

Albania 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Albania during the year.

Significant human rights issues included serious problems with the independence and integrity of the judiciary; with corruption in government, law enforcement, and municipal institutions; and with a lack of an independent media.

The government took credible steps to identify and punish officials who may have committed human rights abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution and law prohibited such actions, and there were no credible reports government officials employed them. The Office of the Ombudsman, an independent, constitutional government watchdog, observed an overall improvement in penitentiary conditions.

The government made greater efforts to address police impunity.

Compared with all of 2022, in the first 10 months of the year, the Police Oversight Agency (POA) opened more criminal cases (from three to 20); referred more cases for disciplinary action to the Albanian State Police (from 18 to 68); and made more arrests or detentions (42 to 166). POA conducted four investigations into complaints of violence by police, disciplining three police officers and referring another to prosecution. Citizens reported two other cases involving 15 police officers to the prosecution; investigations in both cases were underway as of September.

Prison and Detention Center Conditions

Overcrowding and poor physical conditions in some prisons were a problem.

The Institute for Activism and Social Change (IANS) reported obstacles to carrying out prison monitoring. Prisons lacked frameworks and sufficient training to identify and prevent violent extremism and radicalization in incarcerated populations.

Abusive Physical Conditions: The General Directorate of Prisons (GDP) reported the system in general faced overcrowding in part due to having more pretrial detainees than convicts. The ombudsman assessed Lezha's Shen Koll prison was at twice capacity and many pretrial detention centers were overcrowded.

Poor conditions in older prison facilities were a problem. The Albanian Helsinki Commission (AHC) and the Office of the Ombudsman reported inadequate prison and detention infrastructure at the prisons in Lezha, Burrel, Ali Demi, Tepelenë, and the illegal migrant detention center in Karrec. The AHC cited nonpotable water in the Fier facility and inadequate health care in the prisons in Lezha, Burrel, and Vlore.

According to the ombudsman, except for regional facilities in Tirana, Gjirokaster, Kukes, Fier, and Korca, conditions were poor in detention facilities operated by the Ministry of Interior, such as police stations and temporary detention centers. Some detention facilities were unheated during the winter and lacked basic hygiene. Facilities were cramped, provided limited access to toilets, and had little or no ventilation, natural

light, or beds and benches. Camera monitoring systems were insufficient in most police stations.

The AHC reported slow and reactive investigations of multiple detainees who became ill and died in custody or soon thereafter. In April a detained Roma man remained in custody in the Tirana Local Police Directorate for almost five days after falling seriously ill before being transferred to a hospital, where he later died.

Administration: Authorities conducted investigations of credible allegations of mistreatment. The ombudsman reported prison and police officials generally cooperated with investigations but also noted the lack of cameras in most interrogation rooms allowed for violence during questioning. The GDP noted that in older prisons, lawyers used the same interrogation rooms to meet their clients, and the law prohibited cameras in such rooms.

Independent Monitoring: Local and international human rights groups, media, and international bodies such as the Committee for the Prevention of Torture reported they were allowed to monitor prisons and detention facilities without obstacle. Limitations remained on monitoring inmates enrolled in a special regime adopted in 2020 to minimize communications between suspected contacts of organized crime and incarcerated gang members.

Improvements: The General Directorate of State Police reported it started operating in late 2022 the new 66-bed “security block” at the Tirana Police

Directorate. In addition, the GDP restored and improved the heating system in the Shkodër prison.

d. Arbitrary Arrest or Detention

The law and constitution prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

The law foresaw two possible procedures for arrest. First, a prosecutor could request an arrest warrant from a court after providing sufficient justification and a pretrial detention measure was determined. The court automatically reviewed the measure on a regular basis. Second, police could arrest a suspect who was believed to be in the process of committing a crime. The law stipulated police had to immediately inform a prosecutor of an arrest. The prosecutor could release the suspect or petition the court within 48 hours to hold the individual further. A court had to also decide within 48 hours whether to place a suspect in detention, prohibit travel, require bail, or require the defendant report regularly to police.

By law and based on a prosecutor's request, the court had 72 hours to review the pretrial detention status of a court-ordered arrest. Police could detain without arresting a suspect for a period not exceeding 10 hours, but

the ombudsman reported several procedural irregularities that led to the detention of individuals for longer than 10 hours without being arrested.

