

From: theo alexandridis

Sent: 29 May 2019 2:38 PM

To: ECE-Aarhus-Compliance <aarhus.compliance@un.org>

Subject: Update on Communication concerning Albania related to availability of domestic remedies

Dear Madam, Dear Sir,

Further to our email dated 29 April 2019, I should like to apprise the Committee of the following two recent developments concerning the availability of effective remedies.

First, as it was reported in the press, one of the three extant judges at the Albanian High Court was recently dismissed after undergoing vetting, bringing the number of judges serving at that court to two. As a result, it is expected that the backlog will increase further, while there is also a chance that one of the two remaining judges will not be reconfirmed in office. It should also be noted, as mentioned in the article, that even the until recently three judges could only adjudicate on cases of minor importance. The relevant article is available here: <https://exit.al/en/2019/05/23/high-court-down-to-two-judges/>

Second, an application has recently been filed with the European Court of Human Rights against Albania (please find the Statement of Facts attached). Although the case concerns protection from arbitrary arrest and detention, it is important to note that the applicant's main argument relates to his inability to seize the High Court (referred to as Supreme Court in the Statement of Facts) and then the Constitutional Court as they are not functioning. It is also important to note that the case was communicated to the Albanian Government within only two months from its filing with the European Court, suggesting that the latter considers this case to raise important issues regarding the availability of judicial remedies in Albania.

We believe that the above do not alter the tenor of the arguments made already in our latest submission; if nothing else, they merely reaffirm their well-foundedness.

Yours sincerely,

Theodoros Alexandridis