

ALBANIA

Most questions require a reply based on the following codification:

a. Yes, already done <input type="checkbox"/>	b. Yes, work is in progress <input type="checkbox"/>	c. We intend to work on this <input type="checkbox"/>	d. Position non determined <input type="checkbox"/>	e. No <input type="checkbox"/>
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Section I – Implementation and dissemination of the Recommendation

1. How would you assess the status of implementation of the Recommendation in your country?
Fully satisfactory ☐ Adequate X ☒ Insufficient ☐ Absent ☐

Please explain your reply.

In compliance with the recommendations the implementation of the Action Plan “For non-discrimination because of sexual orientation and gender identity 2012-2014” has started.

The recommendations have been taken into account also by the Commissioner for Protection from Discrimination during their practice in processing cases of discrimination because of sexual orientation / gender identity.

2. Has a review been carried out of existing legislative and other measures which could result directly or indirectly in sexual orientation or gender identity discrimination?
a. ☐ b. X ☒ c. ☐ d. ☐ e. ☐

Please explain and, if appropriate, provide examples of any such measures found:

Throughout 2012 the inter-institutional group has worked together and the Action Plan for “non-discrimination because of sexual orientation or tender identity” 2012-2014 was adopted.

On the basis of this plan and the implementation of the Law for Protection from Discrimination work is being done to see if there is a necessity for interventions in the law. Meanwhile amendments have been proposed to the Penal and Labor Codes, which deal specifically with additions for protection from discrimination because of sexual orientation and gender identity.

Are there measures in place to redress any such discrimination?

- a. ☐ b. X ☒ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices:

The Action Plan against discrimination has started implementation, which so far has consisted on raising capacities of employees from central and local institutions, in raising awareness of the general public through meetings with LGBT organizations, activities on International Day against Homophobia, several publications etc.

3. Have legislative and other measures against discrimination on grounds of sexual orientation or gender identity been adopted and implemented since the adoption of CM Recommendation 2010(5) (including the possible establishment of national action plans, the inclusion of the Recommendation in existing plans, or the creation of cross-sectoral working groups for its implementation)?

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

If appropriate, please provide examples of measures adopted or in preparation.

Yes. The adoption of the Law for Protection from Discrimination in February 2010; the establishment and strengthening capacities of the Office for Protection from Discrimination; creation of Inter-institutional group for drafting an action plan; the adoption and implementation of the plan; raising capacities of institutions; awareness raising activities.

The OSCE/ODIHR is preparing a training program to raise capacities of the Police, inspectors and civil society organizations in relation to crimes and speeches motivated by hatred towards different social groups, including LGBT. These trainings will take place in coordination with the State Police, the Police Academy, the Prosecutor, the Ministry of Justice, Ombudsman, and Commissioner for Protection from Discrimination etc.

4. Are there measures in place to collect and analyse relevant data on discrimination on grounds of sexual orientation?

a. ☐ b. ☐ c. X ☐ d. ☐ e. ☐

Are there measures in place to collect and analyse relevant data on discrimination on grounds of gender identity?

a. ☐ b. ☐ c. X ☐ d. ☐ e. ☐

Are there measures in place to collect and analyse relevant data on hate crimes and hate-oriented incidents, where the sexual orientation or gender identity of the victim is reasonably suspected to have constituted a motive for the perpetrator?

a. ☐ b. ☐ c. ☐ d. X ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices:

The Commissioner for Protection from Discrimination keeps annual records of cases it investigates during the year. The data is folded in accordance with the cause of discrimination, area, gender of complainant, final decision on the case and the type of measure order by the Commissioner in order to redress the discriminatory action.

5. Do effective legal remedies for victims of sexual orientation or gender identity discrimination exist (including sanctions for infringements and adequate reparation for victims)?

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

If so, are there measures in place to raise awareness and facilitate access of victims to such remedies?

