

***ADVISORY COMMITTEE ON THE
FRAMEWORK CONVENTION FOR THE
PROTECTION OF NATIONAL MINORITIES***



GVT/COM/IV(2019)002

**Comments of the Government of Albania on the Fourth Opinion of the Advisory Committee on the implementation of the Framework Convention for the Protection of National Minorities by Albania -
received on 15 March 2019**

**Comments of the Government of the Republic of Albania on the fourth Opinion of the
Advisory Committee on the implementation of the Framework Convention for the
Protection of National Minorities**

General overview of the current situation

1. Albanian Government is committed to further improve the standards of human rights, including minority rights, in accordance with international commitments in respect to the Council of Europe, European Union and other international organizations.
2. The Framework Convention of the Council of Europe for the Protection of National Minorities, ratified by Albania, constitutes the basis for the protection of minority rights and for the implementation of minority policies in Albania.
3. The Albanian Government is undertaking concrete steps to implement justice reform which has a direct impact in strengthening the rule of law, judiciary system, with the impact on human rights, consolidation of democracy. Our country has been traditionally and constantly committed to continuously improve the standards on the protection of human rights and fundamental freedoms, including national minority rights.
4. The Constitution of the Republic of Albania and domestic legal framework stipulate indispensable fundamental rights and freedoms. The Albanian institutions are committed to improve and implement the legal policy and institutional framework, to establish and strengthen the institutional mechanisms to ensure the protection of human rights, including minority rights.
5. The Albanian institutions consider the reporting process on the implementation of the Framework Convention for the Protection of National Minorities, and the constructive dialogue with the Advisory Committee, as well as the findings and recommendations provided in its fourth Opinion on Albania as effective tools to ensure compliance with international obligations. We consider them as an opportunity to present the progress realized, meeting difficulties and challenges in implementing the Framework Convention (FCNM).
6. The Albanian Government takes the opportunity to repeat its appreciation for the Advisory Committee's professional work regarding the findings and recommendations in implementing Framework Convention standards for minorities in the Albanian reality.
7. The Albanian Government aims to continuing its dialogue with the Advisory Committee as well as with representatives of national minorities and other stakeholder involved in

the implementation of the Framework Convention. In order to promote an inclusive and transparent process, the authorities will make this Opinion and the forthcoming Committee of Ministers' Resolution public, by translating them into minority languages, as well, and disseminate widely.

8. We are convinced that the recommendations of the Advisory Committee support states parties of the Framework Conventions in encouraging them to respect minority rights by creating appropriate conditions to preserve minority identity, minority languages, the education in minority languages, as well as ensuring equal access to their specific rights and resources on inclusive societies, despite differences.
9. We consider that the protection of minority language rights should be guaranteed due to the right on equal protection by law and before the law, the right to be protected against discrimination based on ethnic origin and other grounds, including language, the right to education, the access to media, and the participation in cultural, social and economic life and in public affairs.
10. There is an obligation for Albania to promote full and effective equality for persons belonging to national minorities in all areas of economic, social, political and cultural life, and the conditions necessary for persons belonging to national minorities to maintain and develop their culture, identity, religion, language, traditions, and cultural heritage.
11. While inter-ethnic relations continue to be good, Albania significantly improved the legal and policy framework for the protection of minorities by adopting on 13 October 2017 and entering into force on 24 November 2017 a specific law on national minorities, based on international expertise and followed by a comprehensive consultation process with different stakeholders, national and international, including minority representatives.
12. The process of preparation of the draft law on minorities was supported by the international expertise of the Council of Europe as well as the Office of HCNM of OSCE. The process of drafting this law was carried out in close consultation with minority associations and other relevant actors, through public hearings, with the help, assistance and advice of the Council of Europe and OSCE expertise, based on European standards and taking into account the specific conditions and needs of Albania.
13. A broad consultation process during different stages of the preparation took place, by involving central institutions, local self-government units, independent institutions, minorities' associations, civil society and international organizations. Following this experience, a broad consultation process with the participation of different stakeholders has taken place as well, during the preparation of the secondary legislation.

