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Meeting: 1514th meeting (December 2024) (DH)

Item reference: Action Plan (17/10/2024)

Communication from Albania concerning the case of X and Others v. Albania (Application No. 73548/17)

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Communication de l'Albanie concernant l'affaire X et Autres c. Albanie (requête n° 73548/17) (**anglais uniquement**)

DGI

17 OCT. 2024

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

UPDATE INFORMATION ON THE INDIVIDUAL AND GENERAL MEASURES

On 31.5.2022, the European Court delivered the judgment “X and others v. Albania” (Application no. 73548/17 and 45521/19). The judgment has become final on 31/08/2022.

In the present case, the Court found a violation of Article 1 of Protocol No. 12 to the Convention because of the failure of the State to implement desegregating measures.

The Albanian Government, on 30.5.2023, submitted the Action Plan on the individual and general measures implemented by the Albanian Government for the execution of the ECtHR judgment and others v. Albania”.

The Action Plan was drafted in close coordination with all relevant institutions, at the central and local level including: The Ministry of Education and Sports, the Ministry of Health and Social Protection, the Municipality of Korça, the Regional Directorate of Pre-university Education and Local Office of Pre-university Education of Korca. Different civil society organizations, including Roma and Egyptian organizations, the Commissioner for Anti-Discrimination were consulted and participated in the different coordination meetings that were organized in the framework of the execution of the judgment.

As already mentioned in the Action Plan, the Government reiterates that ensuring equal access to education and full integration of the Roma and Egyptian minorities in the education system can only be achieved if the causes that have led to inequality and exclusion are addressed systematically. This is a long and laborious process that requires close coordination and cooperation between local, national and international stakeholders.

For this reason, in cooperation and with the support of the Council of Europe/Directorate of Equal Rights and Dignity/Anti-Discrimination Department/Roma and Travellers Division, a feasibility assessment study for the situation of the "Naim Frashëri" school, in Korça and the medium-term and long-term desegregation measures is being drafted with a consultant engaged by the Council of Europe .

This feasibility study aims to present the current situation in the Naim Frashëri school, international standards, the jurisprudence of the European Court of Human Rights, as well as the community's perception and attitude in relation to the desegregation measures.

In the framework of this study, a field visit to the “Naim Frashëri” school in Korca was organized in July 2024, to assess its quality and infrastructure, the respective spaces, distance from the other three schools.

In July, the consultant has also addressed the respective institutions, Ministry of Education and Sports, the Ministry of Health and Social Protection, the Municipality of Korca and the Regional Directorate of Pre-University Education, Korca and the Local Office of Pre-University Education, Korca.

In addition, with the aim of gaining initial data, a questionnaire composed of 31 questions of a general character was drafted and distributed to target groups. This questionnaire was completed manually, in direct contact with all the persons who completed it, including members of the community of residents near the "Naim Frashëri" school, members of the Civil Society, public administration employees. Its purpose was to obtain information about the current situation in Naim Frashëri School, and to assess the level of information that the targeted groups/persons had on the desegregation measures and their impact on the community. The preliminary findings of the feasibility study are expected mid November 2024, where also a coordination meeting will be organised with all responsible institutions. This meeting will also assess the progress on the measures taken by Albanian authorities on the central and local level for the execution of the judgment "X and others v. Albania".

In this regard, an accurate assessment on the measures taken by respective institutions will be made by the Government after this meeting will take place.

However, as following an updated information on the measures taken by the Ministry of Education and Sports in the framework of the execution of the judgement "X and others v. Albania".

Monitoring of the situation of enrollment and over-representation of Roma and Egyptian pupils in schools:

Educational institutions at central and local level have continued to monitor the situation of over-representation of Roma and Egyptian pupils in schools, aiming to take measures to prevent and avoid segregation.

