



## Legal Aid, Civil Society, Communities: The Trinomial of Citizen Resistance

**The trinomial of civic resistance**  
After 4 years of work and the continued success of the "Legal Clinics" project, arose the need to guarantee the continuity of this successful mechanism with the establishment of "Centre for Legal Empowerment - CLE" in December 2021.

On February 3, CLE organized the round table discussion "Legal Aid, Civil Society, Communities - The Trinomial of Citizen Resistance". In this hybrid meeting, with the participation of the representative of the Swiss Embassy in Albania, Mrs. Chantal Nicod, Executive Director of the Open Society Foundation for Albania Mr. Andi Dobrush, Director of the Directorate of the Free Legal Aid Mr. Ergys Qirici, Executive Director of CLE Mr. Franc Terihati, and with the participation of activists, civil society, citizens, lawyers and journalists, it was discussed regarding the "Legal Clinics" initiative, the support of citizens and communities in litigating the causes of them, guaranteeing access to justice and creating positive precedents in the field of justice.



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## Litigation Cases

### The demolition of the homes of 3 families of the Roma community

**The court recognizes the right of compensation for 3 families of the Roma community whose houses were demolished to make way for the construction of the "Great Ring of Tirana".**

Three families from the Roma community had built their homes before 1991 near the road segment "Commune of Paris" - "Kavaja Street". In 2016, the works for the construction of the "Great Ring of Tirana" would start on this road segment. The residential houses of three families were destroyed by the action of IKMT (National Inspectorate for Territory Protection) on 18-19.02.2016 and the families remained homeless, being economically damaged, and suffering a great emotional and psychological burden. In the **first case**, the Tirana Administrative Court of First Degree with the decision of the date 13.12.2016 accepted the lawsuit and recognized the right of compensation for damages from the Municipality of Tirana and IKMT in the amount of **ALL 5,822,000**. In the **second case**, the court with the decision of, 22.09.2020 accepted the lawsuit and recognized the right of compensation for damages from the Municipality of Tirana and IKMT in the amount of **3,785,000 ALL**. In the **third case**, the court, through the decision that was announced on Wednesday, June 14, 2022, accepted the claim and recognized the right to compensation for damages from the Albanian Road Authority in the amount **ALL 5,596,555**.



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## Opposition of the construction of a HPP in the park of Zall - Gjocaj

**The decision on the production of electricity in the Zall-Gjocaj hydro power plant is revoked.**

Two hydro power plants (HPP) are being built on the Mat River, in violation of environmental legislation and other legal acts. A large part of the project is being developed within the "Lurë - Deja" National Park, which was a protected area. This project was developed without consultation with the residents of the area, who requested legal assistance from the lawyers of the Centre for Legal Empowerment in order to protect this area.

The Administrative Court of Appeal decided to uphold the decision of the Administrative Court of First Instance, which annulled ERE's (Energy Regulatory Authority) decision to license the company to build a hydro power plant with a capacity of 2295 KW in a protected area. Then the Supreme Court decided to suspend the execution of the decisions of the Administrative Court of First Instance of Tirana and the Administrative Court of Appeal.

**On November 24 2022**, the Supreme Court decided to uphold the previous decisions by revoking the license of the concessionary company for the production of energy for HPP Zajs, in Zall Gjocaj.



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## Opposition to the construction of the slaughterhouse in the forest of Laknas

**Poplars of Bruka remain an untouched natural area after numerous efforts of the residents which were successfully finalized.**

The Administrative Court of Tirana decided that the residents of Laknas have right in their cause for the protection of the "Poplars of Bruka" against the decisions on the development of economic activities within it. The resistance of the residents of Laknas, supported by the paralegals of the Kujri Centre and the legal assistance of the lawyers of the Centre for Legal Empowerment made it possible to preserve the "Poplars of Bruka" which the residents of the area have built with their own will, and have not allowed the destruction of this natural asset, and the construction on it, since 2019.



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## Opposition to the construction of hydropower plants in Thirra

**166 residents of Thirrë, Sang and Xhuxh villages of Mirdita Municipality have opposed the construction of hydropower plants in Thirrë**

Two HPPs and a water factory are planned to be built in the villages of Thirrë, Sang and Xhuxh of the Municipality of Mirdita. Since these projects will seriously affect the lives of all the residents of the area, they have opposed the projects through administrative complaints and massive protests. CLE lawyers have sent the lawsuit to court and according to the signed powers of attorney, the number of plaintiffs is 166 residents.

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## Opposition to the construction of HPP in Madhesh, Burrel

**The Judicial process continues at the Administrative Court of First Instance in Tirana for the opposition of HEC in the Mat river.**

Several environmental organizations referred to CLE the issue of the construction of HPP in Madhesh, Burrel. The lawyers held meetings with the residents of the 4 villages of Mati (Madhesh, Gurrë, Lundër, Beshkashi), collected documentation by submitting requests for information to public bodies, and addressed the case to the Administrative Court of the First Instance of Tirana, where the case is still under consideration .

