



Albania's Compliance with the Convention against Torture: Women's Rights

**Submitted by The Human Rights in Democracy Centre
and**

The Advocates for Human Rights

**a non-governmental organization in special consultative status with ECOSOC since 1996
for the 83rd Session of the Convention against Torture and Other Cruel Inhuman or
Degrading Treatment or Punishment**

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The Human Rights in Democracy Centre (HRDC) is a non-profit and non-religious organization whose mission is to work for the protection and promotion of fundamental human rights and freedoms in Albania and to raise awareness in the Albanian society on the state of human rights, with a special focus on the most vulnerable groups in society. To that end the Center monitors the implementation of laws and makes recommendations to improve legislation in the field of human rights, with a special focus on gender equality, domestic violence and gender-based violence. The HRDC seeks to prevent domestic violence and offer support services to victims/survivors, and to build the capacity of those institutions responsible for implementing laws, policies and programs that prevent domestic violence and offer support services to victims/survivors.

During the reporting period, the HRDC has made recommendations regarding the implementation and modification of a number of laws including Law No. 9669/2006 "On Measures Against Domestic Violence"; Law No. 10221/2010 "On Protection from Discrimination"; Law No. 111/2017 "On legal aid guaranteed by the state" and Law No. 22/2018 "On Social Housing". The HRDC has recently made recommendations to amend the Decision of the Council of Ministers no. 334/2011 regarding the functioning of the Coordinated Referral Mechanism, to adapt it to the latest amendments to the State legislation against domestic violence and international standards adopted by Albania. Since 2015 the Center has monitored the decisions of the Tirana Judicial District Court in its issuance of Immediate Protection Orders / Protection Orders.

The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence.

EXECUTIVE SUMMARY

1. This report finds that Albania is not in compliance with its obligations under the Convention Against Torture, particularly regarding the treatment of women in detention and incarceration. Despite legal safeguards, law enforcement continues to commit abuses during arrest and detention, including arbitrary arrests, failure to inform people in detention of their rights, and the use of physical ill-treatment.
2. Women face systemic barriers to justice, including limited access to legal representation, lack of timely information about charges, and inadequate investigation of abuse. Poor detention conditions – including overcrowding, unhygienic conditions, and unpaid prison labor – further violate international standards and disproportionately harm women.
3. The report recommends that Albania: (1) ensure prompt access to legal counsel and medical care; (2) improve detention conditions to meet international standards; (3) provide specialized training for law enforcement; and (4) reduce the use of detention.

Albania fails to uphold its obligations under the Convention Against Torture

I. Human rights violations by law enforcement during the moment of arrest of citizens who were exercising their civil liberties (List of Issues, Paragraphs 3, 12).

4. In its 2024 List of Issues, the CAT Committee (“The Committee”) requested information concerning the degree of compliance by law enforcement to adhere and apply legal safeguards during the moment of the arrest of an individual.¹ The Committee also asked the State Party to provide information on the measures taken by the government to educate law enforcement officials on non-coercive investigation techniques as well as informing officials that they will be punished and prosecuted if they perform any act of torture or ill-treatment at any moment during or after the arrest of an individual.
5. In the State Party Report, Albania uses the Criminal Procedure Code (CPC) to illustrate law enforcement’s obligation to immediately provide an individual with a written “bill of rights” within moments of their arrest.² The report also highlights the General Directorate of Prisons efforts to provide law enforcement with basic training on torture concepts as well as the standard procedures of treatment of people recently detained or arrested.³
6. Despite the State’s extensive legal obligations, in practice, widespread legal violations have been observed in the arrest and detention of individuals, especially those participating in

¹ Committee Against Torture, *List of issues in relation to the third periodic report of Albania** (May 31, 2024), U.N. Doc. CAT/C/ALB/Q/3, ¶3.

² Committee Against Torture, *Third periodic report submitted by Albania under article 19 of the Convention, due in 2016*, (Apr. 6, 2022), U.N. Doc. CAT/C/ALB/3, ¶¶ 76, 77, 107, 108, 172, 185.

