



INTERNATIONAL INSTITUTE FOR PRIVATE
COMMERCIAL AND COMPETITION LAW
(IIPCCL - AUSTRIA)

Research Article

© 2025 Griselda Muhametaj Guma

This is an open access article licensed under the Creative Commons
Attribution-NonCommercial 4.0 International License
(<https://creativecommons.org/licenses/by-nc/4.0/>)

Property rights adjudication in Albania: Conformity with European Human Rights Jurisprudential standards

Griselda Muhametaj Guma
University of Tirana, Albania

DOI: <https://doi.org/10.2478/bjir-2025-0022>

Abstract

The article aimed to assess the transformation of Albania's legal system for the protection of property rights under the influence of European standards. The methodology included comparative-legal and historical-legal analysis of Albania's legal acts, a systemic analysis of the European Court of Human Rights (ECHR) decisions regarding Albania, and a statistical analysis of quantitative indicators of the reform of the compensation system. The evolution of Albanian legislation was analysed, from the initial 1993 law to the modern 2015 law, and key ECHR rulings in cases against Albania from 2007 to 2025 were studied. It was found that by 2015, only 2.5 percent of restitution and compensation decisions had been implemented, whereas, after the introduction of the new system, the Property Compensation Agency had conducted financial assessments for over 25,000 claims by 2020. Typical violations of the convention standards were identified, including the lack of an effective enforcement mechanism and excessive discretion of the executive power in determining compensation forms. The government allocated about 1.2 billion euros for compensation through cash and land funds, setting a ten-year deadline for completing payments by 2026, with a minimum compensation value of 10 percent of the property value. Contemporary challenges in law enforcement were identified, particularly problems with the quality of property data in the national registry, where over 80 percent of records contain inaccuracies. The results demonstrate a radical transformation of Albania's legal system from complete failure to enforce restitution decisions to the creation of a centralized compensation mechanism with clear deadlines and guaranteed funding. The study confirms the effectiveness of the pilot ruling procedure as a tool for systematically addressing structural deficiencies in national legislation.

Keywords: property restitution, property compensation, pilot ruling, legal certainty, decision enforcement mechanism.

Full Text: [PDF](#)



This work is licensed under [Creative Commons Attribution 4.0 License](#).

Balkan Journal of Interdisciplinary Research (Austria) E – ISSN 2411- 9725 / ISSN 2410-75

Copyright © IIPCCL-International Institute for Private, Commercial and Competition law