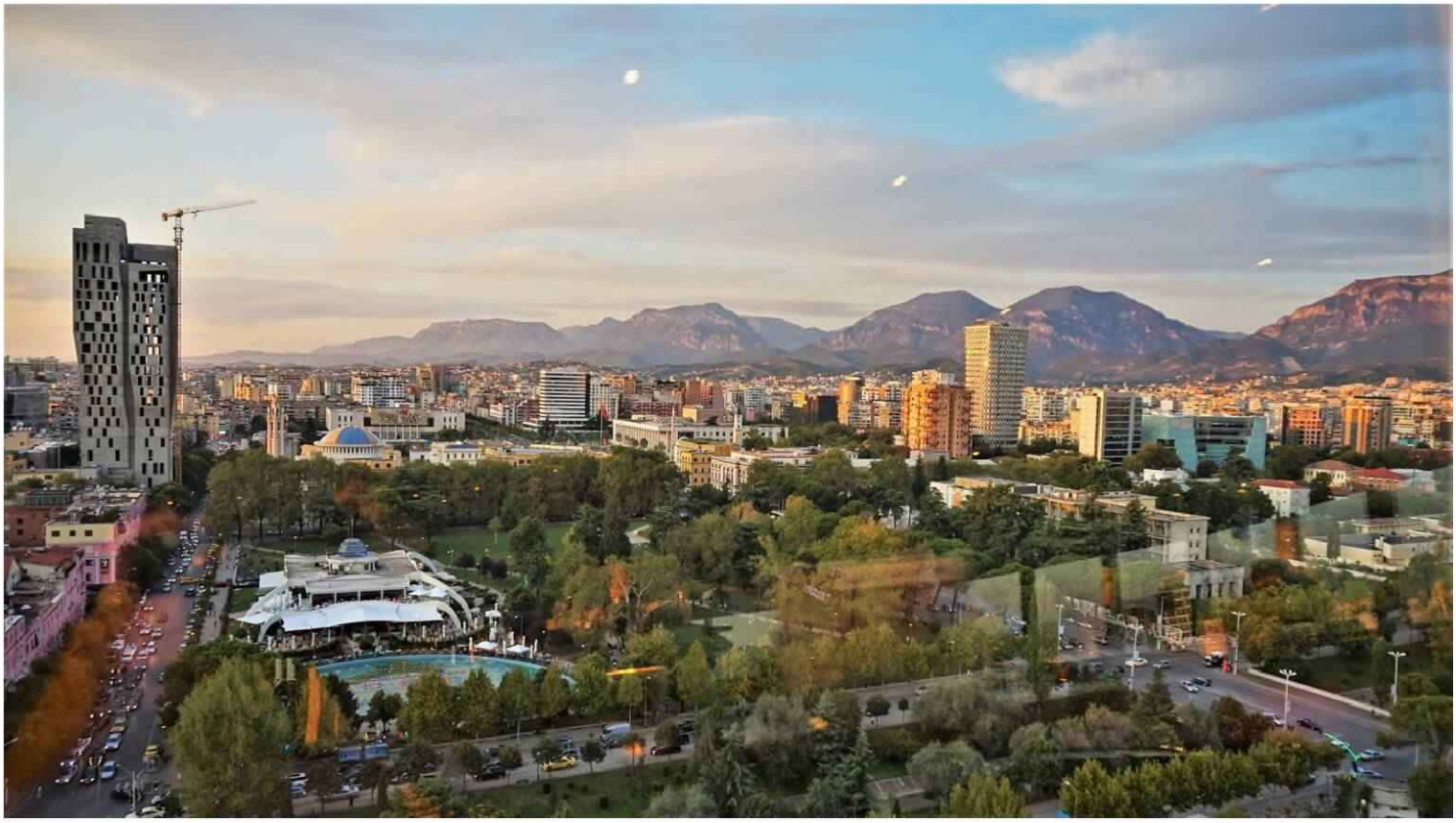
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Spotlight firmly fixed on Albania's judicial system

Martin Banks

Last Updated: 1 April 2026 6:01 Pm



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The country has been widely lauded and highly praised by the EU and others for the speed and efficiency with which it has, so far, closed negotiating "chapters" and also the progress it has made on implementing reforms deemed necessary to join the EU club.

Indeed, Albania has been hailed as a frontrunner among the several Balkans nations lined up for possible EU membership.

But the country also continues to have one of the highest rates of pre-trial detention (PTD) in Europe. As of November 2025 its prison population stood at 4,578 with 58 pc in PTD. Its rate of 94.6 detainees per 100,000 inhabitants is 4 to 5 higher than the EU average. This contributes to overcrowding in many detention centres and underscores the need to reduce its reliance on this controversial measure.

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Speaking to this site, the MEP said, "The case of Erin Veliaj proves as Albania has still to make major progress towards an effectively working judicial system with impartiality and well working legal defence. While Veliaj was lately given access to his case evidence file, it already constitutes a breach in the country's judicial system, with elements of pressure and use (by) the special services," added the deputy, a member of Renew Europe, one of the mainstream political groupings in the EU parliament and a member of its foreign affairs committee.

Veliaj has been in pre-trial detention since his 2025 arrest on alleged corruption charges, which he resolutely denies, which were issued by the Special Agency against Corruption and Organised Crime (SPAK).

His advocates claim he is being detained for political reasons and are calling for Albania's government to "respect the rule of law."

Despite being held since February of last year the three-time mayor was only recently allowed access to thousands of court papers which, he says, are vital to his defence.

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He goes on, “Human Rights Without Frontiers International recommends that the European Parliament sends a delegation of observers and has a dialogue with the various parties. The Council of Europe also needs to be invited to monitor the progress, or lack of it, of Albania’s justice system.”

He added, “Human Rights Without Frontiers International would also be ready to investigate the issue and to report in Brussels.”

In January, the Strasbourg-based Council of Europe convened representatives from the judiciary, prosecution services, the Albanian parliament and others for a conference in Tirana to address the challenges posed by the “disproportionate” use of PTD in Albania and to explore paths towards reform.

Former Albanian justice minister Besfort Lamallari reportedly said that “excessive use” of PTD is “not just a statistical problem but a fundamental problem of human rights, the presumption of innocence and the proportionality of state intervention.”

Gianluca Esposito, Director General of Human Rights and Rule of Law at the CoE, reportedly said that, under European Court of Human Rights case law, PTD must be subject to “strict scrutiny” to ensure that any deprivation of liberty is “lawful, necessary and proportionate.” Such safeguards protect the presumption of innocence and PTD should remain “a measure of last resort,” he said.

International experts called for strict limits on the duration of PTD and the CoE said it stands ready to “support the process and to work constructively with all actors involved.”

Some have contrasted the CoE position on the issue with that, so far, of the European parliament.

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The law firm, though, has alleged the organisation "continues to make spurious arguments to justify his continued PTD" and had cited "his lobbying activities as a basis to prolong his detention."

"Lobbying, however, is not among the defined criteria to justify the detention of a defendant," says the law firm.

Daniel Fetterman, a partner at Kasowitz LLP and international counsel to Veliaj, says, "SPAK's reliance on lawful advocacy and lobbying to justify his continued unlawful detention in Albania is deeply troubling. Petitioning governments and speaking publicly about one's case is a fundamental democratic right and not a basis for imprisonment or punishment," he said.

He added, "After more than one year of pre trial detention and other serious due process violations in his case, it is appropriate for the American government – which helped to establish and advise SPAK – to look into what has been going on and why this is occurring," said Fetterman.

"By letters to the U.S. State Department and Department of Justice, that is exactly what we are asking them to do," he said.

Some have leapt to the strong defence of SPAK, including Austrian Socialist MEP Andreas Schieder, the EU parliament's rapporteur on Albania, who recently told this site that the organisation plays a "crucial role" in the fight against corruption in Albania and that this "shows that the Albanian government is taking this task very seriously."

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Even so, local media is paying increasingly close attention to both the Veliaj case and the use of PTD with Albanian Daily News reporting that the country’s supreme court had launched a review of judicial practices and PTD. This, it says, comes amid growing concern including by “international institutions”, over the use of such practices with the government facing demands for reform so that PTD is applied “only when strictly necessary” and supported by “clear judicial reasoning.”

The Albanian Times says the case against Veliaj, who is a member of Prime Minister Edi Rama’s Socialist party, has brought together critics from “opposite ends of Albania’s political spectrum” and the same outlet notes that, on January 30, a joint letter was issued by the “B40 Balkan Cities Network” calling for an end to PTD. The letter calls PTD a “dangerous trend.”

Balkan Insight, meanwhile, recently revealed possible government plans to limit the powers of SPAK which, it notes was created back in 2016 with the support of the EU and US as part of Albania’s wider efforts to join the EU.

It says that, until recently, the government insisted it would not interfere in justice cases and had refused to comment on officials facing trial.

This, states the outlet, changed in the wake of another high profile case: Albania’s Deputy Prime Minister Mrs Belinda Balluku,who is charged with interfering in public procurement procedures.

She strongly and resolutely denies any wrongdoing.

Some have contrasted the two cases, Balluku and Veliaj, claiming that while the government was “quick” to grant immunity for Mrs Balluku, it had been relatively silent on Veliaj.It has been alleged that, in the case of Mrs Balluku, the government sought to grant her immunity against prosecution by legislation.In the mayor’s case, it is further alleged, even though he was elected directly to office, “little or no effort” was made to protect him. This site has reached out to the government for comment but, to date, received no reply.

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BrusselsMorning

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By Martin Banks | April 1, 2026

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KASOWITZ

Kasowitz Reports that Court-Ordered Disclosure in Albania Raises Serious Questions about Basis for SPAK's Case Against Tirana Mayor Erion Veliaj

APRIL 14, 2026

Following a court order requiring Albania's Special Prosecution Office Against Corruption and Organized Crime (SPAK) to finally provide Mayor Erion Veliaj access to the evidence against him, recently disclosed materials contain troubling evidence which raises profound questions about the foundation of the entire prosecution.

According to the disclosed materials, SPAK's investigation appears to have been initiated based on anonymous allegations attributed to two individuals identified as "Nesti Agoni" and "Nasta Pellumbi," neither of whom appear on Albania's National Registry of Citizens.

The case has drawn increasing international attention, with observers raising broader concerns about due process and the rule of law in Albania.

The Kasowitz team representing Mayor Veliaj includes partners Daniel J. Fetterman and Brian S. Choi in New York, and senior counsel Clarine Nardi Riddle and special counsel David Miller in Washington, D.C.

CONTACTS



Daniel J. Fetterman
PARTNER / NEW YORK

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Brian S. Choi

PARTNER / NEW YORK

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Clarine Nardi Riddle

SENIOR COUNSEL / WASHINGTON, DC

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KASOWITZ

NEWS PROVIDED BY
Kasowitz LLP →
Apr 14, 2026, 07:00 ET

Materials produced following a court order suggest investigation was initiated based on unverifiable anonymous allegations attributed to non-existent individuals

TIRANA, Albania, April 14, 2026 /PRNewswire/ -- Following a court order requiring Albania's Special Prosecution Office Against Corruption and Organized Crime (SPAK) to finally provide Mayor Erion Veliaj access to the evidence against him, recently disclosed materials contain troubling evidence which raises profound questions about the foundation of the entire prosecution.

According to the disclosed materials, SPAK's investigation appears to have been initiated based on anonymous allegations attributed to two individuals identified as "Nesti Agoni" and "Nasta Pellumbi," neither of whom appear on Albania's National Registry of Citizens.

Plarent Ndreca, Mayor Veliaj's defense lawyer in Albania, issued the following statement about the newly disclosed materials:

"These purported whistleblowers are made up names of fictitious individuals, and the allegations attributed to them are unsupported and inherently unreliable. This disturbing disclosure further suggests that SPAK launched its major prosecution of a sitting mayor based on a deeply suspect and pretextual premise, underscoring serious concerns about due process, prosecutorial integrity, and the rule of law."

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EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

CASE OF GËLLÇI v. ALBANIA

(Application no. 15468/23)

JUDGMENT

STRASBOURG

25 February 2025

This judgment is final but it may be subject to editorial revision.

In the case of Gëllçi v. Albania,
The European Court of Human Rights (Third Section), sitting as a Committee composed of:
Oddný Mjöll Arnardóttir, *President*,
Darian Pavli,
Diana Kovatcheva, *judges*,
and Olga Chernishova, *Deputy Section Registrar,*
Having regard to:
the application (no. 15468/23) against the Republic of Albania lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 5 April 2023 by a national of Albania and the United States of America, Mr Thoma Gëllçi ("the applicant"), who was born in 1961, lives in Tirana and was represented by Mr D. Matlija, a lawyer practising in Tirana;
the decision to give notice of the complaints under Article 5 § 3 of the Convention, concerning the applicant's pre-trial detention, to the Albanian Government ("the Government"), represented by their Agent, Mr O. Moçka, General State Advocate, and to declare inadmissible the remainder of the application;
the parties' observations;
Having deliberated in private on 4 February 2025,
Delivers the following judgment, which was adopted on that date:

SUBJECT MATTER OF THE CASE

1. The case concerns complaints under Article 5 § 3 of the Convention, regarding the grounds for the applicant's pre-trail detention. Such detention was ordered in the context of the criminal proceedings against the applicant on charge of abuse of office, on account of his alleged involvement as the director of the Albanian Public Television (*Televizioni Shqiptar*) in concluding public tender contracts concerning purchase of technical equipment.

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2. In these proceedings, at the prosecutor's request, on 7 October 2021, the First Instance Court for Anticorruption and Organised Crime ordered the applicant's pre-trial detention. The first-instance court held that there was a reasonable suspicion that the applicant had organised the public tender at issue without previously obtaining permission from the Albanian Media Authority, as required by law. He was also suspected of having extended the deadline for the enforcement of the contract without that possibility being provided for by law. The applicant had, thus, given additional time to the winning party, placing the other bidders at disadvantage, and misused the public money, contrary to the public interest.

3. As to the grounds for ordering the applicant's detention on remand, the first-instance court held that not all evidence had yet been collected by the prosecution, and that the applicant, if at large, could tamper with the evidence and put pressure on witnesses. The prosecution had collected documentary evidence, but some potential witnesses had not yet given their statements. The court also held that the applicant had frequently travelled outside Albania, and posed a risk of fleeing once he had learned of the charges against him.

4. The applicant was arrested on 7 October 2021 and on 11 October 2021 he appeared before the first-instance court. He submitted that he had been dismissed from office five months before and therefore had no possibility to tamper with the tender records. He added that the suspicions against him were based exclusively on documents which had already been seized by the prosecution, and, therefore, there was no risk of him tampering with any witness or other evidence. As regards the risk of absconding, he argued that he had surrendered to the authorities and the confiscation of his passport and/or another security measure would be sufficient to ensure that he would not abscond. He argued that his detention in prison was disproportionate on account of his health and age. He asked the court to order a more lenient security measure.

5. On the same date, the first-instance court confirmed the applicant's pre-trial detention, holding that the circumstances under which it had ordered the applicant's pre-trial detention had not changed in the meantime, and that such security measure was still justified by the seriousness of the offence and the possible punishment.

6. By way of two submissions of 28 and 29 October 2021 the applicant reiterated his previous arguments (see paragraph 4 above) before the Court of Appeal for Anti-Corruption and Organised Crime. He added that since his placement in detention on 11 October 2021, the prosecutors had not carried out any investigative measure, including his own questioning. He also argued that the prosecutors had not specified which evidence was in danger of being tampered with and had failed to explain why such evidence had not been collected in the past twenty months since the investigation had been opened. As regards the risk of absconding, the applicant stated that he had been in the United States during the prior summer months and had come back to Albania despite being aware of the investigation against him. He reiterated that a less stringent measure against him would satisfy the risks relied on by the prosecutors.

7. On 30 October 2021 the appeal court dismissed the applicant's appeal and endorsed the reasoning and conclusions of the first-instance decision. It held that the applicant knew the victims of the alleged offense, the party that had been unduly favoured in the tender and the other suspects, therefore there was a risk that they would collude and tamper with the evidence. In the court's view, the mere "ban on leaving the country" or any other less stringent measure was insufficient to address the said risks. The appeal court added that the applicant's personality was "particularly dangerous" given that the criminal offences held against him involved the abuse of office and misuse of public funds and carried a sanction of up to seven years' imprisonment.

8. The applicant's further requests of 10 November 2021, 9 December 2021, 9 February 2022, and 19 April 2022, that his pre-trial detention be lifted or substituted by other measures were dismissed by the domestic courts on the ground that the conditions under which the pre-trial detention had been ordered had not changed.

9. On 27 January and 9 November 2022, the Supreme Court and the Constitutional Court, respectively, dismissed the applicant's appeals on admissibility grounds. The final decision was served on the applicant on 5 December 2022.

10. On 2 June 2022 the first-instance court found the applicant guilty as charged and sentenced him to one year and four months' imprisonment.

11. On 30 August 2022 at the applicant's request, the first-instance court lifted his detention and ordered his immediate release.

THE COURT'S ASSESSMENT

ALLEGED VIOLATION OF ARTICLE 5 § 3 OF THE CONVENTION

12. The applicant complained under Article 5 §§ 1 (c) and 3 of the Convention that there was no valid ground for ordering his pre-trial detention, and that the length of his pre-trial detention had been excessive.

13. The Court, being the master of characterisation to be given in law to the facts of the case, considers that this complaint falls to be examined only under Article 5 § 3 of the Convention (see, for example, *Margaretić v. Croatia*, no. 16115/13, § 75, 5 June 2014).

A. Admissibility

14. The Government argued that the applicant had lost the victim status since at the time he had submitted his application with the Court, the security measure had already been lifted.

15. The applicant argued that the domestic courts had not acknowledged the violation of his right to personal liberty.

16. The Court notes that the applicant spent more than seven months in pre-trial detention, and that the mere fact that it had ended prior to the submission of his application with the Court cannot deprive him of the victim status of the alleged violation of Article 5 of the Convention.

17. The Court further notes that this complaint is not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention or inadmissible on any other grounds. It must therefore be declared admissible.

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

B. Merits

18. The relevant domestic law is set out in *Delijorgji v. Albania*, no. 6858/11, §§ 39-50, 28 April 2015, and *Hysa v. Albania*, no. 52048/16, §§ 26-41, 21 February 2023.