³ Committee Against Torture, *Third periodic report submitted by Albania under article 19 of the Convention, due in 2016*, (Apr. 6, 2022), U.N. Doc. CAT/C/ALB/3, ¶¶ 172, 185.

protests.⁴ Some of these violations include escorting and arresting individuals without clear justification,⁵ while infringing on the right to liberty⁶ and personal security.⁷

7. According to the amendments to the CPC, Articles 34/a, 34/b, and 38, State police agents are obligated to immediately inform people in detention or incarceration of their rights and provide them with a written copy of their “statement of rights.”⁸ Despite these provisions, many women and girls in detention, mainly those who are not represented by a private lawyer, have claimed that they are not provided with a copy of their bill of rights statement.⁹ As a result, these women and girls often lack information about charges, making it difficult or even impossible to build a case for their defense.
8. Another area of concern for the treatment of people in detention and incarceration is their transfer to different police stations. Authorities may transfer individuals to multiple locations, creating a barrier on how to accurately document a potential abuse while in custody.¹⁰ These transfers also increase the chances of abuse of the transferred person, especially as increasing the number of transfers creates the opportunity to more easily omit documentation of certain transfers.
9. Once the investigation of persons in detention or incarceration begins, law enforcement must follow the Criminal Code’s (CC) rules and standards on the treatment of people in detention and incarceration. Notably, Article 314¹¹ explicitly states that any act of torture performed by law enforcement towards a person in detention or incarceration will not be justified under any circumstance and will require criminal punishment. Although the General Directorate of Prisons has made efforts to properly train law enforcement on best practices towards individuals under investigation,¹² the implementation of such training has been limited and is often insufficient to ensure appropriate and respectful treatment. Despite the HRDC noting a positive trend in the treatment of people in detention and incarceration, instances of physical

⁴ Press Release, Commissioner for Human Rights, Albanian authorities must prevent further police violence and uphold the right to freedom of peaceful assembly, (Dec. 16, 2020). Also available online at <https://www.coe.int/en/web/commissioner/-/albanian-authorities-must-prevent-further-police-violence-and-uphold-the-right-to-freedom-of-peaceful-assembly>

⁵ See <https://balkaninsight.com/2022/03/18/albanian-police-criticised-for-large-scale-arrests-at-protests/>

⁶ United States Department of State, *2021 Country Reports on Human Rights Practices: Albania*, by the Bureau of Democracy Human Rights and Labor (2021), 6, accessed June 5, 2025, https://www.state.gov/wp-content/uploads/2022/02/313615_ALBANIA-2021-HUMA-RIGHTS-REPORT.pdf

⁷ United States Department of State, *2021 Country Reports on Human Rights Practices: Albania*, by the Bureau of Democracy Human Rights and Labor (2021), 6, accessed June 5, 2025, https://www.state.gov/wp-content/uploads/2022/02/313615_ALBANIA-2021-HUMAN-RIGHTS-REPORT.pdf

⁸ Criminal Procedure Code of the Republic of Albania, No. 7905 Art. 34/a, 34/b, and 38, as of Mar. 3, 1995.; See also, <https://legislationline.org/sites/default/files/2023-09/criminal%20code%20of%20albania.pdf>

⁹ Personal communication from Albanian NGO to The Advocates, January 2022, via email (on file with authors). See also, Human Rights in Democracy Centre & The Advocates for Human Rights, *Shadow Report on Albania’s Compliance with and Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*, (Sept. 2023), ¶ 73, <https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf>

¹⁰ Information in file with authors (2024).

¹¹ Criminal Code of the Republic of Albania, No. 7895 Art. 314, as of Jan. 27, 1995.; See also: https://adsdatabase.ohchr.org/IssueLibrary/ALBANIA_Criminal%20Code.pdf

¹² Information in file with authors (2024).

ill-treatment by police officers during arrest or questioning continue to be reported.¹³ Allegations include excessive use of force, slaps, punches, and kicks. In some cases, persons in detention and incarceration have been handcuffed to beds for extended periods,¹⁴ which may constitute inhuman and degrading treatment.

