

EXECUTIVE SUMMARY

The main objective of the ad hoc visit was to review the measures taken by the Albanian authorities to implement the recommendations made by the CPT in its report on the 2014 visit. In this context, particular attention was paid to the treatment and conditions of detention of persons in police custody and the situation of remand prisoners and forensic psychiatric patients.

Throughout the visit, the delegation received very good co-operation from both the national authorities and staff at the establishments visited.

Police custody

The delegation visited a number of police establishments, pre-trial detention facilities and prisons in various parts of the country and interviewed scores of persons who were or had recently been in police custody. The vast majority of these persons indicated that they had been treated by the police in a correct manner, and the delegation received only a small number of allegations of recent physical ill-treatment by police officers (such as excessive use of force at the time of apprehension or slaps/punches during police questioning). Further, no allegations of physical ill-treatment were received in respect of police officers performing custodial tasks in police detention facilities. Overall, the information gathered during the visit suggests that a positive trend has emerged as compared to the situation found in 2014.

However, there was a striking exception to this state of affairs. In Durres, the delegation received from several persons allegations of recent physical ill-treatment by the police – notably of severe beatings combined with blows with a truncheon or baseball bat to the soles of the feet (so-called “*falaka*”) – which could easily be considered to amount to torture. In all these cases, the persons concerned had allegedly been ill-treated during questioning by officers of the crime investigation unit of Durres Police Station, including by one particular senior officer. Following an urgent request made by the delegation at the end of the visit, the Albanian authorities initiated criminal and disciplinary investigations into these allegations. In the report, the CPT requests detailed information on the outcome of the investigations. More generally, the Committee recommends that the Albanian authorities vigorously pursue their efforts to combat all forms of ill-treatment by the police.

As regards the fundamental safeguards against ill-treatment, namely the right of notification of custody and the rights of access to a lawyer and a doctor, the delegation gained a generally positive impression. That said, some specific recommendations have been made to further enhance their implementation in practice.

The CPT welcomes the continued efforts made by the Albanian authorities to improve material conditions of detention in police establishments. Indeed, in most of the detention facilities visited (namely, those at Tirana Regional Police Directorate and Durres, Gjirokastra, Korca and Vlora Police Stations), material conditions could be considered on the whole adequate. However, conditions remained very poor at Tirana Police Stations Nos. 1 and 3 and Saranda Police Station. Custody cells in these establishments were generally dilapidated, had extremely limited access to natural light and dim artificial lighting, and were poorly ventilated. Further, detained persons often had to sleep on soiled mattresses placed on the floor. The CPT calls upon the Albanian authorities to take urgent measures to remedy these shortcomings.

Situation of forensic patients and prisoners with a mental disorder

As in 2014, the delegation received no allegations of physical ill-treatment by staff at Zaharia Special Facility for Ill Inmates in Kruja and the Prison Hospital in Tirana.

That said, the CPT expresses its serious concern that, despite the specific recommendation repeatedly made since the 2000 visit and contrary to national legislation, forensic psychiatric patients continued to be held in these two establishments and that under conditions which, in the CPT's view, could easily be considered for many patients to be inhuman and degrading. In fact, the living conditions in both establishments had further deteriorated since the 2014 visit (in particular in terms of state of repair and overcrowding), there was an almost total lack of heating and limited access to hot water, and the level of psychiatric care remained clearly insufficient. Overall, the delegation once again gained the impression of 'therapeutic abandonment' of many forensic psychiatric patients. The CPT calls upon the Albanian authorities to provide without further delay a detailed plan for the creation of a forensic psychiatric facility and to take the necessary steps to ensure the speedy setting-up of such a facility.

Situation of remand prisoners

Hardly any allegations of physical ill-treatment of prisoners by staff were received in any of the prisons visited.

The CPT welcomes the extensive renovation of Prison No. 313 in Tirana, which had been repeatedly criticised by the Committee after previous visits on account of its poor material conditions of detention. At the time of the 2017 visit, a new prison building was under construction. Further, material conditions remained on the whole satisfactory at Durres Pre-Trial Detention Facility (PTDF) and Korca Prison. However, as had been the case during previous CPT visits, a considerable number of remand prisoners in these two establishments were being held under cramped conditions.

At Prison No. 302, material conditions were generally poor. In particular, most of the cells located on the ground floor were dilapidated and damp and had insufficient ventilation and weak artificial lighting. Further, access to natural light was problematic throughout the prison. In addition, most of the prisoner accommodation areas were affected by serious overcrowding, cells offering living space of only 2 to 2.5 m² per person, and many inmates were obliged to sleep on mattresses placed on the floor. The CPT expresses serious concern about the very poor conditions of detention at Saranda PTDF. As in 2014, most of the cells were found to be in a poor state of repair and too small for their intended occupancy. Further, in several cells, access to natural light remained very limited.

The CPT recommends that the Albanian authorities take steps to improve the conditions of detention in the prison establishments visited, including by reducing cell occupancy rates in order to provide for at least 4 m² of living space per person in multiple-occupancy cells. Further, the Committee urges the Albanian authorities to close down Saranda PTDF as soon as possible.

Whilst acknowledging the efforts being made in some of the establishments visited to organise out-of-cell activities, the CPT notes with concern that the vast majority of remand prisoners were not provided with any opportunities for employment or education/vocational training.

Finally, the CPT once again calls upon the Albanian authorities to improve the procedures in place regarding the medical screening of newly-arrived remand prisoners and the recording and reporting of injuries observed on prisoners.