14. In order to prepare the bylaws on the implementation of the law on national minorities, an inter institutional Working Group was set up, due to the Prime Minister's Order, with the participation of responsible ministries, central and independent institutions, under the coordination of the Ministry for Europe and Foreign Affairs, responsible for the process on drafting the secondary legislation of the Law No.96 / 2017 "On the Protection of National Minorities in the Republic of Albania".
15. With the intention to adopt the secondary legislation, in order to make the law on national minorities operational, as it is stated in the recommendations of the fourth Opinion of the Advisory Committee for immediate action, the responsible institutions are following the internal legal procedures of consultation in order to submit the draft decisions to the Council of Ministers. The Albanian authorities are firmly committed to adopt within the first half of the year 2019, the secondary legislation, which will ensure the implementation of the legal framework and policies on national minorities, to improve the institutional framework for addressing minority issues and to enhance dialogue with representatives of minorities.
16. During the year 2018 were adopted three Government's Decisions, following:
 - Decision of the Council of Ministers No. 561, dated 29.09.2018 "On equipment of students with school texts, continuous professional development of teachers, and creation and functioning of school classes in the language of the national minorities".
 - Decision of the Council of Ministers No. 562, date 29.09.2018 "On adequate measures for the promotion of culture, history, language and religion of national minorities in the educational and scientific activity of the institutions of higher education".
 - Decision of the Council of Ministers No. 726, date 12.12.2018 "On the organisation and functioning of the Committee for National Minorities".
17. Other Secondary legislation (bylaws) adopted or foreseen to be adopted on the implementation of the law no. 96/2017 "For the protection of national minorities in Albania" are:
 - Draft Decision of the Council of Ministers on the structure and functions of Ad Hoc Commission, and the procedures for the examination of an application for the recognition of a national minority.
 - Draft Decision of the Council of Ministers on the criteria, the documentation and the relevant procedures for data collection, regarding the identification of persons belonging to national minorities, based on their right of self-identification and the Documentation of Civil Registry.
 - Draft Decision of the Council of Ministers on the use of the language of national minorities in relation with administrative authorities and the display of the names of relevant administrative units, roads and other topographical indicators.

- Draft Decision of the Council of Ministers on the criteria for determining the local self-governing unit, the substantial number and the adequate requests in order to the possibility to learn or to take lessons in the minority language.
- Draft Decision of the Council of Ministers on the adoption of strategies, programs and action plans to create the necessary conditions for national minorities to maintain and develop their distinct identity.
- Draft Decision of the Council of Ministers on necessary measures and policies to ensure the participation of national minorities in the public, cultural, social and economic life.
- Draft Decision of the Council of Ministers on the procedures and rules for the development of selection process of the chairman, deputy chairman and members of the Committee on National Minorities
- Draft Decision of the Council of Ministers on the criteria for supporting the initiatives and projects aiming at defending the rights of national minorities, preserving and promoting the distinct cultural, ethnic, linguistic, traditional and religious identity of national minorities, and the selection criteria for financing them and for the management of the Fund for national minorities.

18. We underline that a consultation process with minority associations and other relevant stakeholders was carried out, based on European expertise, Council of Europe, including the High Commissioner for the Protection of National Minorities of OSCE. Concerning the drafts of the by-laws, have been delivered to the experts of the Council of Europe and to the High Commissioner for the Protection of National Minorities of OSCE, since April 2018. The international expert of the Council of Europe, provided two opinions on these drafts (on April 2018 and June 2018), as well the Office of the High Commissioner for the Protection of National Minorities of OSCE (on April 2018). The drafts of secondary legislation were consulted with minority associations and civil society, operating in the field of national minorities with the aim to have their opinions and proposals.

19. In relation to the consultation process, there were held meetings with the representatives of each minority associations, and a round table was organized on 16 February 2018 with minorities associations. Other round tables with all stakeholders (representatives of minority associations and civil society, experts, representatives of international organisations) were organized in April 2018. In this framework were organized several public hearings, in April and May 2018, namely:

- Public hearing with the representatives of Roma and Egyptian minority in Tirana on April 2018.
- Another public hearing was organized with the representatives of Serbian Minority and Montenegrin Minority in Shkodra, on May 2018, with the participation of the Minister for Europe and Foreign Affairs.