II. Poor conditions and weak provision of services for women in detention and incarceration in Albania (List of Issues, Paragraphs 13, 15, 16, 17, & 18)

10. The Committee, in its 2024 List of Issues, requested information on any efforts made to improve sanitary, health, and safety conditions in prisons throughout the country.
11. In its State Party Report, Albania listed the legislative obligations that law enforcement must follow to create a safe environment that respects the human dignity of people in detention and incarceration.¹⁵ In response to these obligations, the government highlighted the reforms to the penitentiary system, which included a series of training for security personnel on the rights of prisoners, best practices to prevent violence, health and first aid, and the management of special needs.¹⁶
12. Albania's detention population is approximately 30% above the European average,¹⁷ leading to the overcrowding of pre-trial detention centers and prisons. The HRDC conducted a monitoring session to analyze the overcrowding phenomenon and discovered that overcrowding occurs due to an increase in arrests and detentions of individuals perceived to have broken the law. These prisons already have limited capacities, so as prisons become more populated, performance issues within the justice system will increase, while provisions of fundamental services decrease.¹⁸ Impacts may include individuals experiencing delays in gathering evidence for their defense, which would prolong their stay in custody. Unforeseen transportation issues on the day of their detention hearing,¹⁹ which would also extend their time in custody, is a potential impact.

¹³ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) & the Council of Europe, *Report to the Albanian Government on the visit to Albania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 to 30 November 2018* (2019), 4, accessed June 3, 2025, <https://rm.coe.int/168097986b>.

¹⁴ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) & the Council of Europe, *Report to the Albanian Government on the visit to Albania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 to 30 November 2018* (2019), 5, accessed June 3, 2025, <https://rm.coe.int/168097986b>.

¹⁵ Committee Against Torture, *Third periodic report submitted by Albania under article 19 of the Convention, due in 2016*, (Apr. 6, 2022), U.N. Doc. CAT/C/ALB/3, ¶¶ 73, 75, 78, 81.

¹⁶ Committee Against Torture, *Third periodic report submitted by Albania under article 19 of the Convention in 2016*, (Apr. 6, 2022), U.N. Doc. CAT/C/ALB/3, ¶¶ 172, 177-186.

¹⁷ VOA- *The high level of the detention population in Albania is worrying, 30% above the European average*, Hashtag.al, Feb. 7, 2024, <https://www.hashtag.al/en/index.php/2024/02/07/voa-shqetesues-niveli-i-larte-i-popullsise-se-paraburgimit-ne-shqiperi-30-mbi-mesataren-europiane/>

¹⁸ DIGNITY – Danish Institute Against Torture. *Conditions for Women in Detention in Albania: Needs, Vulnerabilities and Good Practices*. by Jo Baker and DIGNITY (2015), 35, 45, 54–55, accessed June 5, 2025, <https://dignity.dk/wp-content/uploads/publication-series-10.pdf>.

¹⁹ Human Rights in Democracy Centre & The Advocates for Human Rights, *Shadow Report on Albania's Compliance with and Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*, (September 2023), ¶ 75, <https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf>

13. In addition to the increasing overcrowding issue, several violations of the rights of persons in detention and incarceration have been documented over the past two years throughout Albania. Many police stations, such as those in Tirana and Prison 325 (formerly in Tirana, now relocated to Pojskë, Pogradec), are characterized by overcrowding, inadequate lighting, poor ventilation, restricted access to health care, and a lack of basic hygiene facilities.²⁰ For example, in some prisons, persons in detention or incarceration are often forced to sleep on mattresses placed on dirty floors.²¹ Other prisons reportedly have no heating available during the winter months.²²
14. Another issue within prisons is the non-payment or low compensation of labor performed by women and girls in detention or prison facilities. In the monitoring session, HRDC discovered that these women and girls only receive a reduction of their sentence, respectively, 3.9 days per month, in exchange for their work.²³ These women and girls also do not receive monetary reward, which means that their working hours cannot be included in existing pension schemes²⁴ offered by the State, as they do not earn any money. As a result, these women will not accumulate any benefits towards their retirement during these years of work, which is also an act of discrimination under Article 9 of the Labor Code of the Republic of Albania.²⁵
15. Individuals in prison experience significant obstacles to accessing healthcare and medication. According to reports, when a prison physician identifies a medical issue, they typically issue a prescription to the pharmacy²⁶ but fail to administer immediate medication or provide

²⁰ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) & Council of Europe, *Report to the Albanian government on the periodic visit to Albania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 to 30 November, 2018* (Sept. 2019), 20–21, accessed June 5, 2025, <https://rm.coe.int/168097986b?>

