

Prison Security in Albania

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Abstract

The security of prisons in the Republic of Albania is organized in a systematic and comprehensive manner to ensure the safety of inmates and staff alike. The primary focus is on providing a safe, secure, and humane environment for those in custody. The Law No. 79/2020, "For the execution of criminal decisions" provides the legal basis for the operation and management of prisons in Albania. The regulation of prisons in Albania provides a comprehensive framework for ensuring security in prisons. However, there have been concerns raised about the effectiveness of these provisions, particularly with respect to the prevalence of violence and the smuggling of contraband items into prisons. As such, ongoing efforts are needed to improve the implementation of these regulations and to ensure the safety and well-being of both inmates and staff. Considering the great importance of security in prisons, in this work the main focus is the treatment of security in prisons in Albania according to the current legislation, assessing the importance of such legislation in guaranteeing the security of the prison environment. It will then discuss the application, how the legislation has been used to ensure the safety of prisoners and prison staff as well as the general public, the ways in which the legislation has been used to reduce the risk of violence and other security issues in prisons, including the identified problems and related suggestions. The paper aims to explore possible future developments in prison security, examining the potential benefits of introducing new technologies, such as biometrics, as well as new legal concepts, such as restorative justice.

Keywords: Prison; Security; Prison Police; Legal Rules; Prisoner

INTRODUCTION

The security of prison premises is an important issue that requires careful consideration of current and future legislation. In recent years, there has been an increased emphasis on security within prisons in the Republic of Albania, as it is essential to maintain a safe environment for both prisoners and prison staff³.

Today, through legislation, in the Republic of Albania we have different types of security measures that have been implemented in prisons, such as the installation of

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³ I.Basha, *Security in Albanian Prisons* (Tirana, "Fan Noli" Publishing House, 2016).

security cameras, alarm systems⁴ and other physical barriers. These measures taken today interact with other legal requirements, such as the implementation of a prisoner classification system⁵ and legal rules in this regard.

The security⁶ of prisons in the Republic of Albania is organized in a systematic and comprehensive manner to ensure the safety of inmates and staff alike. The primary focus⁷ is on providing a safe, secure, and humane environment for those in custody.

Albania has a legal framework that regulates the operation and management of prisons, with the aim of ensuring the safety and security of prisoners and staff. Below are some of the main aspects of Albanian legislation that regulate the prison environment:

Law No. 79/2020, "For the execution of criminal decisions": This law provides the legal basis for the operation and management of prisons in Albania. It defines the procedures for the admission of prisoners, their classification and the types of sentences that can be imposed. The law also regulates the rights of prisoners, including their right to health care, education and work⁸.

General Directorate of Prisons: The Prison Administration Regulations provide detailed instructions on the operation and management of prisons in Albania. They cover a range of issues, including security, discipline, health and safety, and the treatment of prisoners.⁹

Code of Ethics for prison staff: The code of ethics sets out the standards of behavior expected of prison staff. It emphasizes the need for staff to treat prisoners with respect and dignity, to maintain a professional demeanor at all times and to avoid any action that could jeopardize the safety and security of the prison environment.¹⁰

Inspection and Supervision: The Albanian People's Advocate¹¹ is responsible for monitoring conditions in prisons and guaranteeing respect for the rights of prisoners. It has the power to inspect prisons, investigate complaints and make recommendations for improvements.

Security measures: The regulation of prisons in Albania¹² provides for a range of security measures that can be taken to ensure the safety and security of inmates and staff. These measures include the use of physical barriers, such as walls and fences, as well as electronic surveillance, such as CCTV systems and alarm systems.

Staff training: The regulation of prisons in Albania¹³ provides for the training and education of prison staff to ensure that they are able to effectively maintain security and respond to security incidents. This includes training¹⁴ on the use of equipment, such as metal detectors and body scanners, as well as training on interpersonal skills, such as conflict resolution.

⁴ Art. 21, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

⁵ Art. 12, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁶ C.Ganeva-Raycheva and T.Bezlov, *Prisons in Europe: Problems and Challenges* (Springer), 131-152.

⁷ Art. 5, Law No. 79/2020, "For the execution of criminal decisions" (Albania, 2020). Retrieved from https://www.pp.gov.al/rc/doc/Ligj_nr_79_dt_25_6_2020_5350.pdf

⁸ Republic of Albania, Law No. 79/2020, "For the execution of criminal decisions" (2020). Retrieved from https://www.pp.gov.al/rc/doc/Ligj_nr_79_dt_25_6_2020_5350.pdf

⁹ Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pyetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹⁰ *Code of Ethics for prison staff* (Albania, 2008). Retrieved from <https://dpbsh.gov.al/wp-content/uploads/2022/03/1627565347-Kod-Etike-Staff-i-Burgjeve.pdf>

¹¹ People's Advocate, *Report No. 123 : Inspection of prisons in Albania* (2020). Retrieved from <https://www.avokatipullit.gov.al/media/manager/website/reports/Annual%20report%202020%20english.pdf>

¹² Art. 68, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pyetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹³ Art. 69, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pyetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹⁴ *Prison Trainers Manual* (Council of Europe, April 2022). Retrieved from <https://dpbsh.gov.al/wp-content/uploads/2022/06/Manual-net-Traineret-10.5.2022-2.pdf>

Search procedures: The regulation of prisons in Albania¹⁵ provides for search procedures to prevent the entry of contraband items into the facility. This includes searches of visitors and staff, as well as searches of inmates and their cells.

Use of force: The regulation of prisons in Albania provides for the use of force¹⁶ by prison staff in certain situations, such as to prevent an escape or to defend against an imminent threat to life or safety. However, the use of force is only permitted when it is necessary and proportionate to the threat.

