allegations of excessive use of force, including physical violence (arts. 6, 7, 9 and 21).

22. **The State party should:**

**(a) Take all measures necessary to prevent torture and other cruel, inhuman or degrading treatment or punishment, including by ensuring its legislation is in line with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement, and the Committee's general comment No. 36 (2018), which requires that the use of lethal force by law enforcement be resorted to only when strictly necessary in order to protect life or prevent serious injury from an imminent threat; and the Principles on Effective Interviewing for Investigations and Information-Gathering (the Méndez Principles);**

**(b) Conduct thorough, independent and impartial investigations into all allegations of ill-treatment in custody in accordance with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), as well as of excessive use of force by law enforcement officers, prosecute perpetrators and, if they are convicted, punish them with sanctions commensurate with the gravity of the crime and provide victims with full remedy and redress, including rehabilitation;**

**(c) Ensure that all persons deprived of their liberty have access to an independent, secure and effective complaint mechanism for the investigation of allegations of torture and ill-treatment and guarantee protection of persons who file complaints against reprisals;**

**(d) Reinforce its oversight mechanisms to prevent and address cases of excessive use of force by law enforcement officers;**

**(e) Strengthen human rights training for judges, prosecutors, law enforcement officials and forensic medicine and health personnel on the above-mentioned standards, principles and guidelines.**

### **Liberty and security of person**

23. The Committee takes note of the significant increase in the number of detainees who have prompt access a lawyer while in police custody and have them present during interrogations. However, it is concerned by allegations that, in some cases, police officers delay access to a lawyer and informally question detainees without legal representation, and that, in other instances, despite requests for an *ex officio* lawyer immediately after being placed in police custody, the first contact with a legal representative does not occur until the initial court appearance. The Committee also notes with concern that according to information received, medical examinations of detained persons are not systematically conducted at the time of initial custody. Furthermore, the Committee is concerned by reports of significant numbers of pre-trial detainees in remand centres and long periods of pretrial detention due to delays in criminal proceedings, which contribute to overcrowding in such facilities (arts. 9 and 14).

24. **Taking into account the Committee's general comment No. 35 (2014) on liberty and security of person, the State party should:**

(a) **Ensure that persons deprived of their liberty are guaranteed all legal and procedural safeguards from the very outset of their detention, including access to a lawyer, and a medical examination by an independent doctor,**

(b) **Provide free legal representation throughout all criminal proceedings;**

(c) **Ensure that pretrial detention is used only as an exceptional measure, for a limited period of time, based on an assessment of individual circumstances and judicially reviewed on a regular basis, and that detainees are held only at official detention facilities,**

(d) **Encourage the use of non-custodial alternative measures for remand prisoners, as provided for in the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules).**

#### **Juvenile justice**

25. Recalling its previous recommendations<sup>6</sup>, the Committee remains concerned about the situation of children in conflict with the law, including cases of ill-treatment in police stations after arrest, lack of adequate interviewing and waiting rooms and of chambers specifically designed for juveniles with specialised judges, as well as cases in which they have been transported together with adult detainees or convicts. The Committee has also received information about violations of procedural safeguards, such as the absence of signed declarations informing arrested and detained minors of their rights, night-time interrogations and the failure to inform their families about their detention. Furthermore, the Committee is concerned about cases of lack of effective access to psychologists, social workers as well as sufficient long-term rehabilitation and reintegration programmes for convicted children (arts. 7, 9, 10, 24).

26. **The State party should ensure that its juvenile justice system is fully in line with the Covenant and other international standards and that children in conflict with the law are treated in a manner commensurate with their age. In particular it should:**

(a) **Taking into account the Committee's general comment No. 35 (2014), it should ensure that children deprived of their liberty are afforded all legal and procedural safeguards from the very outset of their detention;**

(b) **Set up specialized courts with trained specialized judges for all children and reinforce the training to law enforcement officials, judges and prosecutors on child-sensitive investigations and interrogations;**

(c) **Intensify its efforts to ensure that conditions of detention of children in conflict with the law comply fully with the relevant international human rights standards, including the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules) and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules);**

(d) **Ensure that violations of the human rights of children in conflict with the law are promptly and effectively investigated, that perpetrators are prosecuted and, if convicted, punished with appropriate penalties, and that victims have access to effective remedies;**

(e) **Ensure that children in conflict with the law have access to the necessary legal, medical and psychological support and have access to long term rehabilitation and reintegration programmes.**

<sup>6</sup> CCPR/C/ALB/CO/2 para. 15

### Conditions of detention

27. With reference to its previous Concluding observations<sup>7</sup>, the Committee acknowledges the efforts made by the State party to improve conditions of detention but remains concerned about instances of overcrowding and poor detention conditions in prisons, pretrial centres, and immigration centres during the period under review. The Committee notes with concern reports of food shortages, poor medical services, including mental health services, lack of basic hygiene products, and the absence of meaningful human contact for prisoners for long periods of time; as well as security concerns, such as those reported in Peqin high-security prison (arts. 9 and 10).