- On 21 May 2018 was organized a public hearing with the representatives of Greek Minority in Dropull, Gjirokastra, with the participation of the Prime Minister.
- A final Conference was organized on the process of drafting the secondary legislation of the Law no.96 / 2017 “On the protection of national minorities in the Republic of Albania”, on 30 May 2018.

20. Regarding the effective functioning of bodies representing minorities, the law on national minorities, the Decision No. 726, date 12.12.2018 “On the organisation and functioning of the Committee for National Minorities” contain specific provisions on the establishment, competencies, functioning and composition of the Committee on National Minorities, as a central institution under the auspices of the Prime Minister, which operates based on the law no 96/2017 on national minorities.

Assessment of measures taken to implement the recommendations for immediate action.

21. With regard the paragraph 9 of the Fourth Opinion of the Advisory Committee, we clarify that: Concerning 2011 Albanian Population and Housing Census, a question on ethnicity, which implies the self-declaration as a criterion to identify the ethnicity of the population, was included in the form of the population registration. The inclusion of the question on ethnic affiliation was in conformity with Article 3 of the Framework Convention on self-identification, and the Article 20, paragraph 2, of Albanian Constitution, which guarantees the free expression of ethnicity.
22. The question on ethnic affiliation was a facultative question (optional), which means that no individual would have reason to distort the truth and not to answer this question. According to census data, the percentage of national minorities in Albania is estimated at about 1.4% of the total population residing in the territory of the Republic of Albania. In connection to this question, 13.96% of the population residing in the Republic of Albania (total of the resident Albanian population of 2,800,138 inhabitants) have not preferred to answer.
23. In connection to the findings of the Advisory Committee on the former "minority zones", we point out again the position of the Albanian authorities, concerning so called "minority zones". The term "minority zone" is not mentioned in any of the legal acts and the minority rights are guaranteed in the entire territory of the Republic of Albania, including the areas traditionally inhabited by the minorities, or which have a substantial number of persons belonging to the minorities.

Comments on article by article findings (Personal scope of application of the Framework Convention).

24. The law no 96/2017 “For the protection if the rights of national minorities” constitute a step ahead in Albania’s commitments with respect to protection of human rights. The secondary legislation on its implementation to be adopted soon by the Albanian Government aims at ensuring the exercising of specific human rights of persons belonging to a national minority which are necessary to protect the distinct identity of national minorities, and which guarantee nondiscrimination and equality before the law. The adoption and the implementation of this law constitute an important element of Albania’s progress in reinforcing the protection of human rights, as one of the key priorities for the opening of accession negotiations with the European Union.
25. The law addresses the exercise of the rights in full conformity with FCNM provisions and based upon the relevant European experiences. According to the expertise of the Council of Europe, the Law addresses all major substantive issues to be dealt with in such a framework law on national minorities in a well-structured order. It fully reflects the contents of the Framework Convention for the Protection of National Minorities and the ‘list of rights’ used by the Venice Commission.
26. The Law “for the Protection of National Minorities in the Republic of Albania” stipulates for the first time a formal and legal recognition of all existing national minorities in Albania based upon the modern concepts of identification enshrined in FCNM and recommended by Council of Europe, OSCE and the European Union. It aims at ensuring the full enjoyment and exercise of rights and freedom of the persons belonging to national minorities including: Greek, Macedonian, Aromanian, Roma, Egyptian, Montenegrin, Bosnian, Serbian and Bulgarians.
27. It provides the prohibition of discrimination; freedom of association and the right to representation; freedom of religion; freedom of expression and information; participation in public, cultural, social and economic life; preservation of cultural identity; education; right to education in the language of a national minority; the use of minority language, etc.
28. Persons belonging to national minorities, in self-government units where they live traditionally or in substantial numbers, are ensured opportunities to be taught in or to receive instructions in their minority language. They have the right to use officially their language in various aspects in those self-governing units where they live traditionally or

constitute over 20% of the general number of the population of this unit, upon a decision of the self-government organs, when relevant conditions permit and there is a sufficient demand. The threshold adopted complies with the principle recommended by the expertise offered by the Council of Europe.