The constitution required authorities to immediately inform detainees of their rights and the charges against them. While the law gave detainees the right to prompt access to an attorney at public expense, the ombudsman reported instances of interrogations taking place without the presence of legal counsel.

Pretrial Detention: The ombudsman reported a high percentage of prison inmates were in pretrial detention. While the law required completion of most pretrial investigations within three months, a prosecutor could extend this period. The law stipulated pretrial detention should not exceed three years. Criminal proceedings were delayed, due in part to shortages of judges and prosecutors. Limited material resources, lack of space, poor court-calendar management, insufficient staff, and the failure of attorneys and witnesses to appear also prevented the court system from adjudicating cases in a timely fashion. The justice minister told parliament in July the number of persons in pretrial detention exceeded the number of those serving sentences and urged justice institutions to work with other agencies to uphold inmates' basic human rights. According to the GDP, the situation was exacerbated by the justice system's vetting process, which led to vacancies in courts and prosecutors' offices that prolonged criminal proceedings.

e. Denial of Fair Public Trial

Although the constitution provided for an independent judiciary, political pressure, intimidation, corruption, and limited resources prevented the judiciary from functioning fully, independently, and efficiently. The government continued to implement an internationally monitored process to vet judges and prosecutors, and to dismiss those with unexplained wealth or ties to organized crime. The ombudsman assessed the judiciary made progress toward establishing a more independent system but added more resources were needed.

The AHC assessed the judicial system was becoming more independent due to the judicial vetting process and the actions of the Special Prosecution Structure Against Corruption and Organized Crime (SPAK). Citizens complained of lack of transparency in investigations, significant delays in proceedings, and unfair court decisions.

Trial Procedures

The constitution and law provided for the right to a fair and public trial, and the judiciary generally enforced this right.

The AHC noted prolonged cases due to court backlogs, vacancies in the judiciary, and lack of systemic efficiency undermined citizens' trust in the justice system.

The AHC reported most complaints related to lack of responsiveness from government bodies, due process violations, unfair trials, and unjust sentences. The AHC raised concerns with the administrative judicial processes in the lawsuit brought by Gulistan Foundation for the 2022 closure of the Mehmet Akif Ersoy girls' high school and the Zubeyde Hanim kindergarten. The AHC observed the parties were not treated equitably during the trial and questioned the judges' impartiality.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

The AHC reported the government showed little transparency, a lack of consultation, and violated the principle of legal certainty for residents and property owners affected by the Thumane-Kashar road construction, deeming the compensation assessment inappropriate.

The country did not have any restitution or compensation laws relating to Holocaust-era confiscation of private property. Under the law, religious communities had the same restitution and compensation rights as natural or

legal persons. The government reported no property claims had ever been submitted by victims of the Holocaust.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act Report* to Congress, released publicly in July 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and laws prohibited such actions, and there were no reports the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provided for freedom of expression, including for members of the press and other media, and the government usually respected these rights, although defamation was a criminal offense. Independent media organizations and professional journalists asserted the government, political parties, businesses, and criminal groups sought to influence media in inappropriate, nontransparent ways. There were credible reports of senior

media representatives using their outlets to blackmail businesses by threatening unfavorable media coverage. Political pressure, corruption, and lack of funding constrained the independence of print media, and journalists reportedly practiced self-censorship.

A lack of enforceable labor contracts reduced reporters' independence and contributed to bias in reporting. The Albanian Journalists Union (AJU) reported delays in salary payments to reporters at many media outlets including at least eight television stations, in some cases for up to five months. Financial problems led some journalists to rely more heavily on outside sources of income, leading to questions regarding the independence and integrity of their reporting.

Freedom of Expression: Citizens were free to criticize the government openly, including in traditional and social media, and did so. Nevertheless, concern persisted that open criticism of the government could have adverse consequences. The Albanian Institute of Political Studies (AIPS) reported that individuals who publicly criticized the government and key politicians faced smear campaigns by government supporters and political leaders. Politicians used established media to spread fake news regarding rivals and critics.