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

The "Law for Protection from Discrimination" guarantees protection from discrimination because of sexual orientation and gender identity. Based on this law, victims of discrimination can submit complaints at the Commissioner for Protection from Discrimination as well as courts and other judicial bodies. When the Commissioner identifies that a discriminatory action has taken place, with a specific decision she orders appropriate measures, which have to be appropriate, effective and

preventive. In case the person against whom this decision has been made does not comply with the Commissioner's decision, the latter can impose a fine on him/her. In case the person complies with the decision, within 7 days from the day the fine was imposed, the Commissioner can reverse the decision. Regarding court reviews of cases of discrimination, the Law for Protection from Discrimination predicts that when the Court finds that legal dispositions have been violated and the complainant has suffered discrimination then it can apply reparation and the time when it should take place.

In accordance with the Law for Protection from Discrimination, reparation includes among other things the remedy of legal violations and their consequences through a return to the previous situation, proper compensation for property or non-property damages or through other appropriate measures.

The introduction of measures and remedies because of discrimination under the Law for Protection from Discrimination the imposition of additional measures because of other existing legislation is not excluded. The Commissioner has prepared a copy of a complaint form which can be found on their official website: www.kmd.al which can be sent via mail or electronically.

Complaint forms are distributed regularly during awareness activities organized during 2012 and will continue in 2013. Activities where the Commissioner has met with citizens have taken place on very regular bases. During open days participants are informed of their rights under the law for protection from discrimination and the forms of appeal in case a violation has taken place.

6. Which obstacles, if any, have been encountered in the implementation of the Recommendation?

7. Has the Recommendation, including its Appendix, been translated in all your national languages?

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

8. Which steps have been taken to ensure dissemination of the Recommendation and its Appendix as widely as possible?

The translated recommendation has been distributed at meetings with different interest groups.

Section II – Implementation of the specific provisions in the Appendix

I. Right to life, security and protection from violence

9. Are there measures in place to ensure an effective, prompt and impartial investigation into alleged cases of crimes and other incidents, where the sexual orientation or gender identity of the victim is reasonably suspected to have constituted a motive for the perpetrator?

a. ☐ b. ☐ c. X ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

Yes. Several trainings with the police force have taken place.

February 2013 - a significant change to the Criminal Code will be required to sexual crimes section, where with the intention of eliminating discrimination that may arise due to wrong definitions and improper use of words in Albanian in all offenses, will be required to remove the word "homosexual". Sexual offenses against children, whether they are carried out with the same or

opposite gender, remain punishable by Penal Code. Specifications that exists in the Criminal Code, such as: "... And homosexual sexual acts" gives the impression that they are 2 different offenses or that one of them is heavier than the other.

On the other hand from the description and punishment given by the relevant article, it is understood that we are talking about the same offence, committed between either opposite or same sex. The wrong use of the words "homosexual" is related to a wrong medical definition which has been removed from the list of medical pathologies for more than 30 years. The use of this word in the code is inappropriate, and creates reason to believe that the purpose of the use is due to prejudice and discrimination based on sexual orientation and gender identity. It is proposed that instead of the word "homosexual" to be used the word "same-sex".

10. Are there measures in place to ensure that a bias motive related to sexual orientation may be taken into account as an aggravating circumstance?
- a. ☐ b. X☒ c. ☐ d. ☐ e. ☐

Are there measures in place to ensure that a bias motive related to gender identity may be taken into account as an aggravating circumstance?

- a. ☐ b. X☒ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

In proposals for changes to the Criminal Code which are now being processed in Parliament, are proposed amendments to Article 50 of this code, which is related to additional aggravating circumstances when an offence is committed and driven by motives concerning, among other things, sexual orientation and gender identity.

Meanwhile the Commissioner for Protection from Discrimination is preparing a recommendation in the context of changes to the Penal Code related to hate speech because of sexual orientation and gender identity to be considered a criminal offense.

11. Are appropriate measures taken to ensure that victims and witnesses of sexual orientation- or gender identity-related hate crimes and incidents are encouraged to report them?
- a. ☐ b. ☐ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

On May 2012, PINK Embassy / LGBT Pro Albania (NGO) and the Commissioner for Protection from Discrimination prepared a brochure: "My rights in front of the Commissioner" in order to raise awareness among the LGBT community about their rights for protection from discrimination by being able to ask the help of this institutions. The brochure has been distributed to the community and continues to be distributed in different activities with the public.