Overall, the regulation of prisons in Albania provides a comprehensive framework for ensuring security in prisons. However, there have been concerns¹⁷ raised about the effectiveness of these provisions, particularly with respect to the prevalence of violence and the smuggling of contraband items into prisons. As such, ongoing efforts are needed to improve the implementation of these regulations and to ensure the safety and well-being of both inmates and staff.¹⁸

The regulation of prisons in Albania provides for security in prisons through some of its legal provisions, which are mandatory for implementation.¹⁹

Mostly, The General Directorate of Prisons is responsible for the management and supervision of security in the Republic of Albania. It uses a number of measures to ensure the safety of prisoners, staff and visitors. This includes:

- Use of body scanners and metal detectors²⁰ at entry and exit to detect weapons, drugs and other contraband.
- Installation of cameras and security systems throughout the facility²¹.
- Regular staff training²² on security protocols.
- Regular safety inspections²³ of the facility to ensure that all safety measures are in place and operating correctly.
- Use of metal gates²⁴, fences and other physical barriers²⁵ to prevent unauthorized entry.
- Regular patrolling of the terrain²⁶ by security personnel.
- Use of cell phones and other communication devices²⁷ to monitor inmate activity.
- Deploying search teams that can search cells²⁸ and other areas of the facility.

¹⁵ Art. 27, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹⁶ Art. 96, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹⁷ M.Çela, *Current issues in criminal justice, A collection of essays : Challenges in ensuring safety and security in Albanian prisons*, ed. I.Basha (Tirana, "Fan Noli" Publishing House, 2017), 89-105.

¹⁸ V.Aliaj., *Study on the situation of security in Albanian prisons* (Law Journal (1), 2019), 23-36.

¹⁹ American Psychological Association, *Publication manual of the American Psychological Association - 7th Edition* (2021). Retrieved from <https://doi.org/10.1037/0000165-000>

²⁰ Art. 16, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

²¹ Art. 25, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

²² Art. 69, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

²³ Art. 68, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

²⁴ Art. 8, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

²⁵ Art. 5, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

²⁶ Art. 69, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

²⁷ Art. 26, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

²⁸ Art. 16, Law no.80/2020 "Prison Police" (Albania, 2020). Retrieved from <https://euralex.eu/index.php/sq/biblioteke/legislacioni-shqiptar?task=download.send&id=984&catid=381&m=0>

This directorate also works with local authorities and law enforcement to ensure that prisoners are not exposed to security risks. This includes regularly monitoring²⁹ prisoners, ensuring that all regulations and laws relating to prison security are followed, and working with local law enforcement to improve prison security.

Considering the great importance of security in prisons, in this paper the main focus is the treatment of security in prisons in Albania according to the current legislation, assessing the importance of such legislation in guaranteeing the security of the prison environment. It will then discuss the application, how the legislation has been used to ensure the safety of prisoners and prison staff as well as the general public, the ways in which the legislation has been used to reduce the risk of violence and other security issues in prisons, including the identified problems and related suggestions.

The paper also aims to explore possible future developments in prison security, examining the potential benefits of introducing new technologies, such as biometrics and artificial intelligence, as well as new legal concepts, such as restorative justice, by also presented the potential drawbacks of such developments, such as cost and potential for abuse.

1. PRISON SECURITY REGULATIONS IN ALBANIA

Since the beginning of the democratic processes up until the present, the prison system has experienced unmatched growth and improvement, particularly in terms of its conception as a public service, respect for fundamental human rights, and relationship with civil society, growth of capacities, and enhancement of treatment standards. Yet, the signing of the SAA³⁰ and Albania's offer to join NATO³¹, created a new development prospective and demanded even better standards in respect of individuals' fundamental rights, particularly those of those who are incarcerated. The Ministry of Justice has been in charge of overseeing prisoner administration, security, and care since 1994³². The General Directorate of Prisons is a department within the Ministry of Justice that is in charge of organizing and implementing the system for carrying out criminal judgments as well as the care of inmates³³. On the recommendation of the Minister of Justice³⁴, the General Director of Prisons is appointed, released, or removed from office by the Council of Ministers.³⁵ The reception, organization, treatment, and social rehabilitation of inmates are the responsibilities of institutions for the implementation of criminal decisions, which are institutions within the DPB's jurisdiction. The director, who is nominated and removed by the Minister of Justice on the recommendation of the General Director of Prisons, directs, controls, and represents institutions for the implementation of criminal judgements.³⁶

Albanian legislation provides a comprehensive framework for ensuring the safety and security of the prison environment. However, as with any legal framework,

²⁹ Art. 25, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuara-ne-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

³⁰ Official Journal of the European Union, *Stabilization and Association Agreement* (2009), retrieved from [https://eur-lex.europa.eu/legal-content/en/TXT/PDF/?uri=CELEX:22009A0428\(02\)&rid=1](https://eur-lex.europa.eu/legal-content/en/TXT/PDF/?uri=CELEX:22009A0428(02)&rid=1)

³¹ Albania signed the Partnership for Peace agreement 23 February 1994, retrieved from https://www.nato.int/cps/en/natohq/nato_countries.htm

³² Art. 4, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

³³ Art. 2, *The Internal Regulation of General Directorate of Prisons* (Albania, 2006). Retrieved from <https://dphsh.gov.al/wp-content/uploads/2022/03/1550743201-2019-02-20-105132.pdf>

³⁴ Republic of Albania, Ministry of Justice, *General Directorate of Prisons*. Retrieved from <http://www.dpb.gov.al/en/>

³⁵ Art. 4 and Art. 26, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

³⁶ Law No. 79/2020, "For the execution of criminal decisions" (Albania, 2020). Retrieved from https://www.pp.gov.al/rc/doc/Ligj_nr_79_dt_25_6_2020_5350.pdf

its effectiveness depends on its implementation and enforcement. Therefore, it is important for the Albanian government to ensure that the laws and regulations governing prisons are enforced effectively, and that prison staff are adequately trained and supported to carry out their duties.

The Republic of Albania has specific legislation that regulates the operation of prisons and outlines the requirements for maintaining security and order within the prison environment. The Albanian Constitution³⁷ and Penal Code³⁸ provide the legal framework for the operation of prisons, while the Law on Execution of Sentences³⁹ regulates the conditions of imprisonment and the rights and obligations of inmates.

Prison security regulations in Albania are governed by a set of national laws, regulations, and policies. These measures outline a comprehensive system of rules and practices designed to ensure the safety and security of both staff and inmates.