29. In relation to the right of education, persons belonging to a national minority shall enjoy the right to learn the language of the minority. These persons in the local self-governing units, where they have been living traditionally, or in a substantial number, or where there are adequate requests, shall be provided the possibility to learn or to take lessons in the minority language, in conformity with the relevant legislation in the field of education. They have the right to set up and to manage private institutions in the educational system and vocational education institutions.
30. Persons belonging to national minorities shall, in addition to the Albanian language, have the right to use also the language of the national minority: a) their name and last name, in conformity with the relevant legislation; b) signs, inscriptions and other information. Persons belonging to national minorities, in self-government units where they live traditionally or in substantial numbers, are ensured opportunities to be taught in or to receive instructions in their minority language. They have the right to use officially their language in various aspects in those self-governing units, where they live traditionally or constitute over 20% of the general number of the population of this unit, upon a decision of the self-government organs, when relevant conditions permit and there is a sufficient demand. By decision of the organs of the local self-governing units, where over 20 per cent of the inhabitants belong to a national minority, or where there is an adequate demand by them, the names of relevant administrative units, roads and other topographical indicators shall be displayed, alongside with the Albanian language, also in the language of the relevant minority.
31. In relation to the implementation of these provisions, the bylaws are foreseen to be adopted on: The use of the language of national minorities in relation with administrative authorities and the display of the names of relevant administrative units, roads and other topographical indicators; The criteria for determining the local self-governing unit, the substantial number and the adequate requests in order to provide the necessary conditions to learn or to take lessons in the minority language.
32. Regarding the effective functioning of bodies representing minorities, the law on national minorities, contains specific provisions on the establishment, competencies, functioning and composition of the Committee on National Minorities (CNM) as a central institution under the auspices of the Prime Minister, in order to ensure protection and promotion of the rights and interests of national minorities. In relation to the functioning of bodies

representing national minorities, is adopted the Decision of the Council of Minister on functioning of CNM (December 2018). The establishment of the Fund for National Minorities will support the initiatives and the projects aimed at protecting the rights of national minorities, preserving and promoting the distinct cultural, ethnic, linguistic, traditional and religious identity of the national minorities.

Population census (paragraphs 35-47)

33. In connection to the 2011 Albanian Population and Housing Census, a question on ethnicity, which implies the self-declaration as a criteria to identify the ethnicity of the population, was included in the questionnaire of the census. The inclusion of the question on ethnic affiliation, was in conformity with the article 3 of the Framework Convention on self-identification, and the article 20, paragraph 2, of the Albanian Constitution, which guarantees the free expression of ethnicity. The question on ethnic affiliation was a facultative question (optional), which means that no individual would have reasons to distort the truth and not to answer this question. According to census data, the percentage of minorities in Albania was estimated at about 1.4% of the total population, residing in the territory of the Republic of Albania, and 13.96% of the population (total of the resident Albanian population of 2,800,138 inhabitants) have not preferred to answer.
34. The questionnaire of the 2011 Census of Population and Housing, during its preparation stage, underwent the process of stakeholders' consultation, where a series of meetings were conducted aimed at informing the public about the census process. In the questionnaire of the 2011 census in Albania, as in most countries of the region, there were included the question on the ethnicity, the question on religious affiliation and the question on the mother tongue. According to international standards, questions on ethnic and cultural characteristics of the population and housing census refer to data on the language, ethnicity, and religion.
35. The questions concerning ethnicity and religion have been optional (not mandatory) questions and were based on the free identification of every persons, providing the possibility for the respondents not to answer. Ethnicity is defined as "a common sense of historical and territorial origin of an ethnic group or community including special features that include language, culture, religion, customs and lifestyle. The question on ethnicity provided the free self-identification of persons, and the possibility for non-response. Collecting data through open questions was a complex process and this approach created the opportunity for respondents to self-identify their ethnicity. The classification procedures and preparation of data tables on optional questions (as it was the question of ethnicity) is based on international standards on the data on language, ethnicity and religion, as well as the recommendations of EUROSTAT.

