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Contact: Zoë Bryanston-Cross
Tel: 03.90.21.59.62

Date: 15/04/2024

DH-DD(2024)424

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1501st meeting (June 2024) (DH)

Communication from the authorities (15/04/2024) concerning the case of Strazimiri v. Albania (Application No. 34602/16).

Information made available under Rule 8.2a of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1501^e réunion (juin 2024) (DH)

Communication des autorités (15/04/2024) relative à l'affaire Strazimiri c. Albanie (requête n° 34602/16) **[anglais uniquement]**.

Informations mises à disposition en vertu de la Règle 8.2a des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

DGI

15 AVR. 2024

SERVICE DE L'EXECUTION
DES ARRÊTS DE LA CEDH



REPUBLIKA E SHQIPËRISË
STATE ADVOCATURE
OFFICE OF GENERAL STATE ADVOCATE

No. 51/ Prot.

Tirana, on 15.9.2024

Ref: On the execution of the judgment of the European Court of Human Rights in the case no.34602/16 “Strazimiri v. Albania”, judgment of 21.01.2021”

To: **Ms. DIMITRINA LILOVSKA**
Head of Division
Department for the Execution of Judgments of the ECHR
DGI - Directorate General of Human Rights and Rule of Law

Council of Europe- Strasbourg
67075 Cedex
France

Dear Mrs. Lilovska,

In the framework of the cooperation between the Government of Albania with the Department for the Execution of Judgments of the European Court of Human Rights, regarding the execution of the ECtHR judgment in the case no. 34602/16 “Strazimiri v. Albania”, please find below attached updated information on the individual and general measures implemented by the Albanian Government for the execution of the ECtHR judgment in the application no. 34602/16 “Strazimiri v. Albania”.

Yours sincerely,

ODISE MOÇKA
STATE ADVOCATE GENERAL



UPDATED INFORMATION

Execution of the judgment of the European Court of Human Rights

Application No. 34602/16 "Strazimiri v. Albania", Judgment of 21.01.2021.

The Committee of Ministers for Human Rights at the 1475th meeting of the Ministers' Deputies, after examining the information provided by the Albanian authorities, invited the latter to provide, by 31st of December 2023 information on individual and general measures for the execution of the judgment "Strazimiri v. Albania".

On 7.09.2023 and January 2024, the Albanian Government provided most recently updated information on individual and general measures for the execution of the judgment "Strazimiri v. Albania".

In this regard, the Albanian government is submitting herein additional information on individual and general measures undertaken for the execution of the judgment of the European Court of Human Rights in the case no.34602/16 "Strazimiri v. Albania", judgment of 21.01.2021.

A. Individual measures

Outcome of periodic judicial review of confinement

As already stated in our previous submissions, the applicant Strazimir is kept under constant supervision by a multidisciplinary team in accordance with his individualized treatment plan¹ in Lezha Special Institution.

During 2022-2023, the **judicial review of confinement** for the applicant based on the medical assessments of the applicant's state of health, was carried out. The Court has appointed a forensic psychiatrist to complete the psychiatric evaluation for the applicant. The expert in the report has concluded that "the citizen Arben Strazimiri suffers from the mental illness, schizophrenia, paranoid type. Currently, he manifests psychotic symptoms of the illness from which he suffers. He demonstrates impairments of cognitive processes that do not allow him to understand the accusation, obligations and his rights.

Based on the medical reports, the cognitive impairment that he demonstrates, due to the duration of the schizophrenic symptoms, the negative symptomatics of the disease, which is installed after years of suffering from this disease, the citizen is unable to control his actions and is not aware of having committed a criminal offence.

¹ Pharmacological therapy, Clinical evaluation; CBT therapy implementation; psycho-educational activities; physical – sport activities.

The Court, at the end of the proceedings due to the mental health of the applicant and the level of risk he poses to society has ordered the continuation of the compulsory inpatient medical treatment.

B. General measures

- *Awareness raising measures.*

Following the findings of the latest report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), on January 30, 2024, a high level meeting was organised with the support of the Council of Europe and European Union in the framework of the joint European Union and Council of Europe programme "Horizontal Facility for the Western Balkans and Türkiye – Phase II" and its action "Enhancing the protection of Human Rights of prisoners in Albania".

The main aim of the meeting was to discuss the upcoming steps in addressing the key challenges of the penitentiary system stemming from the main findings of the European Committee against Torture, 2023 report on Albania.

The event was attended by high level officials, the Deputy Minister of Justice, and the Deputy Minister of Health and Social Protection, senior representatives from the penitentiary, relevant line ministries, State Advocate Office, the Ombudsperson and civil society organisations. A delegation of the Council of Europe Co-operation in Police and Deprivation of Liberty (CPDL) Division and the European Committee for Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), representative from the Department of the Execution of Judgments of the ECtHR, the EU Delegation in Tirana and other international organisations working in the field attended the meeting as well.

During the discussions, the situation of Lezha Special Institution was discussed and also the execution of the judgment "Strazimiri v Albania". The participants shared views on the measures needed to be taken in relation to the deficiencies highlighted in the CPT report regarding forensic patients and prisoners with mental disorders.

The roundtable was an opportunity to have an open discussion, looking into comparative experiences on dealing with forensic patients, as well as into the specific actions that shall be taken in relation to the execution of case Strazimiri vs Albania.

The Albanian Government will update the Committee of Ministers on the developments of this project and other individual and general measures taken in the framework of the execution of the judgment "Strazimiri v. Albania" (application no. 34602/16) as soon as more information will be available.