



MISIONI I PËRHERSHËM I
REPUBLIKËS SË SHQIPËRISË
GJENEVË

PERMANENT MISSION OF
THE REPUBLIC OF ALBANIA
GENEVA

Prot No. 266

The Permanent Mission of the Republic of Albania to the United Nations Office and Other International Organizations in Geneva presents its compliments to OHCHR, and according to HRC Resolution 25/2 has the honor to submit to the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Albanian contribution to Online Privacy.

The Permanent Mission of the Republic of Albania to the United Nations Office and Other International Organizations in Geneva avails itself of this opportunity to renew to the OHCHR, the assurance of its highest consideration.



Geneva, the 25th of March 2015

OHCHR
Special Rapporteur on the promotion and protection of the right to freedom of
opinion and expression
Palais des Nations
CH-1211 Geneva 10
Switzerland

Regulation of freedom of expression in the Albanian Constitution

The right to information as one of the basic human rights is regulated by specific provisions in the Constitution of the Republic of Albania¹, which defines the principles and guarantees citizens the right to information. Within its scope, in Article 23², there is a direct reference to the overall concept which guarantees citizens of the Republic of Albania the right to information, the right to information produced or owned by the state or by persons exercising state functions.

Art. 15/1 of the Constitution

Art. 22 of the Constitution

Art. 23 of the Constitution

Art. 24 of the Constitution

Law No 97/2013 art. 4 etc.

Law no 7756 dated 11.10.1993 "On Press" amended

Law No 119/2014 "On the right of information"

Art. 261 of Penal Code approved by law no 7895 dated 27.1.1995 amended.

Right to respect for private and family life

Art. 35, 36, 37 of the Constitution

Art. 121,122,123,143/b, 186/a, 192/b, 293/a, 293/b, 293/c, 293/ç of Penal Code approved by law no 7895 dated 27.1.1995 amended.

Art. 5 and 7 of Law no 9887 dated 10.3.2008 "on protection of personal data"

Measures addressed to internet service providers or to end-users

Art. 17 of the Constitution

1. The limitation of the rights and freedoms provided for in this Constitution may be established only by law for a public interest or for the protection of the rights of others. A limitation shall be in proportion with the situation that has dictated it.

2. These limitations may not infringe the essence of the rights and freedoms and in no case may exceed the limitations provided for in the European Convention on Human Rights.

Penal Code Art. 117 child pornography, article 74/a, art.119, 119/a, 199/b, 120, 227,229,239,240, 241, 318. Art. 84/a, 143/b, 186/a, 191/a, 192/b, 208/a, 293/a, 293/b, Art. 293/c, 293/ç, 299/a, 299/b

Law on e-commerce, Art. 15, Art. 16, Art. 17 Art. 18 Art. 19, Art. 20. (These articles have adopted the requirements of e-commerce directive 2000/31/EC (especially art. 12, art. 13 art. 14, art. 15.)

¹ Approved by Law no. 8417, dated 21.10.1998 of the National Assembly. Approved by referendum on 11.22.1998 Promulgated by Decree no. 2260, dated 11.28.1998 of the President of the Republic. Rexhep Meidani, Amended by Law no. 9675, dated 13.1.2007 amended by Law no. 9904, dated 21.04.2008, amended by Law no. 88/2012 (dated 18/09/2012)

² The right to information is guaranteed. 2. Everyone has the right, in accordance with law, to get information on the activities of state bodies, as well as persons exercising public functions

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The security of electronic communications networks

Law no. 9918 dated 19.5.2008 has a series of provisions that regulate the security of electronic communications networks. In particular, issues for the protection of communications are addressed in Chapter XV of Law no. 9918 dated 19.5.2008, amended. In this chapter was transposed Directive 2002/58 / EC on privacy in electronic communications.

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