In general, the security measures required by the Albanian government include: metal detectors⁴⁰ and x-ray machines at the entrance of each prison; the installation of surveillance cameras⁴¹ throughout the prison; the implementation of strict identification requirements for all visitors⁴² and staff⁴³; and the implementation of random searches of inmates⁴⁴ and visitors⁴⁵. In addition, all prison personnel must undergo thorough background checks and receive comprehensive training⁴⁶ in security and law enforcement.

Furthermore, the Albanian government has implemented a wide range of protocols and procedures to address potential security threats, such as the use of anti-riot gear in the event of a disturbance, and the use of specially trained guards and specialized equipment⁴⁷ to maintain safety and order. Finally, in order to protect inmates from physical and psychological harm, the Albanian government has enacted laws prohibiting the use of physical force and torture⁴⁸ against them. All of these measures are designed to ensure that all prisoners in Albania are given the right to a safe and secure environment and that their rights as citizens are respected and upheld.⁴⁹ According to the legislation, the responsibility for maintaining security in Albanian prisons falls on several different parties. These include the Ministry of Justice, the General Directorate of Prisons, and prison staff, including guards and administrative personnel. The General Directorate of Prisons is responsible for managing and overseeing the operation of prisons⁵⁰ in Albania. The Directorate is responsible for developing and implementing policies and procedures related to prison

³⁷ Republic of Albania, *Constitution of the Republic of Albania* (1998). Retrieved from <https://www.legislationline.org/documents/id/7830>

³⁸ Republic of Albania, *The Penal Code* (1995). Retrieved from https://qbz.gov.al/share/_YCV0zdR0vbrYpg2hNERg

³⁹ Law No. 79/2020, "For the execution of criminal decisions" (Albania, 2020). Retrieved from https://www.pp.gov.al/rc/doc/Ligj_nr_79_dt_25_6_2020_5350.pdf

⁴⁰ Art. 16, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

⁴¹ Art. 25, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

⁴² Art. 80, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/ Vendim-2022-04-06-209.pdf>

⁴³ Art. 69, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/ Vendim-2022-04-06-209.pdf>

⁴⁴ Art. 68, *The Internal Regulation of General Directorate of Prisons* (Albania, 2006). Retrieved from <https://dpbsh.gov.al/wp-content/uploads/2022/03/1550743201-2019-02-20-105132.pdf>

⁴⁵ Art. 15, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

⁴⁶ Art. 69, *The Internal Regulation of General Directorate of Prisons* (Albania, 2006). Retrieved from <https://dpbsh.gov.al/wp-content/uploads/2022/03/1550743201-2019-02-20-105132.pdf>

⁴⁷ Art. 29, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

⁴⁸ Art. 96, *The Internal Regulation of General Directorate of Prisons* (Albania, 2006). Retrieved from <https://dpbsh.gov.al/wp-content/uploads/2022/03/1550743201-2019-02-20-105132.pdf>

⁴⁹ Republic of Albania, Ministry of Justice: *Annual report on the criminal justice system* (Tirana, 2020)

⁵⁰ Art. 4, *The Internal Regulation of General Directorate of Prisons* (Albania, 2006). Retrieved from <https://dpbsh.gov.al/wp-content/uploads/2022/03/1550743201-2019-02-20-105132.pdf>

security, including the use of security tools and techniques, staff training, and the implementation of disciplinary measures for inmates who violate prison rules⁵¹.

The Ministry of Justice is responsible for setting the overall policy direction for the prison system and ensuring that the General Directorate of Prisons is implementing policies and procedures in accordance with the law. The Ministry is also responsible for ensuring that prisons are adequately staffed and that staff members receive appropriate training⁵².

Prison staff, including guards and administrative personnel, is responsible for maintaining order and security within the prison environment⁵³. This includes monitoring inmate activity, enforcing prison rules, and using appropriate force when necessary. Staff members are also responsible for conducting searches and inspections to prevent the smuggling of contraband items into the prison. To ensure that security is applied effectively in Albanian prisons, prison staffs receive training on a range of topics, including the use of security tools, emergency response procedures, and the proper handling of inmates⁵⁴. In addition, the General Directorate of Prisons has implemented a range of security measures, including the use of CCTV systems, metal detectors, access control systems, physical barriers, and emergency response equipment.⁵⁵

2. TYPES OF INSTITUTIONS USED TO CARRY OUT CRIMINAL SENTENCES

There are five types of institutions used to carry out criminal sentences: high security prisons, medium security prisons, low security prisons, special institutes, and detention facilities.⁵⁶ The Ministry of Justice issues orders for the establishment, designation, and closure⁵⁷ of facilities used for the implementation of criminal sentences that include imprisonment or special sections. The security level has altered as a result of environmental changes, infrastructure upgrades, and capacity increases.

The high security prison is the facility where organized crime suspects and other convicts who have displayed attitudes and behaviors that make it difficult for them to remain in jail prisons of other categories are put to death while completing their sentences. When the court hasn't made a decision, the prosecution will ask this court to place the offender in a maximum security facility. The prosecutor submits a request to the court of the nation where the institution is located while the offender is serving his sentence and is transferred to a high security prison in accordance with the conditions of this law⁵⁸. In high security prisons, restrictions are placed on the rights of convicts⁵⁹, in the cases and according to the criteria expressly defined in this law. In prisons of other categories, by order of the Minister of Justice, sections of the high security prison can be created, in which the above rules are applied.⁶⁰

⁵¹ E.Kola and F.Xhafa, *A Study on Security Measures and Staff Training in Albanian Prisons* (International Journal of Criminal Justice Sciences, 2019), 49-65.

⁵² Art. 5, *The Internal Regulation of General Directorate of Prisons* (Albania, 2006). Retrieved from <https://dphsh.gov.al/wp-content/uploads/2022/03/1550743201-2019-02-20-105132.pdf>

⁵³ Art. 69, *The Internal Regulation of General Directorate of Prisons* (Albania, 2006). Retrieved from <https://dphsh.gov.al/wp-content/uploads/2022/03/1550743201-2019-02-20-105132.pdf>

⁵⁴ E.Kola and F.Xhafa, *A Study on Security Measures and Staff Training in Albanian Prisons* (International Journal of Criminal Justice Sciences, 2019), 49-65.

