

ALBANIA 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Republic of Albania is a parliamentary democracy. The constitution vests legislative authority in the unicameral parliament (Assembly), which elects both the prime minister and the president. The prime minister heads the government, while the president has limited executive power. In June 2013 the country held parliamentary elections that the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) reported were competitive and respected fundamental freedoms but were conducted in an atmosphere of distrust that tainted the electoral environment. Authorities maintained effective control over the security forces.

The most significant human rights problems were pervasive corruption in all branches of government, particularly within the judicial and health-care systems, and domestic violence and discrimination against women.

Other human rights problems included police beating and otherwise mistreating suspects during detention and interrogation, sometimes to elicit confessions; occasionally prolonged police detention without charge; substandard prison conditions; and an inefficient judiciary subject to political pressure and corruption. The government made little progress in addressing claims for the return or restitution of property seized during the former communist era, and many of the property claims remained unresolved. A disproportionately high ratio of male-to-female births indicated that gender-biased sex selection might be occurring. There continued to be indications of widespread child abuse, although it was underreported. There were many displaced children and street children, particularly within the Romani community, although the government made greater efforts to address the problem during the year. The country continued to be a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Marginalization and abuse of the Romani and Balkan-Egyptian communities were serious problems, as was discrimination based on sexual orientation and gender identity. Government enforcement of labor laws remained weak and rarely protected domestic and migrant workers. Large numbers of children were engaged in forced labor. There were reports of discrimination in employment or occupation against individuals based on their gender, presence of a disability, sexual orientation or gender identity, nationality, and ethnicity.

Impunity remained a problem. Prosecution and conviction of officials who committed abuses remained sporadic and inconsistent, although the government intensified its efforts to investigate officials suspected of such offenses.

Government officials and politicians, as well as judges and those with powerful business interests, often were able to avoid prosecution. Some lower-level officials were punished for abuses. The government initiated investigations of some high-level officials, but the prosecution later dropped the cases.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

Impunity with regard to earlier killings remained a problem. In September prosecutors charged former general police director Hysni Burgaj and former deputy Agron Kulicaj with abuse of office after police refused to execute arrest orders for Republican Guard officers wanted in connection with killing of protesters in 2011.

As of September the cases of Republican Guards Ndreia Prendi and Agim Llupo, charged in the 2011 killings of four protesters, remained before the Supreme Court. The court was considering prosecution appeals of the one- and three-year sentences handed down against the two defendants in 2013 by an appeals court, which acquitted a third suspect.

The government continued to cooperate with the EU's Special Investigative Task Force investigation into allegations that the Kosovo Liberation Army and affiliates detained civilian "prisoners of war" from Kosovo at locations in Albania, held them under inhuman conditions, killed them between 1999 and mid-2000, and then trafficked their organs.

Incidents of societal killings, including both "blood feud" and revenge killings, occurred during the year. Such killings at times involved criminal gangs. Although long-standing traditions surrounding blood feuds prohibit killing children or women, nongovernmental organizations (NGOs) reported cases in which perpetrators intentionally targeted minors or women. The ombudsman reported that authorities' efforts to protect families or prevent blood feud killings were insufficient.

The police reported four blood feud killings during the first six months of the year. Other NGOs reported higher numbers, but data were unreliable. In 2013 the government amended the law to increase penalties for premeditated murder, when committed for a blood feud, from 20 years' or life imprisonment to no less than 30 years' or life imprisonment. Jurisdiction over blood feud cases was transferred from district courts to the serious crimes courts.

Amnesty International urged authorities to return the body of Remzi Hoxha, who disappeared in 1995, allegedly with the involvement of the security forces, to the family and to provide them with information about his fate.

b. Disappearance

There were no reports of politically motivated disappearances, abductions, or kidnappings.

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

While the constitution and law prohibit such actions, police and prison guards sometimes beat and abused suspects and detainees. NGOs and the ombudsman did not report any abuses motivated by political or religious affiliation.

Through June police internal control service had received three complaints of abusive conduct by police staff during the year.

The law mandates that the ombudsman, through the national mechanism for the prevention of torture, monitor and report on prisons and detention centers. During the year the ombudsman and NGOs reported that conditions in most prisons and detention centers improved, although serious problems remained in some facilities. Through August the ombudsman received 103 complaints from detainees alleging that police officers physically abused, unlawfully detained, illegally searched, or unlawfully fined them; violated their privacy; or failed to give them needed information. The ombudsman found 30 of these complaints to be justified, 37 unjustified, and three outside the ombudsman's jurisdiction. The ombudsman was reviewing 33 additional complaints. The ombudsman also reported poor living conditions in many facilities and the absence of proper medical attention for inmates.

The Albanian Helsinki Committee (AHC) reported that police sometimes used excessive force or that conditions in certain detention facilities were so poor as to constitute inhuman treatment. The majority of the complaints the AHC received alleged that police stopped persons without justification, detained persons past legal deadlines, delayed their transfer to detention facilities, failed to make them aware of their rights, or denied them access to a lawyer. There were also complaints of overcrowding. The AHC stated police often reported that detainees claiming abuse arrived with pre-existing injuries. Authorities did not keep proper medical records, making it difficult for detainees to prove their injuries occurred during detention.

NGOs reported that police and prison authorities' treatment of detained juveniles and women improved from 2013. NGOs reported fewer complaints from juvenile detainees about physical abuse or violence within detention centers and prisons, although reports continued that authorities at times failed to take such problems seriously.

Prison and Detention Center Conditions

Prison and detention center conditions varied significantly by facility. The country was in the process of replacing some older facilities where conditions were harsh and life threatening, while newer facilities built after 1991 generally met international standards. Conditions under the control of the Ministry of Justice were generally better than those under the control of the Ministry of Interior. During the year the ombudsman stated that conditions at Tirana's Jordan Misja prison made it unsuitable for prisoners.

Physical Conditions: As of September, 2,961 persons were in pretrial detention centers and 2,596 convicted persons were in prisons, including 93 female prisoners and 106 juveniles. Conditions in the female prison and detention centers were generally better than those in facilities for males.

As of September the Ombudsman's Office reported it had not received any complaints about suspicious deaths in prison or predetention centers. The government reported five deaths in prison through September.

Older facilities had unhygienic conditions and often lacked many basic amenities, including access to potable water, sanitation, ventilation, lighting, and health care. Overcrowding was a problem, particularly in predetention centers. Guards and other prisoners mistreated prisoners and detainees, threatening their lives and

health. The ombudsman and the AHC reported that detainees and prisoners did not have adequate access to medical examinations and other services. The ombudsman and NGOs reported that authorities detained convicted persons suffering from mental health problems in ordinary prisons, where access to mental health care was wholly inadequate.

