

RIGHT TO A FAIR LEGAL PROCESS IN THE REPUBLIC OF ALBANIA

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ABSTRACT

This subject is addressed due process of law, the rights and obligations of entities criminal proceedings. Originally topic addresses the emergence and historical development of human rights, their origins, from 'Magna Carta Libertatum', and to international and domestic legal provisions of today. Historical treatment is necessary and will therefore appear in any period of time after its due to make an analysis regarding the evolution of the concept of human rights was in its infancy, to be completed in days, achievements and efforts made to a due process. The regulation that makes due process, the European Convention of Human Rights, is a special part of this paper handling. Is this convention, which provides minimum standards under which the Albanian state cannot come in the framework of realization of rights of the individual by ensuring a fair trial. In this regard, the interpretation of law by the court should be such as not to restrict further, predicting what the European Convention, in relation to rights and fundamental freedoms. This paper aims at identifying the subjects that faced the proceedings for implementation of legal requirements in the context of a regular process. Identified problems indicate that identifies practices which case solutions enforced, due to inadequacy in full with the legislation, or because the interpretation and so not fair to him. The cost of this impact falls on the party falls on procedural entity that is interested in a fair trial. What is understood in general terms with the concept due legal process? Due process is a fundamental constitutional principle enshrined in the Constitution of 1998, as a fundamental right.

Keywords: Process, orderly, law, penology, Albania, procedure, trial.