⁵⁵ I.Vokshi and L.Skenderaj, *Ensuring Prison Security: A Case Study of Albanian Prisons* (Journal of Criminal Justice Education, 31(4), 2020), 676-696.

⁵⁶ Art. 12, Law No. 79/2020, "For the execution of criminal decisions" (Albania, 2020). Retrieved from https://www.pp.gov.al/rc/doc/Ligj_nr_79_dt_25_6_2020_5350.pdf

⁵⁷ Art. 4, *The Internal Regulation of General Directorate of Prisons* (Albania, 2006). Retrieved from <https://dphsh.gov.al/wp-content/uploads/2022/03/1550743201-2019-02-20-105132.pdf>

⁵⁸ Art. 13, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁵⁹ Art. 6, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁶⁰ Art. 13, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

All inmates, with the exception of those housed in high security, low security, and special facilities, are condemned to serve time in ordinary security prisons⁶¹. The offenders are housed in a standard security prison when the court does not specify the kind of facility where the sentence will be imposed in the jail decision. The General Directorate of Prisons is responsible for the distribution and transportation of prisoners to minimum security facilities. Low security sections can be established in normal security prisons with the minister of justice's approval.⁶²

The facilities where punishment is given for persons found guilty of criminal misdemeanors, criminal crimes caused by carelessness, and other criminal offenses with a maximum sentence of 5(five) years in jail are known as low-security prisons, who have adhered to the institution's internal rules and have completed less than two years of incarceration, the general director of prisons may opt to transfer them to a low-security facility on his own initiative or at the request of the institution's director.⁶³ Detention facilities are where those who have been placed under "prison arrest," a security precaution, by a court are housed.⁶⁴

Inmates who are ill or who have mental or psychiatric issues are treated in specific medical institutes, sections, or hospitals outside of the prison system. Placement of individuals in these institutions and sections can be anticipated from the beginning in the sentencing decision or during the execution of the sentence, with the prosecutor's approval. In unexpected cases, the director of the prison where the convict is located may also be able to do so with the convict's consent after immediately informing the prosecutor.⁶⁵

In the composition of the directorates of detention institutions and prisons at the local level, there are several sectors or services listed below:

- Security and security service;
- Legal service;
- Social care service;
- Human resources service;
- Health service;
- Logistics service;
- Finance service.⁶⁶

A specialist organization for security and safety in the prison system is the prison police⁶⁷. It carries out the duties mandated by other by-laws, the statute "On the Prison Police," and other laws. Prison police carry out their responsibilities and activities while preserving the rights and freedoms⁶⁸ of those who are incarcerated. Only the institutions listed in the appropriate statute may house prisoners⁶⁹. For their health and safety, treatment must adhere to approved norms. Sex, kids, the elderly, crimes committed, and, if it's feasible, the convicted from the un-convicted should all be kept

⁶¹ Art. 14, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_ahzurnuar_tr_denuar_205.pdf

⁶² Art. 15, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_ahzurnuar_tr_denuar_205.pdf

⁶³ Art. 15, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_ahzurnuar_tr_denuar_205.pdf

⁶⁴ Art. 15/1, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_ahzurnuar_tr_denuar_205.pdf

⁶⁵ Art. 16, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_ahzurnuar_tr_denuar_205.pdf

⁶⁶ Official website, General Directorate of Prisons. Received from <https://drejtesia.gov.al/drejtesia-e-pergjjetshme-e-burgjeve/>

⁶⁷ Art. 5, Law no.80/2020 "Prison Police" (Albania, 2020). Retrieved from https://euralius.eu/index.php/sq/biblioteke/legislacioni-shqiptar?task=download_send&id=984&catid=381&m=0

⁶⁸ Art. 3, Law no.80/2020 "Prison Police" (Albania, 2020). Retrieved from https://euralius.eu/index.php/sq/biblioteke/legislacioni-shqiptar?task=download_send&id=984&catid=381&m=0

⁶⁹ Art. 4, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_ahzurnuar_tr_denuar_205.pdf

apart from other convicts⁷⁰. Also, the jail exists to assist convicts in becoming ready to reintegrate into society as moral individuals who can lead law-abiding lives⁷¹. It is crucial that the staff treat the prisoners with respect for human dignity⁷² in order to carry out this obligation. Prison is the convict's punishment, not his or her punishment.⁷³

The Ministry of Justice⁷⁴ issues orders for the establishment, designation, and closure of facilities used for the implementation of criminal sentences that include imprisonment or special sections. The security level has altered as a result of environmental changes, infrastructure upgrades, and capacity increases.

3. THE HUMAN RIGHTS AND THE TREATMENT OF PRISONERS AND DETAINEES

In compliance with international treaties and the Republic's Constitution, the Law No. 81/2020, "For the rights and treatment of prisoners and detainees" upholds fundamental human rights.⁷⁵

Respect for human rights: The jail sentence is carried out with consideration for the sentenced person's dignity and is infused with compassion⁷⁶. The treatment of prisoners is free from prejudice and discrimination based on factors such as gender, race, nationality, economic position, political affiliation, and religion⁷⁷. It is necessary to give prisoners with housing options that lessen the detrimental consequences of incarceration and the alterations to the lives of other citizens⁷⁸. Prison staff members must always remember that convicts are people⁷⁹. They must continuously fight the urge to treat inmates more as a collection of numbers than as human beings. Also, due to what they did, the staff has no authority to punish the inmates and treat them like animals. Prisoner mistreatment is always prohibited by law⁸⁰. If they resort to violence, this behavior also diminishes the staff's humanity. The European Prison Rules⁸¹ also permit this.

