

# Albania - Human Rights Scorecard <sup>1</sup>

Situated on Southeastern Europe's Balkan Peninsula, Albania is a small country spanning over 28,748 square kilometers, bordering the Mediterranean and Adriatic seas. Following the collapse of the Ottoman empire, the country declared independence in 1912. As a democratic and developing country, Albania has an upper-middle income economy, provides free primary and secondary education, as well as health care to its citizens. Albania is an official candidate for membership in the European Union.

**Official language:** Albanian

**Ethnic groups:** 82.6% Albanians, 0.9% Greeks, 16.5% other ethnicities (Montenegrins, Macedonians, etc.)

**Government:** Unitary parliamentary constitutional republic

- President: Bujar Nishani
- Prime Minister: Edi Rama

**Death penalty:** Abolished, but retained for treason and military offences

**Population:** 2,876,591

**Life expectancy:** 78.3 years

**Under-5 mortality:** 17 per 1000

**Adult literacy:** 97.6%



## Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

### Human Development (UNDP Human Development Index (HDI)) <sup>2</sup>



**0.764 – High Human Development** <sup>3</sup>

According to the UNDP, Albanians enjoyed a gross national income per capita of \$10,252 and could expect to have on average 14.2 years of schooling. Compared to other countries with comparable gross national income per capita, this is a high HDI.

## Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



**Respected** <sup>4</sup>

In 2016, there were no reports that the government had committed arbitrary or unlawful killings.

### Freedom from disappearance



**Respected** <sup>5</sup>

There are no reports of political disappearances in Albania.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



**Partially respected** <sup>6</sup>

Even though national laws prohibit such actions, numerous complaints were submitted, alleging physical or psychological abuse. Officials have yet to forward such complaints to prosecutors.

### Freedom from arbitrary arrest or detention



**Respected** <sup>7</sup>

The government generally respects its laws and constitution, which prohibit arbitrary arrest or detention.

### Freedom from denial of fair public trial



#### Partially respected<sup>8</sup>

Although an independent judiciary is provided for in the national constitution, corruption, intimidation and political pressure have often limited such independence. For example, court hearings are often not open to the public and there is disregard for court orders.

### Freedom from arbitrary interference with privacy, family, home or correspondence



#### Largely disrespected<sup>9</sup>

As a part of a widespread campaign, the government has been demolishing buildings which they deem to be “illegally constructed,” with little warning and no legal recourse for adequate compensation, despite legal documentation of ownership.

## Section 3: Respect for Civil Liberties

*Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.*

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>10</sup>



#### Score: 29.92, Rank: 82 / 179 – Partially free, diverse and independent<sup>11</sup>

Although defamation is punishable by fines rather than imprisonment, better implementation of laws guaranteeing freedom of expression is needed. Access to state-held information continues to be limited.

### Freedom from academic censorship



#### Respected<sup>12</sup>

There were no reports of any constraints on academic freedom.

### Freedom of peaceful assembly and association



#### Respected<sup>13</sup>

The national constitution and legislation provide for such liberties and the government generally respects such laws.

### Freedom of religion



#### Partially respected<sup>14</sup>

Although, following the constitution, the state is required to be neutral in matters of religion, religious groups have claimed little progress on the restitution of property seized during the communist era.

### Freedom of movement



#### Partially respected<sup>15</sup>

Albania’s constitution allows freedom of movement. However, in order to receive government services for movement within the country, individuals must prove the legality of their new domicile – resulting in lack of access to public services for many.

### Protection of refugees and stateless persons



#### Partially respected<sup>16</sup>

The government has established a system and laws that grant asylum and refugee status, but still lacks efficient implementation of such due processes. In addition, holding facilities are often inadequate.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>17 18</sup>



#### 3 / 7 – Partly free<sup>19</sup>

Civil liberties are in general respected, as they are included in the constitution and provided for in legislation. However, these liberties are known to be denied from time to time.

## Section 4: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>20</sup>



**3 / 7 – Partly free**<sup>21</sup>

Despite claiming to be a democracy, Albania's elections in 2005 only partially complied with international standards. Additionally, minorities are poorly represented and participate minimally in public life.

## Section 5: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>22</sup>



**Score: 39%, Rank: 83 / 175 – Very limited corruption**<sup>23</sup>

Although corruption is a serious and ongoing problem in Albania, recent amendments to the constitution restrict the immunity of high-level officials. It remains to be seen whether anti-corruption measures will work.

## Section 6: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



**Respected**<sup>24</sup>

The Albanian government rarely restricts international human rights groups to investigate and publish their findings about Albanian cases. The Albanian government was cooperative and responsive to critics.

## Section 7: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

### Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)<sup>25</sup>



**No threat listed – Limited dangers to minorities**<sup>26</sup>

According to Minorities Rights Group International, Albania does not have any minorities which face an immediate threat of violence.

### Rights of women (*World Economic Forum Gender Gap Index*)<sup>27</sup>



**Score: 70.4%, Rank: 62 / 144 – Somewhat unequal rights**<sup>28</sup>

Since the end of the communist era in Albania, women have lost a lot of their representation in politics. Many have been forced to take on the traditional roles of mother and housekeeper – society is still highly patriarchal and traditional.

### Rights of Children (*KidsRights Index Overall Score*)<sup>29</sup>



**Score: 74.7%, Rank: 74 / 165 – Somewhat protected**<sup>30</sup>

Many children enjoy the advantages of economic growth, including access to educational, medical and recreational facilities. Too many, however, are denied such essentials due to economic disparities, gender inequality, and differences between rural and urban areas.