12. Do training programmes and procedures exist to ensure that the police, judiciary and prison officials possess the knowledge and skills to identify such crimes and incidents and provide victims and witnesses with adequate assistance and support?
- a. X☒ b. ☐ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

Trainings of professionals are provided in the Action Plan on measures against discrimination because of sexual orientation and 2012-2014 gender identity.

- Office of the OSCE / ODIHR is preparing a training program to raise capacities of the State Police, Inspectors and organizations from civil society in relation to crimes and speeches motivated by hatred towards different social groups, including LGBT. These trainings will take place in coordination with the State Police, Police Academy, Prosecutor, Ministry of Justice, Ombudsman, Commissioner for Protection from Discrimination etc.

13. Are there specific measures in place to ensure the safety and dignity of lesbian, gay, bisexual and transgender persons in prison or in other ways deprived of their liberty, in accordance with paragraph 4 of the Appendix to the Recommendation?

a. ☐ b. ☐ c. X☒ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

In order to guarantee the safety and dignity of LGBT people who are in prison, the Commissioner for Protection from Discrimination has signed an agreement of collaboration with the General Directorate of Prisons.

14. Have appropriate measures been taken to combat all forms of “hate speech” against lesbian, gay, bisexual or transgender persons, in accordance with Article 10 of the European Convention on Human Rights and with paragraph 6 of the Appendix to the Recommendation ?

a. ☐ b. ☐ c. X☒ d. ☐ e. ☐

If so, have specific measures been taken to raise awareness of public authorities/ institutions of their responsibility to refrain from statements which may reasonably be understood as legitimising hatred or discrimination against lesbian, gay, bisexual or transgender persons?

a. ☐ b. ☐ c. X☒ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

The Commissioner has taken a decision on the language used against LGBT people by the Deputy Chairman of a political party. Hate speech is not expressly provided for by the legislation in force. In its decision the Commissioner was referring to recent practice at the European Court of Human Rights *Vejdeland and others v. Sweden* (Application no. 1813/07) and considered it a direct discrimination.

Statements of the Commissioner in public activities such as the Festival of Diversity organized on May 17th (International Day Against Homophobia) on May 17, 2012, the Commissioner declared that the institutions she represents will strongly condemn any hate speech due to sexual orientation or gender identity.

II. Freedom of association

15. Are there measures in place to ensure that freedom of association (including access to public funding available for non-governmental organisations) can be enjoyed without discrimination on grounds of sexual orientation or gender identity?

a. X☒ b. ☐ c. ☐ d. ☐ e. ☐

If any, please provide examples of limitations or exceptions to the guarantees set out in Paragraphs 9 and 10 of the appendix to the Recommendation and indicate whether any measure to review or lift such limitations or exceptions is in preparation:

Everyone has the right to organize collectively for any lawful purpose. This constitutes a constitutional right that is protected by law for protection from discrimination.

16. Are there specific measures in place to effectively protect defenders of human rights of lesbian, gay, bisexual and transgender persons against hostility and aggression, including when allegedly committed by state agents, in accordance with the Declaration of the Committee of Ministers on Council of Europe action to improve the protection of human rights defenders and promote their activities?

a. ☐ b. ☐ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

Systematic support of Tirana Police Force to take part in any activity carried out by LGBT organizations and by providing effective protection in all activities.

17. Have measures been taken to ensure that non-governmental organisations defending the human rights of lesbian, gay, bisexual and transgender persons are appropriately consulted on the adoption and implementation of measures that may have an impact on the human rights of these persons?

a. ☒ b. ☐ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

Non-governmental organizations that focus on the protection of the rights of LGBT persons are part of inter-institutional group that drafted the Action Plan. We constantly cooperate with these organizations for the implementation of this action plan activities and others.

Collaboration with NGOs has been considered by the Commissioner also in relation to sharing relevant information in order to continue with investigations.

Cooperation agreements between the Commissioner and NGO's have also been signed.

