

Press Release

Council of Europe Press Division

Ref: 031a09

Tel: +33 (0)3 88 41 25 60

Fax: +33 (0)3 88 41 39 11

pressunit@coe.int

internet: www.coe.int/press



47 members

Albania
Andorra
Armenia
Austria
Azerbaijan
Belgium
Bosnia and Herzegovina
Bulgaria
Croatia
Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Georgia
Germany
Greece
Hungary
Iceland
Ireland
Italy
Latvia
Liechtenstein
Lithuania
Luxembourg
Malta
Moldova
Monaco
Montenegro
Netherlands
Norway
Poland
Portugal
Romania
Russia
San Marino
Serbia
Slovakia
Slovenia
Spain
Sweden
Switzerland
"the former Yugoslav Republic of Macedonia"
Turkey
Ukraine
United Kingdom

Albanian lustration law

Statement by Council of Europe Secretary General Terry Davis

Strasbourg, 16.01.2009 – For several decades, the Albanian people suffered under one of the hardest and most ruthless communist regimes in Europe, and I therefore understand the effort to establish the truth and sanction those who violated human rights during this period. But any such effort must comply with Council of Europe standards of democracy, human rights and the rule of law. Against this background, I have some concerns that the lustration law adopted on 22 December by the Albanian Parliament does not meet these criteria.

Analysis of the law by Council of Europe experts has revealed several issues of concern in relation to Council of Europe standards. These include:

- the very broad reach of the law in terms of the categories of officials who may be affected and the fact that it includes people currently holding office;
- the fairness and proportionality of the lustration proceedings;
- the severity of the sanctions foreseen and the fact that there is no time limit.

I also note some important discrepancies with regard to the Resolution on measures to dismantle the heritage of former communist totalitarian systems as adopted by the Parliamentary Assembly of the Council of Europe in 1996. Our Assembly clearly stated that any individual lustration measures should not exceed five years, that the lustration process should end by 31 December 1999, and that lustration should not apply to candidates in elections. None of these guidelines have been taken into account by the Albanian lustration law.

The Council of Europe is ready to provide advice and assistance to the Albanian authorities in finding ways to achieve the legitimate objective of dealing with the past in full compliance with the Council of Europe standards.

To receive our press releases by e-mail, contact : Council.of.Europe.Press@coe.int

A political organisation set up in 1949, the Council of Europe works to promote democracy and human rights continent-wide. It also develops common responses to social, cultural and legal challenges in its 47 member states.