Aiming at providing quality services to increase the social well-being of families in need and marginalized groups, a working group was established by Order No. 59 dated 26.08.2024. This group has continuously monitored the number of registrations of children for the first grade through the *e-Albania* portal. The working groups report periodically on the completion of their tasks. The current situation in Naim Frashëri School has been monitored by the Office of the Commissioner Against Discrimination, as well which held a meeting with various representatives in February 2024. The meeting included not only the school's student and parent community, but also representatives from Regional Education Offices, and Roma and Egyptian NGOs, the Municipality, the Child Protection Unit, Municipal Day Centers, and various NGOs such as DORCAS – AID, with which the school is developing a project as a Community Center.

From preliminary data for the 2024-2025 school year, the "Naim Frashëri" 9-year school in Korçë (the central school + subsidiary schools) has a total of 187 students, of whom 23 are in pre-school education, 95 in primary education, and 69 in lower secondary education. Out of the 187 students in total, 104 are Roma and Egyptian (or 55.6%), while 83 are others (or 44.4%). The official data will be available during November 2024.

The following table provides statistical data on the number of Roma and Egyptian students at the "Naim Frashëri" school for the 2023-2024 school year:

School Center/Subsidiary	Total Students	Roma	Egyptians	Total R+E	Students 1-5	Roma 1-5	Egyptians 1-5	Total R+E 1-5	Students 6-9	Students 6-9	Egyptians 6-9	Total R+E 6-9
Ravonik Village	52	0	1	1	26	0	1	1	26	0	0	0
Turan Village	16	0	0	0	0	0	0	0	0	0	0	0
"N. Frashëri"	96	20	59	79	52	7	36	43	44	13	23	36
Directorate	164	20	60	80	78	7	37	44	70	13	23	36
% at Central School		21%	61%	82%		7%	38%			14%	24%	38%
% Center + Subsidiaries		12%	37%	49%		4%	23%			8%	14%	22%

Number of pupils per class and measures to reduce school dropout.

As regards Naim Frashëri school, the number of pupils per class does not exceed 15 (except for the 8th grade class with 17 students), allowing for increased attention from the teaching staff to learning difficulties and potential issues, personalized guidance, and added attention.

The school collaborates closely with parents and civil society to ensure the regular attendance of the registered children. Additionally, the Naim Frashëri School has developed and implemented an intervention plan for preventing school dropout. The intervention plan is followed continuously by the school administration and teachers.

Support for the school attendance of Roma and Egyptian students includes providing all students with free textbooks for grades 1-12 and ensuring free transportation for all students who travel more than 2 km from their home to school.

Appointment of Mediators:

- The Roma and Egyptian minority students at the "Naim Frashëri" 9-year school in Korçë, as well as in other schools across the country, benefit from support provided by mediators, aimed at raising awareness, improving their access to education, and increasing attendance in the learning process.
- At the "Naim Frashëri" 9-year school in Korçë, for the 2023-2024 school year and onwards, a social worker has been appointed as a mediator by the Regional Directorate of Pre-University Education (DRAP) of Korçë, and a cultural mediator from the minority community has been appointed by the Municipality of Korçë. The social worker in the

mediator role collaborates with class teachers to make home visits, aiming to identify students at risk of dropping out and to implement intervention plans. Additionally, a cultural mediator from the minority community, appointed by the Municipality of Korçë, plays a critical role in engaging with Roma and Egyptian families to ensure continuous school attendance.

Psycho-social services and support services in pre-university educational institutions where Roma and Egyptian minority pupils are enrolled

- The school administration focuses on improving the quality of service and well-being for all pupils, in particular those belonging to minorities. In Naim Frashëri school, there is ongoing cooperation between the school, the Educational Directorate, the Municipality, the Anti-Discrimination Office, Roma Community Representatives, NGOs, with the goal of protecting their rights and preventing discrimination.
- The psycho-social service is prioritized in schools with Roma and Egyptian students.
- Close cooperation is established between the school and children's day centers to complete homework under the supervision of teachers appointed by the Municipality of Korça. In these centers, a meal is provided for all children who show interest, with parental consent.
- During the 2022-2023 school year, a total of 350 pupils in the Korçë Municipality were awarded scholarships, of which 87 were pupils from the "Naim Frashëri" school, accounting for 25% of all scholarships in the Korçë Municipality (15 Roma pupils and 56 Egyptian pupils).
- During the 2023-2024 school year, a total of 350 pupils in the Korçë Municipality were awarded scholarships, of which 56 were students from the "Naim Frashëri" school (10 Roma pupils, 34 Egyptian pupils, and 12 other pupils).