Violence and Harassment: Political and business interests reportedly pressured journalists. The AJU reported several cases of violence and intimidation against members of the media. In January journalist Elvis Hila

of Report TV and his wife were attacked in Lezha after Hila published a story showing one of the attackers had falsified a court ruling. In July a court convicted the two attackers to seven- and six-months imprisonment, respectively.

In March unknown assailants opened fire on the building of national broadcaster Top Channel, killing a security guard. An investigation was underway at year's end into what many outlets and nongovernmental organizations (NGOs) viewed as a terrorist attack.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Journalists often practiced self-censorship to avoid violence and harassment or to ensure employment. The AHC National Barometer of Freedom of the Media for 2021 reported 45.5 percent of journalists surveyed acknowledged they were asked not to publish a news story, and 45 percent acknowledged self-censoring.

Various groups claimed that in the past two years changes of ownership in private broadcasters led to more favorable coverage of the government. Additionally, local broadcaster ABC News changed its private ownership, and there were subsequent reports that programs run by journalists critical of the government were closed and those journalists left the station.

Following the change of senior management at the country's sole public broadcaster, *Radio Televizioni Shqiptar*, several media reports claimed

unjustified firings. The AJU urged the new leadership to respect the rights of journalists and employees at the broadcaster.

Senior management at the private media outlet *Syri.net* reportedly monitored the communications of journalists and editors electronically to ensure adherence to the owners' political leanings.

Libel/Slander Laws: The criminal code contained libel and slander laws, as well as laws against insult to private parties or court officials. The law permitted private parties to file criminal charges and obtain financial compensation for insult or deliberate publication of defamatory information. NGOs reported the fines were excessive and, combined with the entry of a criminal conviction into the defendant's record, undermined freedom of expression. The AJU expressed concern regarding the increase of lawsuits against reporters. As of October there were 12 cases underway against journalists, seven initiated during the year, for defamation.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provided for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

The Office of the UN High Commissioner for Refugees (UNHCR) reported persons granted international protection and persons at risk of statelessness were not issued travel documents in accordance with international legal instruments and EU legislation.

In-country Movement: To receive government services, citizens changing place of residence within the country had to transfer their civil registration to their new community and prove the legality of their new domicile through property ownership, a property rental agreement, or utility bills. Some individuals could not provide documentation and thus lacked access to public services. Other citizens, particularly Roma and Balkan-Egyptians, lacked formal registration in the communities where they resided. The law did not prohibit their registration, but the process was often difficult to

complete. Many Roma and Balkan-Egyptians lacked the financial means or necessary information to register.

e. Protection of Refugees

The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provided for the granting of asylum or refugee status, and the government had established a system for providing protection to refugees.

Police allowed UNHCR, the Office of the Ombudsman, and their partners to conduct independent monitoring of asylum processes and related facilities. The ombudsman and NGO Caritas were also allowed to monitor the detention of migrants. The AHC reported the Ministry of Interior did not respond to requests for a monitoring agreement for the asylum-seeker reception center in Babrru.

UNHCR recorded cases of border police returning through nonviolent pushbacks migrants and refugees to Greece who had indicated an intention to seek asylum. UNHCR and partners noted the prescreening process was inadequate and raised concerns regarding access to asylum as well as the identification of potential victims of trafficking. Returns to Greece were done outside the framework of the Albania-Greece Readmission Agreement.

UNHCR advocated for access to asylum, including identification and referral of persons with specific needs. In the first eight months of the year, 3,124 refugees and migrants were apprehended by border guards at the country's borders as part of mixed movements, of which 5.3 percent were referred to an asylum procedure per UNHCR.

Abuse of Refugees and Asylum Seekers: NGOs reported concerns regarding unaccompanied foreign and separated children, who faced increased risk of violence, abuse, neglect, and exploitation due to the lack of a strong protection system.

The AHC reported migrants frequently encountered violence, theft, threats, and coercion, yet legal actions against smugglers or other culprits were uncommon due to limited awareness of reporting procedures and a desire of migrants to quickly reach EU countries. The Interior Ministry and UNHCR reported they had not observed, or received complaints of, physical abuse or violence directed at asylum seekers or refugees.