The Ministry of Interior maintained police stations and temporary detention facilities. Conditions in those facilities were completely inadequate, with the exception of the Tirana regional police directorate and detention center, which the government reconstructed during the year. In some cases detention facilities were unheated during the winter. Some lacked basic hygienic amenities, such as showers or sinks, were cramped, afforded limited access to toilets, and had little or no ventilation, natural light, or beds and benches. The government did not make a sufficient capital investment in police infrastructure, including detention facilities, over the previous decade.

Administration: NGOs noted in some institutions recordkeeping was not adequate, particularly in small or rural police stations. The Albanian Rehabilitation Center for Trauma and Torture reported that, according to 2013 police data, authorities failed to include 210 of 2,266 criminal records in the national electronic system. Prisoners and detainees have the right to meet or receive telephone calls from relatives. Meetings may occur up to four times per month for adults and up to eight times for juveniles, and authorities permit eight telephone calls per month. Prisoners and detainees were free to practice their religion, and some facilities had special areas for religious services. Prisoners and detainees could submit complaints to the ombudsman and to judicial and administrative authorities. Every penal installation had a mailbox where prisoners and detainees could submit complaints without censorship. Prisoners could meet confidentially with the ombudsman, the Prisons Supervisory Commission, or foreign and domestic human rights NGOs. The country used alternatives to incarceration in sentencing.

Authorities investigated credible allegations of inhuman conditions and documented the results of their investigations. The ombudsman reported that prison officials generally cooperated with their investigations; however, prisons did not fully implement the ombudsman's recommendations. NGOs reported that, although the government took their suggestions more seriously than in the past, it continued to refuse to investigate some cases. The ombudsman found corruption to be a serious problem in detention centers, particularly with access to special release programs.

Independent Monitoring: The government allowed local and international human rights groups, the media, and the International Committee of the Red Cross, as well as international bodies such as the Council of Europe's Committee for the Prevention of Torture, to monitor prison conditions. The ombudsman reported, however, that in some cases police refused to allow monitors to enter detention centers without prior approval from the police.

Improvements: In April the parliament adopted a law that sets out the rights of detainees and standards for their treatment, including appropriate medical treatment in prisons. NGOs reported that police and prison authorities demonstrated greater sensitivity toward the rights of juvenile and female detainees. The ombudsman reported that authorities were more flexible in allowing juveniles in pre-detention centers to meet with relatives. The government continued the construction of two new prisons and two new pre-detention centers. In response to criticism of inadequate recordkeeping, police improved their record management through continued implementation of an electronic system.

d. Arbitrary Arrest or Detention

The law and constitution prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The Ministry of Interior oversees the State Police and the Republican Guard. The State Police are the main organization responsible for internal security. The Republican Guard protects senior state officials, foreign dignitaries, and certain state properties. The Ministry of Defense oversees the armed forces, which also assist the population in times of humanitarian need. The State Intelligence Service (SHISH) gathers information and carries out foreign intelligence and counterintelligence activities.

Civilian authorities generally maintained effective control over the police, Republican Guard, armed forces, and SHISH, although periodically state resources were used for personal gain and members of the security forces committed abuses.

Police did not always enforce the law equally. Personal associations, political or criminal connections, poor infrastructure, lack of equipment, or inadequate supervision often influenced enforcement of laws. Low salaries, poor motivation and leadership, and a lack of diversity in the workforce contributed to continued

corruption and unprofessional behavior. Impunity remained a serious problem, although the government made greater efforts to address it.

Police corruption was a problem (see section 4).

The government has mechanisms to investigate and punish abuse and corruption. The government's Internal Control Service conducted audits, responded to complaints, and carried out investigations with increased emphasis on human rights, prison conditions, and adherence to standard operating procedures. During the year the ombudsman processed complaints against police officers, mainly relating to problems with arrests and detention. As of September the ombudsman had received 103 complaints and investigated or provided counsel in response to 70. The ombudsman, through the national mechanism for the prevention of torture, reported increased implementation of his recommendations related to mistreatment.

The European Commission reported that during the year the government increased police salaries and instituted an open competition for new recruits. Through August authorities hired 400 new female police recruits. In June police carried out a successful operation against a major drug-producing zone. In contrast to similar efforts in the past, police demonstrated improved professionalism by taking gunfire from the criminals and overwhelming the culprits without injuring either suspects or civilians.

Arrest Procedures and Treatment of Detainees

The constitution requires that a judge issue a warrant for a suspect's arrest based on sufficient evidence. There were no reports of secret arrests. By law police must immediately inform the prosecutor of an arrest. The prosecutor may release the suspect or petition the court within 48 hours to hold the individual further. A court must decide within 48 hours whether to place a suspect in detention, require bail, prohibit travel, or require the defendant to report regularly to the police. Prosecutors requested, and courts ordered, detention in many criminal cases. Nevertheless, courts routinely denied prosecutors' requests for detention of well-connected, high-profile defendants.

The constitution requires that authorities inform detained persons immediately of the charges against them and their rights. Law enforcement authorities did not always respect this requirement. There was no effective system for handling the monetary aspect of bail. Instead, courts often ordered suspects to report to police

or prosecutors on a weekly basis. While the law gives detainees the right to prompt access to an attorney, at public expense if necessary, NGOs reported that interrogations often took place without the presence of a lawyer. Authorities placed many suspects under house arrest, often at their own request because if convicted they received credit for time served under house arrest. Officials did not effectively monitor house arrest, and suspects could move outside freely without detection.

By law police should transfer detainees to the custody of the Ministry of Justice, which has facilities more adequate for long-term detention, if their custody will exceed 10 hours. Due to poor communication between the ministries, this seldom happened, and it was common for detainees, including juveniles, to remain in police detention centers for long periods.

Arbitrary Arrest: The law and constitution prohibit arbitrary arrest and detention. Although the government generally observed these prohibitions, there were occasional instances when police detained persons for questioning for inordinate lengths of time without formally arresting them. There were no reports that instances of prolonged detention were based on the individual's political or religious beliefs

Pretrial Detention: While the law requires completion of most pretrial investigations within three months, a prosecutor may extend this period to two years or longer. The law provides that the maximum pretrial detention should not exceed three years; there were no reports that authorities violated this limit during the year. Extended pretrial detention often occurred due to delayed investigations, defense mistakes, or the intentional failure of defense counsel to appear. By law a judge cannot prevent such delaying actions by holding the offending attorney in contempt of court. Limited material resources, lack of space, poor court calendar management, insufficient staff, and failure of attorneys and witnesses to appear prevented the court system from adjudicating cases in a timely fashion. As of October 2013, 40 percent of the prison and detention center population was in pretrial detention.