Priority trainings and qualifications of teaching staff:

- Teachers at the 'Naim Frashëri' school have undergone continuous professional development trainings sessions organized by the Pre-University Education Quality Assurance Agency and accredited universities. They have also participated in specific training program, 'Inclusive Approaches to Combat Ethnic, Social, and Economic Segregation.' This training ensures that the teaching staff is well-prepared to address the diverse needs of students and promote inclusivity within the school.
- The teaching staff of the school has considerable work experience and hold the necessary qualifications. Most of the teaching staff have over 20 years of experience and have been working at the "Naim Frashëri" school for a long time. They are well aware of the social issues within the community, and, beyond their teaching duties, they often voluntarily offer maximum support for psychological and financial help. Being well-qualified in management and school situation handling, they create detailed social plans each year in collaboration with the social worker to develop intervention plans for preventing dropouts and improving socio-emotional well-being in the school.

These plans are based on surveys with students and parents about:

- ✓ Satisfaction with the school environment, social issues in the family;

- ✓ The phenomenon of domestic violence and anti-bullying;
- ✓ Issues related to drugs, smoking, alcohol;
- ✓ Unemployment issues in society;
- ✓ Priorities for continuing higher education, etc.

Transforming Naim Frashëri School in Korça into an attractive school operating as a community center school

- The school has created dedicated learning environments, including an IT classroom, physics laboratory, foreign language rooms, and recreational spaces such as a chess and ping-pong room, an art classroom, and a theater hall. These spaces are utilized not only for academic lessons but also for community engagement activities.
- In December 2023, the “Naim Frashëri” 9-year school in Korçë was equipped with 14 computers to facilitate ICT classes. Additionally, the school received 5 computers from the National Commercial Bank.
- A physics lab equipment has been set up at the school.
- The “Naim Frashëri” 9-year school in Korçë serves as a community center school. Roma and Egyptian students are offered special after-school programs for completing homework and receiving supplementary lessons. Extracurricular activities have been organized, such as culinary activities, sports activities, awareness meetings, games, etc.

To ensure the quality functioning of this program, the Community Center School Plan (SHQB) has been developed with the following objectives/standards:

Standard 1- Ensuring the social, emotional, and health well-being of students.

Description: The school collaborates with parents and other community partners to identify, address, and meet the physical, emotional, and social needs of students, ensuring their healthy development. Together, they offer programs (which include physical and sports activities, healthy eating programs, cultural activities, etc.) that contribute to improving student achievement and school climate.

Specific objectives:

- Social, emotional, and health support and development for students of the “Naim Frashëri” 9-year school
- Building referral mechanisms in collaboration with responsible institutions.
- Providing safe learning environments that ensure the physical, emotional, and social well-being of students.

Standard 2- Community engagement and development.

Description: The school offers services that serve the development of the community, and the community is an integral part of the activities organized by the school. In this way, not only does the community benefit from the school, but the school also collaborates with the community to improve student outcomes.

Specific objectives:

- Active participation of parents in decision-making at school and organizing various activities. The SHQK 2023-2024 annual plan – the “Naim Frashëri” 9-year school, Korçë.
- Developing professional courses, activities, and training for the community, youth, and vulnerable groups.
- Ensuring appropriate human resources and physical conditions to guarantee the implementation of SHQK activities.

Standard 3: Joint decision-making.

Description: Parents, the community, and school staff are important and equal partners in decisions that affect the quality of the school and student achievement. Together, they can inform, influence, and create policies, practices, and programs that benefit student success.

Specific objectives:

- Drafting strategic and annual school plans with the involvement of parents, the community, and local state institutions.
- Frequent communication with the community and local institutions about the services and activities provided by the educational institution.