²¹ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), *Report to the Albanian Government on the visit to Albania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 2 to 9 February 2017* (May 2018), 20, accessed June 4, 2025, <https://www.refworld.org/reference/countryrep/coecpt/2018/en/120794>

²² Amnesty International, *Albania: inhuman and degrading detention conditions in police stations - steps towards reform* (2021), 6, 15, 18, 20, accessed June 4, 2025, <https://www.amnesty.org/en/wp-content/uploads/2021/09/eur110012004en.pdf>

²³ Information in file with the report authors (2023). See also, Human Rights in Democracy Centre & The Advocates for Human Rights, *Shadow Report on Albania's Compliance with and Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*, (September 2023), ¶ 76, <https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf>

²⁴ Information in file with the report authors (2023). See also, Human Rights in Democracy Centre & The Advocates for Human Rights, *Shadow Report on Albania's Compliance with and Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*, (September 2023), ¶ 76, <https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf>

²⁵ Labor Code, Article 9.1 and 9.2: "1. Any kind of discrimination in the field of employment or profession is prohibited, as provided in this Code and in the special legislation on protection from discrimination. 2. "Discrimination" means any differences, exclusions, restrictions or preferences based on gender, race, color, ethnicity, language, gender identity, sexual orientation, political, religious and philosophical beliefs, economic, educational or social situation, pregnancy, parental affiliation, parental responsibility, age, family situation or marriage status, civil status, place of residence, health condition, genetic predispositions, disability, living with HIV/AIDS, joining or affiliation with trade union organization, affiliation with a special group or any other cause, aiming at or a consequence to obstruct or make impossible to practice the right for employment and profession, in the same way as others."

²⁶ CPD. Decision no 113, dated 22 June 2016; Decision no 34, dated 26 May 2017; Decision no 140, dated on 9 December 2017.; See also, Human Rights in Democracy Centre & The Advocates for Human Rights, *Shadow Report on Albania's Compliance with and Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*, (September 2023), ¶ 78, <https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf>

substantive treatment at the time of diagnosis. Furthermore, prescribed medications are not guaranteed as they must be collected outside the prison grounds. Therefore, people in prison must depend on a family member to first collect the medication at the pharmacy and then bring it to them within the designated hours established by the prison.²⁷ Although many people in prison will ultimately receive their medications, the process may cause an undue delay in treatment. Moreover, this process can also exclude people in prison who cannot ask or do not have family members to help them obtain their necessary medication.

16. The lack of specialized medical staff within prisons is another significant issue,²⁸ especially when there are vulnerable individuals with mental health issues, or intellectual or psychosocial disabilities. Children, as a vulnerable category, should be offered special protections, such as access to psychosocial support. In some prisons, access to psychiatric services is limited, with psychiatrists available only a few hours per week.²⁹ Without specialists available to ensure these vulnerable individuals access treatment with special care, it becomes more likely for these individuals to experience targeted violations of their health. In some cases, vulnerable individuals have been subjected to targeted ill-treatment by being confined to their cells for extended periods without adequate therapeutic or professional support.³⁰
17. Women deprived of their liberty are often vulnerable to discrimination and ill-treatment. Based on monitoring sessions held by HRDC, many women in detention and incarceration report that they have insufficient information about their rights and legal procedures.³¹ This lack of information makes it challenging for individuals to effectively protect themselves when experiencing unfair treatment.³² HRDC monitoring session also revealed a significant gap in programs aimed at rehabilitating and reintegrating females in detention and prison.³³ Without access to education and vocational training, women are less likely to successfully reintegrate into society upon release, increasing the risk of recidivism and re-incarceration.³⁴

²⁷ Information in file with the report authors (2023). See also, Human Rights in Democracy Centre & The Advocates for Human Rights, *Shadow Report on Albania's Compliance with and Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*, (September 2023), ¶ 78, <https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf>

²⁸ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), *Report to the Albanian government on the periodic visit to Albania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 4 to 15 May 2023*, (Jan. 2024), 25, accessed June 5, 2025, <https://www.ecoi.net/en/file/local/2107450/2024-01-inf-en.docx.pdf>

²⁹ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), *Report to the Albanian government on the periodic visit to Albania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 4 to 15 May 2023*, (Jan. 2024), 26, accessed June 5, 2025, <https://www.ecoi.net/en/file/local/2107450/2024-01-inf-en.docx.pdf>

³⁰ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), *Report to the Albanian government on the periodic visit to Albania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 4 to 15 of May 2023* (Oct. 2024), 34, accessed June 5, 2025, <https://www.ecoi.net/en/file/local/2107450/2024-01-inf-en.docx.pdf>

³¹ Information in file with authors (2024).