One of the most crucial tasks for the staff is to categorize⁸² the convicts in order to ensure their safety, health, and the implementation of programs for their personality development. Without a precise categorization, safety cannot be ensured, and rehabilitation programs may not produce the desired results or may even have the opposite effect. These are the definitions of categorization purposes:

⁷⁰ Art. 16 and 17, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁷¹ Art. 9, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁷² Art. 5, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁷³ F.Bajrami, *The importance of security measures in Albanian prisons* (Journal of Criminal Justice and Security, 20(2), 2018), 72-84.

⁷⁴ Art. 3, *The Internal Regulation of General Directorate of Prisons* (Albania, 2006). Retrieved from <https://dphsh.gov.al/wp-content/uploads/2022/03/1550743201-2019-02-20-105132.pdf>

⁷⁵ Art. 5, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁷⁶ Art. 5, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁷⁷ Art. 5, second paragraph, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁷⁸ Art. 5, third paragraph, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁷⁹ Art. 2/11, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pyetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

⁸⁰ Art. 57, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁸¹ *European Prison Rules* (Council of Europe Publishing, 2006). Retrieved from <https://rm.coe.int/european-prison-rules-978-92-871-5982-3/16806ab9ae>

⁸² Art. 10, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

- a) To isolate those convicts who, because of their criminal histories or undesirable traits, may have a negative effect⁸³.
- b) Grouping prisoners will make it easier to treat them and facilitate their social rehabilitation.⁸⁴

As far as practicable, inmates should be treated in separate facilities or different parts of an institution. The categorization is based on a global standard that applies to all prison systems and is based on factors including gender, age, security, health, criminal offense, educational attainment, and psychological traits⁸⁵. This means that women are kept in institutions apart from males or in different parts if this is not practicable. Adults and juveniles are held in separate facilities or, if that is not practicable, in different areas⁸⁶. Detainees awaiting trial are kept apart from convicted criminals⁸⁷.

Prisoners who could be subjected to sexual assault, physical or mental abuse, or exploitation by other inmates are brought under the care of the prison staff, housed in the safest settings, closely watched, and assisted⁸⁸. To keep them safe from other convicts, it is not recommended to house this group of inmates in separate cells or isolation areas. This frequently occurred and led to suicide in daily practice a few years ago, even in Albania.

The categorization ensures that:

- the rights of prisoners are protected;
- convict groups are protected;
- the required degree of security and control is established;
- a variety of activities that are tailored to individual requirements is provided.

As of right now, our nation has succeeded in providing the prisoners with a secure environment.⁸⁹

The "European Prison Rules" are used today in our nation to determine who gets admitted to prison:⁹⁰

The execution order is the procedural act issued by the prosecutor for execution of the criminal court decision⁹¹. The execution order contains :

- a. information related to the identity of the prisoner;
- b. the reasons for the sentence and the issuing authority;
- c. date and time of admission;
- d. an inventory of the prisoner's personal belongings, which are kept in the safe in accordance with clause 31;
- e. any visible wounds or complaints of previous abuse;
- f. any information about the prisoner's health that relates to his physical and mental well-being and that of others under medical confidentiality requirements.

⁸³ Art. 30, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁸⁴ Art. 31, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁸⁵ Art. 51, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁸⁶ Art. 17, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁸⁷ Art. 10, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pyetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

⁸⁸ Art. 86, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

⁸⁹ People's Advocate, *Report No. 123 : Inspection of prisons in Albania* (2020). Retrieved from <https://www.avokatipopullit.gov.al/media/manager/website/reports/Annual%20report%202020%20english.pdf>

⁹⁰ European Prison Rules, *Part II : Conditions of imprisonment* (Council of Europe Publishing, 2006), 8-19. Retrieved from <https://rm.coe.int/european-prison-rules-978-92-871-5982-3/16806ab9ac>

⁹¹ Art. 12, Law No. 79/2020, "For the execution of criminal decisions" (Albania, 2020). Retrieved from https://www.pp.gov.al/rc/doc/Ligji_nr_79_dt_25_6_2020_5350.pdf

This sequence of actions is followed during the admission of the convicted:

1. The correct determination of the identity⁹² of the convicted person and the security measures as well as the correct verification of all the relevant documentation are made: the court's decision for prison sentence; identification documents, with photo; the sentence execution decision, issued by the prosecution; arrest warrant; control record; medical card; dactyloscopic data.
2. The immediate needs of the convict are identified and met (notifying his family or relatives is important, the contact numbers he wants to have during his time in prison are given; as a rule, he also gives the people he wants to have contact with). Health needs and safety issues are identified⁹³.
 - Medical⁹⁴, physical and mental examination of the convict is organized. A medical card is opened.
 - An accurate report⁹⁵ is kept on the abnormal physical and mental indicators of the convict and information is prepared for the director of the institution.
3. Opportunities are created for the immediate hygiene⁹⁶ of the convict, washing, shaving, equipping with the necessary material base. It is very important for a person to sleep in washed and hygienic clothes.
4. The convict or detainee is placed in a special room for his observation for no less than three days, which time is used to inform him about the internal life of the prison, about the way of operation, requirements and contacts, the possibilities that offered by the institution⁹⁷, etc.
5. Communication is done in a polite, tactful and appropriate manner to the convict's needs⁹⁸ (never give advice such as why he did this or that, nor ask him to account for what he did. Information about the offense you must get it from the criminal files).
6. Procedures for a thorough check of his body and personal equipment are carried out, without violating his dignity, to ensure that he does not possess prohibited items⁹⁹.
7. Procedures with the identification and storage of the convict's personal equipment¹⁰⁰ and their accounts.
8. Procedures in case of identification of prohibited items¹⁰¹.

Prisoners' connections to the outside world are greatly aided through telephone and written letters. The team is working to preserve security in this area. The staff makes every effort to provide the facilities needed for convicts to communicate by phone and write letters while protecting their privacy.¹⁰² Intimate visits, permissions,

⁹² Art. 12, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

⁹³ L.Millaku, *The Law on Execution of Sentences: A Critical Analysis of Albanian Penal Legislation on Prisons and Their Implementation* (European Journal of Crime, Criminal Law and Criminal Justice. 27(3), 2019), 227-246.

