



## Research Article

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### Ensuring the right to adequate housing through interference on property rights: The case of Albania

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#### Abstract

With the fall of the communist dictatorship, Albania, like all countries of South Eastern Europe, started a new path towards democracy and market economy. During Albania's transition period, the goal was to reform the ownership system and establish private property rights through a legal process. This objective was based on the principles and values of the new democratic state. Legal reforms were implemented in land privatization, housing, and state asset privatization to achieve this goal.

Since the inception of democracy, numerous individuals have settled in urban areas of the country, occupying both public and private lands and constructing settlements without the authorization of public authorities. The rise and spread of this phenomenon infringed on the principle of the rule of law and the protection of private property. Since numerous informal buildings were constructed on privately owned land, the Albanian authorities faced a significant dilemma: *Is the legalization of buildings built without permission which also infringes ownership rights justified? Therefore, is it permissible to infringe on private property rights in favor of individuals who have illegally constructed and own informal buildings?* This paper aims to answer these questions through a thorough analysis of legal documents of international law and the ECHR case law.

**Keywords:** Right to housing, Property Rights, Legalization, Informal Settlements, ECHR.

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