Freedom of Movement: In a November 2022 report, the ombudsman found that three Iraqi citizens were detained in the irregular migrant detention facility at Karreç for two years, twice the legal maximum length. The General Directorate of State Police accepted the ombudsman's recommendation to release the three Iraqi citizens, requiring them to appear before local border and migration police weekly. Once released,

they never appeared before the police directorate, and their whereabouts remained unknown.

Access to Basic Services: The law provided refugees with access to public services, including education, health care, housing, law enforcement, courts and judicial procedures, and legal assistance. UNHCR reported access to social care and services was a problem, despite legal obligations to ensure nondiscriminatory treatment for asylum seekers and refugees. This was mostly due to conflicting laws and bylaws, according to observers. UNHCR noted there was limited knowledge regarding entitlements of refugees to public relief and social protection, which led to denial of services. The government's internet-based public service system posed obstacles for refugees and asylum seekers, many of whom did not have the proper electronic identification enabling registration and access to the local platform.

Durable Solutions: UNHCR observed no asylum seekers were granted refugee status in the country. The Ministry of Interior reported receiving 227 asylum requests, none of which were refused and 13 remained under review. In most cases, asylum seekers did not pursue asylum requests in the country to completion, and their whereabouts were unknown. With the origin country's support, UNHCR assisted the voluntary repatriation of a refugee family of three.

Temporary Protection: UNHCR reported the Directorate for Policies on Asylum, Foreigners, and Citizenship in the Ministry of Interior issued six temporary protection decisions through August. These decisions were granted to individuals from countries with generally high recognition rates – which indicated the proportion of refugee claims accepted during a particular period – including Afghanistan and Syria.

The country issued temporary protection to the evacuees from Afghanistan in 2021. This decision offered temporary protection to more than 4,000 Afghan citizens. This protection had been renewed twice and the government was reviewing another extension.

In March 2022, the government granted refugees from Ukraine temporary protection status for up to two years from the date they entered the country. Per the Ministry of Interior, 30 refugees from Ukraine had applied for the temporary protection as of June.

f. Status and Treatment of Internally Displaced Persons

Not applicable.

g. Stateless Persons

The Interior Ministry reported it did not have data on stateless persons or persons at risk of statelessness in the country.

According to UNHCR, by the end of June there were an estimated 2,126 persons at risk of statelessness in the country. In June a bylaw was adopted for the statelessness determination procedure, fulfilling one of the country's pledges made to UNHCR. The procedure lacked safeguards and rights guaranteed to recognized stateless persons, including residence status and full access to rights and services.

Section 3. Freedom to Participate in the Political Process

The constitution and law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: The most recent elections were May 14 local elections. An Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights Election Observation Mission report issued September 29 stated the elections were generally well administered, competitive, and peaceful. The report also noted misuse of administrative resources at the central and local level, claims of pressure on public-sector workers and voters, and allegations of vote buying. The report further assessed rules for media coverage of the campaign strongly favored the main parties, and the frequent use by media

of party-produced content in news programs undermined comprehensive and objective campaign coverage. The final ODIHR's Election Observation Mission final report on the May elections observed cases of misuse of state resources at central and local levels, claims of pressure on public-sector workers and voters, and allegations of vote buying. The AHC stated it observed intimidation of voters, political parties tracking voters' activities, and media failing to cover small parties.

Participation of Women and Members of Marginalized or Vulnerable

Groups: In some areas, external pressure and the practice of “family voting” created an unfavorable environment for women, young voters, and moderate segments of society.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by public officials and prohibited individuals with criminal convictions from serving as mayors, parliamentarians, or in other government or state positions. The government generally implemented the law effectively. There were numerous reports of government corruption.

Corruption: Corruption existed in all branches and levels of government, including through public procurement and public-private partnerships, although authorities made progress during the year in combatting corruption and ending impunity. The Special Prosecution Office (SPO) of

SPAK made several high-level arrests, including for corruption. On October 5, courts convicted former Environment Minister Leter Koka (sentenced to 5.8 years in prison), his former General Secretary Alqi Bllako (2.8 years), and contracting-company representatives for corruption and abuse of office. The convictions came after SPAK proved the company paid € 1.37 million (\$1.47 million) to accounts and companies owned by Koka for work never performed. The court also seized assets worth € 3.7 million (\$4 million), equal to the amount from the corruption.