³² Information in file with authors (2024).

³³ Information in file with authors (2024).

³⁴ Brookings & AIE Working Group on Criminal Justice Reform, *A better path forward for criminal justice – Chapter 6: Training and Employment for Correctional Populations*, by Grant Duwe & Makada Henry-Nickie (Apr. 2021), <https://www.brookings.edu/articles/a-better-path-forward-for-criminal-justice-training-and-employment-for-correctional-populations/>

III. Limitations and obstacles for access to justice and legal support for women in Albania detention system (List of Issues, Paragraphs 1, 4, 13, & 27).

18. In its 2024 List of Issues, the Committee emphasized its request to the government to provide information on the measures taken to ensure prompt, independent, and impartial investigations of cases. Along those lines, the Committee also requested information on measures taken by the State to reduce discrimination against individuals based on their gender identity or ethnicity.
19. In its State Party Report, Albania references how the CPC and the 2017 amendments to the CPC provide rules on how criminal prosecution, investigation, and judgement of criminal acts should be exercised to ensure fair, equal, and regular proceedings.³⁵ Furthermore, Albania references Law No. 11/2017, “on legal aid guaranteed by the state,” as a measure taken to create a more victim-centered, gender-sensitive justice system.³⁶
20. Regarding the right to a prompt investigation, the HRDC has identified several problems in upholding CCP Article 324³⁷ by law enforcement and judicial workers. In many cases involving female persons in detention and incarceration, their cases are often not sent over to the court within three months of the date of their detention/arrest.³⁸ Prosecutors also rarely notify female persons in detention and incarceration about the preliminary investigation was extended or even terminated.³⁹ As a result, most women and those in detention remain confused about the progress and the next steps of their case.
21. During the investigation stage, females in detention and incarceration frequently face delays in accessing legal representation, and individuals have often been questioned without the presence of a lawyer.⁴⁰ Based on the complaints analyzed during the HRDC monitoring sessions, when women in detention or incarceration have access to a state attorney, they typically report having minimal contact with their attorney.⁴¹ In many cases, women and girls claim that they only met with their state-appointed attorney once before their court date at the detention premises.⁴² In other cases, a preliminary meeting was never held, and the person in

³⁵ Committee Against Torture, *Third periodic report submitted by Albania under article 19 of the Convention, due in 2016*, (Apr. 6, 2022), U.N. Doc. CAT/C/ALB/3, ¶¶ 20, 21.

³⁶ Committee Against Torture, *Third periodic report submitted by Albania under article 19 of the Convention, due in 2016*, (Apr. 6, 2022), U.N. Doc. CAT/C/ALB/3, ¶¶ 121, 122.

³⁷ Criminal Procedure Code of the Republic of Albania, No. 7905 Art. 324, as of Mar. 3, 1995.; See also, <https://legislationline.org/sites/default/files/2023-09/criminal%20code%20of%20albania.pdf>

³⁸ United States Department of State, *2023 Country Reports on Human Rights Practices: Albania* (2023), 6, accessed June 2, 2025, <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/albania/>

³⁹ Personal communication from Albanian NGO to The Advocates, January 2022, via email (on file with authors). See also, Human Rights in Democracy Centre & The Advocates for Human Rights, *Shadow Report on Albania's Compliance with and Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*, (September 2023), ¶ 71, <https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf>

⁴⁰ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) & The Council of Europe, *Report to the Albanian Government on the visit to Albania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 to 30 November 2018*, (2019), 4, 18., accessed June 4, 2025, <https://rm.coe.int/168097986b>

⁴¹ Information in file with authors (2024).