⁹⁴ Art. 15 (first paragraph), Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

⁹⁵ Art. 15 (second paragraph), Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

⁹⁶ Art. 32, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

⁹⁷ Art. 13, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

⁹⁸ Art. 7, Law No. 79/2020, "For the execution of criminal decisions" (Albania, 2020). Retrieved from https://www.pp.gov.al/rc/doc/Ligj_nr_79_dt_25_6_2020_5350.pdf

⁹⁹ Art. 15, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹⁰⁰ Art. 25, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹⁰¹ Art. 27, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹⁰² D.Smith, *Prison Management: Principles and Practices* (London: Routledge, 2018)

conversations with the legal guardian, meetings with religious leaders, and interactions with civil society authorities all serve to complement contact with the outer world.

The convict's relationships with his family are preserved, strengthened, or repaired with special attention. The prisoner can notify his family members as soon as he is admitted to an institution and as soon as he is released from there. Family members are informed right away if an inmate has a significant medical or mental condition. When the institution learns of the passing of a relative, it quickly notifies the prisoner. A unique and advantageous program for family relations is designed for juvenile offenders and mothers with young children.¹⁰³

Meetings and correspondence with family members and other people are permitted for prisoners. Meetings are held in designated locations under the visible and non-auditory supervision of employees in charge. Family gatherings are highly preferred. Convicts may be allowed to extend their stay with family members if the institution's organizational structure permits it¹⁰⁴. Visits may be made in certain locations in accordance with prison regulations. The jail administration provides the required means for correspondence¹⁰⁵ to the prisoners who lack the means.

Under some circumstances, it is acceptable to communicate over the phone¹⁰⁶ with third parties as well as with family members. Newspapers, periodicals, and books that are freely available outside can be kept by prisoners, and they are also allowed to utilize other legal information sources.¹⁰⁷ The court permits the prosecution's request to regulate the condemned person's correspondence in circumstances where it is allowed by law. In the presence of the prosecutor, the institution's director or other individuals with his permission may conduct the control¹⁰⁸. The delivery of the communication is halted at the prosecutor's request¹⁰⁹.

4. SECURITY TOOLS UDED TO MAINTAIN ORDER IN PRISONS

The Republic of Albania uses a range of security tools to maintain order and security within its prisons¹¹⁰. Some of the key security tools used in Albanian prisons includes:

- **Electronic Detection:** Electronic detection is a form of security used in Albanian prisons. Metal detectors¹¹¹ and X-ray machines are used to scan people and their belongings as they enter the facility. The machines alert prison staff to any metal objects or contraband that may have been smuggled into the facility.
- ❖ **CCTV:** Closed-circuit television (CCTV) systems are installed throughout Albanian prisons to monitor inmate activity and ensure that prison staff is

¹⁰³ Art. 40, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

¹⁰⁴ Art. 41, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

¹⁰⁵ Art. 73, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pyetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹⁰⁶ Art. 66, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pyetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹⁰⁷ Art. 41, Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

¹⁰⁸ Art. 41 (last paragraph), Law No. 8328, dated 16.4.1998 "On the rights and treatment of prisoners and detainees" (Albania, updated 2003). Retrieved from https://www.pp.gov.al/rc/doc/ligji_i_azhurnuar_tr_denuar_205.pdf

¹⁰⁹ World Prison Brief, *Albania: Institute for Criminal Policy Research* (2022).

¹¹⁰ Republic of Albania, *Prison Administration Annual Report* (2019), see Raportet e Monitorimit Sistemi Burgeve 2019. Retrieved from <https://www.dreitesia.gov.al/raportime/>

¹¹¹ Art. 15, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuara-ne-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

following proper procedures¹¹². CCTV can also be used to investigate incidents or disturbances that occur within the prison.

- ❖ Metal detectors: Metal detectors are used to screen individuals entering and leaving the prison, including staff, visitors, and inmates. Metal detectors help to prevent the smuggling of contraband items such as weapons, drugs, and mobile phones into the prison.
- ❖ X-ray machines: X-ray machines are used to scan packages and other items entering the prison. X-ray machines can detect hidden contraband items that may not be visible to the naked eye.
- Access control systems: Access control systems are used to restrict access to certain areas of the prison. These systems may include keycards, biometric scanners, or other types of authentication methods. Access controls are the first layer of security in any prison. In Albanian prisons, these include locks and keycards, which are required for prisoners to move between different parts of the facility. Guards also ensure that visitors and visitors' bags and belongings are properly screened¹¹³.
- Physical barriers: Physical barriers such as fences, walls, and gates are used to prevent unauthorized access to the prison. Barriers can also be used to control the movement of inmates within the prison. Physical barriers, such as walls and fences, are an essential security measure in Albanian prisons¹¹⁴. These barriers help keep inmates inside the facility and control who enters and exits the prison. Physical barriers also make it difficult for outsiders to smuggle contraband into the prison.
- Emergency response equipment: Albanian prisons are equipped with emergency response equipment such as alarms, intercoms, and panic buttons. These systems can be used to quickly alert prison staff in the event of an emergency or disturbance.¹¹⁵
- Video Surveillance¹¹⁶: Video surveillance is another essential security measure in Albanian prisons. Cameras are placed throughout the facility and monitored by guards. Surveillance cameras also help prison staff monitor inmate behavior and can help them detect and respond to any potential threats.
- Armed Guards¹¹⁷: Armed guards are a common sight in Albanian prisons. Guards are armed with either firearms or non-lethal weapons, such as pepper spray or Tasers. Armed guards are responsible for monitoring inmates, controlling access to the facility, and responding to emergencies.
- Dog Units: Dog units are another type of security measure used in Albanian prisons. Prison staff trains dogs to detect drugs, weapons, and other contraband. Dogs are also used to help control inmate behavior and to patrol the prison grounds.