In July SPAK issued an international arrest warrant for former Deputy Prime Minister and Finance Minister (and Socialist Party member of parliament) Arben Ahmetaj. He fled the country after parliament granted SPAK's request to lift Ahmetaj's immunity to allow his arrest on charges of corruption, money laundering, and concealing assets. Ahmetaj remained a fugitive and was believed to be abroad.

In October, SPAK announced it was formally investigating former Prime Minister Sali Berisha for passive corruption related to a land deal that benefitted his son-in-law by approximately \$5 million. SPAK arrested Berisha's son-in-law, ordered Berisha to appear regularly before judicial police, and barred him from leaving the country. The High Inspectorate for the Declaration and Audit of Assets and Conflict of Interest reported that through August it had referred six new cases for prosecution, involving one member of parliament, one prosecutor, three directors in government agencies, and one administrator in a government company. Charges

included refusing to declare assets, hiding assets, or falsifying asset declarations; money laundering; and tax evasion.

Police corruption was a problem and was most prevalent among front-line police.

Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

Domestic and international human rights groups generally operated without government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials were generally cooperative and responsive to the views of these groups.

Government Human Rights Bodies: The Office of the Ombudsman was the main independent constitutional institution for promoting and enforcing human rights. It was authorized by law to monitor and report on prisons and detention centers and conduct administrative investigation of complaints from citizens. The Office of the Ombudsman lacked the power to enforce decisions. In response to the ombudsman's recommendations, the GDP established a Directorate of Interinstitutional Coordination and Information to follow up on each ombudsman recommendation concerning prison conditions.

Parliament's Committee on Legal Affairs, Public Administration, and Human Rights reviewed the annual report of the Office of the Ombudsman. The committee was engaged and effective in legislative matters. Parliament failed to elect a new ombudsman, and the election process was stalled. Pending selection of a new ombudsman, the incumbent, whose mandate ended in 2022, remained in place.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape, including spousal rape and the rape of a person, regardless of gender or sexual orientation, was a crime; the law also included provisions on sexual assault. Penalties for rape and sexual assault depended on the age of the survivor. For rape of an adult, the penalty was three to 10 years in prison. The government did not enforce the law effectively. Authorities did not disaggregate data on prosecutions for spousal rape. The concept of spousal rape was not well understood, and authorities did not always consider it a crime. The law did not make specific reference to so-called corrective rape of lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons.

Domestic or intimate partner violence was a crime, with penalties up to three years' imprisonment. The law on domestic violence extended protection to survivors and provided for issuance of protective orders that

automatically covered children as well. The government enforced the law effectively. Police operated an automated application process that allowed for rapid issuance of protective orders.

NGOs reported high levels of gender-based violence, including domestic violence. As of August, 11 women had been reported killed during the year by their partners or family members.

The Ministry of Health and Social Protection reported survivors in 60 cases of domestic violence had received services at the National Reception Center for Domestic Violence as of August.

Other Forms of Gender-based Violence or Harassment: The law prohibited sexual harassment, but officials rarely enforced it. The commissioner for protection from discrimination generally handled cases of sexual harassment and could impose fines.

Discrimination: The law provided the same legal status and rights for women as for men. The law mandating equal pay for equal work was implemented less consistently in the private sector than in public administration. In many communities, women experienced societal discrimination based on traditional social norms subordinating women to men. An antidiscrimination commission study assessed parental identity was discriminatory because only the father's surname was listed on birth registrations and official documents produced from the civil registry.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

While there were no legal barriers for access to contraceptives, which were provided free of charge to insured women, women and girls often did not access services for reasons including the fear of stigma from health-care service providers and members of their community. Some women and girls, particularly those living in remote areas, faced significant problems in accessing essential sexual and reproductive health services. Women from historically marginalized communities, including women with disabilities; LGBTQI+ persons; Roma; and Balkan-Egyptian women, were often unaware of their entitlement to reproductive health services.

The Ministry of Health and Social Protection operated the Lilium Center in Tirana with the support of the UN Development Program to provide integrated services to survivors of sexual violence. The center provided emergency contraception and postexposure prophylaxis as part of clinical management of rape.