III. Freedom of expression and peaceful assembly

18. Are there measures in place to ensure that freedom of expression, including freedom to receive and impart information on subjects dealing with sexual orientation or gender identity, can be enjoyed without discrimination on grounds of sexual orientation or gender identity?

a. ☒ b. ☐ c. ☐ d. ☐ e. ☐

Are there measures in place to ensure that freedom of peaceful assembly can be enjoyed without discrimination on grounds of sexual orientation or gender identity?

a. ☒ b. ☐ c. ☐ d. ☐ e. ☐

If specific limitations or exceptions regarding such freedoms are in place, please provide examples and indicate whether any measure to review or lift such measures is in preparation:

Freedom of expression, right to information and right to peaceful demonstrations in guaranteed by the Constitution of the Republic of Albania. The law for Protection from Discrimination guarantees protection from discrimination because of sexual orientation and gender identity also for these constitutional rights.

19. Do law enforcement authorities take appropriate measures to protect participants in peaceful demonstrations in favour of the human rights of lesbian, gay, bisexual and transgender persons?

a. ☒ b. ☐ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

On the International Day against Homophobia and Transphobia a series of activities were organized by PINK Embassy called "Festival of Diversity" where representatives of government institutions, NGO-s, civil society and international organizations in order to support the needs of the LGBT community in order for them to ask for more engagement by institutions and the Albanian public for the advancement and respect of the rights of this community.

IV. Right to respect for private and family life

20. Have measures been taken to ensure that criminal law provisions which, because of their wording or scope, may lead to a discriminatory application with respect to sexual orientation or gender identity are either repealed, amended or applied in a manner which is compatible with the principle of non-discrimination?

a. ☐ b. ☐ c. X ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

One of the measures of the Action Plan is to review Albanian legislation. The end of this study will evidence the gaps and will make recommendation for further interventions in legislation.

21. Are there measures in place to ensure that personal data referring to a person's sexual orientation or gender identity are not collected, stored or otherwise used, except where this is necessary for the performance of specific, lawful and legitimate purposes, and that existing records that do not comply with this principle are destroyed?

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

Please provide examples of exceptions to this principle, if any:

In relation to this point, two laws are in place with Commissioner offices: The law for protection from discrimination and the Law for the Protection of Personal Data, no. 9887, date 10.03.2008.

22. Are appropriate measures available to guarantee full legal recognition of a person's gender reassignment in all areas of life in accordance with the provisions of paragraph 21 of the appendix to the Recommendation?

a. ☐ b. ☐ c. ☐ d. ☐ e. X ☐

Have prior requirements for legal recognition of a gender reassignment been reviewed in order to remove any abusive requirements?

a. ☐ b. ☐ c. ☐ d. ☐ e. X ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

23. Once gender reassignment has been completed and legally recognised, is the right of a transgender person to marry a person of the sex opposite to their reassigned sex effectively guaranteed?

a. ☐ b. ☐ c. ☐ d. ☐ e. X ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

24. Where national legislation recognises registered same-sex partnerships, are their legal status, rights and obligations equivalent to those of heterosexual couples in a comparable situation?

a. ☐ b. ☐ c. ☐ d. ☐ e. X ☐

If national legislation does not recognise nor confer rights to registered same-sex partnerships and unmarried couples, has the possibility been considered to provide same-sex couples with legal or other means to address the practical problems related to this fact in their lives?

a. ☐ b. ☐ c. ☐ d. ☐ e. X ☐

Please provide examples:

25. Are there measures in place to ensure that decisions regarding parental responsibility and adoption of a child are taken primarily in the child's best interest, as well as without discrimination based on sexual orientation or gender identity?

a. ☐ b. ☐ c. ☐ d. ☐ e. X ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

V. Employment

26. Does legislation prohibit discrimination in employment in the public and private sector on grounds of sexual orientation?

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

Does legislation prohibit discrimination in employment in the public and private sector on grounds of gender identity?

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

If so, are there measures in place concerning in particular:

- i) Access to employment

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

- ii) Promotion, dismissals, pay and other working conditions

a. X ☐ b. X ☐ c. ☐ d. ☐ e. ☐

- iii) Prevention and punishment of harassment

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

- iv) Protection of privacy of transgender persons

(in accordance with paragraph 30 of the Appendix to the Recommendation)

a. ☐ b. ☐ c. ☐ d. X ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

There are no legal measures in place or in process for the recognition of changed gender, referring also to part IV of the questionnaire.

