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

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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## **Fifth Report submitted by Albania**

**Pursuant to Article 25, paragraph 2 of the Framework  
Convention for the Protection of National Minorities –  
received on 5 May 2021**



**FIFTH REPORT**

**Submitted by**

**REPUBLIC OF ALBANIA**

**Pursuant to article 25, paragraph 2 of**

**THE FRAMEWORK CONVENTION OF THE COUNCIL OF EUROPE**

**FOR THE PROTECTION OF NATIONAL MINORITIES**

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## List of Abbreviations

AMA	Audiovisual Media Authority
PA	Ombudsman (People's Advocate)
AQAPE	Agency of Quality Assurance of Pre-University Education
EU	European Union
FCPNM	Framework Convention for the Protection of National Minorities
GDSP	General Directorate of the State Police
DFLA	Directorate of Free Legal Aid
CoE	Council of Europe
CPAD	Commissioner for the Protection against Discrimination
MESY	Ministry of Education, Sports and Youth
MEFA	Ministry of Europe and Foreign Affairs
MoJ	Ministry of Justice
MoI	Ministria of Interior
MFE	Ministry of Finance and Economy
MHSP	Ministry of Health and Social Protection
CSO	Civil Society Organisation
RoA	Republic of Albania
ART	Albanian Radio and Television
LOPE	Local Office of Pre-University Education

## INTRODUCTION

1. Framework Convention for the Protection of National Minorities<sup>1</sup> has been signed by the Republic of Albania<sup>2</sup> on 29.06.1995, ratified by law no. 8496, dated 3.6.1999 and entered into force on 01.01 2000.

2. Based on Article 25 (point 1, and point 2) of the Framework Convention from 2001, Albania has periodically submitted to the Council of Europe, four periodic reports on the implementation of the provisions of the Framework Convention, on the respect and protection of the rights of minorities in Albania<sup>3</sup>. In the framework of the periodic monitoring cycles, after the submission of the National Reports, the respective Opinions of the Advisory Committee of the Framework Convention were adopted<sup>4</sup>. After reviewing the relevant Opinions of the Advisory Committee<sup>5</sup> and the submission of comments by the Albanian authorities on these Opinions<sup>6</sup>, The Committee of Ministers of the Council of Europe (CoE) has adopted the relevant resolutions on the implementation of the Framework Convention by Albania<sup>7</sup>.

3. In the framework of the fourth monitoring cycle, the measures taken by Albania on the implementation of the Framework Convention were reviewed by the Advisory Committee of the Framework Convention based on the fourth Report submitted by the Albanian authorities in 2016, as well as the information gathered during the visit of this Committee in Albania, in March 2018, during meetings with representatives of state institutions, visits to the Municipality of Tirana, Finiq, Himara and Shijak, as well as with representatives of state institutions.

4. Following the adoption and publication of the Opinion of the Advisory Committee and mainly during 2020, discussions took place in the Group of Rapporteurs on Human Rights, on the draft resolution on the implementation of the Framework Convention for the Protection of National Minorities by Albania. On January 13, 2021, at the meeting of the Committee of Ministers of the CoE, the Resolution on the implementation of the Framework Convention for the Protection of National Minorities by Albania was adopted by consensus.

5. Based on law no. 43/2016 “On international agreements in the Republic of Albania”, specifically article 25 point 3, Ministries and competent institutions, according to the fields, periodically inform the Ministry of Europe and Foreign Affairs (MEFA), in the framework of

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<sup>1</sup> Hereinafter the Framework Convention.

<sup>2</sup> Hereinafter the RoA

<sup>3</sup> The first report was submitted in July 2001; Second report submitted in May 2007; Third Report submitted January 2011; Fourth Report November 2016.

<sup>4</sup> Hereinafter referred to as the Advisory Committee.

<sup>5</sup> First Advisory Committee Opinion adopted in September 2002 (ACFC / INF / OP / I (2003) 004); Second opinion adopted in May 2008 (ACFC / OP / II (2008) 003); Third opinion adopted in November 2011 (ACFC / OP / III (2011) 009). Fourth Opinion adopted 11 October 2018 and published in May 2019 (ACFC / OP / IV (2018) 006). Previous Cycle Opinions, including Fourth Cycle Opinions can be found on the website: <https://www.coe.int/en/web/minorities/albania>.

<sup>6</sup> Comments of the Albanian Government on the 4 Opinions, submitted respectively: February 2003 (GVT / COM / INF / OP / I (2003) 004); December 2008 (GVT / COM / II (2008) 005); June 2012 (GVT / COM / III (2012) 003); March 2019 (GVT / COM / IV (2019) 002). The respective comments are published on the website: <https://www.coe.int/en/web/minorities/albania>.

<sup>7</sup> Comments of the Albanian Government on the 4 Opinions, submitted respectively: February 2003 (GVT / COM / INF / OP / I (2003) 004); December 2008 (GVT / COM / II (2008) 005); June 2012 (GVT / COM / III (2012) 003); March 2019 (GVT / COM / IV (2019) 002). The respective comments are found published on the website: <https://www.coe.int/en/web/minorities/albania>.

drafting national reports on the implementation of international human rights agreements to which the Republic of Albania is a party. Based on point 4 of this article, the MEFA directs the process of drafting national reports on the implementation of human rights agreements, which it submits to the Council of Ministers for approval. In order to prepare this Report, the Ministry of Foreign Affairs, as the institution responsible for drafting national reports within the human rights, has informed the competent institutions and an inter-institutional working group has been set up to draft this Report, based on the Order of the Prime Minister no.112, dated 5.3.2014 "On the establishment of the inter-ministerial working group on drafting and participating during the consideration of reports in the framework of international conventions on human rights."

6. The report has been drafted in accordance with the state report outline of the fifth monitoring cycle. The first part of the Report presents information on the measures for the implementation of the Framework Convention, and the continuation of the dialogue with the Advisory Committee. The second part presents information on relevant measures taken to address the issues for immediate action identified in the fourth monitoring cycle. The third part provides information on relevant measures to implement the provisions of the Framework Convention on an article-by-article basis, and to the further recommendations of the Advisory Committee of the Framework Convention, made in fourth monitoring cycle. The fourth part of the Report provides information on the implementation of minority rights at the local level. An integral part of this Report are also the annexes in which additional information is provided in function of a comprehensive reporting, by fields.

7. The fifth report on the implementation of the Convention "On the Protection of the Rights of National Minorities" was approved by a Decision of the Council of Ministers no.251, dated 5.05.2021<sup>8</sup>.

#### **I. Measures taken for the implementation of the Framework Convention and the continuation of the dialogue with the Advisory Committee.**

8. Among the main objectives in the field of respect for human rights is the further improvement of the protection of minority rights, and implementation of these rights, in line with the commitments within international organizations and the European integration process. Law no. 96/2017 "On the protection of national minorities in the Republic of Albania"<sup>9</sup> drafted for the first time in Albania is based on the Framework Convention for the Protection of National Minorities of the Council of Europe, commitments in the framework of the country's European integration process, expertise of international organizations, good European practices on national minorities, needs and features of as well as the development of a comprehensive consultation process with national minority associations.

9. This law reflects and fulfills the recommendations of the monitoring bodies of the Convention, the resolution of the Committee of Ministers of the Council of Europe and the recommendations of the European Commission, expressly regarding the adoption of a specific law. The process of drafting the law on minorities has been a comprehensive and effective process, considering very important the cooperation and consultation of all actors, including minority associations, civil society, international organizations and the expertise of the Council of Europe and the OSCE High Commissioner on National Minorities. The Law on National

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<sup>8</sup> This decision enters into force after publication in the Official Gazette.

<sup>9</sup> Approved by National Assembly in October 2017 and entered into force in November 2017.

Minorities, conceived as a framework law addresses all the substantive issues provided by the Framework Convention and the list of fundamental rights of national minorities identified by the Venice Commission. The law has been assessed in accordance with European standards by the international expertise of the Council of Europe.

10. This law provides legal guarantees in guaranteeing the rights of national minorities as (individual rights), as well as civil, political, social, political freedoms, which the Constitution and the legal and sub-legal framework according to the fields provide for all Albanian citizens. The guarantee of the rights of persons belonging to national minorities is based on the criteria set by international conventions: objective criteria which relate to the existence of special and stable ethnic, cultural, religious, linguistic characteristics by the rest of the population of to this group, the expression of the will to preserve their culture, traditions, religion, language, as well as the criterion that implies personal choice to be or not part of a national minority. Law no. 96/2017 complements the legal and institutional framework for national minorities in Albania, and serves to clarify policies towards minorities, addressing the recommendations of the Advisory Committee of the Framework Convention, during previous monitoring cycles. The law and its bylaws aim to guarantee the enjoyment and full exercise of the individual rights of persons belonging to national minorities, in order to protect the special identity of national minorities, non-discrimination and equality before the law.

11. The law addresses a number of issues related to: definition, legal criteria for recognition, avoidance of differences between national and ethno-linguistic minorities, and contains legal provisions for the guarantee and exercise of rights, mechanisms of representation. The legal and sub-legal framework makes it possible to take concrete measures to protect the rights of persons belonging to national minorities, such as: the right to freely express their ethnic affiliation, to preserve and develop their identity, special elements that characterize life of their community, learning the mother tongue, cultural activity, practicing religious cult, etc. This law provides for the definition of a national minority, eliminating the differentiation of the two categories of minorities (national minorities and ethnic-linguistic minorities) and the formal recognition of minorities as national minorities. For the purposes of this law, the national minorities in the Republic of Albania are: Greek, Macedonian, Aromanian, Roma, Egyptian, Montenegrin, Bosnian, Serbian and Bulgarian minorities.

12. The guarantee of the rights of persons belonging to national minorities is based on the criteria set by international conventions: objective criteria regarding the existence of special and stable ethnic, cultural, religious, linguistic characteristics, by the rest of the population of this group, the appearance of the will to preserve their culture, traditions, religion, language, as well as the criterion that implies personal choice to be or not part of a national minority. Individual subjective choice is inextricably linked to the objective criterion of a person's identity, and does not simply imply a right for an individual to arbitrarily choose to belong to a national minority.

13. Following the publication of the Fourth Opinion of the Advisory Committee of the Framework Convention in March 2019, the Ministry of Europe and Foreign Affairs (MEFA), as the institution which has a key role in monitoring the implementation of international commitments and the reporting process on the implementation of conventions on human rights, has informed all central and independent institutions in order to promote and raise awareness of the results of the fourth monitoring cycle of the Framework Convention. Periodic meetings were held with representatives of national minority associations to inform them of the findings and recommendations of the Advisory Committee Opinion.

14. With the entry into force of Law no. 97/2017 "On the protection of national minorities in the Republic of Albania" and in the framework of the dialogue with the Advisory Committee of the Framework Convention, we have informed on the approval and implementation of this law and the process of drafting the package of bylaws in implementation of this law. The comments of the Albanian authorities on the Fourth Opinion of the Advisory Committee presented information on the implementation of the Framework Convention and the protection of the rights of national minorities in the country. The findings and recommendations of the Opinion of the Advisory Committee and the Resolution on the implementation of the Convention, have served and taken into account in the process of drafting bylaws pursuant to Law no. 96/2017 "On the protection of national minorities".

15. Referring to previous reporting cycles, the Opinions of the Advisory Committee of the Framework Convention have been translated into the languages of national minorities. Based on this practice, following the publication of the Fourth Opinion, in cooperation with the Office of the Council of Europe, in the framework of the implementation of the second phase of the Horizontal Facility Instrument for the countries of the Western Balkans and Turkey 2019-2022 (Horizontal Facility for the Western Balkans and Turkey), it will be possible to translate this Opinion into the languages of national minorities as well. This commitment could not be realized also due to the difficulties created by the Covid -19 pandemic.

