



## Chamber hearing concerning the demolition of flats in an Albanian coastal town

The European Court of Human Rights is holding a **Chamber hearing** today **Tuesday 23 May 2017 at 9.15 a.m.** in the case of **Sharxhi and Others v. Albania** (application no. 10613/16).

*The hearing will be broadcast from 2.30 p.m. on the Court's Internet site ([www.echr.coe.int](http://www.echr.coe.int)). After the hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage.*

The applicants are 18 Albanian nationals and one Italian national.

In August 2010 the local authorities gave permission to build a residential building ("the Jon Residence/the Residence") on a plot of land in Vlora. Two of the applicants, by virtue of their ownership of this plot of land, became owners of some of the flats constructed in the Jon Residence; the remaining applicants became owners of the flats via purchase agreements. Upon completion of the construction works, the majority of the flats were furnished and some of the applicants moved into their respective flats.

However, on 3 November 2013, without prior notice, the urban construction inspectorate authorities – supported by the police – surrounded the residence and cordoned it off with yellow crime scene tape. The applicants were prevented from entering their flats and retrieving their belongings. They were told that the authorities were seizing their residence in order to evaluate the legality of the construction permit and other relevant documents.

The applicants lodged a complaint with the administrative courts and, on 7 November 2013, an injunction was issued ordering the authorities to refrain from any actions that could breach the applicants' property rights. In a subsequent decision in January 2014 the administrative court found that the authorities' actions of 3 November 2013 had been unlawful.

Despite the injunction, the entire residential building was demolished between 4 and 8 December 2013.

In the meantime, on 27 November 2013 the Government had adopted a decision ordering the expropriation of the applicants' properties in the public interest and the payment of compensation. The proceedings challenging the amount of compensation awarded by the Government are still pending before the Supreme Court, which, on 15 January 2015, decided to stay the enforcement of the lower court's decision awarding the applicants 1,580,712,322 Albanian leks (approximately 11,639,800 euros) in compensation.

Relying on Article 6 § 1 (right to a fair trial), Article 8 (right to respect for private and family life) and Article 1 of Protocol No. 1 (protection of property) to the European Convention on Human Rights, the applicants complain about the demolition of their flats, including their personal belongings, despite the administrative court's injunction order. They further complain under Article 13 (right to an effective remedy) that there was no effective remedy for them to bring these complaints before the domestic courts and under Article 14 (prohibition of discrimination) that they suffered discrimination. Lastly, relying on Article 6 § 2 (presumption of innocence), they complain, amongst other things, that the authorities used crime scene tape to prevent access to their flats.

## Procedure

The application was lodged with the European Court of Human Rights on 19 February 2016.

On 19 April 2016, the application was communicated<sup>1</sup> to the Albanian Government, with questions from the Court. A [statement of facts](#) submitted to the Government is available on the Court's website.

## Composition of the Court

The case will be heard by a Chamber, composed as follows:

Linos-Alexandre **Sicilianos** (Greece), *President*,  
Kristina **Pardalos** (San Marino),  
Ledi **Bianku** (Albania),  
Aleš **Pejchal** (the Czech Republic),  
Armen **Harutyunyan** (Armenia),  
Pauliine **Koskelo** (Finland),  
Tim **Eicke** (the United Kingdom), *judges*,  
Jovan **Ilievski** ("the former Yugoslav Republic of Macedonia"), *substitute judge*,

and also Abel **Campos**, *Section Registrar*.

## Representatives of the parties

### Government

Alma **Hicka**, *Agent*,  
Agim **Hysi**, Roden **Hoxha** and Evi **Sadushaj**, *Advisers*;

### Applicants

Andrea **Saccucci**, Giulia **Borgna** and Erinda **Ballanca**, *Counsel*.

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**The European Court of Human Rights** was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.

<sup>1</sup> In accordance with Rule 54 of the Rules of Court, a Chamber of seven judges may decide to bring to the attention of a Convention State's Government that an application against that State is pending before the Court (the so-called "communications procedure"). Further information about the procedure after a case is communicated to a Government can be found in the Rules of Court.