36. The Law No. 10 442, dated 07.07.2011 has made some amendments to the Law No. 8669, dated 26.10.2000 "On the general census of the population and housing" as amended. According to this law "The Census" is the collection of information through questionnaires and the processing of such data, in order to provide a complete list of all individuals, families, housing and buildings used for residential purposes within the territory of Republic of Albania. This law on the census contained a special provision on informing the public of the purpose and procedures of the census, and the legal obligations related to it are made public through the media and a broad information campaign, run by INSTAT. This law has defined the relevant violations and sanctions with fine, which constitute a penal contravention: 1) Refusal to make a declaration or making a false declaration; 2) Violation of confidentiality rules, and other rules defined in this law. Likewise, Law on the census of population also provides the right to appeal against the sanctions for administrative contravention. There has been no case of fine application for "incorrect" answers to the question on ethnic affiliation.
37. The population census is a process which takes place every 10 years and is approved by a specific law. In connection with the upcoming census and processing of census data on minorities the Albanian institutions will take into account the principle of self-declaration, in compliance with European standards. The law on the next census will be in accordance with the principle of self-declaration of ethnicity, in accordance with Article 3 of the Framework Convention and the Constitution of the Republic of Albania by guaranteeing the right to every person belonging to a national minority to freely choose to be treated or not to be treated as such, as well as guaranteeing the rights which are connected to with this choice, individually and in association with others.
38. Every person belonging to a national minority is free to identify himself as such in the entire Albanian territory through self-identification. With regard to "the right to self-identification", according to the Article 6 of the law on national minorities: 1. Every person will have the right to declare his/her pertaining to a national minority, based on the right of self-identification, pursuant to the provisions of the law on the census of the population in the Republic of Albania and in the cases provided for in this law. 2. Nobody may be forced to disclose or make public data on his/her pertaining to a national minority and his/her ethnic, linguistic or religious belonging, with the exception of those cases when such a disclosure of data is necessary for the exercise of the rights provided by this law.
39. This law guarantees the right to declare his or her belonging to a national minority. Persons belonging to national minorities, based on the right of self- identification, can

declare his/her belonging to a national minority during the general census of the population in the Republic of Albania. After the adoption of the law on the national minorities in Albania, it remains essential to ensure that domestic legislation, which guarantees the application of the rights of the minorities as stipulated in the Law on Minorities. Therefore all domestic legislation, including the legislation on the census will be revised in line with European standards.

40. The next Population and Housing Census will take place in 2020, administrated by the National Institute of Statistics of Albania (INSTAT). The 2020 Census will follow the method of universal direct enumeration based on field operations with compilation of questionnaires by enumerators, using new methods for the collection of data. The 2020 Albanian census will take into account to the largest extent, taking into consideration National circumstances, the latest international recommendations, in particular the recommendations and standards addressed to the European countries from the United Nations (UN) and the Statistical Office of the European Union (EUROSTAT), including those related to data quality and protection of personal data¹.
41. Regarding the question on ethnicity, the legal framework on the Population and Housing Census will be in conformity with the principle of the self –identification and the right to a person belonging to a national minority to freely choose to be treated or not to be treated as such, in accordance with the law on national minorities and the FCNM, as well international standards.
42. According to EUROSTAT and UN recommendations, census questions are grouped in two main categories: 1. Questions with a common interest and necessary for statistical comparisons at international level. 2. Optional questions based on the specific needs and request from users. Questions on ethnicity are of sensitive nature, and the collection of data will be based on free declaration of the respondents. The question on ethnicity will be an optional question, as well the questions on religion and language.
43. The census of 2020 will be conducted on the basis of a new specific law. According to the article 25 of the draft law on census “the Law no. 8669, dated 26.10.2000 “On Population and Housing Census”, as amended, shall be repealed.
44. Article 4 of the draft law on census provides²: 1. The census questionnaire is the instrument drafted by INSTAT and reflected in the annual plan, according to Article 9 of Law No.17 / 2018, "On official statistics", which contains mandatory questions and requests for the collection of the information necessary for the production of population

¹ <http://www.instat.gov.al/en/about-us/census-of-population-and-housing-2020-in-albania/>

² http://www.instat.gov.al/media/5126/draft_law-on-census_albania____.pdf

and housing official statistics. 2. The census questionnaire may contain questions about the ethnic group, religion and languages, which responses are based on the free and non-mandatory declaration of the individual. These questions shall contain the answer option for the respondent "I prefer not to answer".