19. The Court reiterates that persistence of a reasonable suspicion is a condition sine qua non for the validity of pre-trial detention, but after a certain lapse of time it no longer suffices. In such cases, the Court must establish whether other grounds given by the judicial authorities continue to justify the deprivation of liberty. Where such grounds are "relevant" and "sufficient", the Court must also ascertain whether the competent national authorities displayed "special diligence" in the conduct of the proceedings (see *Buzadji v. the Republic of Moldova* [GC], no. 23755/07, §§ 84-91, 102, ECHR 2016, and *Merabishvili v. Georgia* ([GC], no. 72508/13, §§ 222 -25, 28 November 2017).

20. Turning to the present case, the Court notes that the applicant's detention for the purposes of Article 5 § 3 of the Convention began on 8 October 2021 and ended with his conviction on 2 June 2022. It accordingly lasted seven months and twenty-six days.

21. The Court is satisfied that the domestic courts, on the basis of available evidence, established that there existed a reasonable suspicion that the applicant had committed the offence of abuse of official position.

22. As to the grounds for the applicant's detention, the domestic courts relied principally on the risk that the applicant might tamper with evidence and collude with witnesses, and the risk of absconding.

23. The domestic courts referred to the need for obtaining additional evidence as a ground for the applicant's prolonged detention, without having made any further attempt to show how it applied concretely to the applicant's case and its developments. They failed to specify the concrete pieces of evidence that were still to be collected as well as to explain why those pieces of evidence could not have been collected at an earlier stage of the investigation. They did not respond to the applicant's submission that the suspicion against him was based exclusively on documents which had already been seized by the prosecution, and that, therefore, there was no risk of him tampering with any witness or other evidence (see paragraph 4 above) The domestic courts only referred, in general terms, to a risk that, if released, the applicant might tamper with the evidence, and intimidate witnesses (compare *Trzaska v. Poland*, no. 25792/94, § 65, 11 July 2000; *Hristov v. Bulgaria*, no. 35436/97, § 105, 31 July 2003; *Belchev v. Bulgaria*, no. 39270/98, § 79, 8 April 2004; and *Eldar Hasanov v. Azerbaijan*, no. 12058/21, § 135, 10 October 2024). The Government's assertion that the applicant was familiar with the persons from whom the statements were to be obtained, lacking any supporting concrete factual evidence or any indication of actual attempts by the applicant to engage in tampering with evidence, cannot be accepted.

24. As to the risk of absconding, the Court notes that the applicant's arguments that he had been abroad and voluntarily returned to Albania in the preceding months, and that he had voluntarily surrendered to the authorities, once informed of the detention order against him, have not been duly weighted, also in light of the factors relating to the person's character, his morals, home, occupation, assets, family ties and other links to Albania (compare *Buzadji*, cited above, §§ 90 and 118). The Court further notes that the domestic courts' reasoning did not evolve to reflect the developing situation and to verify whether those grounds remained sufficient at the advanced stage of the proceedings.

25. Nor does it appear that any alternative security measures were duly considered by those courts beyond a mere formal statement, and despite the applicant's multiple requests to this effect.

26. Having regard to its case-law on the subject and the above considerations, the Court concludes that the grounds given by the domestic authorities were not "sufficient" to justify the applicant's being kept in detention for the relevant period of seven months and twenty-six days from 8 October 2021 to 2 June 2022.

27. Under these circumstances, it is not necessary to examine whether the proceedings were conducted with special diligence.

28. There has accordingly been a violation of Article 5 § 3 of the Convention.

APPLICATION OF ARTICLE 41 OF THE CONVENTION

29. The applicant claimed 10,000 euros (EUR) in respect of non-pecuniary damage and EUR 3, 000 in respect of costs and expenses incurred before the domestic courts and EUR 2,880 for those incurred before the Court.

30. The Government contested the applicant's claim.

31. The Court awards the applicant EUR 500 in respect of non-pecuniary damage, plus any tax that may be chargeable to the applicant.

32. Having regard to the documents in its possession, the Court considers it reasonable to award EUR 5,000 covering costs under all heads, plus any tax that may be chargeable to the applicant, to be paid into the representative's bank account as identified by him (compare *Carabulea v. Romania*, no. 45661/99, §§ 180 and 181, 13 July 2010).

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the application admissible;

2. *Holds* that there has been a violation of Article 5 § 3 of the Convention;

3. *Holds*

(a) that the respondent State is to pay the applicant, within three months, the following amounts, to be converted into the currency of the respondent State at the rate applicable at the date of settlement:
(i) EUR 500 (five hundred euros), plus any tax that may be chargeable, in respect of non-pecuniary damage;
(ii) EUR 5,000 (five thousand euros), plus any tax that may be chargeable to the applicant, in respect of costs and expenses, to be paid into the representative's bank account as indicated by him;

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

(b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;

4. *Dismisses* the remainder of the applicant's claim for just satisfaction.

Done in English, and notified in writing on 25 February 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Olga Chernishova Deputy Registrar	Oddný Mjöll Arnardóttir President

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

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The Committee against Torture today concluded its consideration of the third periodic report of Albania under the **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**, with Committee Experts welcoming the State's

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

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Welcome the 2022 Act on Torture, Ask about the Reported Use of Torture by the Police and the Illegal Foreigners' Repatriation Plan

MEETING SUMMARIES

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participation in the core universal human rights treaties, and raising questions about the high rate of pre-trial detention and reported patterns of torture in places of deprivation of liberty.

Bakhtiyar Tuzmukhamedov, Country Rapporteur and Committee Expert, said Albania had a remarkable record of participation in all but one of the core universal human rights treaties and multiple optional protocols.

Naoko Maeda, Country Rapporteur and Committee Expert, said Albania had one of the highest prison populations in Europe, with an alarming 57 per cent of detainees in pre-trial detention. What measures were in place to reduce the use of pre-trial detention and promote alternatives, including non-custodial measures?

Ms. Maeda also expressed concern about reports of patterns of torture and other cruel, inhuman or degrading treatment in police custody prisons, detention centres, and psychiatric institutions, and reports of a lack of accountability for these crimes. How were these issues being addressed?

Introducing the report, Vasilika Hysi, Permanent Representative of Albania to the United Nations Office at Geneva and head of the delegation, said over the past decade, Albania had undertaken a comprehensive reform agenda to strengthen its democratic institutions and consolidate respect for human rights. It had taken consistent steps to prevent and eliminate any form of torture or ill-treatment.

Regarding pre-trial detention, the delegation said that the Ministry of Justice had taken concrete steps to reduce the number of penalties involving imprisonment and had prepared a guide for assessing whether pre-trial detention should be applied, which sought to decrease the number of people in pre-trial detention. Many pre-trial detention detainees had recently been released.

On efforts to prevent torture, the delegation said Albanian State police were instructed on the absolute prohibition of torture, and the police administration supported the independent investigation of allegations of torture. Periodic checks of police facilities were carried out to detect equipment that could potentially be used to carry out torture. There was no evidence of cases of torture carried out by the police between 2021 and 2025.

In closing remarks, Claude Heller, Committee Chair, thanked the delegation for its constructive participation in the dialogue and for its precise answers to the Committee's questions. The Committee was interested in engaging in ongoing dialogue with the State party to ensure the usefulness of its recommendations.

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

In her concluding remarks, Ms. Hysi said that Albania was committed to the full implementation of the Convention. The Committee's recommendations were an essential source of guidance and encouragement as the State party worked to strengthen its legal and institutional framework.

The delegation of Albania consisted of representatives from the Ministry of Justice; Ministry for Europe and Foreign Affairs; Ministry of Health and Social Affairs; Ministry of the Interior; Office of the Attorney General; Directorate General of Prisons; General Directorate of the State Police; Institute for Statistics; and the Permanent Mission of Albania to the United Nations Office at Geneva.

The Committee will issue concluding observations on the report of Albania at the end of its eighty-third session on 28 November. Those, and other documents relating to the Committee's work, including reports submitted by States parties, will be available on the **session's webpage**. Summaries of the public meetings of the Committee can be found **here**, and webcasts of the public meetings can be found **here**.

The Committee will next meet in public on Monday, 24 November at 4p.m. to hear reports on follow-up to concluding observations, individual communications and reprisals.

Report

The Committee has before it the third periodic report of Albania (**CAT/C/ALB/3**).

Presentation of Report

VASILIKA HYSI, **Permanent Representative of Albania to the United Nations Office at Geneva and head of the delegation**, said that, over the past decade, Albania had undertaken a comprehensive reform agenda to strengthen its democratic institutions and consolidate respect for human rights. It had taken consistent and concrete steps to prevent and eliminate any form of torture or ill-treatment. In the last five years, several laws had been adopted and amended, bringing the State's legal system closer to international and European standards.

Albania continued to strengthen interinstitutional cooperation to ensure that every allegation of ill-treatment was promptly, independently and effectively investigated. The State was also enhancing the mandate of the People's Advocate and the national preventive mechanism, providing human and financial resources and working to better implement their recommendations. Between 2020 and 2024, the budget of the People's Advocate increased by 64 per cent and staff increased

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

by 17 per cent. Under the amended Constitution, the People's Advocate could initiate Constitutional Court proceedings for human rights violations and act as an *amicus curia*. The national preventive mechanism had played a vital role in monitoring places of deprivation of liberty and identifying challenges; it had issued recommendations that had led to tangible improvements in detention conditions and police commissariats. All recommendations sent by the People's Advocate to the relevant institutions had been accepted, and most had been fully or partially implemented. No allegations of torture had been made by prisoners over the reporting period

The national strategy for gender equality 2021-2030 included the strategic goal of the reduction of all forms of gender-based violence and domestic violence. Albania had established a national registry of convicted sex criminals and the People's Advocate had also established the Observatory of Femicide. Crisis management centres for sexual violence offered emergency, one-stop, 24/7 and short-term services for survivors of sexual violence and their family members.

A draft Criminal Code was undergoing a public consultation process. The recommendations of international and regional bodies, including regarding the definition of rape, had been taken into consideration in this draft. A new law on gender equality, also fully in line with international and European Union standards, had been adopted by parliament recently.

The fight against trafficking in human beings remained a national priority for Albania. The national anti-trafficking strategy 2024-2030 reinforced this commitment, focusing on prevention, effective prosecution, and sustainable reintegration for survivors. The State had strengthened the national referral mechanism, enhanced investigative capacities, and provided specialised training to prosecutors and police officers. State financing ensured the provision of services and the fulfilment of the needs of victims in shelters. In March 2025, the Minister of the Interior, the Minister of Finance and the Minister of Economy, Culture and Innovation signed a memorandum of cooperation on procedures for identifying cases of forced labour and trafficking.

The national strategy for migration 2024-2030 and its action plan 2024–2026 aimed to strengthen the international protection system to guarantee the rights of asylum seekers and refugees. Albania's reception centres for asylum seekers and irregular migrants had been upgraded to meet international standards. In partnership with United Nations agencies and other stakeholders, Albania implemented programmes that promoted social inclusion, protection from discrimination, and access to essential services for migrants and asylum seekers. Albania had set standards for the return and

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

reintegration of unaccompanied minors, respecting both the principle of non-refoulement and the best interests of the child.

Albania continued to improve the conditions in penitentiary institutions and police commissariats and ensure humane treatment for all persons deprived of liberty. New facilities had been constructed, healthcare services had been strengthened, and rehabilitation programmes had been expanded. A roadmap for the rehabilitation and reintegration of prisoners had been approved in 2024. Overcrowding of prisons had been eliminated through measures such as the opening of a new prison in Pojska, amnesty decisions, and the distribution of prisoners within the system.

The protection of children from all forms of abuse, and access to justice for minors in conflict with the law and victims of crime remained a priority for Albania. The Code of Criminal Justice for Children adopted in 2017 contained special provisions on rules relating to investigation, prosecution, trial and rehabilitation for children in conflict with the law, as well as child victims and witnesses of crimes. The law on the rights and protection of the child established an integrated protection system, ensuring coordination among institutions at all levels. The national agenda for children's rights 2021-2026 foresaw measures for comprehensive services for children.

Progress had been made regarding juvenile justice through training programmes and manuals for prosecutors, judicial police officers and coordinators. The arrest of minors in conflict with the law was assessed as a measure of last resort, and alternative measures were applied to many minor offenders. In 2024, only 36 per cent of minor offenders were sent to court. The Crime Prevention Centre for Minors and Youth was established in 2019. The cross-sector justice for children strategy 2022–2026 and its action plan, approved in 2022, outlined Albania's commitment to strengthening the juvenile justice system.

Albania had made significant progress in strengthening human resource capacities. Obligatory training was provided for police, prosecutors, judges, prison staff, legal aid providers, medical staff and other professionals on various articles of the Convention, its Optional Protocol, and other international and regional treaties.

In combatting terrorism and violent extremism, Albania remained firmly committed to maintaining a balance between national security and the protection of fundamental rights. Repatriation operations of Albanian citizens from conflict zones had been conducted in a humane and coordinated manner, accompanied by comprehensive rehabilitation and reintegration measures.

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Albania remained committed to advancing reforms, ensuring full alignment with international human rights standards, and addressing the issues it faced with transparency and determination, always guided by the Constitution, international standards and the values of the United Nations.

Questions by Committee Experts

BAKHTIYAR TUZMUKHAMEDOV, **Committee Expert and Country Rapporteur**, said that the State party's report did not reflect inputs from civil society, including from representatives of minority groups such as the Roma. The report offered a meticulous overview of legislative and executive measures implemented by the State party. However, it had been submitted four years ago, and the Committee required updated information.

Were international agreements such as the Convention superior to domestic legislation? Were there examples where the Convention had been given precedence over domestic legislation? Was the Convention self-executing, and were there examples of this? The Constitution stated that no one could be charged for acts not declared illegal at the time of the offence. Did this rule on retroactivity apply to acts prohibited under the Convention? The Constitution seemed to allow discrimination when there was a "reasonable and justified explanation". How was this rule applied in practice?

Some provisions on torture in the Criminal Code were seemingly not in line with the Convention, particularly provisions on complicity regarding acts of torture. The Criminal Code also did not prohibit the use of confessions obtained through torture, and the penalty it prescribed for torture was milder than that prescribed by the Convention. Further, the Code provided for a statute of limitations for the crime of torture of between 10 and 20 years. Would the State party bring the Code in line with the Convention? Were penalties for torture offences included in other legislation?

Had the High Court or other courts made references to the Convention or other human rights treaties in their rulings? Were the opinions expressed by the Committee and other treaty bodies considered as norms by the State?

Albania had a remarkable record of participation in all but one of the core universal human rights treaties and multiple optional protocols. Why had Albania not made a declaration under articles 21, 22 and 28, paragraph one of the Convention, or ratified the International Convention on the Protection of the Rights of All Migrant Workers and

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Members of Their Families and the Optional Protocol to the Convention on the Rights of Persons with Disabilities?

The European Court of Human Rights had decided on six cases against Albania that included allegations of torture, finding violations in five. What impact had the Court's decisions had on Albania's legal system?

Regarding the 2023 protocol agreed between Albania and Italy regarding the transfer of migrants to Albania, the Constitutional Court had found that the facilities that held these migrants were under the constrained jurisdiction of Albania. How did the State party ensure compliance with the Convention at these facilities?

NAOKO MAEDA, **Committee Expert and Country Rapporteur**, said that the Committee noted Albania's achievements and efforts to implement the Convention. The People's Advocate had been accredited with "A" status under the Paris Principles. It functioned as the national preventive mechanism. Did the People's Advocate have the right to enter places of deprivation of liberty, including migrant reception centres, at any time and without prior authorisation? How many monitoring visits had it made during the reporting period? Did the national preventive mechanism have the mandate to comment on legislation related to the Convention? Had the head of the national preventive mechanism been appointed? What measures were in place to raise awareness of the national preventive mechanism?

State police agents were required by law to immediately inform detainees of their rights, including in writing. However, many detainees had complained that they had not been provided with a written copy of the bill of rights statement. There were also reports of transfers of detainees not being recorded. How was the State party addressing these issues?

Reports indicated that Albanian prisons had poor infrastructure and a lack of health care and security. What measures had the State party taken to improve prison infrastructure to reduce overcrowding, and to ensure detainees' access to adequate health care, legal counsel and family visits? Albania had one of the highest prison populations in Europe, with an alarming 57 per cent of detainees in pre-trial detention. Pre-trial detention was reportedly largely used for misdemeanours. What measures were in place to reduce the use of pre-trial detention and promote alternatives, including non-custodial measures?

Could the delegation provide information on investigations into deaths in custody and penalties handed down when officials were found to be responsible? The Committee was concerned by reports of patterns of torture and other cruel, inhuman or degrading treatment in police custody prisons, detention centres, and psychiatric institutions. There

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

were also reports of a lack of accountability for these crimes and excessive use of force by law enforcement officials at demonstrations. How were these issues being addressed? Journalists and human rights defenders were reportedly often the target of intimidation, harassment and threats of violence by Government officials. How many independent investigations had been carried out into such acts and what were their results?

Could the State party provide detailed information on training on the Convention and the Istanbul Protocol for judicial officials, forensic doctors and medical officials who were responsible for detecting evidence of torture? Had the State party established an independent and effective mechanism for investigating complaints of torture and the use of force by law enforcement officers? Did it prevent institutional relationships between investigators and suspected perpetrators of acts of torture? How many officials had been investigated for acts of torture over the reporting period and what penalties were issued to perpetrators?

The Committee welcomed the amendment to the Criminal Procedural Code aiming to improve the rights of victims of crimes. What compensation had been provided to victims over the reporting period, including victims of excessive force? The Committee further welcomed the law creating the special fund for crime prevention. How many victims of organised crime and trafficking had received compensation through the special fund over the last five years?

Pre-trial detention remained the main reason for the deprivation of liberty of children in conflict with the law, representing some 74 per cent of cases of detention of children. How was the State party working to develop community-based programmes for children in conflict with the law to ensure access to education and reintegration into society. How was it implementing the Beijing Rules?

The Committee welcomed that the State party had made legal and institutional improvements regarding the protection of women from domestic violence. It was concerned, however, that victims faced numerous obstacles in filing complaints and accessing legal aid. How did the State party ensure that alleged perpetrators of domestic violence were effectively investigated and that victims were provided with adequate support and compensation? How was the State party working to prevent domestic violence and train public officials on the issue?

What measures were in place to improve the resources and staffing of immigration detention centres? There were reports of indefinite detention of asylum seekers. Three Iraqi students had reportedly been

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

detained for more than two years. Could the delegation provide information on their situation? A significant number of irregular migrants regularly entered Albania via Greece, and there were reports that border guards had denied migrants' entry and engaged in arbitrary pushbacks. How was the State party strengthening its asylum and migration system in line with international and European Union standards? Unaccompanied minors and other vulnerable groups were not legally protected from detention. How many unaccompanied minors had reached Albania and applied for international protection, and how many had been provided with legal support?