16. Considering the respect and protection of minority rights as an integral part of human rights, as well as one of the main priorities, the Albanian Government is committed to fulfilling its international obligations arising from human rights conventions. Based on the Prime Minister's Order no. 112, dated 5.3.2014 "On the establishment of the inter-ministerial working group on drafting and participating during consideration of reports in the framework of international human rights conventions", MFA coordinates the process of preparing national reports on implementation of human rights conventions, including the Report on the Framework Convention, in cooperation with state institutions, independent institutions. This Report has been drafted as a result of the coordination of work and involvement of central institutions, according to the areas of their competence on the issues addressed by this Convention.

17. The report was prepared in cooperation with central institutions such as the Assembly, Ministry of Justice, Ministry of Interior, Ministry of Health and Social Protection, Ministry of Finance and Economy, Ministry of Education, Sports and Youth, Ministry of Infrastructure, Ministry of Culture, etc.), Committee for Minorities National. During the preparation process, were informed as well independent institutions such as the State Committee for Minorities, the People's Advocate, the Commissioner for Protection from Discrimination in order to obtain their opinions and contributions. Aiming at providing information on the implementation of national minority rights at the local level, this Report also includes the contribution of local government units. Minority associations were also informed about the process of preparation of the Report, through the Committee for National Minorities as the representative institution of national minorities.

**II. Information on the measures taken to address the issues for immediate action identified in the fourth monitoring cycle and as an opportunity to assess key issues during the monitoring cycles.**

***Recommendations for immediate measures:***



- Adoption of secondary legislation necessary to make the law on the protection of national minorities operational, in conformity with international human rights standards and in particular the provisions of the Framework Convention on National Minorities.

18. The issuance of bylaws for minorities is based on the provisions of law no. 96/2017 "On the protection of National Minorities in the Republic of Albania" and the obligations deriving from the Council of Europe Framework Convention for the Protection of National Minorities ". This law and the sub-legal framework in its implementation provide provisions for the implementation of specific rights of national minorities: self-identification, non-discrimination, educational, cultural rights, preservation and development of their identity, representation in economic, social, public life, etc., creating conditions and opportunities for exercising specific rights related to the use of minority language in relations with the authorities, use of names, surnames, topographic indicators in the language of national minorities, institutional mechanism for minority representation and strengthening the role and the powers of the State Committee for National Minorities; Establishment of the Fund for National Minorities to support initiatives and projects aimed at protecting the rights of national minorities, preserving and promoting their distinct cultural, ethnic, linguistic, traditional and religious identity of national minorities. Approval of bylaws for the implementation of this law, especially regarding data collection, name, use of language in relations with administrative authorities is based on objective criteria and subjective criteria (principle of self-identification), as provided by law no. 96/2017 on national minorities and the criteria provided by the Framework Convention for the Protection of National Minorities. Individual subjective choice is related to the relevant objective criterion of the identification of the person (Article 3 of the Framework Convention).

19. Pursuant to the law on national minorities, the responsible institutions have the legal obligation to adopt bylaws in implementation of this law (12 bylaws provided). MFA has had a leading and coordinating role of the Inter-Institutional Working Group, under the direction of the Deputy Minister of MFA (Prime Minister's Order in January 2018), for the coordination of the process, the development of inter-institutional consultations and public consultations / hearings. The process has been followed regularly and with increased attention, bringing to the attention of the responsible institutions the drafting and approval of the complete package of bylaws. Since 2018 it is aimed at the continuation of a process as comprehensive and transparent as possible during the drafting of the package of bylaws with the involvement of all actors, based on international expertise (Council of Europe and OSCE High Commissioner on National Minorities). We have continued with the development of the extensive process of consultation with national minority associations and interest groups, continuing the positive practice followed during the drafting of the law on national minorities.

20. After the entry into force of Law no. 96/2017 "On the protection of national minorities", during the period 2018 - December 2020 were drafted and approved a series of bylaws of the package of bylaws (8 bylaws out of 12 provided), four decisions in the field of education, two decisions on participation in public, social, cultural life, two decisions on the establishment and functioning of the Committee of National Minorities<sup>10</sup>, specifically:

1. DCM no. 561, dated 29.9.2018 For the provision of textbooks for students, initial training, further professional development of teachers, as well as for the establishment and functioning of classes in the language of national minorities".

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<sup>10</sup> Detailed information on the content of the bylaws is given below, in the third part of the Report.

2. DCM no. 562, dated 29.9.2018 "On appropriate measures to promote the knowledge of culture, history, language and religion of national minorities in the teaching and scientific activity of higher institutions".
3. DCM no. 726, dated 12.12.2018 "On the organization and functioning of the Committee of National Minorities".
4. DCM no. 227, dated 17.04.2019 "On the preparation, publication, publication and distribution of textbooks for students belonging to national minorities in the basic pre-university education system".
5. DCM no. 286, dated 10.05.2019 "On the approval of the procedures for the election of the chairman, vice-chairman and members of the Committee of National Minorities".
6. DCM no. 462, dated 3.07.2019 "On the approval of measures and policies necessary to ensure the participation of persons belonging to national minorities in public, cultural, social and economic life in the Republic of Albania" .
7. DCM no. 463, dated 3.07.2019 "On determining the directions for the adoption of strategies, programs and action plans for the promotion and creation of the necessary conditions for persons belonging to national minorities to use and develop the basic elements of the identity of national minorities, by including their language.
8. DCM no. 1155 dated 24.12.2020 "On the criteria for determining the local self-government unit, the essential number and sufficient request of persons belonging to national minorities to be educated in the language of the national minority".

21. Currently, 4 draft decisions are in the process of drafting and final consultation (Committee for the recognition of national minorities, use of language in relations with local authorities and mother in the language of minority, approval of the National Minority Fund), namely:

1. Draft decision "On determining the composition, functions and procedure of the Commission for reviewing the request for recognition of the national minority (new national minorities, in addition to the national minorities recognized by law no. 96/2017)".
  2. Draft decision "On the manner of using the language of national minorities in the relations between persons belonging to national minorities and local self-government bodies".
  3. Draft decision "On determining the documentation and procedures for collecting / verifying data on the affiliation of persons to a national minority". This draft decision aims to guarantee the principle of self-identification of persons belonging to minorities and the verification of data on belonging to a national minority relates to the objective criteria of identity of national minorities and serves to enable the exercise of rights provided by law.
  4. Draft Decision "On the criteria for supporting initiatives, projects aimed at protecting the rights of national minorities, preserving and promoting their distinct cultural, ethnic, linguistic, traditional and religious identity and the selection criteria for the financing and administration of "Fund for National Minorities".
- Respect the principle of free self-identification; repeal legislative provisions, ahead of the 2021 census on sanctions for "incorrect" answers to the question on ethnic affiliation (nationality), so as to enable respondents to avail themselves of the right to free self-identification, as contained in Article 3 of the Framework Convention.

22. As informed during previous reporting cycles and referring to the comments of the Albanian Government on the Fourth Opinion of the Advisory Committee of the Framework

Convention (published in March 2019)<sup>11</sup> regarding the population and housing census, we would like to emphasize the following: The 2011 census form also included the question on ethnicity, which implies self-declaration as a criterion for identifying the ethnicity of the population. With the inclusion of the question on nationality, Article 3 of the Framework Convention "On the Protection of National Minorities", on self-declaration of ethnicity and Article 20/2 of the Constitution, which guarantees the free expression of ethnicity, have been implemented. The question regarding ethnicity and religion has been an optional (optional) question, which means that no individual would have reason to distort the truth and answer this question or not. According to census data, the percentage of minorities in Albania in that year was estimated at about 1.4% of the total number of resident population in the territory of Albania<sup>12</sup>.

23. Regarding the law on the 2011 census, we clarify that law no. 10 442, dated 07.07.2011 has made some changes in law no. 8669, dated 26.10.2000 "On the general census of population and dwellings" amended. According to this law, "registration" is the collection of information through questionnaires and the processing of such data, in order to provide a complete list of all individuals, families, apartments and buildings used for residential purposes within the territory of the Republic of Albania. This law contained a special provision for informing the public about the purpose and procedures of registration, and the legal obligations related to it to be made public through the media and an extensive information campaign, led by INSTAT. This law had determined the relevant violations and sanctions, with a fine, which constitutes a criminal contravention: 1) Refusal to make a statement or making a false statement; 2) Violation of the rules of confidentiality and other rules defined in this law. The population census law also provided for the right to appeal against sanctions for administrative offenses. There has been no case of good application for "incorrect" answers to the question on ethnicity.

24. On November 26, 2020, the Albanian Parliament approved the law no. 140/2020 "On the census of population and housing". Based on Law 140/2020 adopted in November 2020, the census will be organized and conducted by the Albanian Institute of Statistics (INSTAT), under the supervision of the Central Census Commission and with the support of the Census Commissions that will be set up in each Municipality. This law specifically includes the principle of free self-identification of ethnicity, in accordance with Article 3 of the Council of Europe Framework Convention for the Protection of National Minorities, the recommendations of the Council of Europe monitoring bodies and the recommendations in the framework of dialogue with the European Union.

25. This law regulates the organization and implementation of the census of the population and housing in the territory of the Republic of Albania. The Population and Housing Census is scheduled to take place in 2022, period 1 October-15 November, (6 - weeks in the field). Census will provide information on all essential topics such as: ordinary residents of Albania and their geographical, demographic, economic, educational, migratory characteristics, households and housing characteristics, as well as non-essential topics such as: disability, ethnicity, language, religion or agriculture. The topics, on which the Census questionnaire for data collection is built, refer to EC Implementing Regulation No. 2017/543 and United Nations recommendations. Census will create basic statistical information on population, buildings and

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<sup>11</sup> (GVT/COM/IV(2019)002)

<sup>12</sup> Regarding this question, 13.96% of the resident population (in the total Albanian resident population of 2,800,138 inhabitants) preferred not to answer.

housing for the entire territory of Albania, which is essential for institution building, sustainable development, democracy and good governance at the national, regional and local levels.

26. Legal provisions on self-identification in law no. 140/2020 “On the population and housing census”: Article 4/2 - The census questionnaire provides that the census questionnaire also contains questions on ethnic identity, language and religion, the answers to which are based on the right to self-identification of individuals. These questions contain for the respondent the alternative to answering "I prefer not to answer". Article 21/2 Minor offenses provide that any statement or choice of alternative "I prefer not to respond", according to point 2 of article 4 of this law, does not constitute an administrative offense. This law in article 25 explicitly provides that law no. 8669, dated 26.10.2000, "On the general census of population and housing", as amended<sup>13</sup>, is repealed”.

27. In the framework of the development of the Census of Population and Housing, a number of activities are foreseen to be realized, such as: drafting and approval of the Development Strategy of the Census of Population and Housing Census of Population and Housing 2022; information and communication with ministries, institutions, local government bodies, interest groups. Carrying out this process will be carried out in accordance with the principles and recommendations for the Census of Population and Housing, as well as in accordance with international commitments in the framework of the European integration process and commitments in the framework of international organizations.

- *Preventing inequality and discrimination against Roma and Egyptian minorities*<sup>14</sup>.