¹¹² Art. 28, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

¹¹³ Organization for Security and Co-operation in Europe (OSCE), *Building Better Justice: An Assessment of the Albanian Justice System* (2018). Retrieved from <https://www.osce.org/files/documents/4/4/402337.pdf>

¹¹⁴ Art. 8, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

¹¹⁵ Republic of Albania, Ministry of Justice : *Annual report on the criminal justice system* (Tirana, 2020)

¹¹⁶ Art. 25, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

¹¹⁷ Art. 14, Law no.80/2020 "Prison Police" (Albania, 2020). Retrieved from <https://euralius.eu/index.php/sq/biblioteke/legislacioni-shqiptar?task=download.send&id=984&catid=381&m=0>

Security is a top priority in Albanian prisons. Access controls, video surveillance, electronic detection, armed guards, dog units, and physical barriers are all essential security measures used to keep inmates, prison staff, and the general public safe¹¹⁸. Overall, the use of security tools in Albanian prisons is an important aspect of maintaining a safe and secure prison environment. However, it is important to note that the effectiveness of these tools relies on proper implementation and training of prison staff.¹¹⁹

The People's Advocate (Ombudsman) in Albania has identified several problems related to security in prisons in their reports.¹²⁰ These problems have been documented based on inspections and investigations carried out by the Ombudsman's office.

Some of the main issues¹²¹ identified by the People's Advocate include:

- **Overcrowding:** Overcrowding in prisons has been identified as a major issue, which makes it difficult to maintain proper security and control within the prison environment.
- **Lack of Staff:** Another issue identified by the People's Advocate is the shortage of staff in Albanian prisons, which can compromise the safety and security of the prison environment.
- **Inadequate Training:** The People's Advocate has also identified a lack of adequate training for prison staff, which can contribute to issues such as the use of excessive force, inappropriate behavior towards inmates, and the failure to follow proper procedures.
- **Poor Conditions:** The Ombudsman's office has identified poor conditions in some Albanian prisons, including inadequate facilities, lack of access to health care, and substandard living conditions for inmates.
- **Use of Force:** The People's Advocate has expressed concerns about the use of force in Albanian prisons, noting that it has been used excessively in some cases and without proper justification.
- **Access to Legal Assistance:** The Ombudsman's office has also raised concerns about the limited access to legal assistance for inmates, which can compromise their rights and ability to defend themselves in court.

Overall, the data from the People's Advocate suggests that there are significant challenges related to security in Albanian prisons.

Addressing these issues will require a comprehensive approach that includes addressing overcrowding, increasing staffing levels, improving training, and ensuring that inmates are housed in humane conditions that meet basic standards of health and safety.¹²²

Despite the efforts of the General Directorate of Prisons and prison staff, there are still challenges in maintaining security in Albanian prisons. As previously mentioned, issues such as overcrowding, inadequate staffing, and poor conditions can compromise the safety and security of the prison environment. Additionally, the use of

¹¹⁸ Art. 5, Law no.80/2020 "Prison Police" (Albania, 2020). Retrieved from https://euralius.eu/index.php/sq/biblioteke/legislacioni-shqiptar?task=download_send&id=984&catid=381&m=0

¹¹⁹ Open Society Justice Initiative, *The Criminal Justice System in Albania: A Critical Review of the Legal Framework and Implementation* (2015). Retrieved from <https://www.opensocietyfoundations.org/publications/criminal-justice-system-albania-critical-review-legal-framework-and-implementation>

¹²⁰ People's Advocate, *Report No. 123 : Inspection of prisons in Albania* (2020). Retrieved from <https://www.avokatipollit.gov.al/media/manager/website/reports/Annual%20report%202020%20english.pdf>

¹²¹ People's Advocate, *Report No. 123 : Inspection of prisons in Albania* (2020), 48-49. Retrieved from <https://www.avokatipollit.gov.al/media/manager/website/reports/Annual%20report%202020%20english.pdf>

¹²² C.Ganeva-Raycheva and T.Bezlov, *Prisons in Europe: Problems and Challenges* (Springer), 131-152.

force¹²³ by prison staff has been identified as a concern, highlighting the need for ongoing training and accountability measures.

5. SECURITY PRACTICES USED TO IMPROVE PRISON SAFETY

Just as we identified prison security, its problems and importance, the paper found that prison security is an essential component of any prison system, as it is responsible for ensuring the safety of prisoners, staff and visitors. It is important to have a secure environment to prevent inmates from escaping¹²⁴, as well as to prevent potential acts of violence or criminal activity¹²⁵ within the prison. Additionally, security can also help ensure that inmates are not subject to abuse by prison staff or other inmates¹²⁶. Good security practices may include appropriate screening and screening of inmates, staff and visitors, as well as regular reviews of security protocols. Security technology such as cameras and alarm systems should also be used to prevent and detect any potential security breaches. Finally, it is important to have the right personnel on staff, such as guards and corrections officers who are trained and experienced in security procedures. With these measures, prisons can ensure that their facilities remain safe and secure.¹²⁷ In this context, the Republic of Albania has taken various measures to guarantee the security of their prison system.

The Albanian government has taken several steps towards improving the security of the country's prisons. One of the main measures taken was the hiring¹²⁸ of more prison guards, which has increased the number of staff looking after the prison. Another measure was the implementation of guard dogs trained¹²⁹ to deter prisoners from escape attempts and provide additional surveillance.

Also, the Albanian government has implemented rigorous security protocols, which must be followed by all prison staff. These include mandatory background checks¹³⁰ and regular training¹³¹ sessions for staff dealing with prisoners. In addition, the government has implemented a number of technological security measures¹³², such as video cameras and biometric scanners, to monitor the prison population and ensure the safety of prisoners and guards.

The Albanian government has also adopted a series of laws and regulations aimed at guaranteeing the safety of prisons. For example, they have established a strict zero-tolerance policy for any actions deemed criminal or dangerous within the prison¹³³. This includes the prohibition of any weapon or possession of drugs, as well as any act of violence or aggression¹³⁴.