45. Article 22 of the draft law on census in relation to the contraventions provides among others: 1. The following violations constitute an administrative offense and are punishable, respectively, as follows: a) Refusal to provide the information required under Article 5 of this Law or the provision of false information, in a fine, from 50 000 (fifty thousand) to 100 000 (one hundred thousand) ALL; 2. Refusal to provide information on the individual's will, based on paragraph 2 of Article 4 of this law, does not constitute an administrative contravention. Based on the paragraph 2 of the article 22 of this draft law, there is not any provision which stipulate fines for “incorrect” answers with regard the question about the ethnicity.
46. The preparation of draft law on the Population Census 2020 is followed by a consultative process, including consultative meeting with minorities and ethno-cultural groups³.
47. Regarding the paragraph 10 of the Opinion, as well other paragraphs contained at the Fourth Opinion, the law provides the right to declare his or her pertaining to a national minority, based on the right of self-identification. According to the Council of Europe expertise, we agree that the essential concern is the question whether the act of self-identification constitutes indeed the decisive factor, while it is to be admitted that state authorities may be held to be entitled to verify to a certain degree (in order to prevent unfounded and arbitrary affiliations) whether a person wishing to be recognized as a member of a given national minority (subjective criterion) does indeed fulfill (to some extent) the objective criteria, determining the distinct identity of the national minority concerned.
48. It is equally clear that under applicable European standards as embodied in Article 3 of the FCNM the act of personal self-identification must, as a rule, be accepted by the national authorities concerned. In particular, it is important to clearly define the objective criteria and documentation of Civil Registry during different period of time and their relevance.
49. In relation with the right to Self- Identification the law no 96/2017 on national minorities
 1. Every person shall have the right to declare his or her belonging to a national minority,

³ <http://www.instat.gov.al/en/about-us/census-of-population-and-housing-2020-in-albania/activities-for-population-and-housing-census-2020/activities-for-population-and-housing-census-2020/consultative-meeting-census-2020-minorities-and-ethnic-groups/>

based on the right of self-identification, pursuant to the provisions of the legislation on the general census of the population in the Republic of Albania and in the cases provided for in this law. 2. Nobody may be forced to disclose or make public data on his/her belonging to a national minority and his/her ethnic, linguistic or religious belonging, with the exception of those cases when such a disclosure of data is necessary for the exercise of the rights envisioned in Articles 3, 7, 11, 12, 13, 14 and 15 of this Law (namely the specific rights of national minorities).

50. With regard to the collection of data, the law on national minorities clearly provide that:
 1. In order to guarantee the rights of national minorities, the public institutions at central and local level shall collect data regarding the identification of persons belonging to national minorities, based on the right to self-identification of such persons and the documentation of the Civil Registry, pursuant to paragraph 2 of Article 6 of this Law and the legislation on the protection of personal data.
 2. The criteria, the documentation and the relevant procedures for data collection, laid down in paragraph 1 of this Article, shall be adopted by decision of the Council of Ministers, at the proposal of the relevant Minister of Interior Affairs.

51. Persons belonging to national minorities, in self-government units where they live traditionally or in substantial numbers, are ensured opportunities to be taught in or to receive instructions in their minority language. They have the right to use their language in relation with administrative authorities in those self-governing units where they live traditionally or constitute over 20% of the general number of the population of this unit, upon a decision of the self-government bodies, when relevant conditions permit and there is a sufficient demand.

52. The Framework Convention on National Minorities and European practice provide for specific minority rights that may be put in place in a certain entity of local government. The law addresses the exercise of these rights in full conformity with FCNM provisions and based upon the relevant European experiences. Specifically, the persons belonging to national minorities, in self-government units where they live traditionally or in substantial numbers, have the right to be taught in or to receive instructions in their minority language. They enjoy the right to use officially their language in various aspects in those self-governing administrative units where they live traditionally or constitute over 20% of the general number of the population of this unit, upon a decision of the self-government organs, when relevant conditions permit and there is a sufficient demand. The threshold adopted by the law not only is a generally accepted standard in relevant European experiences but also a principle recommended by the expertise offered by the Council of Europe.