VI. Education

27. Are there appropriate legislative and other measures, addressed to educational staff and pupils, to ensure that the right to education can be effectively enjoyed without discrimination on grounds of sexual orientation or gender identity, taking into due account the over-riding interests of the child and the rights of parents regarding education of their children?

a. ☐ b. X ☒ c. ☐ d. ☐ e. ☐

If so, are there measures in place concerning in particular:

- i) Anti-discrimination training or support and teaching aids

a. X ☒ b. ☐ c. ☐ d. ☐ e. ☐

- ii) Information, protection and support for pupils and students

a. X ☒ b. ☐ c. ☐ d. ☐ e. ☐

- iii) Objective information on sexual orientation and gender identity in school curricula ?

a. ☐ b. X ☒ c. ☐ d. ☐ e. ☐

- iv) School equality and safety policies and action plans

a. ☐ b. ☐ c. ☐ d. ☐ e. x ☒

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

All basic education school documentation is in the process of review: subject standards and curriculum frameworks. At the beginning of the new school year all educational departments will be instructed to adopt in their working plan activities in accordance with the Action Plan on LGBT.

According to the Law on Protection from Discrimination educational institutions have an obligation to take effective measures to prevent and combat discrimination. From a monitoring conducted by the Commissioner for Protection from Discrimination during 2011 it was concluded that schools need to implement policies and programs to combat discriminatory behaviour and bullying in schools.

Revision of textbooks to eliminate any discriminatory provision in them is necessary. This conclusion is the result of the examination of an issue that has been made by the Commissioner, after the complaint was filed by an NGO that defends the rights of LGBT discriminatory content in the text of a university subject. The Commissioner sent recommendations for authors of textbooks and the Faculties of Law and Medicine. The response was positive. Subjects took measures to remove from the market all copies of the text book, immediate revision of text and up to the marketing of the revised version the text will be accompanied by a revised material for parts that were considered by the decision of the Commissioner that they were discriminating against the LGBT community.

VII. Health

28. Are there appropriate measures in place to ensure that the highest attainable standard of health can be effectively enjoyed without discrimination on grounds of sexual orientation or gender identity, in accordance with the provisions of Paragraph 33 of the Appendix to the Recommendation?

a. ☐ b. X ☒ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

Law "On Protection from Discrimination", provides protection against discrimination because of sexual orientation and gender identity in the field of goods and services, including all the goods and services related to health.

In the framework of the action plan for protection from discrimination to LGBT people, trainings for medical personnel will take place by the Ministry of Health in order to better address their specific needs.

29. Has homosexuality been removed from the national classification of diseases?

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

30. Are there measures in place to ensure that transgender persons have effective access to appropriate gender reassignment services?

a. ☐ b. ☐ c. ☐ d. ☐ e. X ☐

If there are limitations to the costs covered by health insurance for gender reassignment, please explain:

This service is not provided in Albania. There is no expertise.

VIII. Housing

31. Are measures taken to ensure access to adequate housing can be effectively and equally enjoyed by all persons, without discrimination on grounds of sexual orientation or gender identity, that protection is provided against discriminatory evictions, and that equal rights are guaranteed in respect of ownership of land and other property,?

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

The Law "on Protection from Discrimination", provides protection against discrimination because of sexual orientation and gender identity in the field of goods and services including housing. While the right to property is a constitutional right and protection from discrimination law protects against discrimination all their rights and freedoms provided for in the Constitution.

32. With respect to the risk of homelessness faced by lesbian, gay, bisexual and transgender persons, in particular young persons and children, are measures taken to ensure that the relevant social services are provided without discrimination on grounds of sexual orientation or gender identity?

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

Law "On Protection from Discrimination", provides protection against discrimination because of sexual orientation and gender identity in the field of goods and services including any benefit or advantage from social protection schemes or other social advantage offered to the public.