Detention of Rejected Asylum Seekers or Stateless Persons: Authorities detained migrants who entered the country illegally. Police refused to allow representatives of the Office of the UN High Commissioner for Refugees (UNHCR) to monitor the processing, detention, and deportation of some migrants.

In one case several migrants, mainly of Eritrean origin, claimed that police violated due process by denying their right to claim asylum and by keeping them in a detention center for eight months. The UNHCR intervened on their behalf through the court system. As of September the courts had ruled in favor of two of the migrants, rejecting police orders for their deportation.

e. Denial of Fair Public Trial

Although the constitution provides for an independent judiciary, political pressure, intimidation, widespread corruption, and limited resources sometimes prevented the judiciary from functioning independently and efficiently. Court hearings were often not open to the public. Court security officers frequently refused to admit observers to hearings and routinely telephoned the presiding judge to ask whether to admit an individual seeking to attend a particular hearing. Some agencies exhibited a pattern of disregard for court orders. The politicization of appointments to the Supreme Court and Constitutional Court threatened to undermine the independence and integrity of these institutions. As of September two vacancies in the Supreme Court remained unfilled after nearly a year despite a considerable backlog of cases facing the court.

The European Commission reported in June that, since the previous October, the minister of justice had initiated disciplinary proceedings against 19 judges. In one case the High Council of Justice dismissed the judge, in another it transferred the judge to a lower court for two years, and in three others it issued warnings of possible dismissal. As of September the High Council of Justice was considering the charges against the remaining 14 judges.

Trial Procedures

The law presumes defendants to be innocent until convicted. It provides for defendants to be informed promptly and in detail of the charges, with free interpretation as necessary, and to have a fair and public trial without undue delay. The court system does not provide for jury trials. Defendants have the right to consult an attorney and to have one provided at public expense if they cannot afford one. The law provides defendants adequate time and facilities to prepare a defense and the right to access government-held evidence. Defendants have the right to confront witnesses against them and to present witnesses and evidence in their defense. Defendants may not be compelled to testify or confess guilt. Defendants have the right to appeal. The government generally respected these rights, although trials were not always public and access to a lawyer was at times

problematic. Despite the statutory right to free legal aid, NGOs reported that very few individuals benefitted from the law during the year.

In a number of decisions against the state, the European Court of Human Rights (ECHR) was critical of trial procedures. In particular the ECHR noted that authorities at times failed to secure or properly record witness evidence, used evidence obtained by torture, and failed to provide detainees access to a lawyer.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Persons who were political prisoners under the former communist regime continued to petition the government for compensation. On several occasions during the year, groups of former political prisoners protested the government's failure to pay them legally mandated compensation, including through hunger strikes. In July the parliament passed amendments to the law on compensation to give priority to women, the elderly, those with serious illnesses, and those who had never received a payment. The government made progress on disbursing compensation during the year, but the ombudsman stated the law failed to set a proper deadline for the completion of compensation payments, and NGOs criticized it for not addressing larger issues, such as the opening of communist-era files, initiating a national reconciliation process, and establishing an official record of the persecution of former victims, many of whom were elderly.

Civil Judicial Procedures and Remedies

While individuals and organizations may seek civil remedies for human rights violations, courts were susceptible to corruption, inefficiency, intimidation, and political tampering. Judges held many court hearings in their offices, demonstrating a lack of professionalism and providing opportunities for corruption. These factors undermined the judiciary's authority, contributed to controversial court decisions, and led to an inconsistent application of civil law.

Regional Human Rights Court Decisions

Citizens could appeal decisions involving alleged violations of the European Convention on Human Rights by the state to the ECHR. As of September, 37 ECHR judgments against the government had not been implemented. The judgments addressed 17 key problems, of which the three most serious were failure

to enforce domestic judicial and administrative decisions relating to property restitution, unfairness of criminal proceedings, and lack of appropriate medical treatment in prison. A 2013 study by the Open Society Foundation for Albania–Soros Foundation found that lawyers, prosecutors, and judges had limited knowledge of ECHR jurisprudence.

Property Restitution

A large number of conflicting claims for private and religious property confiscated during the communist era remained unresolved. World Bank experts asserted that, given the slow pace of restitution, the government would need \$38.6 billion and 30 years to complete the process. As of September more than 7,000 restitution cases awaited resolution at the government's Agency for Property Restitution. In July the ECHR rejected authorities' request for postponement of its June deadline for putting into place an effective mechanism to compensate former owners of property. The ECHR issued decisions in several high-profile cases requiring the government to pay plaintiffs tens of millions of dollars in compensation for confiscated property. As of September the government approved four decisions on the execution of ECHR judgments that provided for financial compensation to claimants. Nevertheless, disbursement of the funds remained uncertain as of September.

In 2013 a private bailiff's office evicted 14 families from an apartment complex in Tirana, allegedly enforcing a court order returning the property to its precommunist-era owner. The families began a hunger strike to demand that the government provide them recourse, and the Tirana prosecutor's office initiated criminal proceedings against the city government agencies that issued the initial court order. The evicted families initiated civil proceedings against the private bailiff's office. In June the Tirana prosecutor's office dropped the case.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

There were credible reports that the government demolished some homes without due legal process as part of a wider campaign to demolish illegally constructed buildings. Citizens also submitted complaints that the government, through its National Urban Construction Inspectorate, ignored citizens' requests to demolish some illegal buildings while choosing to demolish other buildings about which citizens had not complained. As of September the ombudsman was evaluating these claims.

In December 2013 the central government demolished an apartment building in Vlore, although the residents possessed titles to the property. The ombudsman had described earlier government efforts to prevent residents from entering the property as illegal, and the regional court had ruled in the residents' favor. The government contended that the construction was illegal. The Council of Ministers decided to compensate the building's former residents but as of September had not done so.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and press, and the government generally respected these rights. There were reports that the government and businesses sought to influence the media in inappropriate ways.

Press Freedoms: The independent media were active and largely unrestrained, although there were cases of direct and indirect political and economic pressure on the media, including by threatening journalists. Political pressure, corruption, and lack of funding constrained the independent print media, and journalists reported that they practiced self-censorship. Political parties, trade unions, and other groups published newspapers or magazines independent of government influence.

In its annual Media Sustainability Index, the organization IREX indicated that the independence of the media in the country remained the same as in 2013.

The independence of the Audiovisual Media Authority (AMA), the regulator of the broadcast media market, remained questionable. A politicized dispute over the AMA's leadership and the composition of its board hindered its ability to fulfill its mandate. The country's progress toward a scheduled June 2015 switchover to digital transmission was halted by the political impasse and a lawsuit by broadcasters claiming that the AMA made a decision without a required quorum. There were credible reports that the influence of commercial operators limited the Assembly's efforts to complete and reform the AMA and the public broadcaster.