**28. The State party should continue adopting measures to improve the conditions of detention. It should in particular:**

**(a) Ensure that conditions of detention are compatible with the Covenant and other international standards such as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), including by ensuring adequate access to sufficient food and drinking water, health services, proper heating, hygiene and sanitation services, security measures and rehabilitation and reintegration support services;**

**(b) Put an end to prison overcrowding, including by the application of non-custodial measures, as an alternative to imprisonment, as provided for in the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules).**

### Elimination of slavery, servitude and trafficking in persons

29. The Committee welcomes the measures adopted by the State party to combat trafficking in persons, such as the National Action Plan for the Fight against Human Beings Trafficking and the amendments to the Criminal Code and Criminal Procedure Code. However, the Committee is concerned that, according to several reports, the State party remains a country of origin, transit, and destination for human trafficking, with the most common forms being sexual exploitation and forced labour, particularly affecting women and children. The Committee further notes several related challenges, including: the absence of a specific law for the protection of victims of trafficking; the low number of prosecutions and convictions for human trafficking; decreased law enforcement measures; the lack of access to compensation for victims of human trafficking; as well as the lack of a gender-responsive approach to access justice for victims. The Committee is also concerned that children in the State party continue to be subject to the worst forms of child labour –including illicit activities, forced begging, commercial sexual exploitation, and performing dangerous tasks in the mining sector – and that the labour inspectorate in the State party does not receive adequate funding to inspect all sectors in which child labour occurs (arts. 7, 8, 24 and 26).

**30. The State party should further strengthen its efforts to effectively prevent, combat and punish trafficking in persons, as well as worst forms of child labour, including by:**

**(a) Adopting specific legislation to ensure the effective protection of victims of trafficking and ensure that the legal framework governing child labour explicitly prohibits employing, procuring and offering children under the age of 18 years for illicit activities, including commercial sexual exploitation.**

**(b) Ensuring adequate gender- and age-sensitive protection and assistance mechanisms for all victims, such as safe and specialized shelters, access to healthcare and legal protection, effective remedies, and rehabilitation and reintegration support services;**

**(c) Providing victims with a gender-sensitive approach to accessing justice and ensuring that cases of trafficking in persons and the worst forms of child labour are promptly, thoroughly, effectively and impartially investigated, that perpetrators**

<sup>7</sup> CCPR/C/ALB/CO/2 para. 16



are prosecuted and, if convicted, punished with penalties commensurate with the gravity of the offence and that victims receive full reparation, including compensation;

**(d) Increasing prevention and awareness-raising campaigns for the general public and specialized training for all relevant State officials - including the judiciary, the prosecution authorities, law enforcement and border authorities - on standards and procedures for the prevention of trafficking and worst forms of child labour, and for the identification and referral of victims and the rights of victims;**

**(e) Ensuring that sufficient financial, technical and human resources are allocated to all institutions, such as labour inspectors, responsible for preventing, combating and punishing trafficking in persons and the worst forms of child labour, so they can carry out their work effectively.**

#### **Treatment of migrants, refugees and asylum-seekers**

31. The Committee welcomes the National Strategy on Migration 2024-2030 and Action Plan 2024-2026, and it takes note of the suspension of the implementation of the Protocol between the Council of Ministers of the Republic of Albania and the Government of the Italian Republic for Strengthening Cooperation in the Field of Migration, concluded in 2023. The Committee is concerned, however, about the potential conflicts between the Protocol and the Covenant, which applies to the extraterritorial management of migration and asylum procedures, such as those regarding the automatic detention of migrants and the risk of a prolonged detention, as well as the risk of being subject to inadequate migration or asylum procedures. The Committee is also concerned about the Law on Asylum and Temporary Protection, adopted in 2023, in particular provisions related to the lack of access to refugee application procedures with suspensive effect, insufficient access to free legal aid, detention of children and challenges as regards the effective implementation of the principle of non-refoulement (arts. 7, 9, 12 and 13).