IX. Sports

33. Have measures (including awareness-raising measures) been taken to tackle discrimination on grounds of sexual orientation or gender identity (including the use of discriminatory insults) in sports and in connection with sports events?

a. ☐ b. ☐ c. ☐ d. ☐ e. X ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

X. Right to seek asylum

34. In cases where your country has an international obligation in this respect, may a well-founded fear of persecution based on sexual orientation or gender identity be recognised as a valid ground for the granting of refugee status and asylum under your national law?
- a. ☐ b. ☐ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

According to the law no.8432, dated 14.12.1998, "On asylum in the Republic of Albania", Albania recognizes and accepts the obligations contained in the European Convention for the Prevention of Torture and inhuman or degrading treatment or punishment in the United Nations Conventions Against Torture, to civil and political rights, on the rights of the child and any other international instrument to which the Republic of Albania is or will be a party;

35. Does your country ensure that asylum seekers are not sent to a country where their life or freedom would be threatened because of their sexual orientation or gender identity?
- a. ☐ b. ☐ c. ☐ d. ☐ e. ☐

Please indicate the measures and, if appropriate, provide examples of good practices in this area:

According to Article 7 of Law no. 8432, dated 14.12.1998, "On asylum in the Republic of Albania", provided that RA recognizes and respects the obligation not to return or ask to leave its territory, any person who has acquired the right of asylum or temporary protection that, inter alia, when in a country where their life or freedom is threatened because of race, religion, nationality, membership in a particular social group or political opinion.

XI. National Human Rights Structures

36. Are National Human Rights Structures (equality bodies, ombudsperson, and national human rights institutions) clearly mandated to address discrimination on grounds of sexual orientation?
- a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

Are National Human Rights Structures (equality bodies, ombudsperson, and national human rights institutions) clearly mandated to address discrimination on grounds of gender identity?

- a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

If so please explain and indicate in particular, if appropriate, what possibilities of intervention are included in their mandate, including in particular with respect to discrimination on multiple grounds:

The Law for Protection from Discrimination regulates the implementation and observance of the principle of equality in relation to a non-exhaustive list of causes, namely sex, race, colour, ethnicity, language, gender identity, sexual orientation, political opinions, religious or philosophical beliefs, economic condition, educational or social status, pregnancy, parental affiliation, parental responsibility, age, family or marital status, residence, health status, genetic predisposition, disability, belonging to a particular group, or any other reasons.

The Commissioner for protection from Discrimination has the power:

- to offer help to victims of discrimination in pursuing their complaints about discrimination, including: - reviewing complaints from persons or groups of persons who claim to have been discriminated against; reviewing appeals by organizations that have a legitimate interest in acting on behalf of and with the written consent of the individuals or groups of individuals who claim that discrimination has occurred; conducting administrative investigations after receiving credible information of violations of the law; - administrative sanctions; submitting a written opinion on any matter that associated with investing discrimination due to the request of the court to consider the matter; applicant's representation in the judiciary, with his approval;
- conduct independent surveys concerning discrimination;
- publish reports and make recommendations on any issues related to discrimination, including recommendations for legislation change opo new legislation approval;
- raise awareness and promote the principle of equality and non-discrimination

Commissioner's powers are both public authorities and private. Split protection against discrimination on the basis of the Law "On Protection from Discrimination" guarantee for the rights and freedoms set forth in the Constitution of the Republic of Albania, in its ratified international acts and laws in force.

XII. Discrimination on multiple grounds

37. Are there measures in place to ensure that the provisions of national law prohibiting or preventing discrimination also protect against discrimination on multiple grounds, including on grounds of sexual orientation or gender identity?

a. X ☐ b. ☐ c. ☐ d. ☐ e. ☐

Section III - Follow-up

38. Which measures by the Council of Europe would you recommend to ensure that member states are guided in their national legislation and practice by the principles set out in the Recommendation and in its Appendix ?

39. Should the Council of Europe continue examining periodically the implementation of this Recommendation? If so, should such examination in future concentrate on specific issues, and which specific issues would you recommend examining in that case?

40. Are there any issues on which the Recommendation and its Appendix should be revised or completed? If so, please indicate them.