Standard 4: Inclusion and Respect for Diversity

Description: The school ensures that all children have the fundamental right to education and equal opportunities, regardless of origin, cultural identity, language, abilities, or economic circumstances, with respect for social values and coexistence in society.

Specific Objectives:

- Teachers, parents, and other community actors ensure that the school offers equal treatment, dignity, and respect to every student.
- Providing equal opportunities for enrollment, attendance, and completion of school.
- Developing programs and implementing ongoing projects that promote inclusion and diversity.

Additionally, in fulfilling the objectives of this plan the following activities have been organized:

- A one-year collaboration with the NGO “DORCAS ALBANIA” for the implementation of a project broadcasted on the SMILE platform, aiming to boost students' self-confidence and improve their socio-emotional well-being and that of their families through shared activities like culinary, sports, awareness meetings, games, and educational lessons.

- From this collaboration, a mini teaching kitchen has been created, where students, following a schedule set by the coordinating teacher, cook to promote a culture of healthy eating and proper table manners.
- Murals have been created in the corridors and classrooms through teacher-student collaboration for personalized lessons or activities and meetings. Dedicated spaces have been created for subjects like IT, Physics, Italian, and English languages, a theater room for events, a chess and ping-pong room, a parent meeting room, and an Art class where joint activities with parents are held, and where issues can be discussed. An individual room for the Social Worker has also been set up for meetings with students and parents.
- Paintings featuring entertaining games have been drawn in the schoolyard for elementary and middle school students to enjoy fun activities after lessons during waiting periods.
- A book has been translated with teaching methodologies to train teachers using modern methods that enhance students' understanding, self-confidence, self-expectations, socialization, and acceptance of challenges to develop personal skills. (In collaboration with University lecturers).
- Every year, "Roma Day" is celebrated, with messages advocating for the protection of rights and fighting against discrimination.

There has also been significant community engagement in all school activities, which is reflected on the school's official and facebook page.

Link; https://www.facebook.com/shkollapublikenaimfrasherikorce/?locale=sq_AL

Documenting and promoting success stories of pupils:

- In the last three years, all pupils who have completed basic education in this school have continued their studies in high schools and vocational secondary schools, with guidance from teachers in collaboration with parents toward professions best suited to their abilities. On average, each school year, approximately 60% of students enroll in and attend vocational schools, while 40% continue with general high school.
- Some of the students with outstanding achievements who have graduated from the "Naim Frashëri" school include: S. Telah, who successfully completed higher education in the "Social Policy Administration" program at "Fan S. Noli" University, E. Halushi, who successfully completed higher education in the "Nursing" program, F. Qeros, who is in Italy and practices as an athlete, K. Orgeni, who successfully completed his law degree and is currently employed, and A. Kosturi, who is pursuing studies in Italy, among others.

General measures taken in the framework of the National Action Plan on Equality, Inclusion and Participation of Roma and Egyptian minorities

The inter-institutional working group on the implementation of the NAP on Inclusion, Equality and Participation is led by Ministry of Health and Social Protection and includes representatives of all line ministries.

Regarding the monitoring of the National Action Plan, the Inter-Institutional Working Group has met twice to discuss the challenges that arise during the process of implementing reports in social protection, education, social housing, health, etc.

In the framework of this working groups, the EU-Albania Policy Seminar Dialogue Recommendations 2022-2024 have been consulted with representatives of central and local government, representatives of the civil society and international organizations. Policy Areas covered education, antigypsyism, employment and vocational training, access to health, social care, housing, civil registration and returnees.

As regards measures to ensure inclusive education of the Roma and Egyptian minorities, the Ministry of Education and Sports has included in sub-legal acts the definition and the role of the mediators in education. The aim of the mediators is to further increase the attendance of the educational process and ensure the inclusion of Roma and Egyptian minorities in education. The focus has been also to promote the returning to school and reducing school dropouts. Scholarships are provided in all levels of education for Roma and Egyptian pupils and students, including in higher education.