The country's only public broadcaster, Albanian Radio and Television, operated a national television channel and a national radio station and by law received 50 percent of its budget from public funds. Disputes between political parties prevented the public broadcaster from filling senior posts.

While private stations generally operated free of direct government influence, most owners believed the content of their broadcasts could influence government action toward their other businesses, although less so than in the past. Business owners also freely used media outlets to gain favor and promote their interests with both major parties.

Some media outlets continued to produce investigative stories, which sometimes led to dismissals and criminal cases against corrupt public officials. Transparency International reported that in 2013 the media played a greater role than in earlier years in exposing cases of corruption and abuse of public office.

Violence and Harassment: There were incidents of violence against members of the media during the year, and political and business actors subjected journalists to pressure.

There were credible reports that Telnis Skuqi, a reporter for the daily *Rilindja Demokratike*, received a text message threatening violence against him following the publication of an article he wrote alleging that government officials were involved in drug trafficking. He received the text message via the internet from an anonymous sender. According to credible reports, police in Gjirokaster and Tirana offered to provide protection to Skuqi, but he declined the offer.

On April 12, police forced reporter Armand Bajrami of the daily newspaper *Panorama* to delete photographs he had taken of police officers beating a young man. The victim had participated in what authorities considered an illegal protest in front of the Greek embassy in Tirana. The media reported that police apologized to Bajrami and that the four officers involved in the incident were suspended. After the public apology, the general director of police and the director of Tirana police met with the reporter and promised a full investigation. As of September there were no reports of the results of any investigation.

On June 16, during a large police operation to take control of the southern village of Lazarat, known for its cultivation of cannabis, persons who were engaged in a gun battle with police assaulted an A1 Report Television vehicle. They forced the reporter, cinematographer, and driver out of the vehicle at gunpoint and held them hostage for several minutes until a local resident saved them. The vehicle was burned after the television crew was taken out of the village.

Censorship or Content Restrictions: Journalists complained that publishers and editors censored their work, directly and indirectly, in response to political and

commercial pressures. Many journalists complained that a lack of employment contracts frequently hindered their ability to report objectively and encouraged them to practice self-censorship.

In September the Union of Albanian Journalists stated that in 90 percent of the country's media outlets, there were delays of two to four months in the payment of reporters' monthly salaries. These delays led some journalists to rely more heavily on outside sources of income, which biased their reporting.

Libel Laws/National Security: The law provides special protection to national and foreign government officials against charges of defamation but permits private parties to file criminal charges and obtain financial compensation for insult or deliberate publication of defamatory information. NGOs reported that the fines, up to three million leks (\$29,200), were excessive and together with the entry of a conviction into the defendant's criminal record, violated the right to freedom of expression.

In 2012 the Tirana District Court fined the broadcaster Top Channel 51 million leks (\$497,000) for the 2009 broadcast of hidden camera footage that led to the dismissal of former minister of culture, youth, and sports Ylli Pango. The Court of Appeals overturned the decision. The Supreme Court sent the case back to the district court. The district court ruled against Pango, who again appealed the decision. As of September the appeals court had not heard the case.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. According to data compiled by the International Telecommunication Union, approximately 60 percent of the population used the internet in 2013. Approximately 35 percent of the population subscribed to mobile broadband internet, while 5.8 percent subscribed to fixed broadband internet. Fixed broadband was concentrated mostly in urban areas.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

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

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/tip/rls/tiprpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government at times cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern, although police refused to allow the UNHCR to monitor the processing, detention, and deportation of some migrants.

In-country Movement: Individuals moving within the country must transfer their civil registration to their new community of residence in order to receive government services and prove they are domiciled legally through property ownership, a property rental agreement, or utility bills. Many persons could not provide this proof and thus lacked access to public services. Other citizens lacked formal registration in the communities where they resided, particularly Roma and Balkan-Egyptians. The law does not prohibit their registration, but it was often difficult to complete. The government reduced some requirements for registration during the year in order to reduce the burden on marginalized populations, such as Roma and Balkan-Egyptians.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. There were credible reports that authorities did not follow due process obligations for some asylum seekers. In September the parliament approved a new law on asylum, in an effort to align domestic law more closely with EU legal standards. The UNHCR criticized the law for its inclusion of a national security provision,

which allows the government to return asylum seekers when the individual poses a security threat or was previously convicted of crimes punishable by at least seven years in prison. The law on asylum requires authorities to grant or deny asylum within 51 days of an applicant's initial request. Asylum seekers cannot face criminal charges of illegal entry if they contact the authorities within 10 days from their arrival in the country. Police cited a law on foreigners as a basis for deporting migrants who did not request asylum within 10 days of entering the country. The UNHCR reported that the asylum system lacked an effective monitoring mechanism and, as a result, irregular migrants in detention have been unable to exercise the right to appeal police deportation orders. The UNHCR reported that, due to poor resources, lack of adequate interpreters, and other reasons, the performance of the police prescreening system has declined.

Safe Country of Origin/Transit: The law prohibits individuals from safe countries of origin from applying for asylum or refugee status.

Access to Basic Services: The law provides for refugees' access to public services, including education, health care, housing, law enforcement, courts/judicial procedures, and legal assistance. Refugees often required the intervention of the UNHCR or local NGOs to secure these services.

Durable Solutions: The government continued to facilitate the local integration of Mujahedin-e Khalq refugees from Iraq during the year. The government assisted the safe, voluntary return of two refugees.

Temporary Protection: The government also provided temporary protection to individuals who may not qualify as refugees and provided it to four persons as of September.

Stateless Persons

In 2011 the UNHCR reported 7,443 stateless persons in the country. According to the UNHCR, most of the stateless persons were Romani children. Reasons for statelessness included cross-border migration and failure of parents to register their children at birth. The government made efforts to improve registration of children's births in hospitals and instructed its embassies in neighboring countries to assist in registering them abroad.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens the ability to change their government through free and fair elections, which they exercised through elections based on universal suffrage.

Elections and Political Participation

Recent Elections: In June 2013 the country held parliamentary elections that the OSCE/ODIHR observation mission to the elections reported “were competitive with active citizen participation throughout the campaign and genuine respect for fundamental freedoms.” The OSCE also noted, however, that “the atmosphere of distrust between the two main political forces tainted the electoral environment and challenged the administration of the entire electoral process.” The observation mission also cited problems with procedural irregularities and instances of inappropriate overlap between state institutions and party interests.