28. National Action Plan for the Integration of Roma and Egyptians 2016-2020, approved by DCM no. 1072 dated 23.12.2015, is based on the basic principle of non-discrimination. This Plan targets the two respective communities, and envisages activities to promote the integration of Roma and Egyptians. The Action Plan was drafted in close consultation with the responsible line ministries, representatives from the Roma and Egyptian communities, as well as other actors. This Plan includes specific policies and concrete measures that the responsible institutions will undertake in achieving the objectives, in the respective sectors and public programs, which aim to improve the living of Roma and Egyptians in Albania. For the first time it is a Plan of concrete measures accompanied by a budget analysis in line with Medium Term Budget Planning and financial support of partners. According to the cost of the National Action Plan for the Integration of Roma and Egyptians, part of this document, it turns out that about 60% of the funds needed to implement the measures will be covered by the state budget, thus fulfilling the EU recommendations. The process of drafting the National Action Plan for the Integration of Roma and Egyptians has been comprehensive with the involvement of Roma and Egyptian organizations.

29. The main principles of the National Action Plan for Roma and Egyptian Integration are: 1. Promoting social inclusion - The Action Plan activities aim to promote the inclusion of Roma and Egyptians in society and not to create parallel systems to be used by these communities. 2. Use a targeted approach to addressing specific exclusion issues. Targeted interventions aimed to integrate them into the overall system and improve their access to existing public services. 3. Respect for differences - The Action Plan respects the differences between the Roma and Egyptian communities, as well as within these communities themselves. 4. Engaging Roma

<sup>13</sup> Amended by law no. 10 442, dated 07.07.2011.

<sup>14</sup> Detailed information will be provided below in the third part of the report, on the implementation of the provisions of the Framework Convention and specific recommendations.

and Egyptians - The Action Plan includes mechanisms for engaging Roma and Egyptians in the design, implementation and monitoring of public policies. 5. Promoting cooperation between central, regional and local government, civil society, the international community and especially the communities themselves. 6. Promoting cross-sectoral links - The Action Plan addresses the needs in a number of key areas including: promoting intercultural dialogue, health, housing and urban integration, employment and vocational training, social protection, civil registration and access to the justice system, with the aim of promoting integration in a comprehensive and sustainable manner. 7. Measuring progress - The Action Plan is equipped with indicators for measuring implementation progress and initial indicators. 8. Gender Awareness - The Action Plan acknowledges that Roma and Egyptian women are more likely to suffer gender exclusion and discrimination. 9. Implementation budgeting - line ministries have identified a budget for the implementation of each activity. In cases where public funding is insufficient, ministries have also identified funding gaps for donor assistance.

30. The Ministry of Health and Social Protection is currently following the process of drafting a new Plan for the Inclusion of Roma and Egyptians 2021-2025. The process has been formalized with the establishment of the working group pursuant Order no. 521, dated 23.09.2020 of the Minister of Health and Social Protection. In December 2020, online meetings were organized related several topics as: education, social protection, civil registration and access to justice, health care, social housing and anti-racism against Roma and Egyptians. The working group meetings were attended by civil servants of line ministries and local self-government units, independent institutions and organizations of civil society. The main documents used during the drafting of the plan are: 1) The Poznan Declaration, signed last year by the Prime Ministers of the Western Balkans; 2) EU Strategic Framework 2020 - 2030 for equality, inclusion and participation; 3) Recommendations of the fourth Albania-EU seminar. For the first time, "anti-racism against Roma and Egyptians" has been established as a strategic area, to address anti-racism in public policies, as well as through structural changes, to fight discrimination against Roma and the Egyptians.

31. At the local level, local development plans for the Roma and Egyptian minorities have been approved in some municipalities of the country, which address priority areas for the inclusion and integration of these minorities such as: employment, housing, health, service delivery, social protection and civil registration<sup>15</sup>. Specifically in the Municipality of Tirana with the Decision of the Municipal Council no. 4 dated 31.01.2018, the Local Development Plan of the Roma and Egyptian Community 2017-2020 has been approved. Based on the Local Plan and the National Plan for the development and integration of the Roma and Egyptian minorities, the Social Services structures, within the Municipalities, have supported and provided services to Roma and Egyptian individuals and families.

32. Also, with the support of the Council of Europe, seven local plans have been drafted and approved with aim the integration of the Roma minority and the Egyptian minority. These local documents serve as good practices beside the Social Inclusion Action Plan. The plans are approved in several municipalities:

- Roskovec: Social Plan 2019 -2022, approved by the Municipal Council of Roskovec with decision no. 47, dated 17 May 2019;
- Fier: Local Action Plan for the Integration of Roma Minority and Egyptian Minority 2019-2022, approved by the Fier Municipality Council, with decision no. 73, dated 18 June 2019;

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<sup>15</sup> Detailed information is provided as below in the third part of this Report.



- Përmet: Local Action Plan for the Integration of the Egyptian Minority 2019-2022, approved by the Council of the Municipality of Përmet, with decision no. 109, dated 19 December 2019;
- Pogradec: Local Action Plan for the Integration of Roma Minority, and Egyptian Minority, 2019-2022, approved by the Municipal Council of Pogradec no. 22, dated 28 January 2020;
- Vlora: Local Action Plan for the Integration of Roma Minority, and Egyptian Minority 2019-2022, approved by the Council of the Municipality of Vlora no. 15, dated 27 February 2020;
- Elbasan: Local Action Plan for the Integration of Roma Minority, and Egyptian Minorities 2019-2022, approved by the Council of the Municipality of Elbasan with decision no. 43, dated 30 April 2020;
- Korça: Local Action Plan for the Integration of Roma Minority and Egyptian Minority 2019-2022, approved by the Council of the Municipality of Korça with decision no. 47, dated 29 May 2020.

33. During December 2020, seven consultative seminars on responsive Roma budgeting were organized within the European Union and Council of Europe program ROMACTED with partner municipalities and in cooperation with the Ministry of Health and Social Protection and the Ministry of Finance and Economy, and the Albanian School of Administration Public. These activities aimed to facilitate the participatory (distance) budgeting process and the interaction between the representatives of the municipality and the Institutional Working Groups of the Roma and Egyptian minorities and the Community Action Groups, on the inclusion of the needs and priority projects foreseen in Local Plans for the Integration of Roma and Egyptian Minorities in the 2021 Budget. Responsive Roma budgeting is reflected as a priority and requirement to the local self-government units. Phase 2 of the ROMACTED program, from January 2021, continue to support the effective implementation and monitoring of local Roma plans in close cooperation with public institutions and other local partners.

- *Effective access to the right to education, the opening of classes or schools teaching in or of a language of national minority; adequate supply of textbooks in minority languages is available at all levels of education;*

34. Law No. 96/2017 on National Minorities in Article 13 provides for the right to education in the minority language 1. Persons belonging to a national minority enjoy the right to learn the minority language. 2. Persons belonging to national minorities in the local self-government units where they traditionally reside or in substantial numbers, if there is a sufficient demand, are provided with opportunities to learn or receive instruction in the minority language, in accordance with the legislation relevant in the field of education.

- The criteria for determining the local self-government unit, the essential number and the sufficient demand are determined by a decision of the Council of Ministers, upon the proposal of the ministers responsible for education and local affairs.
- Appropriate measures in the field of education and scientific research, in order to promote the recognition of the culture, history, language and religion of national and majority minorities, in accordance with the relevant legislation in the field of education, are approved by a decision of the Council of Ministers, on the proposal of the minister responsible for the education, in accordance with the relevant legislation in the field of education.
- Appropriate measures for the creation of opportunities and conditions for the provision of textbooks, initial training, training and further professional development of teachers, as

well as for the establishment and functioning of classes in the language of national minorities are approved by decision of the Council of Ministers, the proposal of the minister responsible for education, in accordance with the relevant legislation in the field of education.

- Persons belonging to national minorities have the right to open and run private institutions of the education system and institutions of vocational education, when they meet all the conditions provided in the legislation in force in the field of education.

35. As evidenced above in paragraph 20, pursuant to law no. 96/2017, in the field of education have been adopted a series of bylaws to guarantee the right to education of national minorities, the opening and operation of classrooms for their teaching, provision of textbooks, etc, specifically:

- DCM no. 561, dated 29.9.2018, "On the provision of textbooks for students, initial training, further professional development of teachers, as well as the establishment and functioning of classes in the language of national minorities";
- DCM no. 562, dated 29.9.2018, "On appropriate measures to promote the knowledge of culture, history, language and religion of national minorities in the teaching and scientific activity of higher education institutions."

36. Based on the DCM no. 561, dated 29.9.2018, the initiative for opening classes in the language of national minorities can be taken by the respective local self-government unit, the relevant local educational unit and the community of the area, where it is expected to open classes of national minorities. Based on DCM no. 561, classes in the national minority language are opened when the number of minority students is not less than 15 students per class, while in special cases when the number of minority students is less than 15 students per class, the functioning of the classes with minority students is done by order of the minister responsible for education.

37. Based on the DCM no. 227, dated 17.4.2019, "On the preparation, printing, publishing and distribution of basic textbooks for students of public pre-university institutions where students of national minorities study", prepare, print, publish and distribute textbooks in the mother tongue of minorities national.

38. DCM no. 1155, dated 24.12.2020 "On the criteria for determining the local self-government unit, the essential number and sufficient demand of persons belonging to national minorities to be educated in the language of the national minority" is drafted pursuant to point 3, of article 13 of law no. 96/2017 "On the protection of national minorities in the Republic of Albania".

- This decision aims to guarantee persons belonging to national minorities the right to be educated in the language of the national minority in certain educational institutions by order of the Minister responsible for education as well as to study history, traditions and their culture, according to the curricula and programs approved by the ministry responsible for education.
  - a. The decision provides the criteria for: 1) determination of the local self-government unit; 2) the essential number of students belonging to minorities; 3) sufficient request of persons belonging to national minorities to be educated in the language of the national minority, namely:
  - b. The number of persons belonging to the national minority, which must be not less than 20 percent of the total number of inhabitants of the administrative unit, as a subdivision of the municipality;

- c. Period of registration as a resident in the local self-government unit, according to the population census periods, confirmed by a certificate issued according to the data from the Basic Civil Registers and / or the National Civil Registry of 2010. This period should be related to the periods when the census was officially conducted, a fact that can be verified by the Civil Registry.
  - d. Written request, submitted by parents or guardians of children belonging to the national minority, at the municipality / administrative unit, where the will is expressed in writing and based on the right of self-identification, sufficient for the formation of the class.
- For the creation of national minority classes, to facilitate and enable the education of these students, it is proposed that the number of students per class be 15, a number distinct from the creation of other classes in the pre-university education system.
  - Parents or guardians on their part will have to express their willingness for their children to be educated in the language of the national minority. This will is based on the right to self-identification and is reflected through a written request filed with the municipality or administrative unit. The number of students belonging to national minorities, who have the right to be educated in the language of the national minority to which they belong, as well as to study their history, traditions and culture, must be not less than 15 students per class. This is the number that is considered sufficient to open a classroom.
  - Anticipation of a low number of students for the creation of the classroom based on a written request from parents or guardians which is related to the written request and its elements, according to the provisions of this draft decision.
  - Anticipating the role of the prefect who administers the information sent by him from the local self-government units and verifies whether the criteria set out in this draft decision are met. The prefect defines the local self-government unit, in which persons belonging to a national minority will be provided with the right to be educated in the language of the national minority.
  - Local self-government units have the right to initiate the opening of classes in the language of national minorities in accordance with the provisions of the law on the establishment and operation of classes in the language of national minorities.
- *Review, in consultation with representatives of national minorities, the impact of administrative and territorial reform on access to the rights of persons belonging to national minorities; implementation of the 20 percent threshold, which conditions the access of certain rights to local communities (neighborhoods) in a flexible manner.*

39. Law no. 115/2014 "On the administrative-territorial division of local government units in the Republic of Albania" provides that "local government units in the Republic of Albania are: 61 municipalities and 12 regions. Administrative-territorial divisions of local government units are determined by this law.