Systemic Racial or Ethnic Violence and Discrimination

The government adopted legislation on official minorities in 2017 but had not passed all the regulations needed for its implementation. The law provided official minority status for nine national minorities: Greeks, Macedonians, Aromanians (Vlachs), Roma, Balkan-Egyptians, Montenegrins,

Bosnians, Serbs, and Bulgarians. The law provided for minority-language education and dual official-language use for local administrative units in which minorities traditionally resided or in which a minority group comprised at least 20 percent of the population. The government generally enforced these provisions effectively.

There were allegations of discrimination against Romani and Balkan-Egyptian communities, including in housing, employment, health care, and education. The commissioner for protection from discrimination opened a case into the police response following the violent attack on a Kenyan national working in the country. NGOs filed complaints alleging slow response and limited investigation because of her citizenship, gender, and ethnicity.

Approximately 300 Roma and Balkan-Egyptians found jobs by using employment and vocational training services offered by the government. The Ministry of Education and Sports reduced student fees, offered scholarships, and implemented other programs to boost the number of Romani and Balkan-Egyptian students in schools.

Children

Birth Registration: There were no reports of denial of or discrimination in birth registration, but onerous residency and documentation requirements for registration made it difficult for the many Romani and Balkan-Egyptian

parents who lacked documented places of residence to register their children. The State Agency for Protection and Children's Rights reported parents of children born abroad faced difficulties in registration mainly because they were unaware of or did not understand the online process.

Education: School attendance was mandatory through the ninth grade or until the age of 16, whichever came first, but many children, particularly in rural areas, left school earlier. NGOs Nisma Arsis and World Vision reported Romani and Balkan-Egyptian children were often ostracized in school by classmates and some teachers and were targets of harassment on social media.

The NGO Children Rights Center Albania (CRCA) reported schools lacked protocols to deal with discrimination and bullying targeting LGBTQI+ children, Roma, Balkan-Egyptians, and children with disabilities.

Child Abuse: The law criminalized abuse or neglect against children. The government enforced the law effectively.

World Vision reported domestic violence and violence against children were major problems, largely due to social norms that accepted violence as a form of discipline within the family. NGO Terre des Hommes reported local child protection mechanisms were weak, with frontline workers lacking support, budget, transportation, offices, and professional capacity.

Child, Early, and Forced Marriage: The legal minimum age for marriage was 18; however, the law allowed for younger individuals to marry with parental consent. Authorities did not always enforce the law, and legislation did not prescribe measures to prevent child marriage. NGOs Nisma Arsis and Terre des Hommes noted underage marriages often occurred with Romani and Balkan-Egyptian children, largely due to poverty, exploitation, and marginalization.

Nisma Arsis noted an increase in early marriages, particularly in the northern part of the country, linked to young men emigrating to other countries in Europe, where parents perceived better opportunities for their daughters to lead better lives. The State Agency for the Protection of Children reported forced or early marriage was not a widespread problem, although more common in Romani and Balkan-Egyptian communities.

Sexual Exploitation of Children: The law prohibited the exploitation, sale, grooming, or use of children for commercial exploitation, including child sex trafficking. Penalties for the commercial sexual exploitation of a child ranged from 10 to 20 years' imprisonment. The country had a statutory rape law with the minimum age of 14 for consensual sex. The penalty for statutory rape was five to 15 years in prison. If the offense led to the death of a child victim, the penalty could increase to life imprisonment. The law prohibited making or distributing child pornography, which was punishable by imprisonment for three to 10 years. Possession of child pornography was illegal.

Authorities generally enforced laws against rape and sexual exploitation of children effectively, but NGOs reported the government rarely enforced laws prohibiting child pornography and the online sexual exploitation of children.

Nisma Arsis, UNICEF, and government institutions reported launching several initiatives to address surging rates of online child sexual exploitation.

The Ministry of Health and Social Protection established integrated services to protect child survivors of sexual and other serious abuse at the regional hospitals in Fier and Shkodër, offering specialized medical support, psychological counseling, therapeutic intervention, and referrals to relevant institutions.