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## Request regarding overwork payment

**CLE is representing in Court, call center employees who have not received the deserved payment for the work performed during official holidays**

CLE represents in the Court of First Instance in Tirana employees of the call center sector and the National Union of Telephone Operators (SKOT) in the trial of a dispute with the employer regarding the payment of work performed on official holidays without pay, until December 2018. The claim of 190 employees who were refused payment for work performed on holidays during 2018 was submitted to the court, SKOT was informed that the employer has decided to pay 190 employees the average payment.



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The employer has not yet paid about 70 employees who are not currently employed by this company. As a result, we are continuing to follow the court process, which started in January 2021.

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## Claim for compensation, as a result of unfair collective dismissal

**12 employees have sued a call centre company for the collective dismissal in violation of the deadlines and procedures defined in the law**

CLE has sent to court the lawsuit of 12 employees who were part of a group of 188 employees who were unfairly dismissed.

Acquainted with this case, CLE, at the request of 12 of the already fired employees, took over its legal pursuit by filing a lawsuit against the call-center company until the case was concluded.

The claims of the plaintiffs are based on a series of irregularities by the company which start from the moment when the employees are notified of the collective layoff, and continue with the development of advisory sessions in the absence of the National Union of Telephone Operators (SKOT) and declaring them closed without answering the issues and concerns raised by the employees .

The plaintiffs are entitled to a total of **20,186,040 ALL** in compensation for the damages caused by the collective dismissal.

The lawsuit has already been sent to the court, where the announcement regarding the development of the court case is expected.

## Activities and Projects

### Application of mediation in labor relations

In order to increase the level of information of all actors involved in the process of resolving contractual disputes through mediation, CLE is conducting a campaign with field activities, sitting together with businesses, employers, interest groups and chambers of trade.

The resolution of disputes in labor relations in accordance with the laws in force and contractual conditions continues to be a problematic issue or sector with many unknowns, not only for employees but also for employers. Centre for Legal Empowerment is implementing the project "Implementation of mediation in labor relations in the field of garment and call centre". As part of this project, so far, a meeting with entrepreneurs in the field of garment has been held in Gjirokastrë, an informative meeting with interest groups, as well as the publication of a practical informative manual on this topic.



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### The study report on mediation in labor relations is published

**CLE publishes the report "Mediation, as an alternative for resolving disputes at work, still a "taboo" in the Albanian reality."**

The report prepared by legal experts Av. MSc. Arbësa Kurti, Av. Franc Terihati, Prof. Dr. Sokol Mëngjesi, and Av. Pirro Boboli presents an overview of a general picture of the legal analysis of the regulation of labor relations in the public sector; the way of resolving disputes in this sector – combining it with concrete data of the procedures and ways of resolving these disputes; the social and economic consequences of the application of each procedure; and how each choice (court procedure or mediation) affects the state budget.

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**NDËRMJETËSIMI,  
SI ALTERNATIVË PËR ZGJIDHJEN E  
MOSMARRËVESHJEVE NË PUNË, ENDE  
NJË "TABU" NË REALITETIN SHQIPTAR**

Dhjetor 2022

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PROF. DR. SOKOL MËNGJESI  
AV. PIRRO BOBOLI





## Labor relations in the media industry

Centre for Legal Empowerment in cooperation with experts Dr. Laura Çami (Vorpsi) and Dr. Av. Xhon Skënderi, presented to media representatives, journalists and professors of the Faculty of Law, the scientific study "Labour relations in the media industry".

The rights between the employer and the employee are clearly regulated in the employment contract that the parties sign, based on cooperation and bilateral agreement. The broad economy of the market, the variety of forms and types of business has shown that there is always room and need for the adjustment or updating of contractual conditions and terms, anticipating the common interest of all parties. But how adaptable are these forms to specific sectors such as media? This study comes to answer many of the questions and uncertainties about the contractual aspects in the media industry.



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## "Paralegals in Albanian legislation"?!

**How important is the inclusion of paralegals in Albanian legislation, in the framework of increasing access to legal aid services for vulnerable communities?**

Centre for Legal Empowerment has undertaken the initiative for the regulation of the paralegal profession in Albanian legislation, in the framework of which the discussion table with experts, lecturers, activists and students, "Inclusion of the paralegal in Albanian legislation" was held. The activity was open to all interested parties who had the opportunity to learn more about the topic, as well as share their thoughts and opinions with experts in the field. Within this initiative, CLE, has also prepared the drafting of a VKM to regulate this profession on Albanian legislation.



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## Initial training for paralegals

CLE in cooperation with the Directorate of Free Legal Aid conducted the training cycle on the topic: "Initial training of paralegals engaged at Primary Legal Aid Centres, NGOs and various communities".

This training cycle took place on the platform Zoom and focused on 5 different topics related to paralegal work. The training cycle was followed by a visit to the Primary Legal Aid Centers, where the participants had the opportunity to see first hand the work and duties of these centres. This activity is among the first trainings in the country for the qualification of individuals in the paralegal profession, a profession still unregulated in Albanian legislation.