The Committee welcomed the State party's measures to combat trafficking in persons, including through its national strategy on migration, national action plan against trafficking in persons, and related amendments to the Criminal Code and Criminal Procedural Code. However, the State party remained a country of origin, transit and destination for trafficking in persons. What investigations had been conducted into the disappearance of 502 Roma children from children's institutions between 1998 and 2002? How was the State party ensuring access to asylum application procedures that had suspensive effect on expulsions?

Could the State party provide information on measures to prohibit and prevent the hospitalisation and forced medical treatment of persons with psychosocial disabilities? Were there complaint mechanisms in psychiatric institutions? What remedies were provided for persons improperly subjected to forced medication? What efforts had been made to bring facilities in psychiatric institutions in line with international standards?

Others Committee Experts asked about plans to enter into another agreement with Italy on the transfer of migrants, and the responsibility of both States regarding the abuse of transferred migrants; measures to increase penalties for trafficking crimes; efforts to strengthen birth registration, particularly for Roma, Egyptian and other minority groups, and prevent statelessness; measures to prevent child labour in agricultural and domestic sectors and alleviate youth poverty; legal measures to eliminate exceptions allowing for marriage of children under 18 and prohibit forced marriage; and plans to introduce a blanket ban on non-therapeutic and non-consensual surgeries on intersex persons, especially children.

Responses by the Delegation

The delegation said that recently, cases of violence between prisoners had been reduced and the State had implemented measures to protect vulnerable groups. There were 95 cases of violence in prisons between

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

2020 and 2025 involving 163 persons, of which 28 were prison staff. The Ombudsman and many domestic and international organizations conducted regular inspections of prisons. There was a phone line that prisoners could use to make complaints. The Ombudsman had made 181 recommendations regarding prisons in 2024, of which 63 per cent had been fully implemented. The recommendations of the People's Advocate had been incorporated in internal regulations.

Training of prison health staff was organised by the General Directorate of Prisons. Training addressed the Istanbul Protocol, the Convention on the Elimination of Racial Discrimination, and the European Convention of Human Rights. There were 12 full-time trainers, and from 2021 to 2025, over 9,000 staff had been trained.

Persons in pre-trial detention accounted for between 56 and 60 per cent of the prison population and the average length of stay in pre-trial detention was 253 days. The Ministry of Justice had taken concrete steps to reduce the number of penalties involving imprisonment and had prepared a guidance document on pre-trial detention. Many pre-trial detention detainees had recently been released.

A cooperation agreement had been signed between the Ministry of Justice and the Ministry of Health regarding the treatment of detainees with mental health disorders. In 2025, 123 forensic patients had been released from prisons.

Measures had been implemented to improve prison facilities. Nine facilities had been waterproofed and some institutions had been closed due to lack of compliance with facility standards.

Prison doctors conducted medical examinations upon reception of prisoners. In cases where signs of violence were detected, the competent authorities were informed immediately. Courts had awarded compensation to convicts in three cases between 2021 and 2025 related to negligence in medical treatment or discrimination.

The number of imprisoned juveniles had decreased from 407 in 2010 to 20 in 2025. The average number of days spent by minors in pre-trial detention in 2025 was 189. Officials were trained on the treatment of juveniles in detention.

Prosecutors were authorised to investigate suspected cases of violence in prisons ex officio. A tracking mechanism had been established for cases of torture and ill-treatment. Over the reporting period, two cases had been registered, before being dismissed after investigation. The activities of the prosecution were inspected by the High Inspector of Justice after complaints by the public.

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Prosecutors were instructed in effective investigation of offences involving sexual and gender-based violence, trafficking in persons, and offences against minors. Five circulars had been issued to prosecutors related to the implementation of the decisions of the European Court of Human Rights and the recommendations of the Committee. Over the reporting period, 741 criminal proceedings had been registered for sexual violence, which led to 293 convictions. Victims were referred to emergency medical and social services. Awareness raising materials were distributed to the public to facilitate reporting of trafficking. Some 57 criminal proceedings related to trafficking had been registered over the reporting period.

Prosecutors addressed cases of violence against journalists on a priority basis and had received training on handling such cases. There were currently seven cases under investigation and four cases had been sent to trial.

Albanian State police were fully committed to respecting human rights. Personnel were instructed on the absolute prohibition of torture, and the police administration supported the independent investigation of allegations of torture. Periodic checks of police facilities were carried out to detect equipment that could potentially be used to carry out torture. There was no evidence of cases of torture carried out by the police between 2021 and 2025.

People were informed of their rights both verbally and in writing from the moment of arrest. If this was not done, judges could declare that detentions were not valid. The bill of rights had been translated into nine languages. In cases where persons could not afford a lawyer, they were appointed one, and interpreters were also provided when needed.

The law on domestic violence included measures promoting the identification of cases and reporting them, as well as the rehabilitation of victims and perpetrators. The national agenda on child rights addressed the provision of services for children at risk of violence and neglect. Professionals were trained regularly on providing services to minors.

The State party had implemented measures to improve the treatment of persons with psychosocial disabilities and persons subject to mandatory treatment, in line with international standards. Support for psychiatric forensic patients included access to external public health services as required. To enhance the treatment of these patients, the State party had developed a protocol on the use of injectable medicines and individual treatment plans. A special medical institution with 35 beds was being established to accommodate women forensic patients currently held in the Tirana Prison Hospital.

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Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Measures were in place to prevent early marriages. Child protection units in municipalities were raising awareness on preventing early marriages, and working with various stakeholders to identify and respond to breaches of children's rights.

State funds had been allocated to the national shelter for victims of trafficking, and training and guidance had been provided to the anti-trafficking investigation unit. An inter-institutional group had been established to draft a national anti-trafficking strategy and action plan.

In recent years, the State party had strengthened procedures in its Immigration Centre. It was currently finalising a national contingency plan on migration flows, which included measures for responding to sudden increases in migration flows and measures to further strengthen the capacity of border officials. Training on responding to unaccompanied minors was provided to officials. Albania was establishing a centre for accommodating unaccompanied minors, which was expected to be opened in 2026. There were 80 unaccompanied minors received by the State in 2024 and 25 in the first half of 2025.

Between 2021 and 2025, there had been fluctuations in applications for international protection. There were 106 applications in 2025. Refugee status had been granted to seven persons in 2025. Some applicants had been granted complementary protection.

The European Union Pact on Migration would determine how centres that received migrants transferred from Italy were treated. Operational responsibility of these centres lay with Italy, which had financed the project.

Penitentiary institutions had dedicated spaces for family meetings and prisoners were able to receive consultations with psychologists. There had been an increase in family meetings in recent years. Gender sensitive programmes were implemented in prisons to meet the needs of women prisoners.

Albania did not have a formal legal reservation to the Convention. However, it had made declarations regarding its application of specific articles related to the conditions of extradition and reciprocity. Albania did not allow the extradition of persons who had committed offences against the interests of Albanian nationals unless agreed with the interested party. If persons were serving sentences for other offences, they could be permitted to serve their full sentence in the requesting country in the event of an extradition.

Albania had established an office that provided immediate protection, safe accommodation, and child-sensitive services for unaccompanied

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

minors. Albania recently adopted amendments to align national migration legislation with relevant European Union directives. These aimed to support access to documentation for foreign nationals and strengthen the identification of migrants, including unaccompanied minors. The number of unaccompanied minors in Albania had fluctuated over the years. There had been 37 in 2023, 18 in 2024, and 34 in the first half of 2025.

Under the protocol agreement with Italy, Albania had established an immigration centre for migrants who fell under the jurisdiction of Italy. Albania maintained its competencies in securing the external perimeter of the centre and ensured safe movement into and outside of the centre, but Italy had primary responsibility for ensuring the safety of migrants inside the centre.

Albania had taken comprehensive measures to strengthen its immigration system in line with international standards. It was working to support migrants' access to health, education and information; and was enhancing the national return and reintegration systems. In 2022, 14 asylum seekers were accommodated outside reception centres; there were 12 in 2023, 21 in 2024, and five had thus far been accommodated outside reception centres in 2025.

Training had been provided for law enforcement and judicial officials on the national action plan on combatting trafficking in persons. Standard operating procedures for the protection of victims of trafficking and labour exploitation were being finalised. Civil society organizations organised awareness raising campaigns on forms of trafficking and ways of preventing the practice, as well as on early and forced marriages. Albania had included civil society in the process of drafting the national anti-trafficking strategy. Victims of trafficking could receive financial compensation through court decisions that ordered perpetrators to pay damages.

Albania had re-enforced border procedures to guarantee access to asylum. Continuous training was provided to border officials to prevent unlawful pushbacks. Every person arriving at the border had the right to request asylum. Domestic and international mechanisms were in place to ensure accountability in asylum processing. Frontex had established a robust rights framework, having appointed fundamental rights monitors who conducted on-the-spot visits and examinations of efforts to uphold fundamental rights. The State could suspend border operations when serious violations of human rights were detected.

Albania respected the 12-month legal limit for administrative detention. Two Iraqi citizens subject to a deportation order had been detained in

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

the closed migrant centre under a public security order, but for less than two years.

The State party had evaluated the implementation of the previous national action plan on persons with disabilities and was drafting the next iteration of the plan. The national referral mechanism cooperated with various State agencies to manage cases of violence against persons with disabilities. Various crisis management centres provided support services for victims, including legal aid and psychosocial support.

Wide awareness raising campaigns were being conducted on the issues of gender-based violence and domestic violence. Specialised services were provided at regional and municipal levels to children in need, including legal aid. There was also a phone line set up that children could use to report domestic violence. The Ministry of Health had supported local Governments to provide support services for victims of violence.

The Constitutional Court directly referred to the Convention in its decisions. International agreements were directly implemented unless they were not self-executable, in which case they needed to be incorporated in domestic legislation, which was the case for the Convention. In cases of conflict between domestic and international legislation, international legislation prevailed over domestic legislation. The Constitutional Court and the High Court had referenced the Convention in relevant rulings, including rulings on acts of torture and sexual violence, and a ruling preventing the expulsion of a migrant to China.

All judgements of the European Court of Human Rights were directly implemented and had supra-legal status in Albania. The State party was currently implementing four of these judgments and had prepared plans of action towards this aim. In one case, the Court had found violations related to inadequate medical treatment in a prison hospital. The prison system was working to implement this decision. Damages had been paid by the Government to the complainant in this case. Recently, the State party had also made several amendments to the Criminal Procedural Code to implement the judgements of the Court.

The Convention was not self-executing in its entirety. It required the adoption of specific measures to ensure its effective implementation. To this aim, Albania had made amendments to the Criminal Code governing international legal cooperation.

There was no political influence over prison staff or in the process of drafting legislation on prisons. The general directorate on prisons had 4,500 employees working in 21 detention centres. Staff numbers had

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Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

not been reduced recently. A strategic plan for the development of prisons to 2030 had been approved, as had budgeting for activities in 2025. The prison system development plan was also approved in 2024 to address prison overcrowding. This plan aimed to improve prison infrastructure and promote the reintegration of prisoners into society. Prison food met State nutritional standards and was adapted according to prisoners' dietary requirements. Prison cells had adequate heating and facilities.

The figure of 74 per cent of juvenile detainees being in pre-trial detention reflected the situation 15 years ago. The establishment of the probation service in 2009 and the adoption of the Juvenile Criminal Justice Code had led to the reduction of juveniles in detention from more than 200 in 2010 to 20 in 2025.

State legislation on the use of force prescribed that force should not be used against prisoners except in cases where it was necessary to prevent an escape or in life-threatening situations.

From 2021 to 2025, 98 minors had been placed under the supervision of the Reintegration Centre. Sixty of these minors had been reintegrated, accessing education and vocational training. In the last year, three of these young people were supported to start up their own businesses. The Crime Prevention Centre for Juveniles and Youth, established in 2021, conducted legal education in schools and had provided legal and rehabilitation support for 19 minors in conflict with the law between 2021 and 2025.

The Directorate of Free Legal Aid ensured equal access to justice for individuals unable to secure legal representation independently. It had provided aid to victims of domestic violence, sexual violence, and trafficking in persons.

The Parliamentary Commission on Human Rights carried out monitoring visits to prisons and investigated complaints from prisoners submitted through mailboxes or telephone lines. It issued recommendations to the prosecution service to investigate alleged violations and restore violated rights. The Council of Europe's Committee on the Prevention of Torture had also carried out monitoring visits to prisons over the reporting period, finding no violations of prisoners' rights.

Article 18 of the Constitution protected individuals from discrimination and prejudicial treatment, while guaranteeing equality before the law and allowing for positive discrimination with a reasonable objective. Article 86 of the Constitution prohibited all forms of discrimination that led to acts of torture and ill-treatment, so article 18 could not be used

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

to justify torture. The Criminal Code was the only domestic law that contained punishments for the crime of torture.

The General Directorate of Prisons promoted regular visits to detention centres by psychiatrists and transfers to mental health centres for detainees with mental health problems. A working group had been established to inspect the work of medical staff in hospitals. The General Directorate of Prisons had designed special training modules for mental health staff, which addressed the use of restrictive measures.

The national action plan on minorities included an objective for promoting civil registration. Albania was cooperating to increase the number of minorities registered in the State. Legislation on the civil service had been improved in 2024 to make the registration process more efficient.

Questions by Committee Experts

NAOKO MAEDA, **Committee Expert and Country Rapporteur**, said that the Committee had recommended in its review in 2012 that the State party strengthen data collection. The delegation had demonstrated that it had implemented this recommendation in an effective manner. Albania's national preventive mechanism was mandated to receive complaints from prisoners, while the Optional Protocol called for the national human rights institution to carry out this function. Were there plans to change this mandate?

The percentage of detainees in pre-trial detention remained high. Why was this? Were there cases in which victims of torture had been granted compensation? State legislation prohibited the use of evidence obtained through torture. Were there cases in which evidence had been rejected because it had been obtained through torture? The State party had taken numerous steps to provide redress to victims of historic human rights violations committed between 1944 and 1991. What measures had the State party taken to search for victims of these violations and prevent impunity for perpetrators?

How did the State party encourage civil society to participate in the drafting of the periodic report and the implementation of the Committee's recommendations?

BAKHTIYAR TUZMUKHAMEDOV, **Committee Expert and Country Rapporteur**, said Albania accepted some treaty bodies' individual and inter-State communications procedures but not others, including those of the Convention against Torture. It had accepted the Committee's

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

mandate to conduct independent inquiries but had not accepted the same mandate for some other treaty bodies. Why was this?

How would Albania ensure compliance with the Convention in the migration centre under the jurisdiction of Italy on Albanian territory? Why did the Constitutional Court decide that the migration protocol with Italy was constitutional?

How many extradition treaties did Albania have and how many extradition requests had it received and issued? Was the risk of torture considered when assessing extradition requests?

Other Committee Experts asked about the fate of migrants held in the migration centre under Italy's jurisdiction who were found not to be eligible for asylum; whether Albania's national preventive mechanism would be able to conduct visits to the migration centre; and whether the agreement with Italy had been made public.

Responses by the Delegation

The delegation said there were 348 convicted persons who had been extradited from Albania and 326 persons who were extradited from foreign countries to Albania between 2021 and 2025. Albania had extradition agreements with Türkiye, North Macedonia, Kosovo, the United States, the United Kingdom, Italy and Spain. There had been no complaints of discrimination against persons extradited from Albania. One extradition had been postponed due to the health issues of the individual concerned.

The Constitutional Court had found that the protocol between Albania and Italy did not violate human rights or protection standards and was compatible with the Constitution. The protocol had been published online. The migrants held in the migration centre were under the jurisdiction of Italy and could be called back to Italy at any time. The Italian monitoring authority was competent to assess complaints from migrants in this centre. No complaints had been lodged thus far.

Albania had worked to harmonise its legislation with the Convention on the Rights of Persons with Disabilities. The State was committed to ratifying the Optional Protocol to this Convention by 2027.

The national preventive mechanism did not handle individual complaints from persons deprived of liberty but rather addressed obvious cases of violations of detainees' rights. The mechanism produced regular reports to raise awareness of its activities.

The new People's Advocate had not been elected yet. The new parliament, which had been formed in September 2025, was preparing

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

for the election. The parliament followed up on the recommendations of the People's Advocate, international monitoring bodies, and civil society. It had established a committee composed of civil society organizations and media representatives that engaged in hearings with State institutions. The Committee's report would be disseminated to all stakeholders and officials. Civil society was monitoring the implementation of the recommendations of human rights treaty bodies.

State courts had awarded compensation to one former detainee injured by another convict in 2012, a former detainee for negligent treatment in 2017, and a former detainee subjected to compulsory treatment in 2023. There were four cases in which compensation had been awarded following suicides of detainees.

The General Prosecutor issued recommendations on alternative measures to imprisonment and was carrying out a study to identify measures to improve sentencing practices. The Ministry of Justice had prepared a guide for assessing whether pre-trial detention should be applied, which sought to decrease the number of people in pre-trial detention.

The Criminal Procedural Code stipulated that evidence obtained through torture was not permissible.

Albania regularly developed national action plans and monitored progress on implementing the recommendations of the Council of Europe's Committee on the Prevention of Torture. Thanks to these efforts, the State party had made progress in creating a system that encouraged the rehabilitation of forensic patients. Many forensic patients were released each year.

Concluding Remarks

CLAUDE HELLER, **Committee Chair**, thanked the delegation for its constructive participation in the dialogue and for its precise answers to the Committee's questions. Based on the dialogue, the Committee would produce concluding observations, which would include recommendations that could feasibly be implemented within a year. The Committee was interested in following up on its recommendations and engaging in ongoing dialogue with States parties to ensure that its recommendations were useful for the State party

VASILIKA HYSI, **Permanent Representative of Albania to the United Nations Office at Geneva and head of the delegation**, said Albania was committed to the full implementation of the Convention. The dialogue had helped the State party to learn, grow and improve. The Committee's recommendations were an essential source of guidance and

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

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encouragement as the State party worked to strengthen its legal and institutional framework. Albania would continue to cooperate closely with the Committee and all international partners. Respect for human dignity and the absolute prohibition of torture were living values of Albania's democratic society. Ms. Hysi concluded by thanking all those who had contributed to the dialogue.