The Central Election Commission (CEC) operated without a quorum throughout the elections due to a boycott by the opposition party following the prime minister’s dismissal of one of its members. The OSCE reported that many persons were under the impression that the CEC acted politically, which contributed to an overall public sense of distrust.

Participation of Women and Minorities: The law mandates that women fill 30 percent of appointed and elected positions, and the electoral code provides that 30 percent of candidates should be women. Not all parties followed the electoral code; fines for noncompliance were low. In 2013 the CEC fined the Democratic Party, the Socialist Party, and the Socialist Movement for Integration for failing to comply with legally mandated quotas in their candidate lists for the June 2013 parliamentary elections. NGOs criticized political parties for not appointing more women to the Assembly from party candidate lists, particularly in cases where Assembly seats became vacant, despite laws designed to encourage female appointments. Women continued to be underrepresented in public office, including in parliament. In the June 2013 parliamentary elections 25 women gained seats in the 140-seat Assembly, an increase from 22 seats in the previous parliament. The number of female ministers in the new government increased to six, compared with one in the previous government. As of September there were 29 female parliamentarians and seven female ministers.

Civil registration requirements and lack of identification made it difficult for many Roma to participate in the June 2013 elections. The media published reports of

attempts to confiscate voter identification from Romani voters in exchange for money or food prior to the elections. As of October there were no Romani ministers or parliamentarians. Several members of the Greek minority from different political parties won election to the parliament, and a prominent member of a party representing the Greek minority was deputy speaker of the parliament.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and during the year parliament introduced stricter penalties as part of the government's wider anticorruption efforts. The government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity.

Corruption: Corruption was pervasive in all branches of government. From January through June, joint investigative units (JIUs), multiagency units that investigate and prosecute public corruption and other financial crimes, began 762 new investigations and sent 131 cases to court. Trials involving 129 cases concluded, resulting in guilty verdicts for 183 defendants and dismissals for 26. As of June court proceedings continued involving 289 defendants.

In December 2013, in a televised press conference, the minister of defense announced charges against the former defense minister, Arben Imami from the opposition political party, for corruption during a tender process for television advertisements. Prosecutors later dropped the case citing lack of evidence. Other charges filed against the former minister remained pending as of September.

During the year prosecutors indicted the head judge of the Puka District Court, the head of the district prosecution office, the chief clerk, the chief secretary, two private citizens, and a defense counsel on various charges related to active corruption, abuse of office, facilitation of corruption, and failure to report a crime. A court convicted the chief clerk, the chief secretary, the two private citizens, and the defense counsel. The cases against the chief judge and the district chief prosecutor were still in trial as of September.

In November 2013 the government assigned overall coordination of anticorruption activities to a newly created National Coordinator on Anticorruption, whose office oversees a network of anticorruption focal points in all the line ministries, in independent institutions, and at the local level. A restructured Unit on Internal Administrative Control and Anticorruption focused only on internal administrative control.

Corruption was a problem among police, and authorities took measures to combat it. Although the government's Internal Control Service investigated and referred for prosecution a significantly higher number of police officers during the year than in 2013, courts convicted few of them.

The government made efforts to address widespread reports that police sometimes accepted bribes in return for not issuing citations or not entering personal information into crime databases. Police installed camera systems in police patrol vehicles, and officers refused bribes more often, citing the increased surveillance. The government also carried out a national public awareness campaign against bribery. The implementation of an automated system to manage traffic citations also reduced opportunities for corrupt practices by traffic police.

The Albanian State Police Economic Crime and Corruption Section investigated corruption cases. The section had a limited capacity for undercover investigations and surveillance, hampering its investigations. Other agencies, including tax and customs authorities and state auditors and regulators, also performed anticorruption investigations. Investigative leaks, real and perceived political pressure, and a haphazard reassignment system hampered their efforts, as well as those of the State Police. The European Commission reported that the State Police increased the number of corruption cases it referred for prosecution between October 2013 and March 2014 by 16 percent, compared with the same period in 2012-13.

Corruption also remained a problem in educational institutions, including public universities. Many students complained that teachers demanded bribes to pass courses, making it difficult for some students to obtain higher education.

The Office of the Prosecutor General, working through JIUs, handled prosecutions. There were eight JIUs in the nation's largest cities. They made significant progress in pursuing low-level public corruption, but prosecution of higher-level crimes remained elusive due to investigators' fear of retribution, a general lack of resources, and judicial corruption. The government increased the number of anticorruption prosecutors in regional prosecution offices during the year. The European Commission reported that convictions at district courts decreased by 8 percent, whereas convictions at appeals courts increased by 81 percent in the period October 2013-March 2014, compared with the same period in 2012-13.

In June responsibility for corruption cases involving high-level government officials, as well as judges, prosecutors, justice officials, and locally elected

representatives, was transferred to the Serious Crimes Prosecution Office and the serious crimes courts.

Anticorruption enforcement agencies did not actively and sustainably collaborate with civil society in most cases but did cooperate in selective instances that international actors brought to their attention, many times at the request of civil society. They had sufficient resources.

Financial Disclosure: The law requires public officials to disclose their assets to the High Inspectorate for the Declaration and Audit of Assets and Conflict of Interest (HIDAACI), which monitored and verified such disclosures. HIDAACI made these disclosures available to the public. During the year legal provisions were introduced to increase HIDAACI's power to investigate declarations of assets and conflicts of interest. The provisions strengthened the institution's capacities and increased public transparency. The law authorizes HIDAACI to fine officials who fail to comply with disclosure requirements or to refer them to the prosecutor. As of August HIDAACI fined 175 individuals for delaying their submissions and for conflicts of interest. According to HIDAACI, it had referred 47 cases for prosecution as of August, including high-ranking public officials such as ambassadors and members of the High Council of Judges, other judges, prosecutors, the president's legal assistant, tax and customs employees, and local government officials.

Public Access to Information: The law provides for public access to government information, but the government did not effectively implement the law. The process for making information public often was not clear, and officials were sometimes reluctant to release information. The law stipulates that the right to access information can be restricted when information is categorized as classified or when such a release would violate the protection of personal data.

In September a new law on access to information was introduced. It provides for shorter deadlines for the disclosure of information as well as for the appointment of an information commissioner with the power to fine noncompliant institutions, and for the designation of information officers in all state agencies responsible for responding to information requests. Most government ministries and agencies posted public information directly on their websites. Businesses and citizens complained that the process lacked transparency and that authorities failed to publish some regulations and legislation that should be basic public information. Citizens often faced serious problems obtaining such information. Individuals could generally access government information free of charge, but there were

specific cases in which processing fees were required to cover the cost of service for the institution providing the information. Noncompliance is punishable as an administrative rather than a criminal offense. Citizens may appeal denials of disclosure to the authority with which they filed the original request or in a civil court.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally cooperated and responded to their views.