During year 2023, 9,870 Roma and Egyptian boys and girls were enrolled in and attended full time compulsory education compared to 10,539 Roma and Egyptian boys and girls enrolled in and attended pre-school education and compulsory education during year 2022. 581 Roma Egyptian boys and girls were exempted from the fees for attending pre-school education. Also, 562 Roma and Egyptian children benefited from free school transportation.

The Ministry of Health and Social Protection, Ministry of Education and Ministry of Interior. Roma and Egyptian have made a common agreement to identify and register in school all the children of obligatory school age.

At local level, 27 inter-disciplinary working groups were established and are functional in 27 municipalities consisting of the educational staffs, child protection units, social workers and psychologists, in order to prevent dropouts and to return Roma and Egyptian students to school.

In the context of the inter-institutional approach to address challenges of effective inclusion of Roma and Egyptian minorities in inclusive education, through Platform for Constructive Engagement and Social Inclusion, Ministry of Health and Social Protection, Ministry of Education and Sports, municipalities and civil society have cooperated in the organization of (2) two workshops to discuss scholarship provision for Roma and Egyptian minorities.

Progress in other areas can be summarized as following:

Roma and Egyptian families are beneficiaries of the economic assistance scheme; 2,747 families were in the scheme in the end of 2023. For these families, the approach of integrated social services employment and vocational training aims towards the exit from economic assistance and integration into the labor market for the members of working age.

Government prioritizes employment, vocational training according to the National Strategy for Employment, envisaging objectives for employment and skills for vulnerable groups addressing also Roma and Egyptian minority. Roma and Egyptian jobseekers have received employment and mediation services from regional employment offices and are registered in vocational training centers.

Implementation of Law 22/2018 "On Social Housing" and by-laws has extended alternatives for social housing programs for vulnerable groups. To ensure inclusion of the category of Roma families in social programs, there is coordination of the social housing programs and work continues to enhance interaction with programs for social services, employment, education and health care.

Roma and Egyptian jobseekers have received employment and mediation services from regional employment offices and are registered in vocational training centers.

Roma and Egyptian minorities have been integrated into the labor market through the employment promotion programs. Data of the National Employment and Skills Agency show an increase in the number of Roma and Egyptian individuals participating in vocational training and employment promotion programs.

The Ministry of Health and Social Protection, in the framework of the Platform for Constructive Social Engagement and Social Inclusion, with the support of Inclusive-Edu-Jobs Project, has organized two (2) workshops and one (1) seminar. The topic of such activities focuses on access of the Roma national minority and their inclusion to the Programme of Public Works in the Community. The first workshop (1) assembled various actors from the central and local level such as the MoHSP the MoECI and NAES, and the four (4) targeted Municipalities (Tirana, Elbasan, Shkoder and Vlora). During the workshop various issues and opportunities were raised upon the participants who on the other hand engaged in a constructive dialogue with members and representatives from Civil Society Organisations. The latter came up with their practices and lessons learned about the implementation of such employment promotion programmes. Finally, in July 11, 2024, one seminar in Public Works was organized in Vlora with relevant high level stakeholders to raise awareness and improve the implementation framework of the Public Community Works Programme.

In the framework of the National Action Plan for Equality, Inclusion and Participation for Roma and Egyptians 2021-2025, the Ministry of Health and Social Protection during 2023 developed the cycle of training of responsible persons in 60 municipalities of the country, as focal points for the Roma and Egyptian community, user for uploading data to the ROMALB System. More than 200

employees/users have been trained, and they continue the work of putting data into the Romalb System. Central and local institutions capacity building have been increased through a targeted online course on "Anti-Gypsyism and the Role of Public Administration" in February 2024, for recognition of antigypsism and racial discrimination against people belonging to the Roma and Egyptian minorities in policy design and provision of public services.

Conclusion:

The Albanian authorities will inform the Committee of Ministers on the progress in relation to the implementation of individual and general measures for the execution of the "X and others v.Albania", as soon as more information will be available.