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Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

Kasowitz and Mishcon de Reya Release Tirana Mayor Erion Veliaj's Letter to the International Community Urging International Monitoring of May 8 Court Hearing in Albania

MAY 01, 2026

Kasowitz LLP and U.K. law firm Mishcon de Reya LLP delivered a formal letter from their client, Erion Veliaj, the currently incarcerated Mayor of Tirana, to representatives of international embassies in Albania and other international organizations, urging them to actively monitor a pivotal May 8, 2026 hearing before the Administrative Court in Tirana and calling for the proceeding to be live-streamed, consistent with transparency practices of Albania's Constitutional Court.

The hearing will address whether Ols Dado, the lead prosecutor in Mayor Veliaj's criminal case, was lawfully appointed under Albanian law. In his letter, Mayor Veliaj outlines a legal challenge asserting that Mr. Dado failed to meet mandatory qualification requirements — specifically, completion of Magistracy School or securing a lawful exemption — rendering his appointment invalid and his prosecutorial actions void from the outset.

Mayor Veliaj warns that the case may be dismissed on procedural "standing" grounds without addressing the merits, potentially in a closed setting shielded from public and international scrutiny. He argues that such an outcome would raise serious concerns about due process and the rule of law.

"My legal challenge is not just about me or Mr. Dado. It is an effort to ensure that our republic follows the law governing the appointment of prosecutors, and to rectify any errors in the vetting process that result in the appointment of unqualified candidates," Mayor Veliaj wrote.

The letter further details the consequences of appointing an unqualified prosecutor like Mr. Dado, including indefinite pretrial detention, restricted access to counsel and evidence, and overexpansive investigative measures affecting Mayor Veliaj's family and personal life. Mayor Veliaj calls on international representatives to attend the hearing, monitor proceedings, and amplify the issues globally.

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

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Daniel Fetterman, a partner at Kasowitz added: "This is a fundamental rule-of-law issue. If a prosecutor lacks the legal qualifications to hold office, every action taken under that authority is inherently suspect. Transparency in this proceeding is essential not only for Mayor Veliaj's rights, but for public confidence in Albania's judicial institutions."

The full letter can be accessed **here**.

The Kasowitz team representing Mayor Veliaj includes partners Daniel J. Fetterman and Brian S. Choi in New York, and senior counsel Clarine Nardi Riddle and special counsel David Miller in Washington, D.C.

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Veliaj Urges International Oversight Ahead of Key Court Hearing in Tirana

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Tirana Mayor Erion Veliaj has formally called on foreign embassies and international organizations to monitor an upcoming court hearing that could have significant legal and institutional implications.

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In a letter delivered by international law firms Kasowitz Benson Torres and Mishcon de Reya, Veliaj urged diplomatic representatives in Albania to observe the May 8 session at the Administrative Court of Tirana and requested that proceedings be broadcast live, in line with transparency practices of the Constitutional Court of Albania.

The hearing is set to examine whether prosecutor Ols Dado, who is leading the criminal case against Veliaj, was appointed in accordance with Albanian law. In his letter, Veliaj challenges the legality of Dado's appointment, arguing that he did not meet mandatory qualification criteria, including graduating from the School of Magistrates or obtaining a lawful exemption.

Veliaj warns that the case could be dismissed on procedural grounds related to legal standing without addressing its merits, potentially in a closed setting shielded from public and international scrutiny. He cautions that such an outcome could raise serious concerns about due process and the rule of law in Albania.

"My legal challenge is not only about me or Mr. Dado. It is an effort to ensure that our republic follows the law governing the appointment of prosecutors, and to correct any errors in the vetting process that result in the appointment of unqualified candidates," Veliaj wrote.

The letter further outlines what it describes as consequences of an unlawfully appointed prosecutor, including extended pre-trial detention, limited access to legal counsel and evidence, and broad investigative measures affecting Veliaj's family and personal life.

Dan Fetterman, a partner at Kasowitz Benson Torres, emphasized the broader implications: "This is a fundamental rule-of-law issue. If a prosecutor lacks the legal qualifications to hold office, any actions taken under that authority are inherently questionable. Transparency in this proceeding is essential not only for Mayor Veliaj's rights, but also for public trust in Albania's judicial institutions."

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Alliance for Ethical Media

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European Parliament
AFET adopts reports on Albania and Montenegro, encourages further reforms
By EWB
05.05.2026.
3 min read



AFET meeting; Photo: European Union

BRUSSELS – The Committee on Foreign Affairs of the European Parliament (EP) today adopted annual reports on Albania and Montenegro. MEPs encouraged both countries' political elites to focus on the reforms necessary for EU membership, and stressed the need for consolidating track records in the rule of law and the fight against corruption.

The reports will be put on the agenda of one of the upcoming European Parliament plenary sessions.

According to the statement by AFET, in a report drafted by Andreas Schieder (S&D) adopted by 58 votes in favour, 7 against and 7 abstentions, MEPs on the Committee on Foreign Affairs welcome Albania's "outstanding commitment to EU integration and the swift progress it has made in recent years, calling on the authorities to ensure legislation adopted is implemented thoroughly".

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

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Despite the progress achieved, states the report, Albania still faces several challenges, such as overcoming internal political polarisation and improving the political culture, strengthening the rule of law and consolidating anti-corruption reforms.

Noting Albania's ambition of closing accession negotiations by the end of 2027, the report warns that the quality of the country's reforms will determine the timetable for accession.

While praising the continued implementation of the judicial reform process, MEPs note that the judiciary continues to face political pressure and threats, which risk undermining judicial independence. Furthermore, despite progress in the fight against corruption, it is still a serious concern, say MEPs.

The text stresses that Albania must further consolidate its track record for investigations, prosecutions and final convictions, particularly in high-level corruption cases.
The MEPs also commend Albania's continued full alignment with the EU's common foreign and security policy and its constructive role in promoting regional stability.

The report on Montenegro, drafted by Marjan Šarec (Renew), was adopted by 56 votes in favour, 7 against and 10 abstentions. Committee on Foreign Affairs MEPs welcome Montenegro's steady progress on EU-related reforms, underpinned by its ambition to complete negotiations by the end of 2026. They also note Montenegro's aspirations to become the 28th EU member state by 2028.
Pointing to the broad public support among Montenegrin citizens for the country's European path, MEPs encourage all political actors to stay focused and maintain the country's momentum towards successfully concluding accession negotiations, the AFET statement reads.

Alongside technical reform benchmarks, MEPs say that a strategic European orientation and unwavering commitment by Montenegro's political representatives to the country's independent statehood remain key political criteria in the country's EU accession process.

The report highlights the importance of measurable and lasting results in implementing reforms, particularly in justice, the rule of law and public finance management. The fight against organised crime and corruption, as well as concerns relating to media freedom and civil society, also remain firmly on the agenda.

MEPs also welcomed Montenegro's steadfast and full alignment with the EU's common foreign and security policy, including EU restrictive measures against Russia. They point out that as the most advanced candidate country, Montenegro should also continue playing a constructive and stabilising role in the Western Balkans region.

The report expresses grave concerns by persistent and intensifying malign foreign interference, hybrid threats and disinformation campaigns by third-country actors. MEPs in particular noted the malign influence of China, Russia, and Se

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ALBANIA: ALBANIA: Erion Veliaj, mayor of Tirana, fights for his release from pretrial detention | Human Rights Without Frontiers

Human Rights in the World

ALBANIA: Erion Veliaj, mayor of Tirana, fights for his release from pretrial detention
The Mayor of Tirana has warned he will take his case against his continued detention to the European Court of Human Rights.
By Martin Banks


(Credit: Unsplash)

HRWF (11.05.2026) – Erion Veliaj has been held in what is termed “pre-trial detention” (PTD) since February 2025, pending an investigation by Albanian prosecutors.

His trial is yet to start and he robustly denies any wrongdoing but he continues to be held in a detention centre in Albania.

His lawyer told this website Veliaj will take the case to the European Court of Human Rights unless a scheduled court hearing later this month agrees to free him from PTD.

The Court is understood, generally, to view pre-trial detention as an exceptional measure that must not be used systematically, emphasizing it as a “last resort” that violates Article 5 of the ECHR if not strictly justified. On a general level, detention must be “reasonable in length, lawful, and based on specific, non-stereotyped reasons.”

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Veliaj says the PTD he remains subject to is "inhumane" and adversely impacts on his defence and also his ability to carry out his mandate as mayor of Albania's capital city.

The latest episode in what has proved a long drawn out saga came with an administrative court hearing in Tirana on Friday (8 May) where Veliaj was due to challenge the legitimacy of the lead prosecutor in the case.

The modest-looking court, normally the scene of dry, legal cases such as appeals against dismissal, was transformed into something of a dramatic media circus with Veliaj arriving in a two-car police convoy from his detention centre outside Tirana.

Over 50 Albanian media, friends and well-wishers of Veliaj and others crowded into a tiny court room, designed to hold about 20 people.

After the judge over-ruled Veliaj's request for live transmission of the proceedings, the detained mayor used the opportunity to address the court, reading from a long written statement.

He outlined the reasons why he believes the prosecutor involved "lacks the qualifications" to preside over his case.

Just ahead of the hearing, Veliaj wrote to embassies in Tirana and other organisations, such as the Council of Europe and OSCE, asking them to send representatives to monitor the session so as to ensure "full transparency."

His "open letter" (dated 30 April) to the "international community" stated that, in February this year, he initiated a legal action "challenging the validity" of the lead prosecutor's appointment way back in 2008.

The hearing was scheduled to address whether the lead prosecutor in Veliaj's criminal case was lawfully appointed under Albanian law.

It is not known how many, if any, of the recipients took up the invitation – one replied saying it did not comment on ongoing legal cases – but one very clear show of solidarity and support for the mayor came in the presence of Robert Ndrenikaj, a well-known Albania film and theatre actor, who received the People's Artist of Albania award in 1988.

Sat in the front row of the court, he and Veliaj warmly greeted each other with a handshake after the mayor, flanked by two burly police officers, entered the crowded room.

As the hearing started Ndrenikaj made an impassioned plea, telling Veliaj: "What is left of your punishment I will take your place in prison."

Outside court, in pouring rain, the 85-year-old actor said he had known the mayor for many years as they'd grown up in the same neighbourhood.

Received by NSD/FARA Registration Unit 10/22/2026 1:34:07 PM

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"I have followed him since he was a boy. His father died when Erion was very young so he was raised by his mother. He was very good at school and also something of a philosopher. A rare gem," he said.

He went on, "His detention is completely absurd and, yes, I would happily take his place. People in the neighbourhood, knowing I was coming to court, told me to wish him well. Erion has done a very good job as mayor, such as ensuring new roads were built, not just in the city but in the suburbs. He's also supported the arts with, for example, the construction of new theatres. Tirana has never been as good as it has been under his leadership as mayor. That is why I've come to court: as a show of support."

The hearing itself was over in just over an hour and adjourned. The prosecutor who was the subject of Veliaj's legal challenge was not even present but it still gave the mayor a chance to denounce his continued PTD as "unimaginable in a democracy."

The fact that the hearing was sandwiched between two other events was not lost on some.

Later on the same day (May 8) there were noisy demonstrations in the city centre by the country's Democratic Party against the ruling Socialist party's current policies.

"Schuman Day", the founding of what was to become the EU, was also celebrated on the same streets the next day (9 May).

Albania is, currently, a frontrunner among the Western Balkans states to join the EU, with hopes high that accession will arrive as soon as 2030.

But one of the generally accepted main stumbling blocks on its road to EU integration is tackling the deep-seated issue of judicial reform and some have argued it is not a coincidence that there has been a perceived crackdown in the justice sphere, with a spate of cases brought against high profile public figures and elected officials, including the mayor of Tirana.

Veliaj's case is not the only one to have captured the media's attention in recent times, with a former environment minister among those charged with corruption.

However, for Veliaj the most immediate concern is his detention, even before any trial gets underway.

One positive for him, according to his main, Tirana-based lawyer, was a recent key ruling (4 May) by the United Colleges of Albania's High Court which tightens the standards for "arrest in prison."

The new interpretation reportedly says that such detention must be considered an exceptional measure to be imposed only after courts have genuinely examined less restrictive alternatives.

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Lawyer Plarent Ndrecaj, who sat alongside Veliaj in court on Friday, told this site that his PTD prevented the mayor liaising properly with his international counsel, in New York and London, and that both he and the mayor had yet to see all the files, particularly digital ones, in the case.

"I have asked for the full case load and to see all the files but, so far, this has not happened. This prevents my client from mounting a full and proper defence," said Ndrecaj.

He said, "This is a cause of some concern, not just for Erion Veliaj but what it says about the rule of law in Albania and that is worrying."

"You have to ask also about prosecutors defending themselves and their organisations."

"Recent reform of the justice system in Albania has some clear objectives: to achieve real independence of the judicial system; second, an end to the culture of impunity and also to fall into line with EU standards, bearing in mind Albania's EU accession.

"To me and others some or all of these reforms are, currently, what you might call stuck."

He outlined the charges his client faces, saying they fall into three main groupings: allegations relating to corruption (over construction site licences); abuse of power and money laundering, all of which he says Veliaj resolutely denies.

It is not the first time concern has been raised about the use of pre-trial detention in Albania. Data shows that about 58 per cent of its prison population, approximately, 2,653 people, are held in remand, a rate up to five times higher than the EU average.

PTD is said to frequently be used for crimes like corruption but Veliaj and his lawyers argue that to detain someone for so long – the average stay is 253 days and it is well over 400 days in his case – is "highly unusual" unless it is a case relating to drug trafficking, organised crime and/or terrorism.

The spotlight has, to some extent, also fallen on the organisation in Albania charged with the task of rooting out corruption and tackling serious crime.

SPAK, as it's commonly referred to, has been widely lauded for its efforts and is praised, such as by the European Parliament's rapporteur on Albania, the experienced Socialist MEP Andreas Schieder, as being "essential", not least in helping to fulfil the country's pre-accession reforms.

The MEP previously told this site SPAK was playing a "crucial role" in the fight against corruption and "shows the Albanian government is taking this task very seriously."

The organisation has been approached by this site for a comment on the Veliaj case but a spokesman said, "We wish to inform you that, at this stage, we will not be commenting on this matter."

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The mayor's legal team are critical, however, alleging that the case against their client is "a case of over-reach" and citing, as an example, the apparent reliance on anonymous tip offs.

Former Justice Minister Ylli Manjani was quoted by the Albanian Times back in February 2025 as saying this set "an alarming precedent" and asking, "How can an institution as serious as SPAK initiate criminalproceedings based on an unsigned letter?"

The paper quoted him as saying that PDT was not justified as the prosecution had not demonstrated a clear and immediate risk that would warrant such a measure.

This echoes what, well over one year down the line, the mayor and his legal experts still assert today. Veliaj says members of his family have now also come under investigation.

Ndrecaj, an experienced attorney, says that, under "EU norms" it is "highly unusual" for someone to be held in PTD for more than 7 months and, if they are, he says, it is usually for something like anti-terrorism charges. In a long interview, he also told this site that under Albanian law, the reasoning forcontinuing to detain someone in PTD must be explained before a court every two months.

Both Veliaj and Ndrecaj say the mayor caution that they are now considering taking the case to the European court in Strasbourg.

They insist the 46-year-old mayor poses no public risk or of fleeing the country.

They say that under EU legislation PTD must respect the "presumption of innocence and be justified by serious evidence of guilt." Ndrecaj also told this site his client is becoming increasingly frustrated at being unable to carry out his mandate over a city that accounts for as much as one third of the whole country's 2.4m population.

Veliaj, he said, retains high public approval ratings in the city despite his detention and the publicity – the case if often aired on TV chat shows in Albania and in the press – since his arrest.

He is a three-time major of the city (the maximum term set by Albanian law) who was last elected in 2023 (when he says the case against him was first initiated), winning approximately some 60 percent of the vote on that occasion.

In his court appearance last Friday, Veliaj told the male judge, "Over 160,000 people gave their vote to me in the last elections – this was the third time I have been elected as mayor – and I still want to do the job I was elected to."

He added, "To be kept in pre-trial detention for this long is unimaginable in a democracy."

The argument that he retains widespread support in the city, with many giving him credit for major improvements in its infrastructure in recent times, appears to be backed by a random survey of locals.

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One told this site, “Yes, he is still popular and some have even protested outside the detention centre against his PTD.”

Another said, “A lot’s been done here in recent years, such as new public parks and facilities for the old, and that is down, in part, to the mayor.”

The focus now shifts to yet another legal hearing in this protracted story: 20 May and a decision on the “proportionality” of the mayor’s PTD.

Technically, Veliaj remains mayor but, in practice, this bustling city, still trying to fully throw off the yoke of its communist past, is run by a couple of deputy mayors.

No one, of course, doubts the keen focus on justice and rooting out wrong doers in Albania, as everywhere.

Most would agree that fighting corruption in Albania is critical for strengthening democracy, fostering economic growth and meeting EU integration requirements. It is central to ending a “culture of impunity,” building trust in public institutions, ensuring fair competition, and preventing organised crime from influencing high-level government functions.

The creation of an organisation like SPAK is also seen as being absolutely crucial to ensure compliance with European standards and Albania is highly optimistic that it will become the EU’s 28th member in less than 3 years.

Tackling corruption also ensures public funds are used effectively and increases citizen confidence in state institutions, something that many could argue is needed more now than ever before.

However, the case of the mayor, it is also argued by some, shines a light on the judicial system itself.

Veliaj’s most frequent visitor while he’s been detained on PTD has been his mother and, as suggested by the presence of a retired film star at last week’s court appearance, he still remains popular.

His lawyer states, “He is in good mental and physical state and is determined to continue this battle.”

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Post

Ombudsman Raises Alarm Over Widespread Use of Pre-Trial Detention in Albania

CURRENT EVENT
TUESDAY, MAY 19, 2026

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Albania's Ombudsman Institution has raised serious concerns over the extensive use of pre-trial detention in the country, warning that the criminal justice system is facing severe overcrowding and ongoing violations of the rights of people deprived of their liberty.

According to the Ombudsman's 2025 Annual Report, more than half of the prison population in Albania is being held in pre-trial detention without a final court ruling.

The report states that 56.8% of inmates in the country's penitentiary system are detainees awaiting trial — a figure that is 27.8% higher than the average across European Union countries.

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The institution argues that the data reflects limited use of alternative security measures and an excessive reliance on imprisonment as a preventive measure.

The Ombudsman warns that the situation has contributed to prison overcrowding, deteriorating living conditions and a weakening of the rehabilitative role of the penitentiary system.

According to the report, concerns begin from the earliest stages of detention, where documentation of police actions, procedural safeguards and access to legal defense "are not guaranteed uniformly."