40. Law no. 139/2015 "On local self-government regulates the organization and functioning of local self-government units in the Republic of Albania, as well as defines their functions, competencies, rights and duties and those of the relevant bodies. Article 5 of this law provides that: 1. Units of local self-government are municipalities and regions, which exercise local self-government in the Republic of Albania. 2. The municipality is the basic unit of local self-government. 3. The municipality represents an administrative-territorial unit and a community of inhabitants. Municipalities, territorial extent, name and city center are determined by law. 4. The region is a unit of the second level of local self-government. 5. The region represents an



administrative-territorial unit, consisting of several municipalities with geographical, traditional, economic, social and common interests. The boundaries of the county coincide with the boundaries of the municipalities that make it up. The center of the county is located in one of the municipalities included in it. Territorial location, name and center of the county are determined by law. According to Article 6, the subdivisions of the municipality are provided: 1. The municipality consists of several administrative units, according to traditional, historical, economic and social ties. Administrative units in the territory of a municipality, their territorial extent and name are determined by law. 2. Administrative units consist of towns and / or villages. Territorial extent, name of towns and villages, part of each administrative unit, are determined by law. The announcement of new cities is done by law. 3. Cities can be divided into smaller units called neighborhoods. A neighborhood, as a rule, can be created only in territories with over 20 thousand inhabitants. The division of cities into neighborhoods and their territorial extension is approved by a decision of the municipal council.

41. Law no. 96/2017 “On the protection of national minorities in the Republic of Albania”, point 2 provides that “In local self-government units where persons belonging to national minorities traditionally reside or constitute over 20 percent of the total number of the population of this unit, based on their request, the local self-government bodies create the conditions, as far as possible, for the use of the minority language in the relations between the persons belonging to the minorities and these bodies. Point 3 of this article expressly provides that “by decision of the bodies of local self-government units, where over 20 percent of the inhabitants belong to national minorities, when there is a sufficient demand from them, the names of the respective administrative units, streets and of other topographic indicators, in addition to the Albanian language, appear in the language of the respective minority, according to the legal provisions for local self-government”.

42. Law no. 96/2017 on national minorities has aimed at clarifying the term essential number, given the fact that the Framework Convention itself provides for this term, but does not explicitly define what it means. The threshold of 20% of the national minority population provided by law, is related to the guarantee of the right to use the minority language, in relation to local administrative authorities, as well as the establishment of toponyms. This threshold is a generally accepted standard based on European experience, as well as recommended by the expertise of the Council of Europe.

### **III. Measures to implement the provisions of the Framework Convention, and measures to implement other recommendations of fourth monitoring cycle<sup>16</sup>.**

#### **Article 3 Purpose and scope of application of the Framework Convention;**

*Recommendation 33 - the principle of free self-identification.*

*Recommendation 34 - the citizenship criterion as regards access to minority rights.*

43. Law no. 96/2017 “On national minorities” in its article 3 provides that 1. A national minority is a group of Albanian citizens residing in the territory of the Republic of Albania, have early and stable ties with the Albanian state, display distinctive cultural, ethnic, linguistic, religious or traditional characteristics and who are willing to express, preserve and develop

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<sup>16</sup> Further recommendations contained in fourth Opinion of Advisory Committee and the Resolution on implementation of Framework Convention.

together their distinct cultural, ethnic, linguistic, religious or traditional identity. 2. For the purposes of this law, the national minorities in the Republic of Albania are the Greek, Macedonian, Aromanian, Roma, Egyptian, Montenegrin, Bosnian, Serbian and Bulgarian minorities.

44. Regarding the recognition of national minorities (new minorities along with national minorities recognized by this law), Article 4 of this law provides: 1. Formal recognition of national minorities in the Republic of Albania, in addition to those provided in Article 3, point 2, is done by law, in accordance with the criteria set out in point 1, of article 3, and articles 6 and 7. 2. The request for formal recognition is submitted to the minister responsible for Internal Affairs by the group of citizens who claim to belong to a 3. The application is reviewed by an ad hoc commission, which is set up at the ministry responsible for internal affairs. The establishment, the functions of the commission, as well as the procedures for reviewing the application for recognition of a national minority, are determined by a council of ministers' decision, 4. The decisions of the ad hoc commission may be appealed to the competent court for resolving administrative disputes.

45. Law no. 96/2017 "On the protection of national minorities" (Article 5 - exercise of rights) provides that "Every person, belonging to a national minority, has the right to freely choose to be treated or not as such, having no disadvantage from this choice or from exercising the rights associated with that choice. 2. Persons belonging to national minorities exercise the rights and enjoy the freedoms guaranteed by this law, individually and in community with others, throughout the territory of the Republic of Albania. This article is in line with Article 3 of the Framework Convention.

46. For the purposes of this article, the law on national minorities contains two separate but interdependent principles Paragraph 1 guarantees first of all persons belonging to a national minority, the freedom to choose whether to be treated as such or not. The law creates the possibility for any person to decide whether he wants to be placed under the protection provided by the principles of the Framework Convention, or not. This paragraph does not simply imply a right for an individual to arbitrarily choose to belong to a national minority. Individual subjective choice is inextricably linked to the objective, relevant criterion of the identity of the person. This article guarantees that there will be no disadvantage from free choice for what it guarantees, or from the exercise of the rights associated with this choice, and aims to ensure that the enjoyment of freedom of choice will not be indirectly compromised. Paragraph 2 guarantees that the rights and freedoms deriving from the principles of the Framework Convention may be exercised individually or in association with others.

***Recommendation 44*** -Do not rely exclusively on archival data and civil registry data to verify the authenticity of the the self-declarations of persons belonging to a national minority.

47. Law no. 96/2017 "On the protection of national minorities" as an instrument of data collection based on the right of self-identification provides the legislation for the general population census in the Republic of Albania. Article 3 of the Framework Convention for the Protection of National Minorities also provides that every person belonging to a national minority has the freedom to choose whether to be treated as such or not. Individual subjective choice is inextricably linked to the objective criteria of the identity of the person. As we have noted above, Article 5 of Law no. 96/2017, guarantees to every person belonging to a national minority the freedom to choose to be treated or not as such.

48. Article 6 of this law provides for the right to self-identification, namely: 1. every person has the right to declare belonging to a national minority, based on the right of self-identification, according to the provisions of the legislation on general census of the population of the Republic of Albania and in the cases provided for in this law. 2. No one shall be compelled to disclose or make public information concerning his / her affiliation with a national minority or his / her ethnic, linguistic or religious affiliation, unless such disclosure data is required for the exercise of the rights provided in Articles 3, 7, 11, 12, 13, 14 and 15 of this law.

49. Article 7 of this law, regarding data collection, provides: 1. To guarantee the rights of national minorities, public institutions at the central and local level collect data related to the identification of persons belonging to national minorities, based on the right to self-identification of these persons and in the documentation of the Civil Status, in accordance with point 2, article 6, of this law and the legislation on personal data protection. 2. The criteria, documentation, as well as the relevant procedures for data collection provided in point 1 of this article, are approved by a decision of the Council of Ministers, on the proposal of the minister responsible for internal affairs.

50. Adoption of bylaws related to the implementation of this law, especially regarding the recognition of new minorities, data collection / verification, education, use of language in relations with administrative authorities is based on subjective criteria (principle of self-identification) and objective criteria of the identity of national minorities, which serve to enable the exercise of the rights provided by law.

50. The draft decision “On determining the composition, functions and procedure of the Commission for reviewing the request for recognition of the national minority”, will be proposed by the Ministry of Interior, based on the obligations deriving from article 4 point 3 of law no. 96/2017 “On the protection of national minorities”. Article 4 of law no. 96/2017 provides for the formal recognition of national minorities, except for 9 recognized minorities (provided in Article 3, point 2). Recognition of national (new) minorities is done by law, in accordance with the criteria set out in this law (Article 3/1, and Articles 6 and 7).

- The draft decision stipulates that the request for formal recognition is submitted to the Ministry responsible for internal affairs by the group of citizens claiming to belong to a national minority, reviewed by the ad hoc Commission set up for this purpose, according to the provisions of law no. 96/2017.
- The ad hoc commission, composed of representatives of institutions, whose area of responsibility is related to the rights of national minorities examines the submitted request by verifying the fulfillment of the legal criteria set out in point 1, of article 3 of law no. 96/2017.
- This draft decision provides the competence of the Commission to review the request submitted by the group of citizens, as well as verify the fulfillment of criteria / legal provisions set out in Article 3, point 1 of Law no. 96/2017 (objective identity criteria- early and stable ties with the Albanian state, distinctive cultural, ethnic, linguistic, religious or traditional characteristics, the expression of the will to preserve these elements, as well as based on the subjective criterion that implies personal choice to be or not part of the minority national), Article 6 (right of self-identification) and Article 7/1 of this law, which refers to the civil status documentation.
- If after reviewing the request and the submitted documentation, the fulfillment of the legal criteria is assessed, the Commission decides to accept the request for recognition of the

national minority and submits to the Minister of Interior the proposal for following the procedures for proposing the draft decision on the recognition law of national minority.

51. The draft decision "On determining the documentation and procedures for collecting / verifying data on the affiliation of persons in a national minority" is expected to be approved pursuant to point 2 of the article 7 of law no. 96/2017 "On the protection of national minorities". We emphasize that this draft decision will be based on the principle of self-identification of persons belonging to minorities and that the verification of data on belonging to a national minority is related to the objective criteria of national minority identity and serves to enable the exercise of rights provided by law.

*Recommendation 45.* Adoption of the law on next Population census and data collection based on free self-identification of affiliation with a national minority.

52. As we have informed above, in the framework of the preparatory work for the Population and Housing Census 2022, INSTAT has prepared the new draft law on Census, which was discussed in the Parliamentary Committees, and was voted in principle in the parliamentary session of November 26, 2020. Law no. 140/2020 "On the census of population and housing" (Article 4/2 - census questionnaire) provides that the census questionnaire also contains questions about ethnic identity, the answers to which are based on the right of self-identification of the individual. Question on ethnic identity contains for the respondent the alternative to answer "I prefer not to answer". This law explicitly provides (Article 21 / 2- minor offenses) that does not constitute an administrative minor offense "Any statement or choice of alternative" I prefer not to respond ". Based on Article 21, the answers collected from these questions will not be subject to administrative sanctions (penalties).

53. The law provides for the establishment of a consolidated legal basis for conducting the Census of Population and Housing, considering the new international standards set for future censuses of population and housing, terminology, procedures and institutions involved. It will also enable compliance with the terminology and definitions of EU legislation, as well as enable the implementation of the recommendations of the Conference of European Statistics (CES 2020) on Population and Housing censuses.

54. During the drafting of the Census Questionnaire, INSTAT conducted several roundtable consultations with stakeholders, including representatives of national minorities. During the roundtables, the content of the questionnaire was discussed, as well as all the comments / suggestions of national minorities were collected, regarding the drafting of the questionnaire, the improvement of the data collection process, the discussion of the problems encountered in the last census, in order to improve next census. During November 2020, INSTAT has organized the workshop for the Census questionnaire, in order to review the questionnaire with international experts to ensure its content complies with international recommendations, but at the same time to enable national relevance to the information collected.