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## **Veopro@Mjedisi: Active youth for a green European Albania**

**As part of the program Tirana European Youth Capital, Centre for Legal Empowerment, has implemented the project Veopro@Mjedisi, to increase youth activism and information regarding environmental issues on a legal aspect.**

The project was extended from May to December 2022 with a series of activities taking place on this period.

4 manuals were created by lawyers regarding these 4 topics:

- The right of the Communities and NGOs to address in court cases of environmental damage
- Cases from the practice of environmental damage as a result of the construction of hydroelectric plants
- Climate Change and the Legal Framework
- Illustrating the Positive Practices of Circular and Green Economy



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Based on these manuals, 4 training sessions were held with students of the Faculty of Law at the University of Tirana and Durrës, who had the opportunity to discuss and practice their knowledge on environmental rights. After the training, 5 of these students were engaged in the creation of a Manual on Environmental Rights focused on their point of view on the environmental situation. At the same time, a series of frequently asked questions about environmental problems were published on the platform [juristionline.al](http://juristionline.al). The last phase of this project will be the publication of an informative video on addressing environmental issues in the Court.

## **Career Planning Offices**

**Career Planning Offices is the latest CLE initiative that focuses on the importance of these offices in faculties by answering some of the questions that many students have about these structures.**

*Are there such structures in faculties? Are these offices functional in local faculties? How informed are students about their services?*

Based on these questions, 3 students of the Faculty of Law at the University of Tirana got involved with the Center for Legal Empowerment within the initiative initiated in July. Through the monitoring carried out on the Faculties of the University of Tirana it came to our attention that there is no Career Office in the Faculty of Law, and that there are few informed students regarding these offices, in other Faculties where these structures are functional. In the framework of this finding, the work plan



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was formed for the close monitoring of different models of Career Planning Offices in order to formulate an informative and advisory manual entitled "Career Planning Offices". The manual was presented to the students of FDUT and the Dean of the Faculty who expressed their support for the work.

***The manual "Career Offices" aims to provide information on these structures and their proper functioning in local faculties.***



## Western Balkans Roma Summit

Centre for Legal Empowerment, following its work for the empowerment and active participation of the Roma community in Albania, was invited to the “Western Balkans Roma Summit” organized by Civil Rights Defenders, on November 17-18, 2022, in Pristina, to introduce and familiarize the participants with the commitment and work dedicated to the challenges of empowering the Roma community in our country.

The Executive Director of CLE, Mr. Franc Terihati, during his speech, presented a complete overview of the concrete work of CLE in support of the Roma community, from legal empowerment, legal assistance, and the final solution of some court battles where the community has been victorious and beneficial.

The summit brings together representatives of the Roma community, civil society and decision-makers from across the region every year to discuss work and social activism for the inclusion and equality of the Roma community in our societies.



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## WORLD JUSTICE FORUM

Centre for Legal Empowerment participated in the World Justice Forum 2022 held in The Hague, Netherlands.

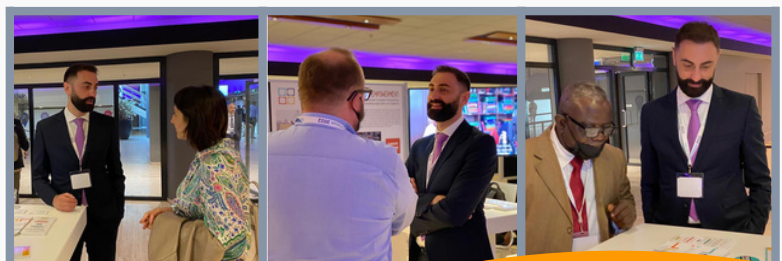


Invited to this activity, CLE presented its initiative, work and successes such as free primary and secondary legal assistance, strategic litigation issues, legal assistance through the [www.juristonline.al](http://www.juristonline.al) platform, etc.

The World Justice Forum is organized annually by the World Justice Project and aims to influence the guarantee of the right to more security, freedom and justice for citizens.



The most prominent organizations engaged in justice issues came together in this forum to discuss the applicability of the law, legal aid, access to justice and the rule of law.



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Centre for Legal Empowerment

# Newsletter



January - December  
2022

## Juristi Online

To ensure the guarantee of primary legal aid and secondary legal aid, Center for Legal Empowerment - CLE, has built the unique JURISTI ONLINE platform.

Juristi Online is part of e-albania, guaranteeing Free Legal Aid for every Albanian citizen 24 hours a day, 7 days a week.

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From **January to December 2022**, on the **Juristi Online** platform were addressed **1702 questions**.

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**520 - Civil cases** (property, inheritance, obligations, contracts; executive titles, representation, commercial)

**360 - Administrative cases** (social security, civil status, taxes, fines; residence permit; citizenship; access to public services, NE)

**291 - Other cases** (free legal aid, moving abroad; personal data; legislation)

**137 - Family matters** (custody, alimony, marriage settlement, recognition of paternity)

**128 - Judicial Procedures cases** (procedural deadlines; trials; appeals)

**113 - Labor Relation cases** (salary; contract termination; paid holidays)

**103 - Criminal cases** (access to the prosecutor's office; criminal offenses; deadlines and investigative procedures; rehabilitation)