



THE EUROPEAN ASSOCIATION OF
JEHOVAH'S WITNESSES

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From The European Association of Jehovah's Witnesses

Contribution for the

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Albania

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I. SUMMARY OF THE SUBMISSION

This submission to the Human Rights Council (HRC) on Albania highlights human rights issues and current failures by Albania to implement accepted recommendations during the previous Universal Periodic Review cycle.

Jehovah’s Witnesses in Albania and as a worldwide organization respectfully request the Government of Albania to:

- (1) Ensure that Jehovah’s Witnesses are able to register as a religious community with the same rights and privileges as other registered religious communities;
- (2) End discriminatory taxation of property owned by Jehovah’s Witnesses of Albania;
- (3) Counter persistent and unjustified stigmatization of Jehovah’s Witnesses in the national media;
- (4) Promptly renew agreements for Jehovah’s Witnesses to provide religious services at prisons in Albania;
- (5) Abide by their commitment to uphold the fundamental freedoms guaranteed by the Constitution of Albania (the Constitution), the International Covenant on Civil and Political Rights (the Covenant) and the European Convention on Human Rights (the Convention) for all citizens, including Jehovah’s Witnesses.

II. INTRODUCTION

1. The European Association of Jehovah’s Witnesses is a charity registered in the United Kingdom. It provides support to Jehovah’s Witnesses facing fundamental human rights violations in various parts of the world.
2. Jehovah’s Witnesses have been present in Albania for more than 100 years. Since 1991, they have generally been free to meet for worship and to share their faith with others. However, Jehovah’s Witnesses in Albania face ongoing discrimination and unfair treatment from some government offices and from the national media. Despite repeated appeals to government officials, Jehovah’s Witnesses have not been able to register as an official “religious community”. Lack of this clear, legal designation has left the 5,500 Witnesses in Albania vulnerable to religious discrimination and misrepresentation. The Witnesses are subjected to discriminatory taxes and economic restrictions not imposed upon State-recognized religions. Media outlets build on the ambiguity resulting from the unachieved status to severely malign Jehovah’s Witnesses, doing so repeatedly with impunity and without foundation.
3. Albania acceded to the Covenant on 4 October 1991 and acceded to the Convention in 1996.

III. ISSUES

Non-registration of Jehovah’s Witnesses as a religious community

4. Around the world, Jehovah’s Witnesses are well-known, and are recognized as a religion. However, government officials in Albania have ignored, dismissed and obstructed their

request to register officially as a religious community. As a result, they are obliged to operate as a non-governmental organization (NGO) under the name Jehovah's Witnesses of Albania (JWA). As an NGO, JWA is discriminatorily deprived of valuable rights and privileges afforded to registered religious communities. This violates articles 18, 22, 26 and 27 of the Covenant; and articles 9, 11 and 14, as well as article 1 of protocol No. 1 and article 1 of protocol No. 12 of the Convention.

5. Article 10 of the Constitution guarantees religious equality. Article 10.5 delegates to the Council of Ministers and the Assembly the responsibility of determining which religions enjoy religious community status. However, the Constitution provides no guidance on the process for a religion to acquire this status, over which officials currently exercise what is effectively unfettered discretion.
6. Despite 17 attempts to obtain religious community status since April 2018, Jehovah's Witnesses have been unable to obtain formal State recognition and hence are without the ability to exercise their religious rights fully. This has the effect of placing their peaceful religious activity under an unjustified cloud of suspicion.
7. After the latest request was again ignored, the Witnesses filed a claim in the First Instance Administrative Court of Tirana (the Court), on 22 June 2021. On 1 December 2021, the Court dismissed the action, arguing that the Prime Minister's Office (PMO) did not receive the letter from JWA, dated 12 March 2021. However, JWA presented a legal document from the post office, proving that the letter had been sent to the PMO. Jehovah's Witnesses appealed the ruling on 6 May 2022. No date has yet been set for hearing the appeal.
8. Nevertheless, in another case related to tax exemption, the Court confirmed: "The court notes that the Association of 'Jehovah's Witnesses in Albania' is a religious organization ... It is a legal person organized in the form of an association, non-profit organization, according to the requests of article 10 point 6 of the Albanian Constitution." (Decision No. 531, 8 March 2023, p. 9) Page 11, paragraph 4 of the Decision, continues: "The court assesses that the Association 'Jehovah's Witnesses in Albania' is a legal person registered as an association, a non-profit organization that performs religious activities, by fulfilling the constitutional standard for a religious community."
9. On 22 February 2024, representatives of JWA had a positive meeting with the Prime Minister of Albania, Mr. Edi Rama. They are optimistic that the situation will be resolved, but no tangible results have been recorded to date.

Discriminatory taxation of Jehovah's Witnesses

10. Without formal registration as a religious community, Jehovah's Witnesses are subject to discriminatory building taxes, from which religious communities are exempt.
11. Article 22(6) of Local Tax Law No. 9632 defines criteria for building tax exemption based on religious activity taking place in the building. This exemption does not specifically require formal registration as a religious community in order to benefit from the provision. On 20 July 2022, JWA filed a legal claim in the Court against the General Directorate for Local Taxes and Fees (GDLTF), which had refused to grant such exemption to their religious buildings.
12. On 8 March 2023, the Court ordered the GDLTF to return the amount JWA paid for the 2022 building taxes. The GDLTF appealed the decision to the Administrative Court of Appeals,

and no date has yet been set for the hearing.