Antisemitism

The Jewish population was estimated to be 40-50 persons. There were no reports of antisemitic incidents.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: No laws criminalized consensual same-sex relationships or sexual conduct, cross-dressing, or other sexual or gender-characteristic behavior. The NGO Streha, which provided shelter and other services, and the Alliance Against Discrimination of LGBT reported legislation did not fully cover all potential victims of sexual violence.

Violence and Harassment: Streha reported LGBTQI+ individuals underreported targeted violence to police or the Commission for Protection from Discrimination due to fear of being outed, lack of trust in the institutions, and fear for their own safety. Streha reported a case of police informing hostile family members of a transgender person's whereabouts after the person sought police protection.

Discrimination: The law prohibited discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics, including in employment. The law did not recognize same-sex civil unions or marriages, and the civil registry did not recognize same-sex parenting. Sexual orientation and gender identity were among the classes protected by the country's hate crime law. Enforcement of the law

was generally weak. LGBTQI+ organizations stated the *National Action Plan for LGBTQI+* for 2021-2027 fell short in its implementation.

Societal discrimination against the LGBTQI+ community was common. Incidents of discrimination, however, were underreported to the State Police or Commission for Protection from Discrimination. The Ministry of Health and Social Protection supported Streha by funding the costs of shelter staff salaries. Donors covered other shelter costs, including food, medication, and shelter rent.

LGBTQI+ individuals often faced problems accessing education due to their sexual orientation, gender identity, and sex characteristics.

Streha reported that from 2019 through August, 20 transgender women faced evictions from their landlords because of their gender identity.

Streha and Alliance Against Discrimination of LGBT reported hate speech and discriminatory language targeting the LGBTQI+ community were a problem in media, online, and from politicians.

Availability of Legal Gender Recognition: The law did not account for or regulate gender recognition. Although the antidiscrimination law regulated nondiscrimination in relation to gender identity, sexual orientation, and sex characteristics, it did not guarantee the right to self-determination of gender. The NGO PINK Embassy reported parliamentarians were unwilling to consider legal reforms related to gender recognition.

Involuntary or Coercive Medical or Psychological Practices: The Albanian Order of Psychologists prohibited licensed psychologists from carrying out so-called conversion therapy, stating the practice infringed on individuals' rights, freedoms, and integrity. Civil society organizations recommended legislation to cover not only psychologists but also others who could perform such therapy.

PINK Embassy expressed concerns regarding the familial practice of “corrective rape” in which LGBTQI+ individuals were forced into heterosexual relationships or acts.

Pink Embassy, Aleanca LGBT, and Streha reported surgeries were performed on intersex infants with parental consent, although they did not have statistical data. The Ministry of Health and Social Protection adopted a medical protocol for intersex surgeries in 2020, although no comprehensive legislation on protections for intersex persons existed.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no laws or prohibitions restricting discussing LGBTQI+ issues in media, the ability of LGBTQI+ individuals to assemble in public or private or to form associations, or the ability of LGBTQI+ organizations to legally register or convene events.

Persons with Disabilities

The constitution and laws prohibited discrimination against persons with physical, sensory, intellectual, or mental disabilities. Nevertheless, employers, schools, health-care providers, and providers of other state services at times engaged in discrimination. The law mandated public buildings, education, health services and transportation be accessible to persons with disabilities on an equal basis, but the government only sporadically enforced the statutes. Disability rights groups reported uneven government progress on implementation of the *National Action Plan on Disability 2021-2025*.

Albanian Disabilities Rights Foundation (ADRF) reported legislation was not harmonized with the Convention on the Rights of Persons with Disabilities. Sign language interpretation was recognized but offered sporadically. There was a lack of accessible communication in sign language, audio format, braille, and large-print format in public institutions. According to Child Rights Center Albania, access to public services including schools, universities, hospitals or social care services, roads, and play parks, was very limited because of a lack of ramps or lifts.

World Vision reported a child protection worker in the Durrës local education office helped a child with disabilities return to school after other students' parents protested the child's inclusion. Despite progress, school infrastructure did not fully meet the needs of children with disabilities.

Institutionalized Children: The ADRF reported children with disabilities were placed in residential care centers, despite deinstitutionalization efforts. The Ministry of Health and Social Protection reported 193 children in residential care institutions as of November.