The report also highlights persistent problems within the judicial system, including a shortage of judges and procedural delays.

the Ombudsman, has resulted in repeated postponements of hearings and prolonged court proceedings.

The institution further raised concerns over overcrowding in correctional facilities. Lezha Prison, according to published data, is operating at approximately 65% above its intended capacity, placing additional strain on the penitentiary system.

In its conclusions, the Ombudsman called for stronger institutional oversight mechanisms, broader use of alternatives to pre-trial detention and urgent reforms aimed at preventing repeated human rights violations within Albania's criminal justice system.



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ALBANIAN HELSINKI COMMITTEE

Prot No.
266

Tirana, 05 June 2026

To: Mr Klodian Braho
Director
Structure Special Against Corruption and Crime of Organised

From: Ms Erida Skëndaj
Executive Director
Albanian Helsinki Committee

Subject: Forwarding the complaint of Mr Erion Veliaj regarding the refusal to meet with his defence lawyers (foreign nationals) in the lawyers' room at IEVP Durrës

Dear Mr Braho,

The Albanian Helsinki Committee (AHC), in fulfilling its mission to protect fundamental human rights and freedoms, has taken note of the complaint by Mr. Erion Veliaj, for refusing to allow visits by foreign lawyers[1], in the premises of the pre-trial detention lawyers' room at the IEVP Durrës, where Mr Veliaj is accommodated under the security measure of "preventive detention".

At the outset of this letter, the Ombudsman takes this opportunity to clarify that it fully respects the constitutional and functional independence of the Special Prosecutor's Office against Corruption and Organised Crime (SPAK), as well as that of the Special Court against Corruption and Organised Crime, without in any way seeking to interfere in the evaluation of evidence, procedural measures or other matters related to the merits of the criminal proceedings. However, when concerns are raised regarding the observance of fundamental guarantees of the right to a fair trial, such as the right to an effective defence, the Ombudsman considers it part of its mission to highlight and address these concerns with the competent authorities.

According to the correspondence between the lawyers and the prosecutors of the criminal case at the Institution you head, concerning Mr.Veliaj, a number of written requests have been made by the lawyers to meet with Mr Veliaj, in order to exercise his right of appeal and defence at the international level.

From the verification of the correspondence, it appears that the foreign lawyers have submitted an official request to the prosecuting authority (SPAK) for a visit to the premises of the IEVP Durrës. Along with the request, a special power of attorney was submitted, which stipulates that their appointment has been made exclusively for the preparation of the appeal and

[1] The lawyers, Ms Celia Marr and Mr Ben Brandon (licensed in the United Kingdom), as well as Mr Daniel Fetterman and Mr Joshua Roberts (licensed in the USA),

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the representation of Mr Veliaj before the European Court of Human Rights (ECtHR) and other international tribunals, and not for domestic criminal proceedings.

From the responses made available by the two prosecutors of the SPAK, it appears that this request for a meeting was refused twice on the grounds that, according to point 1 of article 23 of law no. 55/2018 "On the profession of lawyer in the Republic of Albania", this profession is exercised by foreigners who have obtained the title of lawyer from a member state of the European Union, whereas Mr Veliaj's lawyers are from the United Kingdom and the United States of America (i.e. non-EU member states). The prosecutors' refusal is also based on point 1 of Article 48 of the Code of Criminal Procedure, which provides that the defendant has the right to choose no more than 2 defence lawyers.

Furthermore, the CCH notes that Article 23 of Law No. 55/2018 and Article 48 of the CPP respectively govern the defence and the exercise of the profession of lawyer before the competent authorities and within the Albanian judicial system. The CCH notes that these provisions do not prevent the detainee from meeting other legal representatives for the purposes of pre-trial procedures before the courts (international tribunals), as this would infringe the right to defence in the broader sense of the interest of the detained national, in relation to the obligations arising from the International Conventions to which our state is a party.

As long as foreign lawyers do not claim to conduct the defence in the criminal proceedings before the domestic authorities, but instead inform them and submit supporting documentation that they are representatives of Mr. In exercising his right of appeal to the European Court of Human Rights, legal restrictions in domestic legislation cannot serve as an obstacle to the refusal of a meeting, in the context of the right to effective protection before international courts.

Pursuant to Article 34[2] of the European Convention on Human Rights (ECHR), Albania, as a contracting party, has undertaken to refrain from obstructing the effective exercise of the right to individual application to the ECHR. In this regard, it is worth emphasising that the United Kingdom (the country where two of Mr Veliaj's defence lawyers are licensed) is a founding member of the Council of Europe and a contracting party to the ECHR.

Referring to the standards of the ECHR, specifically the leading judgment Zakharin and Others v. Russia (application no. 1555/04), this Court has elaborated the standard that domestic authorities cannot use limitations of domestic criminal law or of domestic regulation of the legal profession to prevent meetings between a prisoner and his chosen representatives, for the purposes of representation before the ECHR, considering this a violation of Article 34 of the Convention.

In this context, the Court notes that, although in principle the individual complaint to the European Court of Human Rights is subject to the exhaustion of effective domestic remedies, the jurisprudence of that Court recognises exceptions where the applicant claims that domestic remedies do not offer a real and effective possibility of protection (which are assessed on a case-by-case basis).

2 The Court may receive applications from any person, non-governmental organisation or group of individuals claiming to be victims of a violation by one of the High Contracting Parties of the rights set out in the Convention or its Protocols. The High Contracting Parties undertake not to impede in any way the effective exercise of this right.

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after the case has been decided by the ECtHR itself) or where the nature of the violation requires urgent intervention. In particular, according to the ECtHR's practice under Article 34 of the Convention, States have an obligation not to impede the effective exercise of the right to individual petition, while in certain cases the Court may consider urgent requests for interim measures under Rule 39 of its Rules of Court. Likewise, in cases such as Mamatkulov and Askarov v. Turkey (Applications no. 46827/99 and 46951/99) and Paladi v. Moldova (Application no. 39806/05), the ECHR has emphasised the importance of effectively guaranteeing an individual's access to international protection mechanisms and the obligation of state authorities not to create obstacles that might render this right illusory or ineffective.

As above, the KShH suggests treating the request of Mr. Z's foreign lawyers. Erion Veliaj in accordance with Article 34 of the ECHR, Article 31[3](c) of the Constitution, Article 50[4] of the CPC and Article 36(4)(a) of the Rules of the Court of Human Rights, as well as the standards of the ECHR, so that the citizen is effectively guaranteed the right to defence and to appeal to this international court or other international tribunals provided for in the Conventions to which our country is a party.

Thanking you for your cooperation to date, we look forward to an official response from you!

Yours sincerely,

Erida Skëndaj
Executive Director

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3 During the criminal proceedings, anyone has the right: c) to defend themselves or with the assistance of a legal defence counsel of their choice; to communicate freely and in private with them,
4. The defence counsel has the right to communicate freely and in private with the detained person
5 (a) The representative acting on behalf of the applicant in accordance with paragraphs 2 and 3 of this Rule must be a lawyer authorised to practise in any of the Contracting Parties and resident in the territory of one of them, or any other person approved by the President of the Chamber.

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KOMITETI SHQIPTAR I HELSINKIT
ALBANIAN HELSINKI COMMITTEE

Nr. Prot 266 Tiranë, më 05 Qershor 2026

Drejtuar: **Z. Klodian Braho**
Drejtues
Struktura e Posaçme Kundër Korrupsionit dhe Krimit të Organizuar

Nga: **Znj. Erida Skëndaj**
Drejtore Ekzekutive
Komiteti Shqiptar i Helsinkit

Lënda: ***Përcillet ankesa e Z. Erion Veliaj, për refuzimin e takimit me avokatët e tij mbrojtës (shtetas të huaj), në ambientet e dhomës së avokatëve, në IEVP Durrës***

I nderuar Z. Braho,

Komiteti Shqiptar i Helsinkit (KShH) në përmbushje të misionit për mbrojtjen e të drejtave dhe lirive themelore të njeriut është njohur me ankesën Z. Erion Veliaj, për moslejimin e vizitës së avokatëve të huaj[1], në ambientet dhomës së avokatëve të paraburgimit në IEVP Durrës, ku Z. Veliaj ndodhet i akomoduar, me masën e sigurisë "arrest në burg".

Në krye të kësaj shkrese, KShH gjen rastin të saktësojë se respekton plotësisht pavarësinë kushtetuese dhe funksionale të Prokurorisë së Posaçme kundër Korrupsionit dhe Krimit të Organizuar (SPAK), si dhe të Gjykatës së Posaçme kundër Korrupsionit dhe Krimit të Organizuar, pa synuar në asnjë rast të ndërhyjë në vlerësimin e provave, në masat procedurale apo në çështje të tjera që janë të lidhura me themelin e procesit penal. Megjithatë, kur ngrihen shqetësime që lidhen me respektimin e garancive themelore të së drejtës për një proces të rregullt, sikurse është e drejta për mbrojtje efektive, KShH e konsideron pjesë të misionit të tij evidentimin dhe adresimin e këtyre shqetësimeve pranë autoriteteve kompetente.

Sipas korresponcencës së avokatëve me prokurorët e çështjes penale në Institucionin që ju drejtoni, në ngarkim të Z.Veliaj, rezultojnë një sërë kërkesash me shkrim, që avokatët kanë bërë për të takuar Z. Veliaj, me qëllim ushtrimin e të drejtës së tij për ankim dhe mbrojtje në nivel ndërkombëtar.

Nga verifikimi i korrespondencës, rezulton se avokatët e huaj kanë paraqitur një kërkesë zyrtare pranë organit të procedimit (SPAK) për zhvillimin e një vizite në ambientet e IEVP Durrës. Së bashku me kërkesën, është dorëzuar prokura e posaçme e përfaqësimit, e cila parashikon se emërimi i tyre është bërë ekskluzivisht për përgatitjen e ankimit dhe

[1] Avokatët, Znj. Celia Marr dhe Z. Ben Brandon (të licencuar në Mbretërinë e Bashkuar), si dhe Z. Daniel Fetterman dhe Z. Joshua Roberts (të licencuar në SHBA),

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përfaqësimin e Z. Veliaj përpara Gjykatës Evropiane të të Drejtave të Njeriut (GJEDNJ) dhe tribunaleve të tjera ndërkombëtare, dhe jo për procedurat penale, në nivel vendas.

Nga përgjigjet e vendosura në dispozicion nga dy prokurorët e SPAK rezulton që kjo kërkesë për takim, është refuzuar dy herë me pretendimin se sipas pikës 1 të nenit 23 të ligjit nr. 55/2018 "Për profesionin e avokatit në Republikën e Shqipërisë", ky profesion ushtrohet nga të huajt të cilët e kanë fituar titullin e avokatit nga një shtet anëtar i Bashkimit Evropian, ndërkohë që avokatët e Z. Veliaj janë respektivisht nga Mbretëria e Bashkuar dhe Shtetet e Bashkuara të Amerikës (pra vende jo anëtare të BE-së). Refuzimi i prokurorëve mbështetet dhe në pikën 1 të nenit 48 të Kodit të Procedurës Penale, i cili parashikon se i pandehuri ka të drejtë të zgjedhë jo më shumë se 2 mbrojtës.

Sa më sipër, KShH vëren se neni 23 i Ligjit Nr. 55/2018 dhe neni 48 i KPP-së rregullon përkatësisht mbrojtjen dhe ushtrimin e profesionit të avokatit, para organeve përgjegjëse dhe në sistemin gjyqësor shqiptar. KShH vëren se këto parashikime nuk pengojnë të paraburgosurin të takojë përfaqësues të tjerë ligjorë për qëllime të procedurave parpara gjykatave (tribunaleve) ndërkombëtare, pasi kjo do të cënonte të drejtën e mbrojtjes në kuptimin e gjerë të interesit të shtetasit të privuar nga liria, në raport me detyrimet që burojnë nga Konventat Ndërkombëtare ku shteti ynë është palë.

Për sa kohë që avokatët e huaj nuk pretendojnë të ushtrojnë mbrojtjen në procesin penal pranë autoriteteve vendase, por bëjnë me dije dhe paraqesin dokumentacion mbështetës së janë përfaqësues të Z. Veliaj në ushtrimin e të drejtës së tij për ankim para Gjykatës Evropiane të të Drejtave të Njeriut, kufizimet ligjore në legjislacionin vendas nuk mund të shërbejnë si pengesë për refuzimin e takimit, në kuptimin e të drejtës për mbrojtje efektive para gjykatave ndërkombëtare.

Referuar nenit 34[2] të Konventës Evropiane për të Drejtat e Njeriut (KEDNJ), Shqipëria, si palë kontraktuese, ka marrë përsipër angazhimin për të mos penguar ushtrimin efektiv të së drejtës së ankimit individual në GJEDNJ. Në këtë drejtim, vlen të nënvizohet se Mbretëria e Bashkuar (vend ku janë liçensuar dy nga avokatët mbrojtës të z.Veliaj) është anëtare themeluese e Këshillit të Evropës, palë kontrkatuese e KEDNJ-së.

Referuar standarteve të GJEDNJ-së, specifikisht me vendimin udhëheqës *Zakharin dhe të tjerët kundër Rusisë* (aplikimi nr. 1555/04), kjo gjykatë ka elaboruar standardin se autoritetet vendase nuk mund të përdorin kufizimet e legjislacionit të brendshëm penal apo rregullimit të brendshëm të profesionit të avokatisë, për të ndaluar takimet midis një të burgosuri dhe përfaqësuesve të tij të zgjedhur, për qëllime të përfaqësimit para GJEDNJ-së,, duke e konsideruar këtë një shkelje të nenit 34 të Konventës.

Në këtë kontekst, KShH vëren se, ndonëse në parim ankimi individual pranë Gjykatës Evropiane të të Drejtave të Njeriut kushtëzohet nga shterimi i mjeteve juridike efektive të brendshme, jurisprudenca e kësaj gjykate njeh përjashtime kur ankuesi pretendon se mjetet e brendshme nuk ofrojnë një mundësi reale dhe efektive mbrojtjeje (të cilat vlerësohen rast

[2] Gjykata mund të marrë kërkesat nga çdo person, organizatë joqeveritare ose grup individësh që pretendojnë të jenë viktima të një shkeljeje nga një prej Palëve të Larta Kontraktuese të të drejtave të parashtruara në Konventë ose në protokollet e saj. **Palët e Larta Kontraktuese zotohen të mos pengojnë në ndonjë mënyrë ushtrimin efektiv të kësaj të drejte.**

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pas rasti nga vetë GJEDNJ) ose kur natyra e shkeljes kërkon ndërhyrje urgjente. Në veçanti, sipas praktikës së GJEDNJ-së mbi nenin 34 të Konventës, shtetet kanë detyrimin të mos pengojnë ushtrimin efektiv të së drejtës së ankimit individual, ndërsa në raste të caktuara Gjykata mund të shqyrtojë kërkesa urgjente për masa të përkohshme sipas Rregullit 39 të Rregullores së saj. Po ashtu, në çështje si Mamatkulov and Askarov v. Turkey (Aplikimet nr. 46827/99 dhe 46951/99) dhe Paladi v. Moldova (Aplikimi nr. 39806/05), GJEDNJ ka theksuar rëndësinë e garantimit efektiv të aksesit të individit tek mekanizmat e mbrojtjes ndërkombëtare dhe detyrimin e autoriteteve shtetërore për të mos krijuar pengesa që mund ta bëjnë këtë të drejtë iluzore ose joefektive.

Sa më sipër KShH, sugjeron trajtimin e kërkesës së avokatëve të huaj të Z. Erion Veliaj në përputhje me nenin 34 të KEDNJ, shkronjën "ç" të nenit 31[3] të Kushtetutës, nenin 50[4] të KPrP dhe shkronjën "a" të pikës 4 të nenit 36[5] të Rregullores së GJEDNJ, si dhe standartet e GJEDNJ-së, në mënyrë që shtetasit ti sigurohet në mënyrë efektive e drejta e mbrojtjes dhe e ankimit në këtë gjykatë ndërkombëtare apo tribunale të tjera ndërkombëtare të parashikuara në Konventa ku vendi ynë është palë në to.

Duke ju falenderuar për bashkëpunimin e deritanishëm, mbetemi në pritje të një përgjigje zyrtare nga ana juaj!

Me konsideratë,

Erida Skëndaj
Drejtore Ekzekutive

[3] Gjatë procesit penal kushdo ka të drejtë: ç) të mbrohet vetë ose me ndihmën e një mbrojtësi ligjor të zgjedhur prej tij; të komunikojë lirisht dhe privatisht me të,
[4] . Mbrojtësi ka të drejtë të komunikojë lirisht dhe vetëm për vetëm me të ndaluarin
[5] (a) Përfaqësuesi që vepron në emër të aplikantit në përputhje me paragrafët 2 dhe 3 të këtij Rregulli duhet të jetë një avokat i autorizuar për të ushtruar profesionin në cilëndo nga Palët Kontraktuese dhe banues në territorin e njërës prej tyre, ose çdo person tjetër i miratuar nga Presidenti i Dhomës.

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Tirana's transformatio — and the democratic test Brussels should not overlook

Monday, 1 June 2026



By Gil Peñalosa

This is an opinion article by an external contributor. The views belong to the writer.



Tirana's skyline. Credit: Unsplash

Tirana has attracted international attention in

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recent years for its urban redevelopment, public-space projects and child-friendly initiatives. At the same time, the pretrial detention of its elected mayor, Erion Veliaj, since 10 February 2025 — has placed questions of rule of law and due process at the centre of public debate.

I met Erion Veliaj nine years ago. He was the mayor of Tirana, Albania's capital. I was the founder of 8 80 cities, an NGO devoted to improving urban life. We crossed paths at international urbanist forums. We bonded over a unique passion: turning cities into livable, inclusive, and human spaces.

Since our first meeting, Mayor Veliaj has become not only a friend, but also a model for how to transform a city according to 8 80's principles. Under his leadership, Tirana has evolved from its reputation as the "North Korea of Europe" into one of Europe's most dynamic urban success stories: greener, inclusive, and centered on people. He encouraged child-friendly urban policies that reshaped the urban landscape with playgrounds, parks, schools, trees, and vibrant pedestrian spaces. His election victories

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confirm that he successfully turned Tirana into a paragon for child-centered urban renewal and everyday quality of life.