55. The 2022 Census of Population and Housing will follow the universal method of direct counting, based on field operations with the compilation of questionnaires by surveyors, using new methods for data collection. The 2022 Census of Population and Housing will take into account the requests of local users, the latest international recommendations, in particular, the recommendations and standards addressed in European countries, the United Nations and the Statistical Office of the European Union (EUROSTAT), as well as including data quality and personal data protection.

56. The topics on which the Census Data Making Questionnaire is based refer to EU standards and United Nations recommendations. Census as a statistical operation, carried out by INSTAT, aims to provide reliable statistical data, necessary for the planning and implementation of general development policies, for private and public analysis of decision-making, for scientific research and, in general, to improve the knowledge and understanding by citizens of the demographic, economic and social reality of the country.

57. A very important element for the implementation of activities is the development of an extensive information and communication process at central and local level, as well as information and communication with the general public, including associations representing national minorities and persons belonging to national minorities, on legal provisions, census methodology and its development. Providing information on essential as well as non-essential topics (including ethnic identity); Organizing information roundtables and effective communication and awareness campaigns for all citizens, interest groups and target groups, including involvement of national minority associations and persons belonging to national minorities. Training staff to conduct the field process on questions on essential and non-essential topics (such as ethnic identity, language and religion), the answers to which are based on the right to self-identification of the individual. The collection and processing of data collected during the census, including data on ethnic identity, communication and transparency regarding the results of the Census and access to Census information.

**Recommendation 47.** Develop mechanisms for the collection of reliable data on the number of persons belonging to minorities, as well as data on access to rights, in cooperation with national minority associations.

58. The Ministry of Health and Social Protection (MHSP) after the approval of the Integration Action Plan for the Roma and Egyptian minorities 2016-2020, established by the Order of Minister No. 276 dated 30.12.2016 "Putting into operation the ROMALB System". The ROMALB system is administered by MHSP and serves for the collection of state data and harmonization of statistics for the measures of the Action Plan by areas. ROMALB has also served to monitor and assess the situation of Roma and Egyptians, as well as to carry out interventions to improve their life quality. Also, at the national and local level, central and local institutions identify data on national minorities and data on access to rights and service delivery<sup>17</sup>.

#### **Article 4 of the Framework Convention - Prohibition of Discrimination**

59. Law no. 96/2017 "On the protection of national minorities in the Republic of Albania" (Chapter II- Rights and freedoms of national minorities), Article 5 The exercise of rights provides that: 1. Every person belonging to a national minority has the right to freely choose to be treated or not as such, having no disadvantage from this choice or from the exercise of the rights associated with that choice. 2. Persons belonging to national minorities exercise the rights and enjoy the freedoms guaranteed by this law, individually and in community with others, throughout the territory of the Republic of Albania.

Article 8 of this law "Prohibition of discrimination" provides that: 1. any discrimination against any person because of his / her belonging to a national minority is prohibited. 2. Public institutions, central and local, approve and implement the necessary measures:

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<sup>17</sup> Detailed information is provided below and in the annexes that form an integral part of this Report.



- a) to guarantee full and effective equality in economic, social, political and cultural life between persons belonging to a national minority and those belonging to the majority;
- b) to protect persons belonging to national minorities from threats, discrimination, hostility or violence because of their distinct cultural, ethnic, linguistic, religious or traditional identity;
- c) to strengthen intercultural dialogue;
- d) to promote mutual respect, understanding and cooperation between all citizens of the Republic of Albania, without distinction as to their distinct cultural, ethnic, linguistic, religious or traditional identity.

3. The measures adopted in accordance with point 2 of this article do not constitute acts of discrimination.

60. The Law “On Protection from Discrimination” was amended, with the law no.124/2020 “On some additions and amendments to the law no.10221 dated 4.02.2010 “On protection from discrimination” which entered into force in November 2020. Amendments have increased legal guarantees for the protection of national minorities. With the new legal changes, new forms of discrimination are defined such as: multiple discrimination, cross-sectoral discrimination, hate speech, segregation, and sexual harassment. "Serious forms of discrimination" are defined, which deserve to be punished more severely and prevented wherever they occur.

**Recommendation 57-58** - Activities of the Office of the Commissioner for the Protection against Discrimination and the Office of the People's Advocate and cooperation on the implementation of their recommendations<sup>18</sup>.

61. The structure of the Commissioner for the Protection against Discrimination has been expanded in order to fulfill the legal competencies; 3 regional offices have been added. The recommendations presented by the CPD were aimed at implementing the principles of the Law on Protection from Discrimination, namely:

- On the draft law “On National Minorities in the Republic of Albania.
- On the draft law “On social housing programs”, the proposals have been considered.
- On the draft law “On social programs for housing residents of urban areas.
- Recommendation on housing of Roma and Egyptian families, in the area of Selita, Tirana.
- Recommendations on bylaws pursuant to law no. 22/2018 "On social housing".
- Recommendation to the Ministry of Education and Sports to take measures to guarantee protection against discrimination for all children with disabilities, of disadvantaged groups, such as Roma and Egyptians children with disabilities, children with disabilities from poor families.
- Recommendation regarding financial support "On taking measures to provide housing assistance to the persons in need in the conditions of the epidemic caused by COVID-19".
- Recommendation for the approval of an additional fund of the economic assistance scheme.

62. The Institution of the People's Advocate has played an active role throughout the process of drafting the law on national minorities, giving remarks and suggestions, which are reflected to a good extent in the content of the provisions of Law no. 96/2017 "On the protection of national minorities in the Republic of Albania". Despite the positive developments related to the approval and entry into force of law no. 96/2017, or even the approval and entry into force of some of the bylaws in implementation of this law, still remains problematic the part of the

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<sup>18</sup>Detailed information on the activity of these institutions is given below in the fourth part of the Report (annexes are an integral part of the report).

issuance of all bylaws, provided as necessary, to enable the real implementation of this law.

63. During the consultation process of the draft law "On the census of population and housing", the People's Advocate has given recommendations regarding: "development of a new population census, based on the best international criteria and standards, where minorities, will find themselves free to express objectively and unreservedly about their existence."

64. The People's Advocate has addressed the problems of the Roma national minority and the Egyptian national minority, who still face many obstacles to inclusion and integration in the social system: housing, civil registration, receiving economic assistance, or even education, employment, vocational training and health care. This institution has sent a series of recommendations to the responsible institutions in the framework of improving living conditions for the integration of Roma and Egyptians<sup>19</sup>.

- Recommendation on completing the legal framework for the recognition and protection of national minorities, in accordance with the provisions of the Council of Europe Framework Convention for the Protection of National Minorities, addressed to the Prime Minister. This recommendation has been implemented with the entry into force of law no. 96/2017 "On the protection of national minorities", or the approval and entry into force of some of the bylaws in implementation of this law.
- Recommendation for accelerating the process of approval and entry into force of bylaws to be issued on the basis and implementation of law no. 96/2017 "On the protection of national minorities in the Republic of Albania", addressed to the Prime Minister and the Central Election Commission.
  - Recommendation "On taking the necessary, immediate measures for the Roma and Egyptian minority". To identify the real number of individuals and families in need, part of the Roma and Egyptian communities, located within the territory of the administrative unit, administered by the municipalities. There has been a good response to this recommendation from most local government units.
  - Recommendation for taking further measures, to cover the financial costs of providing protective barriers (masks) to the spread of Covid 19, for persons of Roma and Egyptian minorities.

65. According to the People's Advocate, a sensitive issue related to the problems of the Roma and Egyptian minority communities in the country, is the forced eviction from their community residences located on the outskirts of major cities, where they have mainly built barracks. With the approval and entry into force of law no. 22/2018 "On social housing", some facilities in the field of housing have been addressed, for Roma and Egyptian individuals and families, and there is a general provision for forced evictions, but still not sufficient.

66. MHSP has supported the work of independent institutions by making available the information and materials requested by them. They have also been part of consultative meetings, public dialogues, annual reports that MHSP has organized in the framework of implementation and monitoring of policies for the integration of Roma and Egyptians. During the process of consultation and drafting of bylaws pursuant to Law no. 96/2017 on national minorities, the opinions of these independent institutions were informed and obtained.

**Recommendation 66-** Prevention, fight against inequality and discrimination against Roma and Egyptians.

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<sup>19</sup> Detailed information is provided in the fourth part of the Report - annexes are an integral part of it.

67. MHSP with the support of the ROMACTED project is focused on implementing specific Roma and Egyptian policies at the local level. In 2018, a Memorandum of Understanding was signed in the framework of tripartite cooperation between the Council of Europe Office in Tirana, the Ministry of Health and Social Protection and the municipalities of Elbasan, Pogradec, Korça, Fier, Roskovec, Vlora and Përmet. Eight (8) municipalities (Tirana, Durrës, Shkodra, Berat, Pogradec, Lezha, Kurbin, and Korça) have approved local action plans for the integration of Roma and Egyptians.

68. Ensuring quality, equal, and non-discriminatory health care for all Roma and Egyptian women, men, girls and boys is a priority of the MHSP, consistently addressed through specific measures aimed at improving access to health for the most vulnerable groups in need. As part of the Community Health Care program, special attention is paid to vaccination, mammography and other preventive services, through access to services close to the residence for specific categories, especially the Roma and Egyptian minorities. Direct contact in the community and the provision of health care information in a language that is convenient and easily understood by the Roma and Egyptian minorities is a priority of this program, in parallel with increasing access to health services where they live.

69. With the approval of the new Primary Care Strategy, work is being done to coordinate health care with social care. One of the goals of the new Strategy is to provide integrated health and social services to respond to the individual needs of vulnerable individuals and groups, with a particular focus on women and girls who suffer from multiple discrimination.

70. Civil society organizations participate in national and regional meetings organized by MHSP and partners. During the years 2016-2020, organizations were invited to: a) Annual meetings in the framework of monitoring the action plan for the integration of Roma and Egyptians 2016-2020. b) Public dialogue seminars between the Government of Albania and the EU. c) Regional meetings for the implementation of the Poznan Declaration. d) Consultative meetings for the drafting of the new Plan for the integration of Roma and Egyptians 2021-2025. e) Meetings according to issues, areas and problems that are organized.

71. Pursuant to law no. 108/2014 "On the State Police", the structures of the State Police guarantee the respect and protection of fundamental freedoms and human rights and in particular for persons deprived of their liberty (including persons belonging to national minorities) in accordance with the principle of non-discrimination. The implementation of standard procedures for the prevention and elimination of violence, ill-treatment and protection of national minorities, as well as disciplinary or criminal punishment in such cases, for police officers, have been followed with priority.

72. Detained or arrested persons belonging to national minorities, including Roma and Egyptian minorities are guaranteed and respected their legal rights equally, and without discrimination, the exercise of the right to make / submit requests or complaints regarding the treatment they receive in police premises, residence conditions, actions and behaviors of police personnel, violations and violations of rights that may be committed by police officers. The central structures of the State Police have continuously prepared and sent for recognition and implementation to all structures of the Police, administrative acts such as: written reprimand, letter rogatory, descriptions, generalizations, orders, etc. In fulfillment of this obligation, standard rules and procedures have been defined for receiving, recording, handling / resolving the request / complaints of these persons. Standard Procedures on "Treatment and security of persons being arrested / detained in the premises of the State Police, identification and



resolution of their complaints”, have been reviewed and approved by Order no. 925, dated 18.07.2019 of the General Director of Police of the State.