**32. The State party should ensure that all persons seeking international protection have unfettered access to the national territory and to fair and efficient procedures for the individualized determination of refugee status or of eligibility for international protection in order to ensure respect for the principle of non-refoulement; and ensure that its legislation, as well as the Protocol concluded with Italy, are in full compliance with these requirements. It should ensure in particular that:**

**(a) The detention of migrants and asylum-seekers is only used as a measure of last resort and is reasonable, necessary and proportionate, in accordance with the Committee's general comment No. 35 (2014) on liberty and security of person, and that alternatives to detention are used in practice, and ensure that children are not deprived of their liberty for immigration related purposes;**

**(b) The principle of non-refoulement is upheld in practice, ensuring that all persons seeking international protection have access to an independent judicial appeals mechanism with suspensive effect against negative decisions;**

**(c) Free legal aid is accessible in practice in procedures for the individualized determination of refugee status or of eligibility for international protection.**

#### **Right to a fair trial and independence of the judiciary**

33. The Committee appreciates the measures taken by the State party to reform the judicial system, including the establishment of new institutions to ensure the independence and accountability of the judges and prosecutors and to improve the efficiency of the system. However, the Committee is concerned about the implementation of the "New Judicial Map" in 2023 which considerably reduced the number of courts in the State party, which could compromise access to justice for people living in rural or remote areas and risks increasing case backlogs. The Committee acknowledges the State party's commitment to resolve the backlog of vetting cases at the appeal level before the deadline of June 2026. The Committee is however concerned about the length of proceedings and large backlog of cases, particularly at the High Court, the Appeal Court and the Administrative Court of Appeal. The Committee notes with concern that the appointment process of non-magistrate members in the High

Judicial Council and the High Prosecutorial Council follows different standards of background checks and asset declarations than those applicable to magistrates, which risks compromising the competence and independence necessary for membership in these institutions. The Committee acknowledges the delegation's statement that by December 2027, the standards for non-magistrate members will align with those of magistrates. (art. 14).

**34. The State party should adopt a comprehensive strategy to address the backlog of cases, in particular at the High Court, the Appeal Court and the Administrative Court of Appeal, and reduce the length of proceedings to ensure the right to a fair trial without undue delay, in accordance with article 14 of the Covenant and the Committee's general comment No. 32 (2007) on the right to equality before courts and tribunals and to a fair trial. It should also:**

**(a) Ensure the necessary competence and independence of all members of the High Judicial Council and the High Prosecutorial Council, including by applying the same standards of background checks and asset declarations used for magistrates to non-magistrates;**

**(b) Increase the financial, technical and human resources provided for the administration of justice and support its effective and timely functioning and ensuring its accessibility to persons living in rural and remote areas.**

#### **Freedom of religion or belief**

35. The Committee regrets the delays in the determination and distribution of compensation for the confiscation, by previous public authorities, of properties belonging to religious groups, which have been extended until December 2027. The Committee is also concerned about the State party's refusal to recognise Jehovah's Witnesses as a religious community, as well as reports of defamatory statements and misinformation in media about this community. The Committee takes note of the renewal of the National Strategy Against Violent Extremism for the period of 2021-2026; however, it is concerned about reports of discrimination, threats, defamation, hate speech and media misinformation targeting certain religious groups (art. 2, 14, 18 and 26).

**36. The State party should guarantee the effective exercise of freedom of religion and belief and ensure that any action that may restrict it fully complies with the criteria for restrictions under article 18 of the Covenant. It should also:**

**(a) Expedite the process of determining and distributing the compensation of religious properties confiscated by previous public authorities;**

**(b) Ensure that the registration of religious organizations is based on clear and objective criteria that are compatible with the State party's obligations under the Covenant;**

**(c) Strengthen its efforts to combat all forms of discrimination and violence against religious and belief groups; and in this regard, ensure that any violation against this right is promptly and effectively investigated, that perpetrators are prosecuted and, if convicted, punished with appropriate penalties, and that victims have access to effective remedies.**

#### **Freedom of expression**

37. The Committee is very concerned about reports of journalists being subjected to undue interference, harassment and physical abuse by political parties, business companies and criminal groups, which obstructs their work and pushes them to self-censorship. The Committee is also concerned that provisions in the Criminal Code on defamation and insult, and the filing of defamation lawsuits against the media, deter journalists from carrying out their professional responsibilities. It further notes the potential adverse impacts of amendments to the Law on Audiovisual Media (Law No. 91/2019) on freedom of expression and media independence (art. 19).