53. In regard to education of persons belonging to national minorities, the Law on minorities and secondary legislation in implementation of this law, as well as the improvement of the existing legal and regulatory framework in the field of education include the necessary legal provisions on the right of education. Based on the Law "On Pre-university Education", the secondary legislation several instructions issued by the Ministry of Education, persons belonging to the national minorities in areas where they reside have the opportunity to learn their mother tongue, their history and culture. The core education curricula, provides possibilities to develop a school-based curricula and the introduction of elective subjects. Currently, are functioning classes and public schools for the education of the Greek and Macedonian minorities in areas where they live in substantial numbers. Despite the measures undertaken, are encountered problems and difficulties in the education of Roma children.

Socio-economic situation of the Roma and Egyptian minorities

54. Roma and Egyptian minorities are among the poorest, most marginalized and socially excluded groups in Albania. Albania has made considerable progress in meeting targets outlined in the National Action Plan for the Integration of Roma and Egyptians for 2016-2020. This Plan represents a commitment, which is targeted to the two respective minorities, reflecting a scale up of measures being implemented and also initiates new activities for promoting the integration of Roma and Egyptians, with committed funding from the State budget and funding gaps identified for the 2016-2020 period and finding the financial means through coordination with international donations. Important political, social and economic reforms and actions, are implemented for advancing access of Roma and Egyptians in quality public services.

55. National Action Plan for the Integration of Roma and Egyptians for 2016-2020 reflecting a scale up of measures being implemented and also initiates new activities for promoting the integration of Roma and Egyptians, with committed funding from the State budget and finding the financial means through coordination with international donations. The main principles are: Promoting social inclusion; Using a targeted approach to address specific exclusion issues; Respecting differences between Roma and Egyptian communities; Involvement of Roma and Egyptians, in the design, implementation and monitoring of public policies.

56. The budget analysis that accompanies this Plan shows that resources for financing the implementation of the Plan are covered 55% of the state budget and 45% of donor funds so I don't agree with this statement. The implementation of the Action Plan is leaded

from the Ministry of Health and Social Protection with the collaboration of all line ministries and the engagement of local level.

57. Four Roma and Egyptians Local Action Plans adopted by Tirana, Durrës, Berat and Shkodra municipalities are under positive implementation by further improving access of Roma and Egyptians to local public services. A Memorandum of Understanding was signed in 2018 in the framework for tripartite cooperation between the Council of Europe Office in Tirana, the Ministry of Health and Social Protection and each of the municipalities of Elbasan, Pogradec, Korça, Fier, Roskovec, Vlora and Përmet.
58. The National Action Plan for integration provides measures to comprehensively address the situation of Roma and Egyptians in Albania in the field of education and inter-cultural dialogue, civil registry and justice, social protection, employment, education and vocational training, urban housing, and health care, as well as coordination and monitoring policies. Sufficient resources are allocated for its implementation, and its progress tracking is done by Ministry of Health and Social Welfare.
59. In order to improve coordination in the field of Roma and Egyptian integration, a network of seven focal points has been created among the key ministries responsible for education, civil registration, health, employment, social housing and vocational trainings. A database of 57 focal points at the municipal level that coordinate policies for Roma and Egyptians has been established. The electronic system *RomAlb* was developed, serving as a centralised web application allowing for collection and management of information on Roma and Egyptian minorities.
60. According to the 2017 Regional Roma Survey, the compulsory education enrolment rate of marginalized Roma children significantly increased in Albania from 2011 to 2017. Notable progress among marginalized Roma resulted in a decrease in the gap with respect to non-Roma neighbours from 42 %s in 2011 to 30 % in 2017. Completion rates in compulsory and upper secondary have been increasing as well. Some progress has been made also on personal documentation: nearly all marginalized Roma as well as non-Roma living in their vicinity have birth certificates, and coverage of ID cards has been increasing. Access to personal documents has improved for both groups.
61. During this period the mechanisms that facilitate the access to the civil registration service and free legal aid to members of Roma and Egyptian communities were improved.
 - 427 Roma and Egyptian children were identified as unregistered against 267 reported during 2015. 70% of cases were registered and others are in the process.