73. The State Police has a cooperation with independent institutions, the People's Advocate and the Commissioner for Protection from Discrimination, in support of the promotion of the legal framework "On Protection from Discrimination", as well as the law on protection of national minorities, according to the obligations in the field of implementation of the State Police. Cooperation activities of the State Police structures with independent institutions have been organized.

- During 2018, 5 meetings and roundtables were held with the Commissioner against Protection against Discrimination, as well as Egyptian and Roma community organizations.
- During 2019, 10 meetings were held on the ombudsman's office recommendations on the rights of abused women, national minorities (Roma and Egyptians).
- During 2020, 10 meetings were held with international partners on prevention and protection against discrimination, protection of national minorities, with the Institution of the Commissioner for Protection against Discrimination.

74. The Commissioner for Protection against Discrimination from 2016 onwards, has currently handled the following cases, related to national minorities<sup>20</sup>:

- During 2016, 82 cases were addressed (75 complaints and 7 ex-officio), (according to the fields: 16 Education; 10 Employment and 56 Services).
- In 2016, the Commissioner issued 70 decisions and 2 Recommendations in the field of education.
- During 2017, 92 cases were handled (89 complaints and 3 ex-officio cases).
- In 2017, the Commissioner issued 72 decisions and 1 recommendation in the field of education.
- During 2018, 63 cases were handled (59 complaints and 4 ex-officio cases).
- During 2018, the Commissioner has expressed 64 decisions: 41 basic decisions, 20 non-acceptance decisions; and 1 decision suspending the review, 2 decisions to terminate the proceedings.
- During 2019, 35 cases were handled (33 complaints and 2 ex-officio cases).
- During 2019, the CPD has expressed itself with 33 decisions: 26 decisions on the merits, 4 non-acceptance decisions and 3 decisions to suspend the procedures.
- During 2020, 16 cases were handled (15 complaints and 1 case ex-officio), with subjects: 4 Men; 4 Women, 4 Group of persons and 3 NGOs.
- During the period January-November 2020, the Commissioner has issued 14 decisions: 12 decisions on the merits and 2 non-acceptance decisions.

**Recommendation 67-** *Effective implementation and financing of the National Action Plan.*

75. The National Action Plan for the Integration of Roma and Egyptians 2016-2020 targets the two respective communities and provides activities to promote the integration of Roma and Egyptians with funds provided by the state budget, but also identifying the financial gap for the period 2016-2020 and the possibility of financing through coordination with foreign aid.

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<sup>20</sup> Detailed information on the activity of the CPD, the cases handled is given below, in the fourth part of the Report (annexes integral part of the Report).

76. This Action Plan includes a specific budget for the implementation of each activity. Depending on the type of activity, the Action Plan specifies a) government funding, b) donor funding, c) a combination of government funding and donor funding. The budget analysis that accompanies this Plan shows that the sources for financing the implementation of the Plan will be covered 55% of the state budget funds and 45% of the donor funds. Municipal budgets are also not included as they will be reflected in the Local Action Plans for Roma and Egyptians (while the national plan focuses on national resources and responsibilities). However, the Action Plan includes ministerial funds allocated to municipalities (eg through small grants in the field of housing or economic assistance, etc.).

#### **Article 5 of the Convention Framework Policy for the Support of National Minority Cultures - Recommendations 74-75**

77. Law no.96 / 2017 on national minorities in article 12 "Preservation of cultural identity of national minorities" provides that: 1. Persons belonging to national minorities have the right to preserve and develop their linguistic, cultural identity, religious and their cultural heritage throughout the territory of the Republic of Albania. 2. Persons belonging to national minorities enjoy, in accordance with the provisions of Article 2 of this law, the right to celebrate events related to the promotion of their distinct cultural identity. 3. Strategies, programs and action plans to create the necessary conditions for national minorities to preserve and develop their distinctive identity are approved by a decision of the Council of Ministers, on the proposal of the ministers responsible for culture and arts. 4. Without prejudice to measures taken in accordance with the policy of general integration of national minorities, policies or practices aimed at the assimilation of persons belonging to national minorities against their will shall be prohibited.

78. DCM no. 462, dated 3.7.2019 "On the approval of measures and policies necessary to ensure the participation of persons belonging to national minorities in public, cultural, social and economic life in the Republic of Albania" provides the legal basis to adopt the necessary measures and policies to ensure the participation of persons belonging to national minorities in public, cultural, social and economic life. Persons belonging to national minorities are guaranteed equal participation in the public, economic, social and cultural life of the country. This Decision provides, inter alia, that "Persons belonging to national minorities enjoy, in particular, rights relating to the preservation, protection and promotion of the culture, traditions and identity of the minority to which they belong".

79. For the projects submitted by the national minorities, for the first time, the percentage determination for the projects from the national minorities is foreseen, specifically: "Out of the total number of projects that will be financed, 5 (five)% of them will be supported with financial and logistical resources and / or materials for cultural associations / individuals who have applied and belong to national minorities". DCM stipulates that the Ministry of Culture, in the call projects that it organizes every year, financially supports, based on the quality level, the projects of persons belonging to national minorities in terms of protection of cultural, ethnic and linguistic identity and their cultural heritage. throughout the territory of the Republic of Albania. Criteria and procedures for the participation of representatives of national minorities in various projects are made in accordance with law no. 10352, dated 18.11.2010, "On art and culture", as amended, and the annual instruction issued by the Ministry of Culture, "On calls for project proposals".

80. Also, pursuant to Article 11 of Law no. 96/2017 on national minorities, it is adopted DCM no. 463, dated 3.7.2019, “On determining the directions for the approval of strategies, programs and action plans for the promotion and creation of necessary conditions for persons belonging to national minorities to use and develop the basic elements of the identity of national minorities, including their language” on the proposal of the Minister of Culture and the Minister of Education, Sports and Youth. This Decision provides that: Persons belonging to national minorities enjoy the right to preserve and develop their distinct identity in the Republic of Albania. 2. The responsible ministry in the field of culture and the responsible ministry in the field of education, sports and youth have the obligation to determine the directions for the approval of strategies, programs and action plans for the promotion and creation of necessary conditions for the persons who belong to national minorities to use and develop the basic elements of their identity.

81. This Decision provides:

- The responsible ministry in the field of culture and the responsible ministry in the field of education, sports and youth guarantee the protection and promotion of the language of persons belonging to national minorities as an integral element of their identity.
- The Ministry responsible for culture and its subordinate institutions take measures to create the necessary conditions for guaranteeing and exercising the right of persons belonging to national minorities to preserve and develop a distinct cultural, ethnic, linguistic and religious identity of throughout the territory of the Republic of Albania. The Ministry responsible for culture, in the strategy for culture and in the national program "Education through culture" foresees and creates the necessary conditions for the preservation, promotion, protection, cataloging and digitalization for the preservation and development of culture and identity of the persons belonging to national minorities as assets, values and parts of the national cultural heritage and the prohibition of practices aimed at assimilating their distinct culture and identity.
- The responsible Ministry in the field of education, sports and youth plans special activities for public institutions of pre-university education, in order to preserve, promote, develop cultures, distinct cultural identity and languages of national minorities.
- The Ministry responsible in the field of education, sports and youth supports young people and youth organizations to organize awareness and promotional activities for the preservation and development of cultures, identity and languages of national minorities, as well as the preservation of cultural heritage values of minorities national.
- The responsible ministry in the field of education, sports and youth and the responsible ministry in the field of culture promote programs and projects for the preservation and development of cultures, languages and key elements of identity of persons belonging to national minorities, development of activities in consultation with them and their representatives, based on the needs of different groups and in accordance with transparent procedures.
- Criteria and procedures for participation in various projects, where representatives of national minorities apply, are provided in law no. 10352, dated 18.11.2010, "On art and culture", as amended, as well as in the bylaws in its implementation.
- The financial resources for the implementation of this decision will be covered by the annual budget provided annually for the ministries responsible for the implementation of this decision.

82. Law no.10 352, dated 18.11.2010 "On Art and Culture" aims to ensure the support of national minorities, intercultural dialogue, through artistic and cultural activities. Article 32 stipulates that the central government provides for local government financing at the rate of 30% of the funds for culture by well managing and using the program dedicated to art and culture.

83. The National Strategy for Culture 2019-2025, after hearings with all stakeholders, was approved by DCM no. 903, no. 903, dated 24.12.2019. This Strategy aims at "Promoting and representing the cultural values of the Albanian arts and heritage (tangible and intangible) in important international activities and presenting best practices. The specific objective is "Promotion of the values of art and cultural heritage". For the preservation and promotion of the cultural heritage of national minorities in the country will be determined the financial support of various cultural and research activities of this heritage with the aim of protecting and cataloging and digitizing the preservation of culture and identity of national minorities and banning practices aimed at assimilation of their distinct culture and identity. This activity will be carried out in close cooperation with the Committee of National Minorities.

84. "Education through culture" provides and creates the necessary conditions for the preservation, promotion, protection, cataloging and digitization for the preservation and development of culture and identity of persons belonging to national minorities as property, value and part of national cultural heritage.

85. The objective of the Ministry of Culture (MoC) is to ensure greater access and active participation in culture by developing and implementing projects that protect and promote the cultural identity and languages of national minorities. Activities in fulfillment of this objective are: 1. Financial support from MoC of the network of activities organized by cultural associations of national minorities or that include the culture of different cultural groups. 2. Publication of written literature in the language of minorities, with or without translation into Albanian. 3. Increasing the representation of groups from national minorities in national and international art festivals organized by MoC. 4. Providing professional assistance and advice on standards for documenting diversity and intangible heritage of minorities (trainings, workshops).

86. The Ministry of Culture based on Law no.96, dated 13.10.2017 "On the protection of national minorities in the Republic of Albania" and its bylaws focuses on the integration of cultural values of communities and national minorities living in our country in all the national activities it carries out, especially in those of intangible cultural heritage.

In this line, the Ministry of Culture continues to support financially activities which take priority such as:

- Multicultural Përmeti, Minorities and Ethnicity; Gjirokastra National Folklore Festival. The scientific criteria for participation envisage the reflection of all the values created by national minorities as part of the national spiritual cultural heritage;
- Berat Multicultural Festival;
- Celebrating April 8, International Roma Day;
- Financial support for the publication of literary works on Roma minority in Albania;
- Financial support for the organization of the project "Days of the Roma minority in Albania"
- Financial support for a festive concert with music and traditional costumes from the Roma minority.

- Celebration of May 5, St. George's Day, (Herdelezi) - a celebration of the cultural heritage of the Roma minority;
- Celebrating the International Vlach Day;
- Promotions of literary and historical works on the Aromanian minority in Albania;
- Organizing meetings with the Macedonian minority in Prespa;
- Financial support for the folk concert of national minorities in Saranda;
- Ensuring higher access and active participation in culture by national minorities can be ensured by developing and implementing projects that protect and promote their cultural identity and language, such as:
  - Providing professional assistance and advice on documentation standards for diversity and intangible heritage (trainings, workshops).
  - Financial support from MoC of the network of activities organized by cultural associations, especially research work in cooperation with the local government.
  - Publication of written literature in the languages of national minorities, accompanied by translation into Albanian.
  - Increasing the representation of national minority groups in national and international art festivals organized by the Ministry of Culture, etc.