In this vein, it is discomforting that the Albanian authorities have been able to hold Mayor Veliaj in pretrial detention for over a year without conviction. No one is above the law – whether an ordinary citizen, a mayor, or a prosecutor. But no one should anyone receive a punishment before established guilt. The mayor has now spent more than a year imprisoned without conviction. It is unsettling to think that a prosecutorial body can upend a person's life in this way – whether a politician or a private individual – for so long, without due process and conviction.

Here the ramifications are not just for Mayor Veliaj, but for Albanian democracy. The Albanian people repeatedly elected him – in no short part due to the accomplishments that I mentioned earlier. If he has erred, the proper judgment in a democratic system comes through due process and at the ballot box. However, the Tirana Municipal Council already tried to use his pre-trial detention to remove him from office. Only thanks to the Constitutional Court of Albania has the mayor retained his position. But a mayor confined and denied access to international counsel and non-family

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visitors cannot meaningfully govern or serve his constituents.

For Tirana's residents, I hope their mayor receives a fair trial. For Albania's democracy, I hope he regains his freedom and full access to counsel. Why do I write this? Because in my various experiences with Mayor Veliaj and his team, I only saw people with integrity committed to creating a more equitable, sustainable, and playful Tirana, where all could live healthier and happier. Nearly a decade of his leadership has transformed Tirana. After more than a year in detention, I fear Mayor Veliaj has been denied a fair chance to defend himself – and Tiranians denied the mayor they elected.

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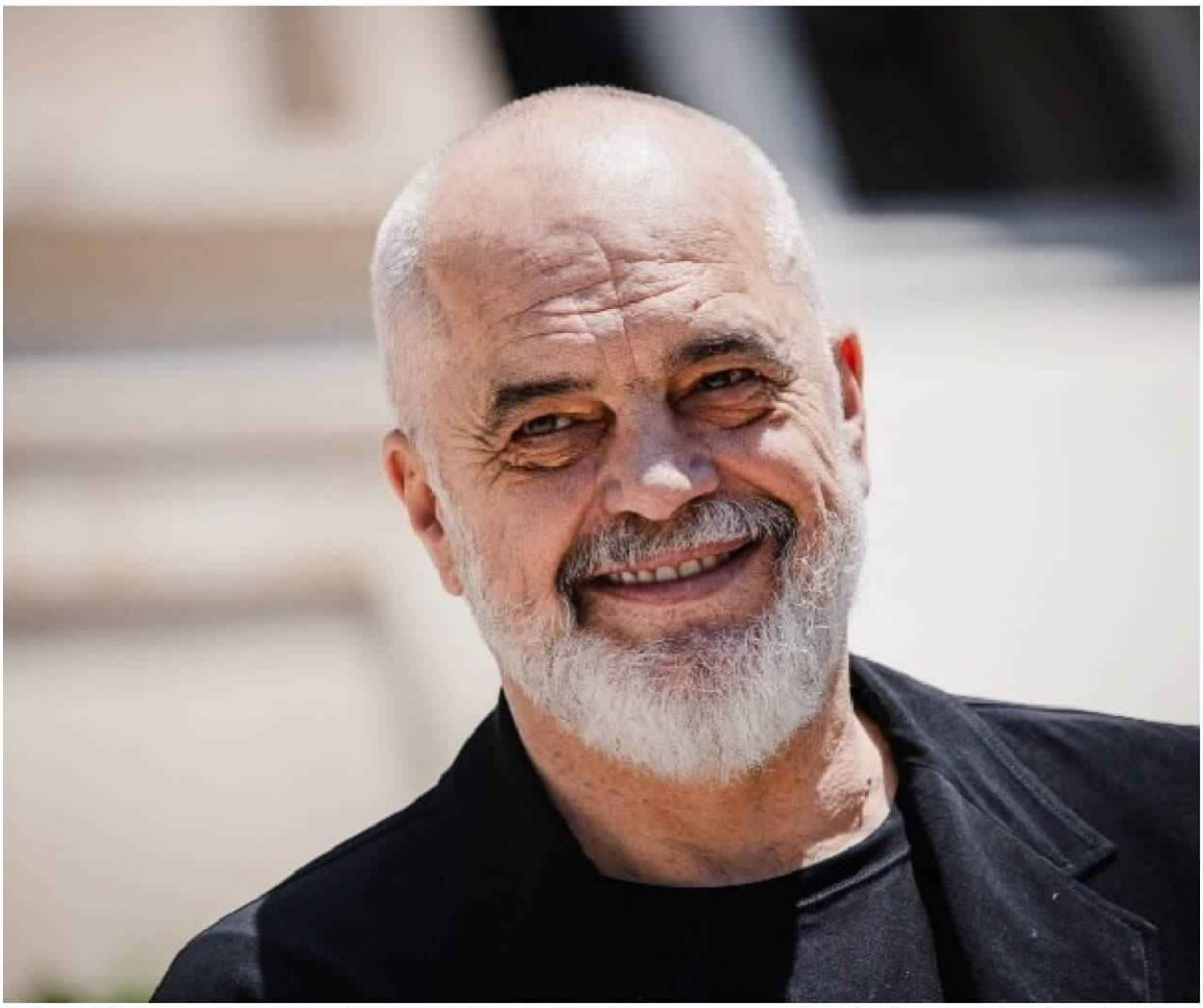
NEWSMAX

OPINION

Strengthening Rule of Law Could Raise Albania's Global Stature



By Adelle Nazarian Tuesday, 30 June 2026 08:20 AM EDT**Current | Bio | Archive**



Prime Minister of the Republic of Albania, Edi Rama arrives ahead of a working lunch and a bilateral meeting at the Presidential Elysee Palace in Paris, France on June 22, 2026. (Amaury Cornu/Hans Lucas/AFP via Getty Images)

The 'Flamingo Revolution': A Resort Fight Became a Battle for Democracy

Albania finds itself at a crossroads as the "Flamingo Revolution" transforms from environmental protests into a defining moment for the country's democratic future and European aspirations.

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What began as opposition to Jared Kushner-linked resort development on Sazan Island and near the protected Vjosa-Narta wetlands has evolved into a comprehensive challenge to Prime Minister Edi Rama's governance and Albania's trajectory toward EU membership.

The protests have exposed fundamental tensions between rapid economic development and environmental protection, between expedited decision-making and democratic transparency.

They have also become a referendum on Prime Minister Edi Rama, who is backing the Kushner-linked resort as part of his push to market Albania as a high-end tourism destination. Rama has vigorously defended the project as a crucial economic opportunity, vowing to proceed despite escalating opposition.

Consequently, protesters increasingly target not only the specific resort proposal but Rama's overall governance approach, particularly the expedited approval processes that enabled the project's advancement without adequate public consultation.

Amid the street protests, attention has shifted to Sali Berisha, the 81-year-old leader of the opposition Democratic Party and Rama's primary political rival.

As the Flamingo Revolution gained momentum, Berisha announced on June 11 that the United States had lifted a 2021 entry ban imposed over corruption allegations, following what he described as "a thorough review" by the State Department.

Berisha characterized the policy reversal as the U.S. administration "correcting" an "unfair decision," suggesting that high-profile corruption accusations against Albanian political figures do not always withstand rigorous examination.

The contested nature of corruption allegations in Albania becomes particularly evident in the case of Erion Veliaj, Tirana's mayor and a prominent Socialist Party figure. Albania's Special Anti-Corruption and Organized Crime Structure (SPAK) has held Veliaj in detention since February 2025 under conditions that have raised substantial due process concerns.

Among 18 defendants in the case, he alone was denied bail, while his legal team received less than half a day to review a 26,400-page investigative file.

During his imprisonment, political opponents attempted to remove him from office, an effort ultimately rejected by Albania's Constitutional Court as unconstitutional. SPAK has cited Veliaj's lobbying activities, entirely lawful conduct, as justification for continued detention, suggesting an overzealous and potentially selective prosecutorial approach similar to earlier allegations against Berisha.

Before his detention, Veliaj served not merely as Tirana's mayor but as the leading candidate to succeed Rama as head of the Socialist Party.

Despite facing no convictions, his continued imprisonment has prevented him from engaging in the political activities that established him as one of Albania's most popular politicians.

Born in 1979, Veliaj discovered evangelical Christianity at age 13 while volunteering at an orphanage near the U.S. Embassy in Tirana.

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There, he translated for American missionaries from Campus Crusade for Christ at Tirana Baptist Church and later became involved with Grace Community.

These experiences connected him with American Christian networks that emphasized humanitarian service, civic engagement, and anti-corruption activism — relationships that remained influential throughout his transition from volunteer work to civil society leadership and eventually national politics.

During the 1999 Kosovo War, these same networks propelled Veliaj into his first major humanitarian role, working with Michigan's International Aid in Kosovo's refugee camps before pursuing studies at Grand Valley State University.

His faith trajectory led him to found the anti-corruption youth movement MJAFT!, serve as a government minister, and ultimately become Tirana's mayor in 2015.

At first glance, Veliaj's religious background and anti-corruption activism might appear inconsistent with his Socialist Party affiliation.

However, Albania's political landscape defies conventional ideological frameworks.

The Socialist Party has largely embraced market-oriented reforms and Western integration, while the Democratic Party has often advocated expanded state involvement and relied on traditional patronage networks.

With Ambassador Eric Wendt's recent confirmation as ambassador, Washington has an opportunity to expand its focus beyond anti-corruption prosecutions toward strengthening rule of law, democratic accountability, and due process protections.

While combating corruption remains essential, it cannot undermine fundamental democratic principles. Foreign-funded institutions like SPAK raise legitimate concerns when prosecutors exercise extraordinary powers with insufficient oversight, particularly when they can de facto sideline elected officials before establishing guilt.

In this regard, U.S. policymakers should carefully consider the Venice Commission's concerns: suspending or replacing mayors absent clear legal justification risks undermining local self-government, local autonomy, and voters' democratic will.

Since Amb. Wendt has said he wants to improve Albania's investment climate, Tirana should strengthen the rule of law and due process rights — policy that would help make Albania a much more attractive place for investment.

Adelle Nazarian is a communications director for several non-government organizations. Her work on national security, foreign policy, human rights, and religious freedom is respected and recognized globally. Read more Adelle Nazarian Insider articles

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THE BLOGS

Eva Kelmendi

Jul 6, 2026, 6:15 AM

From Cyberwar to Strategic Partnership: Why Albania Matters to Israel



Former Albanian President Ilir Meta visits Israel's Homefront Command

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Before Iran escalated to direct missile strikes against Israel and Gulf states, it frequently targeted its adversaries in cyberspace. One of the clearest – yet underreported – examples occurred in 2022, when Iranian state-linked hackers launched a crippling attack on Albania. The cyberattacks shut down government systems and compromised sensitive data. Tirana responded by severing diplomatic ties with Tehran.

Fourteen Israeli cyber-defense firms dispatched to Tirana, where they stabilized Albanian networks and mitigated the damage. Prime Minister Edi Rama said "Israel stood by our side like a true friend and saved us." His visit to Israel in January 2026 confirmed that this was not a one-off episode, but the beginning of a deeper strategic alignment.

A Shared Adversary

The 2026 Iran War has brought the countries even closer together. During the war, Albania aligned itself with Israel and the United States, supporting military strikes and advocating tougher sanctions against Tehran. Iran, in response, Iran sought to undermine Albania's internal stability.

This year, as protests known as the "Flamingo Revolution" spread across Albania, Rama accused Iran of amplifying unrest through coordinated disinformation campaigns. While Tehran denied involvement, much of the online discourse surrounding the protests included anti-Israel and anti-Zionist messaging – consistent with past Iranian information operations. Rama highlighted the protests' antisemitic nature, which he said come from "enemies of Israel and Albania."

For Israeli policymakers, this dynamic is familiar. Iran routinely employs a hybrid warfare strategy – blending cyberattacks, disinformation, and proxy aggression – in its efforts to weaken Israel. Albania's experience demonstrates that even small European states can become targets of the Khomeini regime.

From Security to Economic Cooperation

What began as a security relationship has expanded into an economic and technological partnership. In June 2026, at the AgriNext Israel–Albania Forum on Food Security and Innovation, the two countries signed their most significant bilateral agreement in over two decades. The deal focuses on

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agriculture, food security, and technological innovation – fields where Israel has developed world-class expertise.

At the municipal level, Albania's capital – Tirana – has played a particularly important role in deepening ties. Tirana's mayor, Erion Veliaj, has actively promoted Albania as an attractive destination for Israeli investment and business. At the 2023 Tirana–Tel Aviv Technology Week, he highlighted the presence of dozens of Israeli firms in the capital and branded Tirana "the Tel Aviv of the Balkans."

This is not mere rhetoric. In 2024, Albania secured a €100 million investment from Israeli technology firm ADC to build the country's first major data center in the TEDA Free Trade Zone – an initiative designed to attract high-tech and green energy investment.

The Hidden Risk: Weak Rule of Law

Despite the economic opportunities, Albania presents a serious risk that Israeli investors cannot ignore: the fragility of its judicial system.

A recent analysis in *The Jerusalem Post* highlighted Albania's economic potential but identified weak legal protections as a central obstacle to deeper Israeli investment. Of particular concern is the country's extensive use of pre-trial detention – higher than in any other EU candidate state.

For investors, this is not an abstract issue. Legal predictability is the foundation of cross-border business. When the authorities can detain individuals – especially political or economic actors – without conviction for extended periods, it raises questions about the country's rule of law culture, and what that means for contract enforcement, property rights, and due process.

The Case of Erion Veliaj

This brings us back to Mayor Veliaj, who has been entangled in his country's judicial system. Albania' Special Structure against Corruption and Organized Crime (SPAK) has held him in pre-trial detention for over a year, despite his three consecutive electoral victories. Consequently, the Tirana Municipal Council nearly removed him from office, stopped only by Albania's Constitutional Court, which ruled

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that his involuntary detention does not justify dismissal. While that decision offers some reassurance cautious investors may still worry about the casual use of prolonged detention without conviction.

Concerns about Albania's law enforcement methods have drawn international scrutiny. The B40 network of Balkan mayors condemned the detention of elected officials without conviction, referencing both Veliaj and the detained Istanbul Mayor, Ekrem İmamoğlu. Additionally, in Gëllçi v. Albania, the European Court of Human Rights condemned Albania's arbitrary use of pre-trial detention without concrete evidence of a risk of flight or witness tampering.

A Key Link Between Tirana and Tel Aviv

Veliaj's detention is particularly significant to the Israeli reader given his role in strengthening Albanian–Israeli relations. A convert from Islam to Evangelical Christianity, Veliaj has pursued ties with Israeli leaders, including Tel Aviv Mayor Ron Huldai. He has promoted Israeli tourism, condemned attacks on Israel, and participated in international forums such as the 2021 Mayors Summit Against Anti-Semitism.

Economically, Veliaj saw Israeli investment as essential for his country—a conviction he translated into TEDA and the ADC project. Yet as ADC prepares to move forward with construction, SPAK continues to insist on his detainment.

Detention Without Conviction: A Strategic Liability

Veliaj's case highlights a risk that may deter even the Israeli investor, despite their reputation for calculated risk-taking in volatile markets. While Israeli firms are often willing to operate in challenging environments, arbitrary detention practices introduce a level of uncertainty that can outweigh potential rewards

Albania and Israel have developed a strong partnership; common risks and shared economic gain will do that. However, Albania's judicial practices risk undermining that progress. Aligning its legal syster more closely with European and Western norms may prove essential – not only for securing investor confidence but also for sustaining its deepening ties with Israel.

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ABOUT THE AUTHOR

Ms. Eva Kelmendi is an Albanian-born analyst based in the UK, with experience working alongside civil society organisations focused on the Balkans and Eastern Europe. Her work centres on governance, political freedoms, and institutional accountability, with particular attention to democratic standards and the rule of law. She holds an MA in Human Rights from University College London (UCL).

Conversation

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Albania's Constitutional Court Issues Second Landmark Ruling in Favor of Tirana Mayor Erion Veliaj; International Counsel at Kasowitz and Mishcon de Reya Call for Prompt Implementation of Constitutional Decision

KASOWITZ

NEWS PROVIDED BY
Kasowitz LLP →
Jul 06, 2026, 09:36 ET

TIRANA, Albania, July 6, 2026 /PRNewswire/ -- The Constitutional Court of Albania issued a second landmark ruling in favor of Tirana Mayor Erion Veliaj, holding that the Albanian Supreme Court failed to satisfy fundamental constitutional requirements governing the judicial review of Mayor Veliaj's continued pretrial detention. The Constitutional Court annulled the Supreme Court's decision and remanded the matter for renewed review. The ruling follows the Constitutional Court's earlier landmark decision protecting Mayor Veliaj's voter-conferred constitutional mandate as the democratically elected Mayor of Tirana.

In its latest decision, the Constitutional Court held that the Supreme Court failed to conduct the meaningful review required by Albania's Constitution, including to determine whether Mayor Veliaj's continued detention remained necessary and proportionate; to evaluate less restrictive alternatives; to address the constitutional consequences of preventing the democratically elected Mayor of Tirana from exercising the mandate entrusted to him by the citizens of Tirana; and to consider significant constitutional claims arising from Mayor Veliaj's treatment during judicial proceedings.

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Although the majority remanded the matter for renewed constitutional review, one of the Constitutional Court judges issued a separate concurring opinion that went significantly further. The concurring judge concluded that the evidence relied upon by the lower courts failed to establish the constitutionally required reasonable suspicion to justify Mayor Veliaj's detention. According to the concurring opinion, prosecutors relied on facts that merely reflected the ordinary exercise of Mayor Veliaj's official responsibilities and would not persuade "even an objective observer" that he had committed the charged offenses. The concurring judge therefore concluded that Mayor Veliaj's continued detention lacked the constitutional foundation required under both Albanian law and the European Convention on Human Rights.

Other members of the Constitutional Court likewise expressed serious concerns regarding Mayor Veliaj's treatment. Separate opinions criticized the use of a glass enclosure during court proceedings as inconsistent with human dignity, concluded that restrictions imposed during detention interfered with Mayor Veliaj's ability to communicate effectively with counsel, emphasized that the Supreme Court failed to protect adequately the constitutional presumption of innocence and the right to an effective defense, and criticized the lower courts for failing to weigh properly the constitutional implications of depriving the democratically elected Mayor of Tirana of the ability to exercise the office entrusted to him by the electorate.

Taken together, the Constitutional Court's majority opinion and the accompanying concurring opinions identify a remarkable series of independent constitutional deficiencies, including the failure to establish sufficient reasonable suspicion by adequate evidence; the failure to meaningfully evaluate whether continued detention remained necessary and proportionate; the failure to adequately safeguard the constitutional presumption of innocence and the right to an effective defense; the failure to protect courtroom procedures that protected Mayor Veliaj's dignity and his confidential communications with counsel; and the failure to fully consider the constitutional consequences of preventing a democratically elected mayor from exercising the office entrusted to him by the electorate.