⁴² United States Department of State, *2023 Country Reports on Human Rights Practices: Albania*, (2023), accessed June 3, 2025, See paragraph on pre-trial detention. Mention of lawyer non-appearance but not specific to state lawyers not appearing, <https://www.state.gov/reports/2023-country-reports-on-human-rights->

detention only met their attorney during their court appearance,⁴³ or the attorney failed to appear in court.⁴⁴ In all of these cases, the failure of the appointed lawyer to dedicate sufficient time to their client means that the necessary interactions to establish trust with the person in detention will not occur. As a result, individuals experience challenges in accessing a substantive defense or due process.

22. Concerning the right to a fair and equal process, most women and girls in the criminal legal system report facing systemic disadvantages that undermine their case even before they appear before a judge. For example, a majority of women and girls in detention and incarceration claim they were not aware or familiar with the evidence that the accusing party presented against them.⁴⁵ Defendants' lack of awareness of the evidence that the prosecution has gathered against them undermines their ability to exercise their right to defense in a timely manner.
23. Another systemic disadvantage that women experience frequently is law enforcement's failure to document women's physical injuries.⁴⁶ During HRDC monitoring sessions, the organization analyzed complaints filed regarding the excessive use of force by police officers during arrests. According to people in detention, their complaints were not assessed by the responsible authorities, who did not proceed with further investigation into the incident. In other cases, when medical examinations are conducted, they often only do superficial inspections, which also provides an inadequate report of an individual's injuries.⁴⁷ The failure to report and inspect these injuries is not only a breach of the international protections against torture and inhuman or degrading treatment,⁴⁸ but also negatively impacts the case of women and girls in detention or incarceration.
24. Based on the complaints filed by the females in detention or incarceration, many women have witnessed the publication of false and denigrating information after their arrest.⁴⁹ In these publications, the media often uses discriminatory and gender-stereotyped language when

[practices/albania/#:~:text=Pretrial%20Detention:%20The%20ombudsman%20reported,cases%20in%20a%20timely%20fashion.](https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf)

⁴³ Personal communication from Albanian NGO to The Advocates, January 2022, via email (on file with authors). See also, Human Rights in Democracy Centre & The Advocates for Human Rights, *Shadow Report on Albania's Compliance with and Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*, (September 2023), ¶ 71,

<https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf>

⁴⁴ Personal communication from Albanian NGO to The Advocates, January 2022, via email (on file with authors). See also, Human Rights in Democracy Centre & The Advocates for Human Rights, *Shadow Report on Albania's Compliance with and Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*, (September 2023), ¶ 71,

<https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf>

⁴⁵ Personal communication from Albanian NGO to The Advocates, January 2022, via email (on file with authors). See also, Human Rights in Democracy Centre & The Advocates for Human Rights, *Shadow Report on Albania's Compliance with and Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*, (September 2023), ¶ 72,

<https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf>

⁴⁶ Information in file with authors (2024).

⁴⁷ CPD. Decision no 113, dated 22 June 2016; Decision no 34, dated 26 May 2017; Decision no 140, dated on 9 December 2017. See also, Human Rights in Democracy Centre & The Advocates for Human Rights, *Shadow Report on Albania's Compliance with and Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*, (September 2023), ¶ 78,

<https://www.theadvocatesforhumanrights.org/Res/HRDC%20AHR%20Albania%20CEDAW%20Final.pdf>

⁴⁸ Council of Europe, European Convention on Human Rights, 1950, Art. 3.

⁴⁹ Information in file with authors (2024).

referring to women and girls,⁵⁰ which can lead to further victimization and stigmatization of women in conflict with the law. It is also worth noting how these publications are routinely published without the consent of the individual in detention or incarceration, violating their right to privacy.⁵¹ Furthermore, these publications release sensitive data related to their private lives, which has not only affected their emotional state, but also has had a very negative impact on their family members.⁵²