- 1,082 Roma and Egyptians were informed about civil registration procedures during their resettlement change.
 - 4 new legal clinics have been set up in the Courts of Tirana, Durrës, Lezha, and Fier courts, with the support of donors, which are implemented by local organizations. These clinics are operational and have access to members of Roma and Egyptian communities.
 - There are no data from state institutions responsible for free legal aid related to the functionality of state-run legal clinics.
 - During 2017 more Roma and Egyptians were informed about forms of trafficking and 100% of trafficked cases are in defense and assisted with reintegration services.
 - 105 potential victims of trafficking, as well as victims of trafficking (members of the Roma and Egyptian communities), have been identified and reintegrated.
 - Eight waiting offices have been set up at the border crossing points in order to provide the preliminary service to victims of trafficking.
62. Education and Promotion of Cultural Dialogue: In 2017, 13.5% of Roma and Egyptian boys and girls have completed all levels of education compared to 2015. There is still a problem with the registration of Roma and Egyptian children in 9-year education. The enrolment rate in this education cycle is 66% versus 100% of the rest of the population.
- 13,583 Roma and Egyptian boys and girls have enrolled and attended pre-school and compulsory education during 2017 compared to 4,437 reported during 2015
 - 99 Roma and Egyptians were employed as teachers in pre-school education and compulsory during 2017 versus 93 reported in 2015.
 - During 2017, no school and segregated class were reported.
 - 159 Roma and Egyptian students had benefited from scholarships at different levels of education during 2017 versus 100 reported cases in 2015.
 - 32 Roma and Egyptians benefited from quotas at universities in all areas during 2017 against 26 reported in 2016.
 - 1,704 Roma and Egyptian parents participated in postgraduate courses with their children during 2017 versus 1,106 reported in 2016.
 - 130 Roma and Egyptian parents are members of school boards versus 98 reported in 2015.
63. With regard to health care services, 100% of Roma and Egyptian community members have access to basic health care. More efforts must be made by state institutions to involve Roma and Egyptians as employees in health institutions in order to increase the quality of service for members of both communities.
- 30,354 Roma and Egyptians were provided with free health cards during 2017 versus 3,368 reported in 2015.
 - 2,059 Roma and Egyptian mothers have received baby and mother care package during 2017 against 300 mothers reported in 2015.

64. Housing and urban integration: Roma and Egyptian families are involved directly or indirectly in housing programs.

- 508 Roma and Egyptian families benefited during 2017 through the small grants program by the municipalities for new infrastructure, water supply, sanitation facilities versus 187 families reported in 2016.
- 60 Roma families (approximately 300 inhabitants) benefited from improved living conditions in Tirana.
- 219 Roma and Egyptian families across the country benefited from rented social housing.
- 101 Roma and Egyptian families benefited from low-cost housing versus 37 families reported in 2016.

56. Social protection: More Roma and Egyptians are involved during 2017. Positive efforts have been made to increase the number of Roma and Egyptians involved in social protection programs and reintegration programs for work. There is a need for continuous capacity building of social administrators who should facilitate access to Roma and Egyptian services.

65. Specific data:

- 1,717 families (8,587 individuals) Roma and Egyptians benefited from the scheme of economic aid during 2017.
- 2,012 Roma and Egyptians benefited from public and non-public residential centers during 2017.
- 899 Roma and Egyptian children have followed compulsory education and consequently, their families have benefited from extras in economic aid versus 120 children reported in 2016.
- 48 community centers were created and were functional and serving members of both communities in 2017 versus 4 reported in 2016.
- Promotional materials were produced in the Roma language.

Properties rights

66. Pursuant to 2017-2021 Government Program is foreseen a thorough reformation of public services related to the right to property titles, including their registration, restitution and compensation of property. The reform includes the organization and structure of relevant institutions, digitalization of the service, the recruitment of staff as well as the delivery of service to the citizen, in order to make it a quality, professional and fast service.

67. The Integrated Land Management System Reform is one of the priorities of the Government of Albania. The scope of the reform is to improve land administration system, property rights, use of resources, and establishment of a comprehensive and integrated land information system in Albania. The Law on the Establishment of the State Cadastral Agency was adopted on 20.12.2018. This agency is the merger of some institutions including: the Agency for Inventory and Transfer of Public Properties, Agency of Legalization, to Urban Planning and Integration of Informal Areas / Buildings, Immovable Property Registration Office, in a single institution.