Government Human Rights Bodies: The Office of the Ombudsman is the main governmental institution for promoting and enforcing human rights. The Ombudsman's Office has the authority to inspect detention and prison facilities. It may initiate an investigation in some cases where a victim is unable to come forward to do so. Although the ombudsman lacked the power to enforce decisions, he acted as a monitor for human rights violations. The ombudsman reports to the parliament annually. While the parliament distributed copies of some of the ombudsman's special reports or posted them online, it generally did not formally discuss the reports in plenary or committee sessions. The parliament consulted the Ombudsman's Office at the last minute on draft laws directly affecting the institution. The ombudsman institution was underfunded.

The parliament has a committee on legal issues, public administration, and human rights. The parliament approved several laws aimed at addressing human rights problems, including a law on prisoners, on persons persecuted under the former communist regime, and on persons with disabilities; however, the ombudsman and some NGOs criticized some aspects of these laws.

Cases of discrimination may be brought to the government's antidiscrimination commissioner, who has the authority to issue sanctions. Through September the commissioner received 77 complaints of discrimination, compared with 60 during the same period in 2013. The commissioner issued 14 rulings of discrimination and imposed sanctions in two cases. The law allows the antidiscrimination commissioner to testify as an expert witness, even in appeals on cases the office rejected. Through September courts tried two cases testing enforcement of the law. In both cases the court ruled that workplace discrimination took place.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, age, disability, language, religion, gender identity and/or sexual orientation, health, family, economic, or social status. The government did not effectively enforce these prohibitions.

Women

Rape and Domestic Violence: Rape, including spousal rape, is a crime, but the government did not enforce the law effectively. Victims rarely reported spousal abuse, and officials did not prosecute spousal rape. The concept of spousal rape was not well established, and authorities and the public often did not consider it a crime. Penalties for rape and assault depend on the age of the victim. For rape of an adult, the prison term is three to 10 years; for rape of an adolescent between the ages of 14 and 18, the term is five to 15 years; and for rape of a child under 14, the term is seven to 15 years. The criminal code includes provisions on sexual assault and sexual harassment and makes the criminalization of spousal rape explicit.

Domestic violence against women, including spousal abuse, remained a serious problem. Through June police received 1,876 domestic violence-related complaints through their emergency hotline, compared with 3,020 during all of 2013. Police referred 649 cases to prosecutors through June, compared with 428 cases referred to prosecutors during all of 2013. Prosecutors sent 400 cases to court against 421 defendants through June, compared with 589 cases sent to court against 606 defendants during all of 2013. The courts issued 1,306 restraining orders as of October 2013, compared with 1,146 orders issued during the same period in 2012. Police often did not have the training or capacity to deal effectively with domestic violence cases.

The Ministry of Youth and Social Welfare oversees women's issues, including domestic violence. The government shelter for domestic violence victims in Tirana assisted 21 women and 36 children through August but could not accept victims without a court order. NGOs operated four shelters to protect victims from domestic violence, two in Tirana and two outside the capital.

Female Genital Mutilation/Cutting (FGM/C): The law does not explicitly prohibit FGM/C, although it is covered under general injury statutes. There were no reports of FGM/C.

Sexual Harassment: The law prohibits sexual harassment although officials rarely enforced it. NGOs believed that sexual harassment was severely underreported.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so. They have the right to attain the highest standard of reproductive health free from discrimination, coercion, and violence. By law health care is provided to all citizens. The quality of and access to care, however, including obstetric and postpartum care, was not satisfactory, especially in remote rural areas. According to the Demographic and Health Survey, only 11 percent of the population used modern contraceptive methods. To address these problems, the Ministry of Health implemented a family planning strategy with the assistance of the UN Population Fund (UNFPA) for the period 2012-16. The strategy sought to increase the demand for and access to quality reproductive health and family planning services by increasing the prevalence of contraceptive use, reducing the number of unwanted pregnancies, and improving maternal and child health.

Discrimination: The law provides equal rights for men and women under family law, property law, and in the judicial system. Women were not excluded from any occupation in either law or practice, but they were underrepresented at the highest levels of their fields. Although the law mandates equal pay for equal work, the government and private employers did not fully implement this provision. In many communities women were subjected to societal discrimination based on traditional social norms that depicted women as subordinate to men (see section 7.d.). In June the government instituted reforms to its social welfare program so that monthly social assistance payments to families were paid to women only rather than to the heads of household, who traditionally have been men.

Gender-biased Sex Selection: According to the government's statistical agency, the ratio of boys to girls at birth in 2013 was 109 to 100, indicating that gender-biased sex selection may be occurring. The government did not support efforts to address the imbalance in the ratio of boy-to-girl births in the country.

Children

Birth Registration: An individual acquires citizenship by birth within the country's territory or from a citizen parent. Parents are encouraged to register the birth of a child in a timely manner. To incentivize early registration, the law provides for a monetary reward for parents who register their children within 60 days of birth. Often, however, authorities did not disburse the reward. There were no reports of

discrimination in birth registration, but residency requirements for registration made it more difficult for many Romani and Balkan-Egyptian parents without legally documented places of residence to register their children and to access some government services that were dependent on registration.

According to the domestic NGO Children's Rights Center of Albania (CRCA), children born to internal migrants or those returning from abroad frequently had no birth certificates or other legal documentation and as a result were unable to attend school. This was particularly a problem for Romani families, in which couples often married young and failed to register the birth of their children.

Education: The law provides for nine years of free education and authorizes private schools. School attendance is mandatory through the ninth grade or until age 16, whichever occurs first, but many children, particularly in rural areas, left school earlier to work with their families. Parents must purchase supplies, books, uniforms, and space heaters for some classrooms, which were prohibitively expensive for many families, particularly Roma and other minorities. Many families also cited these costs as a reason for not sending girls to school. Although the government has a program to reimburse low-income families for the cost of textbooks, many families and NGOs reported that they were unable to receive reimbursement after purchasing the books.

Child Abuse: Child abuse, including sexual abuse, occurred, although victims rarely reported it. According to a UN Children's Fund report issued in 2013, 57 percent of the country's children between the ages of two and 14 were subject to psychological and/or physical violence. The CRCA reported in 2013 that 58 percent of children were victims of physical abuse, 11 percent of children were victims of sexual harassment, and almost 5 percent of children reported that they had been victims of sexual abuse. Almost 70 percent of children reported psychological abuse from family members, according to the CRCA.