### Rights of persons with disabilities



**Partially respected**<sup>31</sup>

Although the constitution and Albanian laws prohibit discrimination, widespread poverty, unregulated working conditions, and poor medical care pose significant problems for many persons with disabilities.

### Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



#### Partially respected<sup>32</sup>

The law grants official minority status to both national and ethnolinguistic groups, but human rights NGOs criticize the lack of legal protection against eviction or demolition of ethnic group's property.

### Freedom from abuse and discrimination based on sexual orientation or gender identity



#### Partially respected<sup>33 34</sup>

Although the law prohibits discrimination based on sexual orientation, LGBTI organizations have complained that the enforcement of the law was weak. Homophobic attitudes and sentiments persist in public and private life.

## Section 8: Workers' Rights

*Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

### Rights to freedom of association and to collective bargaining



#### Partially respected<sup>35</sup>

Although the law allows for a range of independent union organization, the law is not effectively enforced.

### Freedom from forced or compulsory labour



#### Partially respected<sup>36</sup>

Even though the law already prohibits all forms of forced or compulsory labour, children have been forced to beg or to undergo criminal activity.

### Freedom from forced labour for children, and a minimum age of employment



#### Partially respected<sup>37</sup>

Although all children under the age of 18 may only work in jobs categorized as "light", the government estimated that 54,000 children were engaged in forced labor in their homes in 2013. Nearly 7% of children were child laborers.

### Right to acceptable conditions of work



#### Partially respected<sup>38</sup>

Although Albania has a minimum wage as well as paid annual holidays and other standards, violations committed by employers are frequent. Workers often cannot protect themselves, and remain silent, in fear of jeopardizing their employment.

### Right to employment



#### 16.1% - Extreme unemployment<sup>39</sup>

One of the most important factors explaining the high unemployment rate is the low-level wages that pushes people to look for other jobs.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed June 1, 2017 <http://hdr.undp.org/en/composite/HDI>

<sup>3</sup> "Table 1: Human Development Index and its components, Albania" UNDP, based on 2015 or the most recent year available. Accessed June 1, 2017. <http://hdr.undp.org/en/composite/HDI>

<sup>4</sup> "ALBANIA 2016 HUMAN RIGHTS REPORT." U.S Department of State. 2016. Accessed June 1, 2017. <https://www.state.gov/documents/organization/265600.pdf>.

<sup>5</sup> Ibid. U.S Department of State. For purposes of the present analysis, a “disappearance” is different than simple arbitrary detention because a “disappearance” is considered permanent.

<sup>6</sup> Ibid. U.S Department of State.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> Ibid. U.S Department of State.

<sup>10</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

<sup>11</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2014. Accessed June 1, 2017. <http://rsf.org/index2014/en-index2014.php>.

<sup>12</sup> "ALBANIA 2016 HUMAN RIGHTS REPORT." U.S Department of State. 2016. Accessed June 1, 2017. <https://www.state.gov/documents/organization/265600.pdf>.

<sup>13</sup> Ibid. U.S. Department of State.

<sup>14</sup> Ibid. U.S. Department of State.

<sup>15</sup> Ibid. U.S. Department of State.

<sup>16</sup> Ibid. U.S. Department of State.

<sup>17</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>18</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed June 1, 2017.

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#VldwWzHF98F>

<sup>19</sup> "Albania." Freedom in the World 2016: Albania. Accessed June 1, 2017 <https://freedomhouse.org/report/freedom-world/freedom-world-2016>.

<sup>20</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#VldwWzHF98F>

<sup>21</sup> "Albania." Freedom in the World 2016: Albania. Accessed June 1, 2017 <https://freedomhouse.org/report/freedom-world/freedom-world-2016>.

<sup>22</sup> Transparency International (TI) publishes a “Corruption Perceptions Index” annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>23</sup> "Albania: Overview of political corruption." March 20, 2014. Accessed June 1, 2017.

[https://www.transparency.org/whatwedo/answer/albania\\_overview\\_of\\_political\\_corruption](https://www.transparency.org/whatwedo/answer/albania_overview_of_political_corruption).

<sup>24</sup> "ALBANIA 2016 HUMAN RIGHTS REPORT." U.S Department of State. 2016. Accessed June 1, 2017. <https://www.state.gov/documents/organization/265600.pdf>.

<sup>25</sup> The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed June 1, 2017 <http://peoplesunderthreat.org/>.

<sup>26</sup> "Albania." Peoples under Threat, Minority Rights Group International. 2015, or most recent data. Accessed June 1, 2017. <http://peoplesunderthreat.org/>.

<sup>27</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>28</sup> "Albania." World Economic Forum. January 1, 2014. Accessed June 1, 2017. [http://www3.weforum.org/docs/GGGR16/WEF\\_Global\\_Gender\\_Gap\\_Report\\_2016.pdf](http://www3.weforum.org/docs/GGGR16/WEF_Global_Gender_Gap_Report_2016.pdf)

<sup>29</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>30</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed June 1, 2017. <http://www.kidsrightsindex.org/>

<sup>31</sup> "ALBANIA 2016 HUMAN RIGHTS REPORT." U.S Department of State. 2016. Accessed June 1, 2017. <https://www.state.gov/documents/organization/265600.pdf>.

<sup>32</sup> Ibid. U.S Department of State.

<sup>33</sup> Ibid. U.S Department of State.

<sup>34</sup> Ibid. U.S Department of State.

<sup>35</sup> Ibid. U.S Department of State.

<sup>36</sup> Ibid. U.S Department of State.

<sup>37</sup> Ibid. U.S Department of State.

<sup>38</sup> Ibid. U.S Department of State.

<sup>39</sup> "Global Employment Trends." International Labour Organization. January 1, 2013. Accessed June 1, 2017. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).