#### **Article 6 - Intercultural Tolerance and Dialogue - Recommendations 80- 81-88-89, 90**

87. The Law on Protection from Discrimination, as amended, is a guarantee regarding the respect of minority rights without discrimination, in areas such as education, employment, goods and services. With Law no. 124/2020 for some additions and amendments to law no. 10221, dated 4.2.2010 "On protection from discrimination", were approved on 15.10.2020 the legal amendments to the Law "On Protection from Discrimination", which entered into force on 18 November 2020. New causes of discrimination have been added such as discrimination due to citizenship, sex characteristics, living with HIV / AIDS and appearance.

88. Law no. 10 221, dated 04.02.2010 "On Protection from Discrimination", as amended, in Article 1 "Object" explicitly provides that: This law regulates the implementation and observance of the principle of equality and non-discrimination in relation to race, ethnicity, color, language, citizenship, political, religious or philosophical beliefs, economic, educational level, social status, gender, gender identity, sexual orientation, sex characteristics, living with HIV/AIDS, pregnancy, parental responsibility, parental responsibility, age, marital status, place of residence, health status, genetic predisposition, appearance, disability, belonging to a particular group, or for any other reason.

89. The new legal amendments, define the following:

- New forms of discrimination such as: multiple discrimination, cross-sectoral discrimination, hate speech, segregation, sexual harassment.
- “serious forms of discrimination”, which deserve to be severely punished and prevented wherever they occur.
- the active role of organizations with legitimate interests is defined by enabling them to file complaints directly in the institution or they can present reliable information for initiating investigations mainly by the Commissioner.
- the obligation of public authorities to promote equality and non-discrimination.
- One of the novelties of the law is the “shifting of the burden of proof”, passing to the subject who is alleged to have committed discriminatory behavior. Ensuring the shifting of the burden of proof in the Law on Protection from Discrimination would



ensure that that principle applies in every field and in all cases where the principle of equality and non-discrimination is not applied.

- As a new addition to the law, there is the possibility of hiring experts when considering the issue depending on the complexity of the field under investigation (professional opinion). The amendments also provide for the possibility of joining cases, for procedural economics, coming from different entities, but having the same object and referring to the same alleged discriminatory behavior.
- A new competence has been added to the Commissioner, in addition to monitoring the implementation of the Law "On Protection from Discrimination", as well as monitoring the implementation of the Law "On Gender Equality in Society".
- The legal amendments have also provided for the competence of the Commissioner to file lawsuits, in defense of the principle of equality and non-discrimination, on issues related to collective interests and to set in motion the Constitutional Court, when during its activity it finds that the law or the normative act violates the fundamental rights and freedoms of individuals.
- With the legal changes, the Commissioner's decisions with fine will be considered as "Executive Titles", to facilitate the procedures of execution of fines (after the court decision to issue an execution order).

90. The legal changes enable the national media to be obliged to publish the decisions of the Commissioner who have found discrimination through hate speech. The imposition of such an obligation would enable greater effectiveness. In order to raise public awareness, the latest legal changes in the Law on Protection from Discrimination (Article 33 point 17) provide that "State media operators have the obligation to publish a summary of the final decisions of the Commissioner for the Protection against Discrimination, with the object of hate speech". Also, the legal changes provide for the obligation of public authorities to promote equality and prevent discrimination in the exercise of their functions (Article 7, point 3).

91. The obligation to publish only this form of discrimination is first of all related to the fact that the consumption of this behavior occurs publicly, therefore the decision taken must have public resonance; second, it relates to the effectiveness of the Commissioner's decisions regarding the use of hate speech by public figures. The imposition of such an obligation would enable its effectiveness.

92. Raising public awareness is one of the basic activities of the Commissioner (CPD), as well as representatives in the regional offices in the cities of Fier, Shkodra and Korça. Awareness activities aim to promote the principle of equality and non-discrimination, in particular by raising awareness and information on these issues, including the provision of written information on this law, in Albanian, in the languages of national minorities; addressing public opinion directly on any issue related to discrimination; information on the right to protection from discrimination and on the legal means available for this protection; developing regular dialogue on discrimination issues with relevant social groups, including non-governmental organizations, and conducting awareness-raising and educational activities to assist in the implementation of this law.

***Recommendation 81- Free legal aid.***

93. With the initiation of the Justice Reform, a profound reform that completely affected every element of the justice system, there was also a profound reform of the free legal aid system, offering a new spirit, synchronous with the requirements and legislation of the Union European.

State-guaranteed legal aid is one of the most essential forms of access to justice that any state must guarantee in an efficient and effective manner.

94. Article 10, 11 and 12 of Law no. 111/2017 “On State Guaranteed Legal Aid” are determined by the subjects that benefit from the free legal aid scheme, giving a special place to juveniles in conflict with the law, to juveniles victims of criminal offenses, juveniles living in social care institutions as well as juveniles under custody. Beneficiaries of free legal aid are also victims of domestic violence, victims of sexual abuse and victims of trafficking in human beings.

95. Following the establishment of the Free Legal Aid Directorate, there have been significant developments in strengthening access to justice through free legal aid services. The entire legal framework for Legal Aid has already been adopted. Pursuant to the law, all the 13 bylaws provided by it are adopted. Since the entry into force of law no. 111/2017, the Ministry of Justice and the Directorate of Free Legal Aid in cooperation with international partners have had the main goal of identifying and opening primary legal aid service centers in those cities where the needs of citizens for free legal aid were greater.

96. In 2020, for the first time, it was enabled a consolidated primary legal aid system by guaranteeing:

- 7 (seven) primary legal aid service centers in Tirana; Durrës; Fier; Lezhë; Lushnje; Pogradec; Gjirokastra.
- 12 (twelve) authorized non-profit organizations operating in Tirana; Durrës; Elbasan; Berat; Shkodër;
- 9 (nine) Legal Clinics at High Education Institutions operating in Tirana; Vlora; Durrës; Shkodër.

97. One of the essential innovations of law no. 111/2017, "On legal aid guaranteed by the state" is the definition of non-profit organizations authorized as providers of primary legal aid service. For the first time, a completely new procedure is envisaged, a procedure which aims to authorize and fund Non-Profit Organizations to provide state-guaranteed primary legal aid in the district where these organizations operate.

98. Non-profit organizations along with Primary Legal Aid Service Centers and Law Clinics at Higher Education Institutions, through their many years of experience will ensure the provision of free legal aid services to citizens in a professional and quality manner, under the care of the Ministry of Justice and the Directorate of Free Legal Aid. All these organizations are engaged in providing free legal aid service to minors (as a special category directly benefiting from this service). Also one of these organizations authorized by the Minister of Justice is specifically dedicated to providing this service to minors.

99. Also, in 2020, for the first time, an online platform dedicated to free legal services was enabled<sup>21</sup>, as well as the availability of the green number 08001010. The Ministry of Justice in cooperation with the Open Society Foundation for Albania, in order to guarantee access to citizens through free legal aid, has enabled for all citizens the provision of online legal services through the platform [juristionline.al](http://juristionline.al).

100. In 2020, there are 73 lawyers on the list of lawyers providing secondary legal aid. In order to guarantee regularity, transparency and quality in the provision of legal aid, guidelines have

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<sup>21</sup> [www.juristionline.al](http://www.juristionline.al).

been adopted for the rules of application of tariffs and the principle of rotation in the appointment of lawyers who will provide secondary legal aid services. By order of the Minister of Justice, a methodology has been sanctioned for the first time regarding the manner of supervision and evaluation of the quality of service of all free legal aid providers. During 2020, the 3-month supervision and monitoring of service centers of primary legal aid and the first phase of monitoring has been completed for all secondary legal aid lawyers by cities where they provide the service.

*Recommendation 81- Protect women and children of vulnerable communities from violence, exploitation and abuse.*

101. As part of the commitments deriving from international conventions<sup>22</sup>, concrete legal, institutional measures have been taken to eliminate all types and forms of violence, taking into account women and girls from marginalized groups who face multiple discrimination. The policy framework for Gender Equality, the fight against domestic violence and gender-based violence guarantees the enjoyment of rights for Roma women and girls as well. The latest amendments to the Law “On Measures against Domestic Violence”, which entered into force on 18.11.2020, are a greater guarantee for the protection of victims of domestic violence and are expected to increase the effectiveness in handling the cases. The 16 Days of Activism Against Gender-Based Violence campaign gives special importance to women and girls from marginalized groups.

102. The international and domestic legal framework which regulates the work of the State Police to achieve its mission, guarantees the fundamental rights and freedoms of citizens in the territory of the Republic of Albania, including the rights of minorities or ethno-cultural groups, with no distinction for reasons such as gender, race, religion, ethnicity, language, political, religious beliefs, educational, social or parental, racial, ethnic and religious affiliation. The implementation of the provisions of this law, especially the measures for the protection of the rights of the victims, are ensured without discrimination, for any reason provided by the legislation in force "On Protection against Discrimination".

103. The State Police handles all cases of domestic violence according to the obligations arising from this Law, without discrimination and only according to standard work procedures. The data collected and administered by the State Police are not segregated by ethnicity; as a result specific data on victims of violence of different ethnicities living in the Republic of Albania cannot be available. The required data are provided for juveniles, victims of the criminal offense, Article 124 / b, which summarizes the physical or psychological abuse, coercion, exploitation, use or incitement to work or beg, as a result of which cases of begging cannot be separated. These data are not administered based on ethnicity of minors.

104. Statistical data on "Ill-treatment of minors", Article 124 / b of the Criminal Code, for the period 2016-2020, are:

- From 2016 onwards 35 injured juveniles were identified,
- From 2017 onwards 41 injured juveniles were identified,
- From 2018 onwards 32 injured juveniles were identified,
- From 2019 onwards 20 injured juveniles were identified,

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<sup>22</sup> UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW; Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).



- From 2020 onwards (6-month period) 8 injured juveniles were identified.

105. In the framework of preventing and fighting the phenomenon of trafficking in persons, the structures Against Illegal Trafficking have worked to increase the number of proactive investigations, increase the early identification of victims of trafficking and potential victims of trafficking, as well as of protective measures and their treatment, according to Standard Operating Procedures for the Protection of Victims and Potential Victims of Trafficking.

- For 2016, a total of 63 criminal offenses with 65 perpetrators were identified, according to criminal offenses:
  - 42 criminal offenses for "Trafficking with adults", with 44 perpetrators.
  - 21 criminal offenses for "Trafficking with minors", with 21 perpetrators.
- For 2017, a total of 80 criminal offenses with 91 perpetrators were identified, according to criminal offenses:
  - 58 criminal offenses for "Trafficking of adults", with 66 perpetrators.
  - 22 criminal offenses for "Trafficking with minors", with 25 perpetrators.
- For 2018, a total of 38 criminal offenses with 51 perpetrators were identified, according to criminal offenses:
  - 30 criminal offenses for "Trafficking of adults", with 42 perpetrators.
  - 8 criminal offenses for "Trafficking wof minors", with 9 perpetrators.
- For 2019, a total of 41 criminal offenses of 62 perpetrators were identified, according to criminal offenses:
  - 34 criminal offenses for "Trafficking of persons", with 21 perpetrators.
  - 7 criminal offenses for "Trafficking of minors", with 8 perpetrators.
- For the period January-July 2020, a total of 20 criminal offenses with 25 perpetrators were identified, according to criminal offenses:
  - 16 criminal offenses for "Trafficking of persons", with 21 perpetrators.
  - 4 criminal offenses for "Trafficking of minors", with 4 perpetrators.

#### ➤ *Hate speech*

106. For the period 2016-2020, the recommendations of the Institution of the Ombudsman's Office and the Commissioner for Protection from Discrimination have been completed, concrete steps have been taken for the protection of national minorities, the fight against Hate Speech, implementing the recommendations of the Commissioner, on preventing insults from the side of police officers or hate speech for certain groups, including persons belonging to the Roma minority, the Egyptian minority.

