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Concerns over proposed amendments to the Criminal Procedure Code establishing "super-immunity" and judicial accountability in Albania

Written question No. 811 to the Committee of Ministers
by Ms Albana VOKSHI, Albania, Group of the European People's Party

The rule of law, the separation of powers and democratic standards in Albania raise serious concerns.

On 16 February 2026, draft amendments to Article 242 of the Criminal Procedure Code were introduced (personally by Prime Minister Edi Rama), aiming to prevent courts from applying the precautionary measure of suspension from office to senior public officials, including members of the government. This risks creating a de facto “super-immunity” regime, limiting judicial oversight and preventing courts from acting in cases involving risks such as evidence tampering, obstruction of justice, or undue influence on witnesses.

The Socialist parliamentary majority refused a request by the Special Structure against Corruption and Organized Crime (SPAK) to lift the immunity of Deputy Prime Minister Balluku to allow her arrest, thereby effectively shielding a senior official from judicial scrutiny; this raises serious concerns that such mechanisms serve as a barrier to accountability and the fight against corruption, and are not compatible with Council of Europe standards – equality before the law, independence of the judiciary, effective accountability – and violate the Constitution and the jurisprudence of the Constitutional Court.

Ms Vokshi

To ask the Committee of Ministers:

In this context, how does the Committee of Ministers assess the compatibility of these amendments with the Council of Europe standards and their implications for judicial accountability and the fight against corruption?