The decision establishes constitutional principles extending well beyond this case by reaffirming that restrictions on personal liberty must be subject to meaningful constitutional scrutiny; that courts must independently determine whether detention remains necessary and proportionate; that less restrictive alternatives must be genuinely considered; and that constitutional protections remain fully applicable even in proceedings involving elected public officials and matters of significant public importance.

Daniel J. Fetterman, lead international counsel for Mayor Veliaj and a partner at Kasowitz LLP, issued the following statement:

"The Constitutional Court deserves recognition for its careful, independent, and principled application of Albania's Constitution. Today's decision represents the Constitutional Court's second ruling recognizing significant constitutional deficiencies in the State's treatment of Mayor Veliaj.

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The Constitutional Court has performed precisely the function entrusted to it by Albania's Constitution: ensuring that even in matters involving public officials and allegations of criminal misconduct, constitutional guarantees remain fully enforceable. Constitutional rights exist precisely to ensure that difficult cases are decided according to law rather than expediency.

This decision reinforces a principle shared by constitutional democracies throughout Europe and the United States: personal liberty cannot be restricted without rigorous judicial scrutiny and faithful adherence to constitutional safeguards. The Constitutional Court has now required exactly that searching review, and one member of the Court concluded that the evidence never satisfied the constitutional standard necessary to justify Mayor Veliaj's detention in the first place. Once the Albanian Supreme Court faithfully undertakes the review required by today's decision, carefully weighs each of the deficiencies identified by the Constitutional Court, and applies the governing standards, we fully expect it will conclude that Mayor Veliaj's continued detention cannot constitutionally be sustained and will order his immediate release.

When those constitutional deficiencies are considered together with the publicly identified use of two purportedly fictitious complainants whose existence has never been established and the participation of a prosecutor who admitted that he lacked the legal qualifications required to hold his office, the Albanian judiciary should ultimately be required to determine whether the cumulative effect of these defects has so compromised the integrity of these proceedings that the prosecution can continue consistently with the guarantees of due process, the Albanian Constitution, and the European Convention on Human Rights.

The rule of law ultimately is measured not by the constitutional rights written on paper, but by the willingness of independent courts to enforce those rights when doing so is most difficult. Independent courts faithfully applying constitutional principles without fear or favor are indispensable to democratic governance, public confidence in the administration of justice, and the protection of every citizen's fundamental liberties. We remain hopeful that Albania's judicial institutions will uphold those enduring constitutional principles."

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JULY 06, 2026

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The Kasowitz team representing Mayor Veliaj includes partners Daniel J. Fetterman and Brian S. Choi in New York, and senior counsel Clarine Nardi Riddle and special counsel David Miller in Washington, D.C.

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Albania protests are about more than Jared Kushner

Michael Rubin

5–6 minutes

There is an unfortunate tendency among American pundits and journalists to assume everything revolves around U.S. politics. Albania is only the latest case in point. In late May, protests erupted in Zvërnec, Albania, over plans by President Donald Trump's son-in-law Jared Kushner to develop a sensitive environmental site into a multi-billion dollar accommodations.

Kushner, however, was only one of many sparks that ignited the protests. Alex Soros, who has cozied up to Albanian Prime Minister Edi Rama to win approval for similar developments, was another. So too is Rama's persecution of Albania's Greek minority, who populate the Albanian Riviera. On May 12, 2023, for example, Rama's police arrested Fredi Beleri, an ethnic Greek candidate for the mayoralty of Himara. The charge? He has misspent approximately $100 during his campaign. Albanians saw through the charade — Rama wanted his own henchmen to win to complete his own real estate deals. In that context, Kushner's development was the symptom but not the cause.

Albania may have faded from the headlines in the West, but the protests have since been gaining momentum. Recent visitors to

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Albania say the mood is volatile as impatience with Rama's self-dealing reaches a fever pitch. Today, Albanians speak not of Kushner or even the United States, but rather of the "Flamingo Revolution," their corollary to the color revolutions that freed so many in Eastern Europe from dictatorship.

Albania, of course, is not communist, and, to ask the State Department, it is a thriving democracy. But that is not what Albanians say. As the Iron Curtain shattered, Albanians embraced democracy with enthusiasm. Albania became the most pro-American country in Europe, if not on Earth.

Then the State Department and USAID got involved. They helped stand up the Special Structure Against Corruption and Organized Crime (SPAK). To understand what happened next, imagine that Chicago Mafioso Al Capone took over the FBI before it ever had the opportunity to take him and the rest of the Chicago mafia down in the 1930s. Rama, the Socialist Party head, hijacked SPAK and used it to target anyone who threatened his power: former Prime Minister Sali Berisha, Defense Minister Fatmir Mediu, Deputy Prime Minister Arben Ahmetaj, and Tirana Mayor Erion Veliaj, among many others.

It was never about clean governance. As SPAK targeted anyone who asked Rama tough questions, Rama doubled down on both real estate schemes and apparent money laundering with drug cartels. Here, the mechanism was his decision to legalize marijuana cultivation. As soon as marijuana fields began to flourish, so did the cocaine trade from Latin America and West Africa, as well as the opium trade from Afghanistan and Turkey. The Italian coast guard regularly intercepts cocaine shipments into Albania; ironically, Rama's coast guard does not.

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Rama, meanwhile, openly followed the path of Turkish President Recep Tayyip Erdogan. It was not mere coincidence: A former Rama aide in the room when the two leaders met said Erdogan gave Rama a crash course on how to eviscerate a democratic system by targeting opponents and cultivating American diplomats. Erdogan consolidated power by hijacking the tax auditing authority that was Turkey's equivalent of SPAK. He made retired American diplomats and attaches his business partners or at least gave them donations to support them in new think tank roles. Rama seems to do the same. Rama, like Erdogan, distributes patronage in the form of real estate concessions and development.

The State Department realizes its error; it has quietly removed Berisha from its visa blacklist, essentially recognizing that the charges against him were political rather than substantive.

ISRAELI SETTLERS DETAIN RO KHANNA IN WEST BANK

Trump critics describe him as the anti-King Midas, where everything he touches turns to lead.

In terms of foreign policy, however, their own Trump derangement syndrome can be as destructive. In Albania's case, the desire to pile on Kushner blinds politicos to deeper issues that involve hijacking of American resources, growing organized crime and drug trafficking under the Rama regime, and questions over culpability of some previous American ambassadors who went all in on Rama.

Michael Rubin is director of policy analysis at the Middle East Forum, a distinguished fellow at India's Usanas Foundation and a contributor to Beltway Confidential.

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OP-ED

The United States Helped Build SPAK. Now SPAK Must Do Its Job

by Tirana Times · 8 mins read · 13 hours ago

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by David J. Kostelancik

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Tirana Times, July 18, 2026 – For years, the U.S. and the EU invested significant political capital, funding, and diplomatic pressure into helping Albania build one of the most ambitious anti-corruption institutions in the Balkans: the Special Anti-Corruption Structure, known as SPAK. SPAK was created to do what previous institutions often could not — investigate powerful political interests, confront organized crime, follow suspicious financial transactions, and restore public confidence in the rule of law. It was designed to operate independently, insulated from political pressure and capable of pursuing complex investigations involving senior officials, major business interests, and transnational criminal networks. For the long-term health of democracy and public confidence in government, SPAK undertook the hard work of demonstrating to Albanians that their trust in institutions of governance was justified, and to foreign investors that their financial commitments would be guaranteed by law.

Today, Albania faces a test of whether that vision will be realized.

The controversy surrounding a proposed **$1.4 billion luxury resort project linked to Affinity Partners, Jared Kushner, and Ivanka Trump** has become one of the most politically sensitive development projects in the country's recent history. The project, which involves development plans around **Sazan Island and the Vjosa-Narta coastal region**, has generated intense public debate, environmental concerns, allegations of irregular land

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transactions, and questions about legislative changes that benefited the development.

The issue is no longer simply about tourism or foreign investment. It has become a question of institutional credibility. If SPAK was built to investigate allegations involving political influence, suspicious financial activity, and potential corruption, then this is exactly the kind of case that demands rigorous scrutiny.

Importantly, **there is currently no public evidence** that Affinity Partners or Jared Kushner or Ivanka Trump knowingly participated in criminal conduct. Multiple reports and SPAK's own statements have emphasized that investigators have not established a direct evidentiary link between Affinity leadership and alleged criminal activity involving local actors. But that does not end the inquiry.

SPAK's mandate is not limited to determining whether foreign investors committed crimes. Its responsibility is to determine whether Albanian laws were manipulated, whether public resources were improperly transferred, whether state institutions acted lawfully, and whether criminal networks exploited the project for illicit purposes.

Indeed, SPAK has already begun exercising its authority.

Prosecutors have opened inquiries into the **2024 legislative changes** that altered protections surrounding the Vjosa-Narta wetlands and Sazan

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Island. These changes were critical to enabling the development and have become a focal point of public opposition, including large demonstrations known as the **"Flamingo Revolution"**.

The agency possesses extensive domestic powers to investigate these matters. SPAK can subpoena government records, question public officials, examine communications related to legislative decision-making, and investigate whether lobbying efforts crossed legal boundaries. It can determine whether the project's designation as a "**Strategic Investor**" followed proper procedures or whether political influence improperly affected the process.

SPAK also has **powerful financial investigative tools at its disposal**. Prosecutors can freeze assets, seize property records, trace beneficial ownership structures, and coordinate with Albania's financial intelligence authorities to identify suspicious transactions. These powers are particularly relevant because allegations have emerged regarding land deals associated with the project.

A central allegation is not that the resort developers themselves engaged in criminal conduct. Rather, prosecutors suspect that certain local intermediaries and landholders may have use**d** **real estate transactions to launder proceeds** derived from **international narcotics trafficking**.

SPAK has reportedly sought action against **dozens of individuals connected to a broader cocaine**

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trafficking network, while investigators examine whether Albania's booming construction sector was used as a vehicle to integrate illicit funds into the legal economy.

Additional concerns have arisen from **dramatic increases in the reported value of certain parcels of land**. Prosecutors are examining why some properties experienced extraordinary jumps in valuation over a short period of time. Such rapid appreciation can sometimes be consistent with techniques used in money-laundering schemes, though investigators have not publicly reached final conclusions.

These are precisely the types of questions SPAK was established to answer.

Critics argue that political considerations could limit the scope of the investigation. **Prime Minister Edi Rama has strongly supported the development**, portraying it as a transformative investment opportunity that could boost tourism and economic growth. Given the project's political significance, any investigation will inevitably encounter resistance from those who view scrutiny as a threat to a flagship national initiative.

That is exactly why SPAK's independence and expertise matters.

The institution was created because Albania's international partners recognized that ordinary law enforcement mechanisms often struggle when

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investigations approach powerful political or economic interests. **The United States repeatedly championed judicial reform in Albania** on the premise that no individual, political party, or investment project should be beyond scrutiny.

At the same time, SPAK's authority has limits. It cannot independently subpoena American citizens under investigation, compel production of records from U.S.-based investment firms, or investigate potential conflicts involving U.S. government officials. Such actions would require cooperation from American authorities, including the Department of Justice or congressional oversight bodies. But such limitations should not excuse inaction.

SPAK has broad jurisdiction over conduct occurring within Albania. It can investigate Albanian officials, local developers, intermediaries, land transactions, environmental approvals, asset transfers, and allegations of organized criminal infiltration. It can determine whether laws were altered improperly, whether corruption occurred, and whether criminal proceeds entered the project through local channels.

The credibility of Albania's justice reforms depends on whether those powers are exercised fully and fearlessly.

The United States helped create and fund SPAK because Albania needed an institution capable of confronting exactly these kinds of difficult cases. If allegations involving politically connected legislation, disputed land ownership, suspicious financial flows,

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and organized crime do not warrant aggressive investigation, it becomes difficult to imagine what would.

No conclusion should be predetermined. The facts may ultimately clear many of those involved. Investors are entitled to due process, and allegations alone do not establish wrongdoing. But the public is entitled to answers.

SPAK was created to follow evidence wherever it leads. Albania's democratic institutions, its international credibility, and the integrity of its justice system now depend on allowing investigators to do precisely that. As Albania's key ally, the U.S. owes it to the Albanian people to support their quest for truth and transparency.

David J. Kostelancik was a career member of the Senior Foreign Service of the United States of America, with the rank of Minister Counselor. Mr. Kostelancik most recently served as acting Deputy Coordinator for Terrorism Prevention and Detention in the Bureau of Counterterrorism. From August 2021 until September 2023 he served as foreign policy advisor to Chairman of the Joint Chiefs of Staff. Mr. Kostelancik previously served as Deputy Chief of Mission, and for two years, as Charge d'affaires at the U.S. Embassy in Budapest Hungary. Other assignments at the Department of State include as Director of the Office of South Central European Affairs and as Director of the Office of

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Russian Affairs, both in the Bureau of European and Eurasian Affairs, as well as Director of the Office of Europe and Asia in the Bureau of International Narcotics and Law Enforcement Affairs.

* * *

This article by David J. Kostelancik was originally published in The Diplomatic Pouch, a publication of Georgetown University's Institute for the Study of Diplomacy: https://medium.com/the-diplomatic-pouch/the-united-states-helped-build-spak-now-spak-must-do-its-job-5c25f2e34dff

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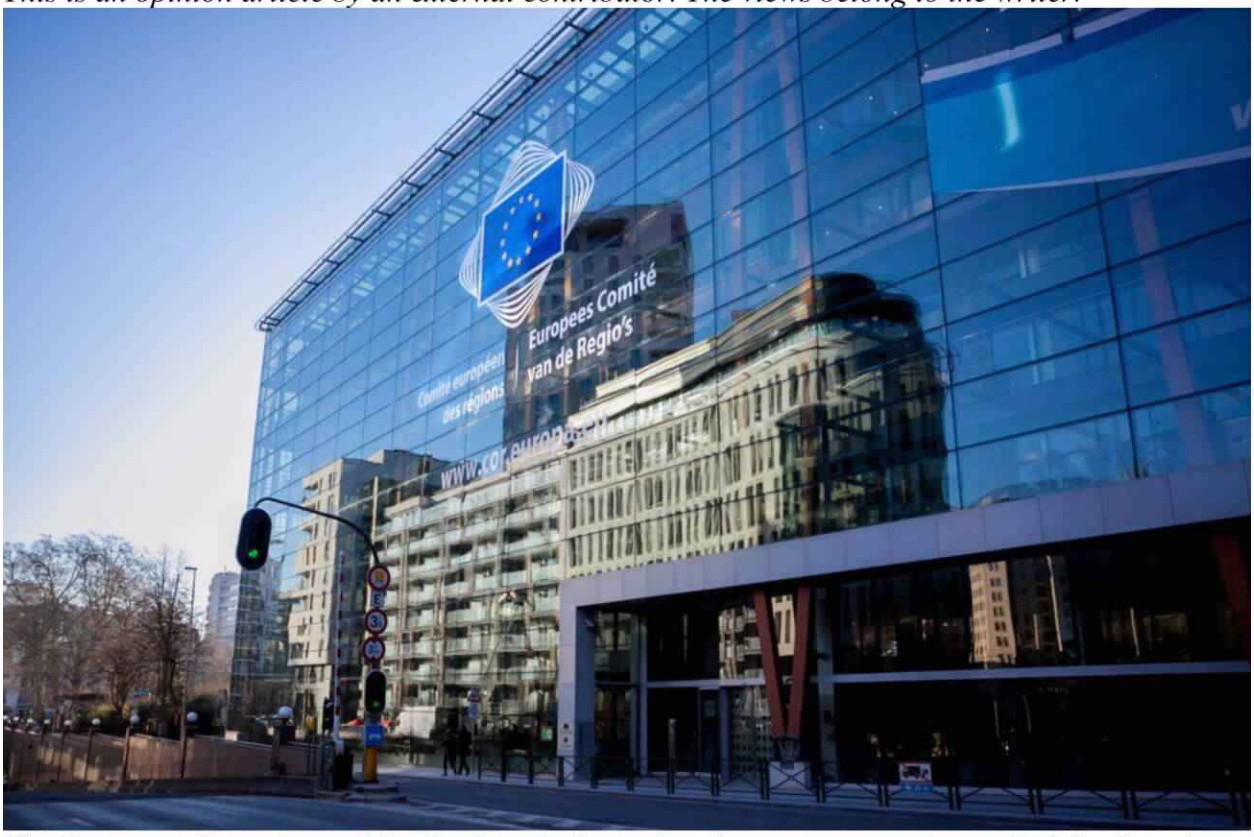
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The Brussels Times

Europe cannot look away as elected mayors are jailed
Sunday, 19 July 2026
By Enrique Penalosa



This is an opinion article by an external contributor. The views belong to the writer.



The European Committee of the Regions in Brussels, whose representatives called for the release of Istanbul mayor Ekrem İmamoğlu earlier this month and warned against threats to local democracy. Credit: Wikimedia Commons

Earlier this month, as the main defence hearings in the contentious case against Istanbul's elected mayor, Ekrem İmamoğlu, entered a decisive phase, representatives of the European Parliament and the European Committee of the Regions renewed calls for his release and warned that Europe would not turn a blind eye.

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After the first round of hearings ended on 8 July, the Council of Europe's Human Rights Commissioner **said** the proceedings raised grave concerns about fair-trial rights and judicial independence, noting that İmamoğlu had been prevented from presenting his defence and excluded from substantial parts of the hearings.

As a two-time mayor of Bogotá, Colombia, I have networked and brainstormed with other mayors from around the world, and I cannot stop thinking about what has occurred to Ekrem İmamoğlu. His case also brings to mind Erion Veliaj, Mayor of Tirana. Both are now in prison in cases that appear to be more political than criminal. I met them several times, including together in 2024 at **Bloomberg CityLab**, a summit for urbanists and political figures looking to improve city life.

I have followed their stellar mayoral records and how they have led their cities to realise tangible improvements. In Istanbul, this has included the **expansion of metro lines** and public transport networks, as well as comprehensive earthquake preparedness and resilience initiatives aimed at reinforcing vulnerable buildings and modernising infrastructure. In Tirana, Veliaj's tenure has also seen the transformation of public spaces through pedestrianisation projects, municipal **tree-planting programmes** and urban redevelopment, all of which have reshaped the city's liveability.