**38. The State party should take all measures necessary to guarantee the full enjoyment of freedom of expression, in accordance with article 19 of the Covenant and the Committee's general comment No. 34 (2011) on the freedoms of opinion and expression, and that any restriction complies with the strict requirements of article 19 (3) of the Covenant. In particular it should:**

- (a) Prevent and combat all acts of harassment, intimidation and violence against journalists to ensure that they are free to carry out their work without undue control or interference, including fear of violence, reprisals or the filing of defamation lawsuits to discourage the publication of critical information on matters of public interest;**
- (b) Ensure that all allegations of harassment, intimidation and violence against journalists are investigated, that perpetrators are brought to justice and appropriately punished and that victims receive appropriate reparations;**
- (c) Revise legislation that may unduly restrict freedom of expression and consider decriminalizing defamation and insult.**

#### **Freedom of peaceful assembly**

39. The Committee notes with concern allegations of excessive use of force, notably physical violence and arbitrary arrests, including during the protest concerning the demolition of the National Theatre in 2020. The Committee notes the decision of the Constitutional Court of 4 May 2021 to annul the requirement of article 262 of the Criminal Code to obtain prior approval from the police to hold gatherings or demonstrations; however, it is concerned that notifications of such activities have been rejected by the police, and that the prosecutor's office continues to prosecute demonstrators under this article (arts. 7, 9 and 21).

**40. In the light of article 21 of the Covenant and the Committee's general comment No. 37 (2020) on the right of peaceful assembly, the State party should take concrete steps to facilitate the right of peaceful assembly and ensure that any restriction complies with the strict requirements of article 21 of the Covenant including the principles of proportionality and necessity. In this regard, it should amend article 262 of the Criminal Law accordingly.**

#### **Rights of the child**

41. The Committee is concerned about allegations of underreporting and lack of adequate investigation of cases of corporal punishment, sexual exploitation, and internet child pornography. The Committee notes with concern that the Family Code of the State party allows for exceptions to underage marriages with parental consent, which particularly affects the Roma and Egyptian communities. Furthermore, the Committee notes with concern the institutionalisation of children, particularly those living in poverty, and reports of physical and psychological violence against them (arts. 7, 8 and 24).

**42. The State party should redouble its efforts to protect children from any form of abuse and exploitation, including sexual exploitation and internet child pornography. In particular, it should:**

- (a) Ensure that all allegations of any form of violence and abuse against children, including in institutionalised settings, are promptly, impartially and effectively investigated, that those responsible are brought to justice, and that all victims have access to effective remedies and support services such as adequate shelters, legal aid, psychological counselling and rehabilitation programmes;**
- (b) Take measures to combat and prevent all child marriages, in particular by amending legal provisions which provide for exceptions, and by increasing awareness-raising campaigns about the harmful effects of child marriages, targeting in particular families and children in Roma and Egyptian communities;**
- (c) Effectively implement the prohibition of corporal punishment;**
- (d) Provide alternatives to the institutionalisation of children.**

### **Participation in public affairs**

43. The Committee welcomes the legislation adopted to improve the electoral system, including the use of new technologies, to enhance transparency and reduce fraud as well as the provisions allowing Albanian citizens residing abroad to vote in the next general parliamentary elections. The Committee, however, regrets the continuing scepticism of voters regarding the integrity of the electoral process due to reports of corruption, vote-buying and voter intimidation. The Committee is further concerned about the lower level of participation in public affairs by Roma and Egyptian minorities and the lack of adequate infrastructure for persons with disabilities (art. 25 and 27).

**44. In accordance with article 25 of the Covenant and the Committee's general comment No. 25 (1996) on participation in public affairs and the right to vote, the State party should take all measures necessary to ensure the full and effective enjoyment of the right to participate in public affairs. In particular, it should:**

(a) Undertake prompt, thorough and independent investigations of allegations of election-related irregularities, and ensure that suspected perpetrators are prosecuted and, if found guilty, punished appropriately;

(b) Take measures to combat and prevent corruption in elections, such as voter buying and voter intimidation;

(c) Strengthen civic educational programmes, including for young people, and awareness-raising activities on the importance of the participation in public affairs, including specific campaigns to increase the participation of minority groups such as Roma and Egyptians;

(d) Ensure accessible infrastructure, including polling stations are accessible for all people, including persons with intellectual or psychosocial disabilities.

### **D. Dissemination and follow-up**

45. The State party should widely disseminate the Covenant, the two Optional Protocols thereto, its third periodic and the present concluding observations, with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country, and the general public. The State party should ensure that the periodic report and the present concluding observations are translated into the official language of the State party.

46. In accordance with rule 75 (1) of the Committee's rules of procedure, the State party is requested to provide, by 28 March 2028, information on the implementation of the recommendations made by the Committee in paragraphs 10 (Fight against impunity and past human rights violations), 32 (Treatment of migrants, refugees and asylum-seekers) and 34 (Right to a fair trial and independence of the judiciary) above.

47. In line with the Committee's predictable review cycle, the State party will receive in 2031, the Committee's list of issues prior to the submission of the report and will be expected to submit within one year its replies, which will constitute its fourth periodic report. The Committee also requests the State party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. The next constructive dialogue with the State party will take place in Geneva in 2033.