Negative media coverage

13. The absence of formal registration as a religious community has emboldened the media to publish misinformation and defamatory statements about Jehovah’s Witnesses. When JWA requests a retraction or correction, the media frequently disregard, ignore or deny the request.
14. By way of example, in violation of article 20(2) of the Covenant and article 10(2) of the Convention, during 2020 the media in Tirana falsely claimed that Jehovah’s Witnesses were involved in a double suicide and portrayed them as a “dangerous sect,” with some reports making bizarre and profoundly offensive allegations of human sacrifice. Despite repeated requests, the outlets concerned took no corrective action and the story continued to spread. On 19 and 20 May 2021, JWA filed both criminal and civil defamation lawsuits against four media outlets. The court declared one of the outlets not guilty, and JWA appealed the decision on 16 May 2022. Almost four years after this hate speech media campaign, no date has yet been set for a hearing, and no decision has yet been rendered in the other cases.
15. On 18 May 2023, Euronews Albania broadcast a discussion about religious discrimination against Jehovah’s Witnesses, as detailed in the U.S. Department of State’s International Religious Freedom report. An Evangelical pastor with a personal history of hate speech against the Witnesses made false and defamatory statements claiming Jehovah’s Witnesses are a “dangerous sect” that incites hatred and induces people to commit suicide.
16. On 29 May 2023, JWA formally asked Euronews Albania to air a brief statement correcting the misinformation. No correction had been made by the 8 June 2023 deadline. Given the serious harm caused by these false statements, on 19 June 2023, JWA filed a complaint with the Commissioner for Protection Against Discrimination (CPAD) and informed the State Committee for Religions about this defamation and hate speech.
17. According to Law No. 97/2013 (article 53) “On Audiovisual Media in the Republic of Albania”, any person whose dignity and reputation have been impaired as a result of inaccurate facts and information in a broadcast is entitled to the right of reply. Since no correction was made, on 21 June 2023, JWA sent a complaint for a denial of the right of reply to the Albanian Audiovisual Media Authority Council of Complaints, which rejected the complaint.
18. In a positive development, on 19 January 2024, CPAD issued a favorable decision (Decision No. 23). The Commissioner decided:
 1. The finding of discrimination in the form of “hate speech” against the Association “Jehovah’s Witnesses” and the religious community they represent, due to religious beliefs, by Mr. Paulin Vilajeti, on the show *Good Morning Albanians* held on 18 May 2023 on *Euronews Albania Television*.
 2. In reference to point 1 of this Decision, Mr. Paulin Vilajeti, in the capacity of the person who has committed the above discriminatory behaviour, should make a public statement (verbal or written) by distancing himself from the use of hate speech against the Association of Jehovah’s Witnesses and the religious community they represent, and to avoid its use in the future.
 3. In reference to point 2 of this Decision, Euronews Albania Television is recommended to take immediate measures to eliminate/cover the discriminatory expressions used by

Mr. Paulin Vilajeti in the show *Good Morning Albanians* broadcast on 18 May 2023 or of short sections published on the website www.youtube.com, or any other social media that it administers, within five (5) days of the date the notice of this Decision is received.

Difficulties ministering to prison inmates

19. Annually, for more than 14 years, JWA successfully renewed agreements to provide religious services at prisons in Albania. This ministry was suspended during the Covid-19 pandemic. Since 2022, several efforts, including letters and requests for meetings with the authorities, have been made to resume these services but JWA has not yet received a response.

IV. IMPLEMENTATION OF ACCEPTED RECOMMENDATIONS

20. Following its previous review in 2019, Albania supported specific recommendations made by member States. (A/HRC/42/4/Add.1, para. 5)
21. Ghana recommended: “Take steps to combat hate speech allegedly perpetrated by public figures, including politicians, and ensure that data regarding prosecutions and convictions are made public to serve as a deterrent to others.” (A/HRC/42/4, para. 95.46)
22. Serbia recommended: “Strengthen respect for the principles of religious pluralism, universality and inclusion of all communities, groups and individuals.” (A/HRC/42/4, para. 95.60)
23. Poland recommended: “Guarantee that all government policies respect the principles of religious pluralism, universality and inclusion of all communities and groups on an equal footing, especially with respect to the legal differentiation established in Albania between five legally recognized religious communities and other religious organizations, in light of the recent report of the United Nations Special Rapporteur on freedom of religion or belief on his mission to Albania.” (A/HRC/42/4, para. 95.61)
24. The Syrian Arab Republic recommended: “Legalize places of worship and ensure that the process is carried out in a fair and transparent manner with the participation of all parties concerned.” (A/HRC/42/4, para. 95.62)
25. Senegal recommended: “Accelerate ... the legalization of places of worship and ensure that the process is carried out in an equitable and transparent manner.” (A/HRC/42/4, para. 95.63)
26. Germany recommended: “Continue efforts to strengthen the protection of minorities and combat discrimination, in particular through additional legislation to make the existing law on the protection of minorities effective and to bring it into conformity with international human rights standards.” (A/HRC/42/4, para. 95.181)
27. Jehovah’s Witnesses in Albania have seen little or no evidence of the implementation of these recommendations as respects their faith community, as described in more detail above.

V. CONCLUSION AND RECOMMENDATIONS

28. Jehovah’s Witnesses in Albania and as a worldwide organization express concern about the human rights violations exposed in this submission. They respectfully request the Government of Albania to take the necessary steps to:

- (1) Ensure that Jehovah's Witnesses are able to register as a religious community with the same rights and privileges as other registered religious communities;
- (2) End discriminatory taxation of property owned by Jehovah's Witnesses of Albania;
- (3) Counter persistent and unjustified stigmatization of Jehovah's Witnesses in the national media;
- (4) Promptly renew agreements for Jehovah's Witnesses to provide religious services at prisons in Albania;
- (5) Abide by their commitment to uphold the fundamental freedoms guaranteed by the Constitution, the Covenant and the Convention for all citizens, including Jehovah's Witnesses.