Other Societal Violence or Discrimination

The law prohibited discrimination against and stigmatization of individuals with HIV or AIDS. The Association of People Living with HIV or AIDS reported stigma and discrimination caused individuals to avoid getting tested for HIV, leading to delayed diagnosis and consequently delayed access to care and support. Persons with HIV or AIDS faced employment discrimination and problems with professional reintegration, and children with HIV faced discrimination in school.

The antidiscrimination commissioner received a complaint in June alleging hate speech against the Jehovah's Witnesses community. The case was under review. See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law and related regulations and statutes provided the right for most workers to form independent unions, conduct legal strikes, and bargain collectively. The law prohibited antiunion discrimination and provided for the reinstatement of workers fired for union activity. The government did not effectively enforce the law.

The law prohibited members of the military and senior government officials from joining unions and required trade unions have at least 20 members to be registered. The law provided the right to strike for all workers except indispensable medical and hospital personnel; persons providing air traffic control, prison, water supply, and electricity supply services; and fire brigades. Strike action was prohibited in special cases such as a natural catastrophe, war, and when the freedom of holding or participating in elections was at risk.

The law provided limited protection to domestic and migrant workers. Labor unions were generally weak and politicized. The government did not effectively enforce the law. Civilian workers in all fields had the constitutional right to organize and bargain collectively, and the law established procedures for the protection of workers' rights through

collective bargaining agreements. Unions representing public-sector employees negotiated directly with the government. Effective collective bargaining and enforcement of agreements were difficult because employers often resisted union organizing and activities. The Solidarity Center reported workers often were not confident in the enforcement of the labor code and did not seek remedies for fear of losing employment.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provided for a minimum wage for all sectors, and the national minimum wage was higher than the national poverty threshold.

While the law established a 40-hour workweek, individual or collective agreements typically set the actual workweek. The law allowed employers to mandate additional working hours, but not more than 200 additional hours per year, which could be exceeded in cases of force majeure or emergency work for the benefit of the population with the authorization of State Labor Inspectorate and Social Service (SLISS). The law provided for paid annual holidays, but only employees in the formal labor market had such rights. Many persons in the private sector worked six days a week. The law required rest periods and premium pay for overtime, but employers did not always observe these provisions. According to the Solidarity Center, SLISS violations of wage laws occurred most frequently in the textile, footwear, and hotel and tourism industries.

Solidarity Center reported the law was not universally enforced and wage, hour, and overtime laws were occasionally disregarded in the garment and footwear industry.

Occupational Safety and Health: Occupational safety and health (OSH) standards were generally appropriate for the country's main industries, although enforcement was lacking. The government lacked sufficient proactive identification of unsafe conditions in addition to responding to worker's complaints.

Workers often could not remove themselves from situations that endangered their health or safety without jeopardizing their employment.

According to the Solidarity Center, SLISS violations of OSH standards occurred most frequently in the textile, footwear, manufacturing, construction, and mining industries.

Wage, Hour, and OSH Enforcement: The SLISS and tax authorities were responsible for enforcing the minimum wage and hour laws. Enforcement agencies lacked the tools to enforce collection of fines and consequently rarely charged violators. The number of inspectors was insufficient to enforce compliance. The labor inspectorate visited 5.5 percent of businesses in the country. Inspectors had the authority to make unannounced inspections and initiate sanctions. The government rarely enforced laws related to maximum work hours, limits on overtime, or premium pay for overtime, especially in the private sector. These laws did not apply to migrant workers or workers in the informal sector.

The SLISS was also responsible for OSH standards and regulations, which were not effectively enforced. Resources and inspections were not adequate, and penalties were not commensurate with those of other similar crimes. SLISS reported 61.8 percent of violations recorded were related to labor relations, 37.3 percent for safety and health, and 5.8 percent related to wages. The SLISS imposed administrative measures, suspensions, warnings, and fines in sectors most affected, including apparel, hospitality and tourism, and trade, but such penalties were rarely applied.

The Solidarity Center asserted workers and the public did not trust the government's ability to enforce employment or union rights. The dysfunction and corruption of the judicial system was perceived as a major obstacle to improving workers' access to labor code enforcement.

The estimated size of the informal sector was approximately 30 percent of the total labor force. The government enforced labor laws inconsistently in this sector.