Early and Forced Marriage: Although the legal minimum age for marriage is 18, authorities did not enforce the law. Underage marriages occurred mostly in rural areas and within Romani communities. According to 2009 UNFPA statistics, 9.6 percent of women between the ages of 20 and 24 were married before they were 18. The UNFPA reported that in 2011, approximately 31 percent of female Romani children between the ages of 13 and 17 were married. Some NGOs reported that early and forced marriages occurred in rural communities as part of human trafficking schemes, when parents consented for their underage girls to marry older foreign men, who subsequently trafficked them to other countries.

Female Genital Mutilation/Cutting (FGM/C): The law does not explicitly prohibit FGM/C, but general injury statutes would cover it. There were no reports of FGM/C.

Sexual Exploitation of Children: Some children under the age of 18 were exploited for prostitution. The penalties for the commercial sexual exploitation of a child range from eight to 15 years' imprisonment. The country has a statutory rape law, and the minimum age for consensual sex is 14. The penalty for statutory rape of a child under the age of 14 is a prison term of five to 15 years. In aggravated circumstances, the penalty may increase to life imprisonment. The law prohibits making or distributing child pornography; penalties are a prison sentence of three to 10 years. Possession of child pornography is illegal. In 2013 the parliament enacted more severe punishment for crimes against minors, including sexual abuse; sexual harassment; exploitation for prostitution; benefitting from services offered by trafficked persons, including minors; facilitating trafficking, including of minors; and domestic violence. Authorities generally enforced laws against the rape and sexual exploitation of minors effectively, but NGOs reported that laws prohibiting child pornography were rarely enforced. Police data from 2012 and 2013 indicated that 708 children were victims of a crime, of whom 58 experienced domestic violence and 22 experienced sexual exploitation.

Displaced Children: There continued to be numerous displaced and street children, particularly within the Romani community. Street children begged or did petty work; some migrated to neighboring countries, particularly during the summer. These children were at highest risk of trafficking, and some became trafficking victims. Some displaced children were used by criminal gangs to burglarize homes, since the law prohibits prosecuting children under the age of 14 for burglary. There were few prosecutions of child trafficking cases (see section 7.d.).

In May the government in cooperation with local and international NGOs published the country's first national report on street children. According to the report, more than 2,500 children either begged or worked informally on the street, nearly 75 percent of whom were from Romani or Balkan-Egyptian communities. The study found that the majority of street children lived in a home with two parents. Children most commonly reported that earning money for their family was the principal reason for their begging or work, while a third of these children said their parents forced them to work. According to the report, a third of street children run the risk of being trafficked. In response to the study, the government implemented a pilot program in Tirana to remove children from the street and

provide them with social care. The government also began providing financial incentives to parents to send their children to school and have them vaccinated.

The report on street children also highlighted a new phenomenon, the reported exploitation of more than 300 children to harvest cannabis in fields in the southern municipality of Lazarat.

Institutionalized Children: There were reports that orphans leaving the custody of the state at adulthood faced significant challenges finding adequate housing and services.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see travel.state.gov/content/childabduction/english/country/Albania.html.

Anti-Semitism

There were reportedly only a few hundred Jews living in the country. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The constitution and laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation, access to health care, and the provision of other state services. Despite these legal prohibitions, employers, schools, health-care providers, and providers of other state services sometimes engaged in discrimination. The law mandates that new public buildings be accessible to persons with disabilities, but the government only sporadically enforced the law. According to the 2011 census, 24 percent of persons with disabilities had never attended school and 65 percent of such persons were female. Widespread poverty, unregulated working conditions, and poor medical care posed significant problems for many persons with disabilities (see section 7.d.).

Persons with disabilities were not restricted from participating in civic affairs, although resource constraints and lack of infrastructure made it difficult for them to participate fully in many activities. The government set up social services agencies to protect the rights of persons with disabilities, but the agencies often lacked funding to implement their programs. The law does not limit the right of persons with disabilities to vote, although voting centers often were located in facilities lacking accommodations for such persons. The OSCE/ODIHR mission reported that during the June 2013 elections, approximately 44 percent of voting centers were inaccessible to voters with disabilities.

The ombudsman regularly inspected mental health institutions. Both the admission and release of patients at mental health institutions were problems due to lack of sufficient financial resources to provide adequate psychiatric evaluations. There was societal discrimination and stigmatization of persons with mental health problems and other forms of disability.

In July the parliament passed a framework law that expands the categories of disabled persons eligible for government aid to include those with autism, Down Syndrome, and other less commonly recognized disabilities. Some NGOs criticized the law because they asserted it would transfer some powers from civil society organizations to the government.

National/Racial/Ethnic Minorities

There were reports of significant discrimination against members of the Romani and Balkan-Egyptian communities, including in housing, employment, health care, and education. Some schools resisted accepting Romani and Balkan-Egyptian students, particularly if they appeared to be poor. Local NGOs reported that many schools that accepted Romani students marginalized them in the classroom, sometimes by physically setting them apart from other students.

In July and August, the UN Human Rights Committee issued two interim decisions requesting the government not to permit the eviction of several Roma families living in Elbasan. The municipality had ordered the removals in order to complete two major infrastructure projects. The municipality rescinded the order of eviction for four families and reached an agreement with three families to provide them a rent subsidy in return for them vacating their homes voluntarily. Human rights advocates expressed concern over the terms of the agreement. Roma rights NGOs also criticized the lack of legal safeguards against eviction and demolition of Roma camps included in a new law on property legalization passed in May.

The law provides official minority status for national groups and separately for ethnolinguistic groups. The government defined Greeks, Macedonians, and Montenegrins as national groups; Greeks constituted the largest of these. The law defined Aromanians (Vlachs) and Roma as ethnolinguistic minority groups.

The ethnic Greek minority complained about the government's unwillingness to recognize ethnic Greek towns outside communist-era "minority zones," to utilize Greek in official documents and on public signs in ethnic Greek areas, or to include more ethnic Greeks in public administration. Public education was not provided in the Romani, Serbo-Montenegrin, or Vlach languages.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The law prohibits discrimination against lesbian, gay, bisexual, and transgender (LGBT) individuals. The government's antidiscrimination commissioner received several complaints from LGBT individuals and organizations. The commissioner issued sanctions against one private business owner. As of August the business owner had ignored the sanctions. The commissioner asked the court to compel two politicians to pay fines imposed upon them in 2013 that they had ignored. Enforcement of the law was generally weak (see section 7.d.).

Sexual orientation and gender identity are among the classes protected by the country's hate-crime law. Despite the law and the government's formal support for LGBT rights, homophobic attitudes persisted in private and public life. Public officials sometimes made homophobic statements. NGOs reported an increase in families evicting LGBT persons from their homes during the year. In March a lesbian woman and her five-month-old baby were evicted by her family after they discovered her sexual orientation. In August three persons beat a transgender individual in a bar. The police did not arrive at the scene in a timely manner and did not find the perpetrators.