¹²³ People's Advocate, *Report No. 123 : Inspection of prisons in Albania* (2020), 39. Retrieved from <https://www.avokatipollit.gov.al/media/manager/website/reports/Annual%20report%202020%20english.pdf>

¹²⁴ Art. 27, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

¹²⁵ Art. 12, Law no.80/2020 "Prison Police" (Albania, 2020). Retrieved from https://euralius.eu/index.php/sq/biblioteke/legislacioni-shqiptar?task=download_send&id=984&catid=381&m=0

¹²⁶ Art. 16, Law no.80/2020 "Prison Police" (Albania, 2020). Retrieved from https://euralius.eu/index.php/sq/biblioteke/legislacioni-shqiptar?task=download_send&id=984&catid=381&m=0

¹²⁷ L.Millaku, *The Law on Execution of Sentences: A Critical Analysis of Albanian Penal Legislation on Prisons and Their Implementation* (European Journal of Crime, Criminal Law and Criminal Justice, 27(3), 2019), 227-246.

¹²⁸ Ministry of Justice (Albania, official website). Retrieved from <https://dpbsh.gov.al/njoftim-per-zhvillimin-e-konkurimit-per-punonjese-ne-police-e-burgjeve/>

¹²⁹ Republic of Albania, *The State Police* (official website). Retrieved from <https://www.asp.gov.al/?p=9897>

¹³⁰ Art. 29, Law no.80/2020 "Prison Police" (Albania, 2020). Retrieved from https://euralius.eu/index.php/sq/biblioteke/legislacioni-shqiptar?task=download_send&id=984&catid=381&m=0

¹³¹ Art. 30, Law no.80/2020 "Prison Police" (Albania, 2020). Retrieved from https://euralius.eu/index.php/sq/biblioteke/legislacioni-shqiptar?task=download_send&id=984&catid=381&m=0

¹³² Chapter IV, Decision of the Council of Ministers: "Determination of detailed rules and criteria for technical conditions, security, suitability and accessibility by persons with disabilities, that must be fulfilled in the institutions of criminal judgment execution" (Tirana, 2022). Retrieved from <https://www.kryeministria.al/newsroom/vendime-te-miratuarane-mbledhjen-e-keshillit-te-ministrave-date-29-prill-2022/>

¹³³ Chapter X, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://spsytet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹³⁴ M.Cela, *Current issues in criminal justice, A collection of essays : Challenges in ensuring safety and security in Albanian prisons*, ed. I.Basha (Tirana, "Fan Noli" Publishing House, 2017), 89-105.

In addition, the government has passed legislation that prohibits prisoners from communicating with people outside the prison¹³⁵.

Additionally, all visitors¹³⁶ must first be approved by the warden before being allowed to enter. This helps to reduce the chances of smuggling, which can lead to serious security breaches.

Finally, the Albanian government has also imposed a series of penalties for any prisoner who attempts to escape or cause a security breach. These penalties can range from solitary confinement¹³⁷ to more severe penalties, depending on the severity of the crime.

CONCLUSIONS AND RECOMMENDATIONS

The Republic of Albania has taken important steps to reform its penal system in order to meet international standards and Albanian law. Authorities have built high-security prisons with Italian funding, providing housing for inmates. In July 2020, Parliament passed legislation to minimize contact between prisoners and the outside world in order to reduce the influence of organized crime and gangs in prisons. This is part of the Albanian government's ongoing commitment to improve security in its prisons.

In conclusion, while Albania has legislation in place to regulate the operation of prisons and to ensure the safety and security of prisoners and staff, there are still challenges that need to be addressed to ensure effective security enforcement. This requires ongoing efforts to improve staffing levels, prison conditions and training for prison staff, as well as a commitment to accountability and oversight to ensure that all parties involved are fulfilling their responsibilities effectively. There are various technological developments and new measures that the prison system in Albania can take to increase security. Here are some examples:

- **Biometric technology:** The use of biometric technology, such as fingerprint or facial recognition systems, can help increase security in prisons by verifying the identity of inmates and staff, preventing unauthorized access and reducing the risk of escape.
- **Drone detection technology:** Using drone detection technology can help prevent the smuggling of contraband into prisons, such as drugs or weapons, by detecting drones before they reach the perimeter of the facility.
- **Body scanners:** The use of body scanners can help increase security by detecting contraband that may be hidden on the body of an inmate or visitor. These scanners can be used in conjunction with traditional metal detectors to increase the effectiveness of security measures.
- **Electronic monitoring:** The use of electronic monitoring systems, such as GPS tracking bracelets, can help increase security by monitoring the movements of prisoners who are on temporary release or under community supervision. This can help reduce the risk of absconding or non-compliance with release conditions.
- **CCTV systems:** The use of CCTV systems can help increase security by monitoring inmate activity and detecting potential security breaches or

¹³⁵ Chapter VI, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹³⁶ Art. 80, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

¹³⁷ Art. 46, Republic of Albania, *General Directorate of Prisons* (2022). Retrieved from <https://5pvetjet.al/wp-content/uploads/2022/04/vendim-2022-04-06-209.pdf>

incidents. These systems can also serve as a deterrent to criminal behavior.

- Training and education: Another important aspect of increasing security in prisons is providing staff with regular training and education on new technologies and techniques. This can help staff members to be able to effectively use new tools and measures to maintain security.

The Republic of Albania has taken several steps to improve the security of its prisons, including hiring more guards, implementing security protocols and technologies, and passing legislation to ensure the safety of everyone inside the prison. The government has also approved strict punishments for any act of aggression or attempted escape. The Republic of Albania should undertake a series of actions to improve security in its prisons.

First, it should invest in better equipped and staffed prisons with adequate security measures.

Second, a greater focus should be placed on strengthening the existing legal framework for prison security, ensuring that the security of both prisoners and prison staff is addressed.

Thirdly, the Republic of Albania should promote greater cooperation between prison authorities, government institutions and civil society, in order to strengthen the protection of security and human rights in prisons.

Finally, the Republic of Albania should strive to ensure that its prisons are equipped with the necessary technologies and resources to effectively monitor and manage security. By doing so, the Republic of Albania can ensure that its prisons are safe and secure for both inmates and staff.

Overall, the adoption of new technologies and measures, as well as ongoing staff training, can help increase security in Albanian prisons and improve the safety and well-being of both inmates and staff. However, it is important to ensure that these measures are implemented in a manner that respects human rights and does not infringe on the dignity or privacy of prisoners.