IV. Suggested recommendations for the Government of Albania

25. We respectfully suggest that the CAT Committee provide the following recommendations to the Government of Albania:

- Ensure that all individuals, especially women, can exercise their rights to freedom of expression, peaceful assembly, and association without interference. We also urge the State party:
 - (a) To prohibit and punish the arbitrary and extrajudicial arrest or detention of human rights defenders and political dissenters, as well as the use of other means of dissuading and discouraging them from exercising their right to dissent
- Develop accountability mechanisms that ensure compliance of human rights standards by the security sector actors
 - Introduce accountability mechanisms that ensure law enforcement officials inform individuals of their rights and provide them with a copy of their bill of rights statement at the time of arrest.
 - Sanction law enforcement and security officials who conduct acts of torture, ill-treatment, intimidation, and harassment that violate the rights of people in detention and incarceration.
- Reduce the number of transfers of persons in detention or incarceration to different facilities and establish accountability mechanisms that ensure accurate chronological documentation of each transfer location to which the individual is sent.
- Undertake measures to record all violent incidents and injuries in detention prison facilities and ensure that such cases are immediately brought to the attention of relevant authorities ex officio for further investigation and independent forensic examination
- Provide training to law enforcement and security officials on human rights training and best practices in the treatment of people in detention and incarceration, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules) and United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), and the consequences of violating the rights of those in their custody.

⁵⁰ Iris Luarasi, “Quantifying Sexism and Hate Speech: A Comprehensive Analysis of Albanian Online Media,” *Journal of Educational and Social Research*, Nov. 5, 2023, 119-130; Valbona Bezati, *Women in Albanian Media: From Secondary Victimization to ‘Slut-Shaming,’* Balkan Insight, May 27, 2022, <https://balkaninsight.com/2022/05/27/women-in-albanian-media-from-secondary-victimisation-to-slut-shaming/>

⁵¹ Information in file with authors (2024).

⁵² Information in file with authors (2024).

- Develop mandatory initial and in-service training for all public officials, in particular law enforcement officers and prison staff, on the rights of persons with disabilities.
- Improve the conditions in detention facilities where individuals and especially women are deprived of liberty, in accordance with international standards and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).
- Undertake measures to address overcrowding in prisons, guarantee separate accommodation for different categories of persons in detention or incarceration, and ensure the provision of adequate health services, including menstrual hygiene, to women in detention.
- Take measures to reduce the number of women in detention, including through targeted prevention programs aimed at addressing the causes of women being in conflict with the law
- Establish fair wages and benefits for female labor in prisons and detention facilities and ensure that these hours worked will be reflected in their state pension.
- Undertake measures to ensure access to healthcare in prisons and detention facilities ensure that there are sufficient suitable medical personnel, including psychological and psychiatric support, in addition:
 - Improve prescription procedures and medicine supplies to ensure that patients receive their medication from the medical providers inside the facilities in a timely manner.
 - Provide gender and age-specific care to people in prison and detention facilities, especially those individuals with mental health issues and those with intellectual and/or psychosocial disabilities.
- Guarantee that preliminary investigation of criminal cases will be completed within the mandated three-month window and ensure that defendants are promptly informed of the updates regarding their case.
- Develop a comprehensive, adequately funded legal aid scheme for women to ensure free legal aid without sufficient means and ensure that women in pretrial detention receive adequate legal assistance and access to justice in line with the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems
- Improve parties' accessibility to court system evidence sharing platforms and review rules of evidence and implementation to include transparent, confidential, and gender-responsive court procedures to avoid stigmatization and secondary revictimization of survivors of gender-based violence against women.
- Provide systematic capacity-building for judges, prosecutors, and lawyers on gender equality and gender-responsive court procedures and establish an accountability mechanism to address judicial gender bias and stereotypes. Implementing measures to address overcrowding and ensure that detention is used as a last resort

- Establish gender-responsive procedures and protocols to ensure an appropriate assessment of women's testimonies and evidence, both as parties and witnesses in legal proceedings by judicial and non-judicial actors.
- Establish mechanisms that monitor the comprehensive medical examination of females recently detained and ensure that a thorough report of these examinations is provided in a timely manner to the prosecuting party.
- Undertake immediate legislative and regulatory measures to condemn, monitor and ensure accountability for gender-biased and stigmatizing language in mainstream media and social media, as well as provide awareness-raising initiatives target to media and general public.
- Establish regulations that sanction the publication of sensitive personal information about women in detention and incarceration without their written consent.
- Adopt legal and institutional safeguards to protect women in detention and incarceration from publications that aim to defame and stigmatize them; establish measures that ensure impartiality by judicial authorities, especially discouraging them from basing their decision on these publications.