On May 17, activists participated in a Ride against Homophobia, a short bicycle ride on Tirana's main boulevard, as well as a diversity fair, both of which proceeded without incident, unlike in previous years. Police played an important role in ensuring activists' safety during the events. Tirana police also received sensitivity training from LGBT NGOs, and activists gave police an "LGBT Ally of the Year" award.

HIV and AIDS Social Stigma

The law prohibits discrimination against persons with HIV/AIDS. There is a general social stigma against persons with HIV/AIDS, although there were no reports of violence against such individuals during the year. In the most recent demographic and health survey (2008-09), 71 percent of women and 69.3 percent of men reported discriminatory attitudes towards persons with HIV.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law and related regulations and statutes provide the right for most workers to form independent unions, conduct legal strikes, and bargain collectively. The government effectively enforced these laws. The law prohibits antiunion discrimination and provides for the reinstatement of workers fired for union activity. The law prohibits members of the military and senior government officials from joining unions and requires that a trade union have at least 20 members to be registered. The law provides the right to strike for all workers except uniformed military personnel, police personnel, indispensable medical and hospital personnel, persons providing air traffic control and prison services, and both essential and nonessential workers in water and electrical utilities. Workers not excluded by their position exercised their right to strike. The law prohibits strikes that courts determine to be political in nature. These laws rarely protected domestic and migrant workers. Transparency International reported that labor unions were weak and that both the authorities and private companies were typically hostile to organizing and collective bargaining efforts.

Government enforcement of these laws remained largely ineffective. Resources for conducting inspections and remedying for violations were not adequate. Penalties, including fines of up to fifty times the minimum wage, were not sufficient to deter violations. Administrative and judicial procedures were subject to lengthy delays and appeals. Arbitration procedures allow for significant delays that limit worker protections against antiunion activity.

Civilian workers in all fields have the constitutional right to organize and bargain collectively, and the law establishes procedures for the protection of workers' rights through collective bargaining agreements. Unions representing public sector employees negotiated directly with the government. Effective collective bargaining remained difficult with employers opposed to union organizing and

activities. In this environment collective agreements, once reached, were difficult to enforce.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor; however, the government did not always effectively enforce the law. Lack of coordination among ministries and the sporadic nature of implementation of standard operating procedures hampered enforcement. Penalties of eight to 15 years' imprisonment were sufficiently stringent to deter violations. Law enforcement organizations provided training to their officers in a victim-centered approach to human trafficking. The government identified an increasing number of trafficking victims but had prosecuted and convicted a small number of traffickers as of April. The office of the National Anti-trafficking Coordinator was effective in sustaining the government's efforts against trafficking.

Albanians and Filipinos working in the country were subjected to forced labor during the year. Children were subjected to forced begging and criminal activity (see section 7.c.).

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum age of employment at 16 and regulates the amount and type of labor that children under the age of 18 may perform. Children between 16 and 18 may work in certain specified jobs. According to law the State Labor Inspectorate, under the Ministry of Youth and Social Welfare, is responsible for enforcing minimum age requirements through the courts, but the State Labor Inspectorate did not adequately enforce the law. Labor inspectors investigated the formal labor sector, whereas most child labor occurred in the informal sector. Most labor inspections occurred in shoe and textile factories and in retail enterprises; officials found some instances of child labor in the course of their inspections. Penalties for violations of the law include fines up to 50 times the minimum wage; they were not sufficient to deter violations.

In 2013 the government's statistical agency and the International Labor Organization reported that 54,000 children were engaged in forced labor domestically. An estimated 43,000 children worked in farms and fishing, 4,400 in

the services sector, and 2,200 in hotels and restaurants. Nearly 7 percent of children were child laborers.

The government improved cooperation between the labor inspectorate and municipal child rights units, training 50 inspectors in child labor monitoring.

The law criminalizes exploitation of children for labor or forced services, but the government did not enforce the law effectively. Reports noted that a majority of child laborers worked as street or shop vendors, beggars, farmers, shepherds, drug runners, vehicle washers, textile factory workers, miners, or shoeshine boys. Some of the children begging on the street were second- or third-generation beggars. Research suggested that begging started as early as the age of four or five years. While the criminal code prohibits the exploitation of children for begging, police generally did not enforce the law, although they made greater efforts to do so during the year (see section 6, Displaced Children).

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment or Occupation

Labor laws prohibit employment discrimination because of race, skin color, gender, age, physical or mental disability, political beliefs, nationality, religion, family, and social origin. The laws do not specifically prohibit discrimination in employment or occupation with regard to sexual orientation and/or gender identity, HIV-positive status, language, or social status. Discrimination in employment and occupation occurred with respect to gender, presence of a disability, sexual orientation and gender identity, nationality, and ethnicity (see section 6).

e. Acceptable Conditions of Work

The national minimum wage was 22,000 leks (\$214) per month. According to the government's statistics agency, the average wage for government workers at the end of 2013 was 52,150 leks (\$508) per month. By comparison the national poverty threshold in 2013 was 6,665 leks (\$65) per month. The statistics agency reported that average monthly wages in the public sector at the end of 2013 had increased 4.1 percent compared with the end of 2012. The labor code requires equal pay for equal work.

The State Labor Inspectorate is responsible for enforcing the minimum wage. While the law establishes a 40-hour workweek, individual or collective agreements typically set the actual workweek. The law establishes paid annual holidays, but only employers in the formal labor market had rights to paid holidays. Many persons worked six days a week. The law requires payment of overtime and rest periods, but employers did not always observe these provisions. The law limits the maximum hours of work per week to 40 and provides for premium pay for overtime. The government had no standards for a minimum number of rest periods per week and rarely enforced laws related to maximum work hours, limits on overtime, or premium pay for overtime, especially in the private sector. These laws did not apply to workers in the informal sector such as domestic employees and migrant workers.

The State Labor Inspectorate is responsible for enforcing occupational health and safety standards and regulations. Enforcement was lacking overall. Workplace conditions in the manufacturing, construction, and mining sectors frequently were poor and, in some cases, dangerous. Resources and inspections were not adequate, and penalties of up to 50 times the minimum wage (\$10,000) often did not deter violations, as law enforcement agencies lacked the tools to enforce collection and consequently rarely charged violators. There were no government programs to provide social protection for workers in the informal economy.

Wage and occupational safety standards violations occurred most frequently in the textile and shoe, construction, and mining industries. Workers often could not remove themselves from situations that endangered their health or safety without jeopardizing their employment. Employers did not effectively protect employees in this situation.