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Mr Ambassador,

In my capacity as Rapporteur for Follow-up on Conclusions and Recommendations of the United Nations Committee against Torture, I refer to the examination of the first periodic report of Albania (CAT/C/28/Add.6) by this Committee at its 34th session, which was held on 2 to 21 May 2005, and where Conclusions and Recommendations (CAT/C/CR/34/ALB) were adopted and transmitted to your Permanent Mission. In paragraph 10 of those Conclusions and Recommendations, the Committee asked, pursuant to its rules of procedures, that Albania provide, within one year, further information regarding areas of particular concern identified by the Committee in paragraph 8 (c), (d), (i) and (l) (see extracts annexed).

I am writing to thank you for your Government's communication of 15 August 2006 (CAT/C/ALB/CO/1/Add.1) in which responses concerning the conclusions and recommendations were submitted. The Committee would be grateful for clarification as to the following matters where sufficient information was not provided, so as to enable it to complete an analysis of the progress made regarding implementation of aspects of the Convention.

With regard to paragraph 8 (c) in which the Committee called on the State party to investigate all allegations of ill-treatment and torture by law enforcement personnel, we appreciate the information provided. We remain concerned by the low number of complaints received, and the outcomes of the investigations in those complaints that were lodged. In addition, please provide further information on the measures taken to ensure that all allegations of ill-treatment or torture by law enforcement personnel are appropriately investigated, and clarify for the Committee the grounds for dismissing the 22 cases of alleged ill-treatment mentioned in paragraph 5 of your response. Please also provide updated information on the number of complaints of abuse by law enforcement personnel received since your last communication, disaggregated by sex, age, gender, location, and the official title of the person against whom the complaint was lodged, as well as information on the number of such complaints that were investigated, sent to trial, and their outcomes including information regarding punishments and compensation provided.

In paragraph 8 (d) of the Conclusions and Recommendations, the Committee recommended that the State party improve mechanisms to facilitate the submission to public authorities of complaints by victims of ill-treatment and torture. We appreciate learning of the Pre-detention Regulation and the Draft-Regulation of Prisons and request updated information on the adoption and the implementation of these regulations. The Committee was pleased to learn that detainees have access to free phone consultations with the Albanian Helsinki Committee and the Directorate General of Prisons. In order to assess the success of these measures in realizing the Committee's recommendation, please provide information on the number of complaints of ill-treatment or torture by public authorities lodged since your last communication, disaggregated by age, gender, location, and the official title of the person against whom the complaint was lodged.

With regard to paragraph 8 (i) in which the Committee recommended fundamental legal safeguards for detainees of the police, we would appreciate further information on the measures taken to ensure implementation of the new detention and pre-detention regulations, as well as details on their contents. Specifically, please provide information on the implementation of the legal safeguard of having access to an

independent doctor at one's request — reports before the Committee indicate that this is still an area for concern. We welcome the information provided on the legal counsel provided to juveniles in all stages of pre-trial detention, and request further information on the measures taken to ensure that these legal counsel are present during interrogations, as recommended in paragraph 8 (i).

Finally, with regard to paragraph 8 (l), the Committee notes with satisfaction the information on the Law on the Ombudsman No. 9398 dated 05.12.2005, which allows independent monitoring of the police stations by the Ombudsman's office without prior authorization. We would appreciate further information on the implementation of this measure—how many unannounced visits to prison facilities have been made by the Ombudsman's office since your last communication, and what have been their main recommendations based on their inspections and reporting?

Accept, Mr. Ambassador, the assurances of my highest considerations.



Felice Gaer

Rapporteur for Follow-up on Conclusions and Recommendations
Committee Against Torture

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