With this in mind, I was dismayed to see these achievements overshadowed by criminal proceedings that have become increasingly dubious.

In March 2025, Turkish authorities **arrested** İmamoğlu on charges including corruption, bribery, misconduct, leading a criminal organisation and aiding a terrorist group. His main trial began in March 2026, and the July defence hearings intensified concern over his ability to participate fully in his own defence.

In Albania, the Special Structure against Corruption and Organized Crime (SPAK) **arrested** Veliaj in February 2025 on allegations of passive corruption, reportedly following an anonymous complaint. 18 months after his arrest, Veliaj remains in detention despite never having been convicted of a crime. Following a Constitutional Court ruling that overturned his attempted removal from office, he continues to serve as the legally recognised mayor of Tirana from behind bars.

While the judiciary must hold anyone who violates the law accountable – whether a mayor or an ordinary citizen – it must also ensure that due process rights are fully respected in every case. Based on the publicly available record, serious questions remain over whether İmamoğlu and Veliaj have received the full protections to which they are entitled.

In Turkey, one of the most pressing due process concerns is İmamoğlu's prolonged pretrial detention. Held for nearly a year before his main trial commenced, he has effectively been deprived of much of the political authority he earned at the ballot box. During the hearings this month, he was at times barred from the courtroom and ultimately prevented from presenting his defence.

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In Albania, related concerns arise from Veliaj's continued detention despite the absence of a final conviction. His legal team has also alleged that prosecutors repeatedly sought to restrict his access to nearly 60,000 pages of evidence, limited confidential communication with his state-appointed counsel, and relied on his lawful lobbying and advocacy activities to justify extending his pretrial detention.

I am not the only mayor to take notice. Seventy-six mayors from the B40 Balkan Cities Network signed a **joint letter** in support of İmamoğlu and Veliaj. United across different political affiliations, these regional leaders raised a collective alarm regarding their indefinite pre-trial detentions.
European legal analysis reinforces this concern. The Council of Europe's Venice Commission – an advisory body of constitutional law experts – **issued a report** directly on point, aptly titled The Impact of the Pre-Trial Detention of Mayors on the Exercise of Local Democratic Governance.

The report warns that the misuse of pre-trial detention against elected officials poses a serious threat to democratic governance and the rule of law. The Venice Commission concluded that the extensive and disproportionate use of pre-trial detention against elected local officials challenges the presumption of innocence, stifles pluralism and restricts free political debate.

When imposed without legitimate grounds, pretrial detention may serve an illicit "ulterior purpose" within the meaning of Article 18 of the European Convention on Human Rights, such as suppressing political pluralism and democratic debate. The Venice Commission further emphasised that the removal of an elected mayor affects not only the officeholder but also the electorate, depriving it of its chosen representative.

Respect for the rule of law requires both accountability and restraint. It demands that justice be pursued without compromising the rights it is meant to protect.

For these reasons, and consistent with fundamental principles of due process and democratic legitimacy, Ekrem İmamoğlu and Erion Veliaj should be released on their own recognizance. As elected mayors, both should be afforded proportionate pretrial conditions that allow them to continue fulfilling their public mandates unless and until a court of law determines otherwise.

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ALBANIA

New court ruling questions 'proportionality' of Mayor Erion Veliaj's detention

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PUBLISHED 1 DAY AGO ON JULY 20, 2026
By **Martin Banks**



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The mayor of Albania's capital city says he has received "significant" fresh support that his continued detention is "unconstitutional".

Erion Veliaj has been held in "pretrial detention" (PTD) since February 2025 on corruption and money laundering charges, which is strongly refutes.

Now, in a fresh development, the country's constitutional court overturned a decision by Albania's Supreme Court and ordered a new review of Veliaj's detention.

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The new court ruling questions the proportionality of his detention, balancing it against his constitutional mandate as the city's democratically elected leader.

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The Constitutional Court is the highest authority in Albania's legal system, outranking the Supreme Court.

The mayor was once widely seen as a rising star in the country's Socialist party and even as the next prime minister of Albania.

He was arrested on multiple charges, including passive corruption, money laundering, and abuse of office, nearly 18 months ago by SPAK (Albania's Special Prosecution Against Corruption and Organized Crime). He and his defense team robustly deny the charges, alleging that the indictment is politically motivated. He claims there have been due process defects and has repeatedly had bail appeals rejected by the courts.

Reaction to the constitutional court ruling has been swift, with Daniel J. Fetterman, Veliaj's lead international counsel, describing the court decision as a "landmark."

He told this site, "This decision reinforces a principle shared by constitutional democracies throughout Europe and the US: personal liberty cannot be restricted without rigorous judicial scrutiny and faithful adherence to constitutional safeguards."

Fetterman, of Kasowitz LLP, said he "fully expects" any review "will conclude that Veliaj's continued detention cannot constitutionally be sustained and will order his immediate release."

Attention now shifts to the next hearing in the long-running criminal proceedings against the mayor of Albania's biggest city, scheduled for later Tuesday (20 July).

The mayor is not expected to attend this hearing in person because of the court's decision requiring him to participate from inside a glass enclosure rather than sitting alongside his lawyers.

His Tirana-based lawyer Plarent Ndreca told this site that the Constitutional Court had held that the use of such a glass enclosure "raises constitutional concerns relating to human dignity and the presumption of innocence" and had "ruled that the Supreme Court failed to address these arguments adequately."

Referencing the Constitutional Court ruling, he said it had found that the Supreme Court "had failed to provide sufficient reasoning in response to Veliaj's arguments, particularly regarding the proportionality of the detention measure in relation to his role and responsibilities as the elected Mayor of Tirana."

The mayor's access to legal counsel has also been an ongoing issue in what is a long-running saga. It is believed, however, that he has now been allowed to see his international attorneys. The reason for the a apparent change of mind is unknown.

Ndreca explained to this site how the latest legal moves may impact on Veliaj's role as mayor of Tirana.

He said, "Legally speaking, he remains the elected mayor and, in theory, continues to hold that office. In practice, however, it is extremely difficult for him to exercise his responsibilities effectively while being held in isolation."

He went on, "The wholly disproportionate pre-trial detention measure has directly impaired the exercise of his democratic mandate and, in practical terms, has suspended his ability to perform his functions, even though Article 242 of the Albanian Code of Criminal Procedure expressly prohibits a security measure from producing such an effect."

Ndreca added, "In our view, the Supreme Court should urgently reconsider the pre-trial detention measure. Following the Constitutional Court's judgment, the legal basis for maintaining Mr. Veliaj in detention has fundamentally changed.

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"We believe there is no longer a sufficient legal justification for preventing him from exercising the democratic mandate entrusted to him by the voters."

He said, "Equally important, the citizens of Tirana should not be deprived of their democratic right to be governed by the Mayor whom they freely elected."

He was also asked how Veliaj was coping with his continued detention, saying, "He is facing imprisonment with remarkable courage, optimism and confidence.

"Despite the serious shortcomings that, in our view, continue to exist within the Albanian justice system in terms of compliance with European Convention standards, he remains convinced that his rights will ultimately be vindicated.

"He believes that he will soon regain his liberty, enabling him to defend himself as a free citizen while also fulfilling the democratic mandate entrusted to him by the people of Tirana."

Some claim that the case, which continues to be widely reported in Albania, sheds light on the wider issue of Albania's current EU accession credentials. The country is a leading contender, among Western Balkans countries, to join the 27-strong bloc, possibly as soon as 2030.

However, it is thought a possible stumbling block to it becoming the latest country to join the EU could be on the issue of rule of law.

Erida Skëndaj, executive director of the Helsinki Committee on Albania, a human rights organisation, told this site, "It is true that in the Albanian judicial system the use of pre-trial detention is excessive, and we have expressed our concern, especially about vulnerable groups and for ordinary offences, for example, for the theft of a wallet."

She stressed, "But this is a general concern that cannot be related to specific cases that are subject to appeals or other legal remedies before domestic and international courts."

The Mayor's team has also challenged the "legality" of the appointment of a prosecutor involved in the case and an association of journalists and legal professionals has requested the courts declare the prosecutor's appointment decision "null and void."

Looking ahead, a court hearing on this issue is due for 24 July.

A spokesman for SPAK, which was approached for comment, told this site, "At this stage, we will not be commenting on this matter."

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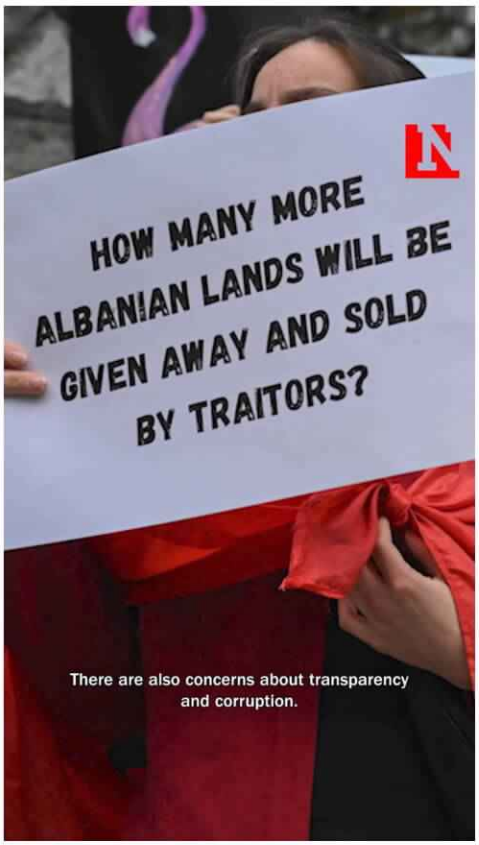
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Opinion

How Lawfare Waged Against Donald Trump Became a Global Playbook | Opinion

PUBLISHED
SEP 10, 2026 AT 05:00 AM EDT





By Jason D. Greenblatt
Former White House Middle East Envoy

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In February 2025, Albanian prosecutors arrested Erion Veliaj, the three-term mayor of Tirana. Eighteen months later, he is still in jail. He has not been convicted of anything. His detention has simply been renewed again and again while Albania's courts argue over whether it is lawful. The capital of a NATO ally is being run without the leader its voters chose three times.

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What makes the Albanian case stand out is who is doing it. The prosecutors seeking to keep the mayor in detention belong to the Special Structure against Corruption and Organized Crime, known as SPAK, created in 2016 with American and European backing as the centerpiece of a sweeping judicial overhaul. Albania needed that reform. Corruption ran deep in public life and criminal networks exploited weak institutions. The theory was simple: a stronger justice system would produce cleaner government, greater public confidence, more investment and a faster path to the European Union. Instead, an institution built to protect the rule of law is now the one raising the hardest questions about it.

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A decade later, the results are hard to defend. Representative Keith Self of Texas, chairman of the House Foreign Affairs Subcommittee on Europe, has noted that the judicial backlog has grown from roughly 16,000 cases to an estimated 200,000. Citizens can wait up to 15 years for a final ruling. More than half the prison population is awaiting trial, one of the highest rates in Europe. The European Convention on Human Rights treats pretrial detention as an exceptional measure that must be justified case by case: risk of flight, interference with evidence or witnesses, or danger of new offenses. In Albania, it has become standard practice.



Mayor of Tirana Erion Veliaj, far right, is escorted out of his office during his arrest on suspicion of corruption and money laundering on Feb Read More | *AFP via Getty Images*

That is what happened to the mayor of Tirana. The Council of Europe's Venice Commission studied this exact practice across member states. Its conclusion was blunt: when jailing mayors before trial leads to their automatic suspension or replacement, it undermines the presumption of innocence, stifles political pluralism and strips citizens of the representation they chose. A detention order, not a verdict, has kept the elected leader of Albania's largest city from doing the job his voters gave him.

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When prosecutors have credible evidence of wrongdoing, they should pursue it wherever it leads, including into city hall. They must also answer to the law themselves. An anti-corruption campaign keeps its legitimacy only as long as it respects due process, and holding a man in a cell this long without a verdict does not meet that standard. Albania's Constitutional Court has twice ruled in the mayor's favor, first protecting his elected mandate and then ordering a fresh review of whether keeping him locked up is justified at all.

I know this pattern well. I spent nearly a quarter of a century working for President Donald Trump, in business and then in the White House as his envoy to the Middle East. I watched from inside his orbit, as well as from the outside, as prosecutors and their political allies spent years trying to win through legal process what they could not win at the ballot box. In the end, the voters settled it.

Other countries are living through their own versions. Israelis have argued for years over the prosecution of Prime Minister Benjamin Netanyahu. Argentines are arguing today over the investigations aimed at President Javier Milei. The French spent the past year waiting to learn whether a court would keep Marine Le Pen off the presidential ballot. Brazilians are having the same fight over the imprisonment of former President Jair Bolsonaro. Each case has its own facts, and each country will judge its own. The pattern is what should worry us: across the democratic world, criminal charges have become weapons of political combat, and the targets are so often the leaders voters choose.

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The West has a particular reason to watch Albania; it helped create SPAK, and its credibility stands behind it. When a justice system holds an elected mayor month after month without a conviction, it hands ammunition to every autocrat who claims Western talk about the rule of law is selective.

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The damage is economic as well as political. My own work has recently drawn me toward the Balkans, where I have been cautiously exploring opportunities to see if it is a region my clients should feel comfortable doing business in, so I pay attention to how companies assess the country. The State Department's 2025 investment climate report credits Albania with broad economic potential, yet finds that investors still consider it a difficult place to do business, citing corruption in the judiciary and public procurement, weak contract enforcement, money laundering and shifting regulations. Executives do not need to follow Albanian politics closely. A headline about a mayor held for a year and a half without a verdict does that work on its own, and the investment, the partnership or the expansion quietly goes somewhere more predictable. The officials who sign the

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Albania does not have to choose between fighting corruption and protecting the rule of law. The countries that succeed do both, because each depends on the other. A decade ago, Albania set out to take unchecked power away from the corrupt. The mayor of its capital sits in jail today, without a verdict, because that power never disappeared. It moved into the prosecutor's office. Albania should finish what the reform was supposed to accomplish: making everyone, including the corruption fighters, follow the law.

Jason D. Greenblatt was the White House Middle East envoy in the first Trump administration. He is the author of In the Path of Abraham: How Donald Trump Made Peace in the Middle East—and How to Stop Joe Biden From Unmaking It*, the founder of Abraham Venture LLC and the publisher of the Substack "How to Watch." Follow him on X: @GreenblattJD*

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Kasowitz Reacts to Albanian Supreme Court Keeping Tirana Mayor Erion Veliaj Detained After Constitutional Court Vacated Prior Supreme Court Ruling

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NEWS PROVIDED BY
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Sep 21, 2026, 10:39 ET

Mayor Has Spent More Than 19 Months in Pretrial Detention; International Counsel Says Decision Tests Whether Constitutional Review Has Practical Force

TIRANA, Albania and NEW YORK, Sept. 21, 2026 /PRNewswire/ -- Albania's Supreme Court ruled September 15 that Tirana Mayor Erion Veliaj will remain in detention, leaving in force a March 13, 2025 decision of the Special Appeals Court. The ruling follows a decision by Albania's Constitutional Court vacating the Supreme Court's prior ruling on Mayor Veliaj's detention and remanding the matter for renewed review.

The Constitutional Court found that the prior Supreme Court decision did not provide the constitutionally required review of significant issues concerning Mayor Veliaj's continued detention, including its proportionality and the constitutional consequences of preventing Tirana's democratically elected mayor from exercising the mandate entrusted to him by the city's voters. The Constitutional Court returned the case to the Supreme Court for further consideration.

Mayor Veliaj has been detained since February 10, 2025 — more than 19 months — and remains Tirana's elected mayor. In a separate ruling last year, the Constitutional Court invalidated an attempt to remove him from office based on his involuntary absence while detained.

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Daniel J. Fetterman, a partner at Kasowitz LLP and lead international counsel to Mayor Veliaj, said:

"Yesterday's decision by Albania's Supreme Court is Kafkaesque and presents a stark question: does Albania's constitutional review have any meaning if constitutional deficiencies identified by the Constitutional Court – the highest court in the land – aren't corrected by its lower courts?"

"Albania's Constitutional Court vacated the Supreme Court's prior decision and sent this case back because the constitutionally required meaningful review of the proportionality of Mayor Veliaj's detention, less restrictive measures, and the consequences of preventing the elected Mayor of Tirana from carrying out his mandate given to him by the citizens of Tirana had not occurred."

"Mayor Veliaj has now spent more than 19 months in pretrial detention without any trial or conviction. Constitutional rights cannot exist only on paper, and constitutional review cannot become an exercise without practical consequence. The rule of law depends not simply on constitutional courts issuing decisions, but on those decisions being given meaningful effect."

"Additionally, separate opinions by members of the Constitutional Court have raised significant questions about the evidentiary basis for Mayor Veliaj's charges, detention and treatment during the proceedings."

"Albania's institutions still have the opportunity to demonstrate that constitutional safeguards are enforceable, not aspirational. We will continue to pursue every lawful avenue available to Mayor Veliaj and insist on a process consistent with those principles."

The Supreme Court's September 15 public notice states that the Court left in force the March 13, 2025 decision of the Special Appeals Court. The notice does not yet contain the Court's complete written reasoning and states that the reasoned decision will be communicated to the parties in accordance with the Court's procedures.

Plarent Ndreca, Mayor Veliaj's Albanian counsel, said:

"The question now is straightforward: what value do constitutional safeguards have if constitutional judgments do not have practical effect?"

"We will carefully review the Supreme Court's full reasoning when it is issued and pursue every remedy available under Albania's Constitution, domestic law and applicable international instruments. Mayor Veliaj remains presumed innocent, yet after more than 19 months he remains detained and unable to exercise the mandate entrusted to him by the citizens of Tirana. Constitutional judgments, fundamental rights and democratic mandates must have meaning in practice, not merely in principle."

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Kasowitz LLP is a litigation firm with extensive experience in complex domestic and international disputes and highly sensitive white collar defense and investigations. Its White Collar Defense and Investigations lawyers have handled matters arising in jurisdictions around the world, and the firm and its lawyers have been recognized by publications including Chambers USA and The Legal 500.

Daniel J. Fetterman, Chair of Kasowitz's White Collar Defense and Investigations Group and a former federal prosecutor in the Southern District of New York, represents corporations, public officials, executives and individuals in significant white-collar, cross-border and high-profile matters. He serves as lead international counsel to Mayor Veliaj.

This material is distributed by Kasowitz LLP on behalf of Erion and Arber Veliaj. Additional information is available at the Department of Justice, Washington, DC.

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