107. The Ombudsman's Office has paid special attention to the institutional commitment to the fight against hate speech and the measures that the state and the entire Albanian society must take against this phenomenon. "The Alliance against Hate Speech" was established on December 20, 2019 in Tirana, as an initiative of the Ombudsman, the Commissioner for Protection from Discrimination, the Audiovisual Media Authority and the Albanian Media Council to fight the phenomenon of "hate speech" in all the dimensions that it appears in the Albanian society. The creation of the "Alliance against Hate Speech" is a good example that it should not be alone and sufficient in this effort that requires comprehensive commitment.

**Article 7 - Freedom of peaceful assembly, freedom of association, freedom of expression and freedom of thought, conscience and religion.**

**Article 8 - The right to manifest one's religion or belief and to establish religious institutions.**

108. Law no. 96/2017 "On the protection of national minorities" in Article 10 "Freedom of conscience and religion" provides: 1. Persons belonging to national minorities are guaranteed the right to freedom of conscience and religion and have the right display, individually or in community with others, their religion or belief. 2. Persons belonging to a national minority have the right to establish their own religious organizations and associations, in accordance with the relevant legislation in force.

109. Law no. 96/2017 "On the protection of national minorities" - Article 9 "Freedom of association and the right to representation" provides that: Persons belonging to national minorities are guaranteed and enjoy the following rights:

- a) the right to freedom of peaceful assembly and freedom of association.
- b) the right to establish and participate in political parties, associations, as well as other civil organizations, in accordance with the relevant legislation in force, in order to express and protect their interests.
- c) the right to be elected to representative bodies at central and local level, in accordance with the provisions of the Electoral Code and relevant legislation in force.

**Article 9 -Access to media.**

*Recommendations 98-99 - Programs in national minority languages*

110. Law no. 96/2017 on national minorities in Article 14 "Freedom of expression, opinion, and the right to information" provides: 1. Persons belonging to national minorities are guaranteed and enjoy the right to express opinions and views, as well as to receive and disseminate information in the minority language, without discrimination and without the interference of public authorities. 2. Persons belonging to national minorities have the right to have their own print and electronic media, in accordance with the legislation in force in the Republic of Albania on print and electronic media. 3. Persons belonging to national minorities have the right to use the services of audio and audiovisual media, without discrimination, in accordance with the conditions, criteria and procedures established by the legislation in force for audiovisual media in the Republic of Albania. Licensing of broadcasting and television services is done without discrimination and in accordance with the criteria of the legislation on audiovisual media. 4. Persons belonging to national minorities enjoy the right to information in their mother tongue.

111. Albanian Radio Television (ART) as the only public broadcaster in Albania, has expanded the range of programs in the language of national minorities since 2016. RTSH offers a variety of programs in the minority language, both through the RTSH 2 channel and through Radio Tirana. ART with its audio and audiovisual services has enabled and will continue to enable for the communities of national minorities, the provision of various programs in the language of national minorities.

112. Since December 2016, ART has started broadcasting for the public through a channel / program dedicated to minorities in the program structure of ART<sup>23</sup>. RTSH 2 channel is the only channel that broadcasts a variety of informative and cultural programs in the language of

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<sup>23</sup> Information on the programs broadcasted on national minorities for the period 2017 - 2020 is given in the following annexes, integral part of the Report.

national minorities, news, various cultural activities, such as songs and dances in the language of national minorities.

113. From 2017, the Audio-Visual Media Authority (AMA) monitors and evaluates every six months the construction of the program package of the Public Broadcaster, ART. One of the channels, namely RTSH 2, which is a generalist television channel also broadcasts daily informative and entertainment programs for national minorities (in Bulgarian, Greek, Aromanian, Roma, Macedonian, Serbian and Montenegrin). The content of the programs is in accordance with the ART Service Contract, conceived and drafted by it and approved in early 2017 by AMA (based on law 97/2013 “On audio-visual media in the Republic of Albania”).

114. The TV channel RTSH 2 broadcasts daily news in the language of national minorities at 18:30. Various sections regarding the problems, or even positive examples, for national minorities. In the show "NE" different topics related to national minorities are treated, persons and personalities who are part of national minorities are invited to the studio, where they share their concerns and discuss different projects, different activities. This show is broadcasted twice a week. Also, RTSH 2 channel deals with certain historical dates, various holidays that are part of the culture of national minorities. The morning show, "Hour 7" deals with various topics related to national minorities. Each week, the correspondents, who are close to the areas where the national minorities live, deal with different topics through the chronicles they carry out in these areas. RTSH 2 broadcasts serials in the language of national minorities. It is also possible to record the activities of national minorities, cultural activities that are broadcast on RTSH 2 channel.

115. Regarding the radio broadcasts for national minorities, "Radio Tirana" has succeeded during the period 2016-2020, a weekly cycle entitled "Like everyone else", "Away from contempt, discrimination, forgetfulness", "needs and dreams", "together we will be able to feel like everyone else". Its purpose is to provide information on the education, employment, integration and examples to follow. The objective of the cycle was to provide information in the minority language, where national minority persons and young people were engaged as program collaborators. The realization of such a cycle, and the engagement of young people, was considered important. Being broadcasted in the peak schedule of audience and having an extension throughout the territory we approach the realization of the goal to have maximum attendance.

116. The main direct beneficiaries of the project are young people aged 15+. Direct beneficiaries are the Albanian society, parents, teachers, specialists in the field, journalists. In coherence with today's developments, journalists also, in the specifics of the respective programs on ART, have touched and addressed in several thematic time bands, or have broadcast conversations, interviews or profiles, belonging to representatives of national minorities. The way chosen in their realization is based on the interests of national minorities, aiming at service to them. The mission of serving the public, including national minorities and producing programs in their own language, remains a priority, addressing specific issues and problems.

117. According to the information submitted by AMA so far the community audio services (or community radios) are only from religious communities, based on the requirements of law 97/2013. There has been no request, no interest so far for an application for a community radio licence by the national minorities at AMA.

***Article 10 of the Framework Convention - Use of minority languages in relation to administrative authorities:  
Recommendation 105, 106.***

118. Law no. 96/2017 “On national minorities” in article 15 "Use of language" point 2, provides that: In local self-government units where persons belonging to national minorities traditionally reside or constitute over 20 percent of the total population of this unit, based on their request, the local self-government bodies create the conditions, as far as possible, for the use of the minority language in the relations between the persons belonging to the minorities and these bodies.

119. Law no. 96/2017 clarifies the term essential number, based on the fact that the Framework Convention itself provides for this term, but does not explicitly define what it means. The threshold of 20% of the national minority population provided by law no. 96/2017, is related to guaranteeing the right to use the minority language, in relation to local administrative authorities, as well as the establishment of toponyms. This threshold is a generally accepted standard based on relevant European experiences, but also recommended by the expertise of the Council of Europe.

120. Article 15 point 5 provides that: Every person belonging to a national minority has the right to be informed promptly in a language which he / she understands of the reasons for his / her arrest and of the nature and cause of any accusation against him / her and to defend himself / herself in this language, in accordance with the provisions of the Criminal Procedure Code.

121. The bylaws in implementation of this article (article 15 / point 6) aiming at the legal regulation on the way of using the language of national minorities, according to the provisions of points 2 and 3 of this article, are regulated by a decision of the Council of Ministers, with the proposal of the ministries responsible for internal affairs and local affairs.

122. Pursuant to article 15, point 6 of law no. 96/2017, the draft decision "On the manner of using the language of national minorities in relations between persons belonging to national minorities and local self-government bodies", which according to the law will be proposed by the Ministry of Interior aims at legal regulation on the establishment and providing opportunities for the use of the mother tongue of persons belonging to national minorities. This draft decision aims to guarantee their legal right to use the minority language to which they belong and to create opportunities for language preservation, considering the local situation. This draft decision will enable the implementation of the right to officially use their language in various aspects in those units of local self-government, in which persons belonging to a national minority traditionally reside or constitute over 20 percent of the number of general of their population, based on a request and when it responds to a real and objective need. Local government units will create the conditions for the use of minority languages in their relations.

123. The draft decision will provide:

- Criteria for submitting a request for the use of a minority language by a group of citizens belonging to a national minority, at the local self-government units in whose territory these persons reside.
- Taking measures to convene and hold a meeting of the municipal council, to review this request, to hold hearings, in accordance with the provisions of applicable legislation on local self-government.

- Taking the decision of the municipal council, after being subject of the prefect of the region legality verification.
- The right of the applicants to appeal to the competent court for resolving administrative disputes, in case of rejection of the request.

124. The draft decision will specifically stipulate how the use of the national minority language will be realized (communication in the language of national minorities):

- During the process of informing about their rights, by drafting for this purpose regulations or through information leaflets, which can be published / posted in visible premises of local self-government bodies.
- Through access to the transparency program.
- During the consultation sessions with the community before the review and approval of acts, according to the provisions of article 18, of law no. 139/2015 "On local self-government", representatives of national minorities or associations representing these minorities.
- Civic initiatives through authorized representatives, addressed to the municipal council for issues that are within the jurisdiction of the local self-government unit, according to the provisions set out in the regulation on the organization and functioning of the municipal council.
- In order to ensure the use in the language of the national minority, in the specified cases provided for in it, the responsible bodies of the local self-government units, provide in their annual budget, as far as possible, a special item for the employment of persons who recognize the language of the national minority, according to the provisions of the law on local self-government and the law on local finances.
- The institutions responsible for its implementation will be: the Ministry of Interior and local affairs and the local self-government units.

125. Drafting the decision "On the manner of using the language of national minorities in relations between persons belonging to national minorities and local self-government bodies", which is proposed by the Ministry of Interior will clarify the implementation of the legal provision (Article 15) by ensuring the use of the language of national minorities formally recognized by Law No. 96/2017, in relations between persons belonging to the national minority and local self-government units, in addition to the use of the Albanian language.

**Article 11 of the Framework Convention - Surnames, names (patronymics) signs and topographical indications in the languages of national minorities. Recommendations 109, 114,115**

126. Law no. 96/2017 "On national minorities" in Article 15 "Use of language" in point 1 provides that: Persons belonging to national minorities have the right to use, in addition to the Albanian language, in the language of the national minority belonging to: a) name and their surname, in accordance with the relevant legislation; b) signs, inscriptions and other information of a personal nature, visible to the public, in any activity of their social, economic and cultural life.

127. Point 3 of Article 15 provides that: By decision of the bodies of local self-government units, where over 20% of the inhabitants belong to national minorities, when there is a sufficient demand from them, the names of the respective administrative units, roads and indicators other

topographies, in addition to the Albanian language, also appear in the language of the respective minority, according to the legal provisions for local self-government.

128. Pursuant to article 15, point 6 of law no. 96/2017, the draft decision "On the manner of using the language of national minorities in relations between persons belonging to national minorities and local self-government bodies", also aims to guarantee the right to establish the names of administrative units, streets and other topographic indicators in the language of the known minority, in addition to their naming in the Albanian language.

129. This draft decision will also provide for:

- Criteria for submitting the request by the group of citizens belonging to the national minority, at the local self-government units, in the territory of which these persons reside, and its review by the bodies of the local government unit.
- Decision for the names in the language of a national minority is adopted by the Municipal Council and after the verification of the legality by the institution of the respective Prefect of the respective District.  
Financial effects of signs for naming the administrative unit, streets, squares, territories, in the language of the national minority, within the administrative territory of the local government unit, will be covered by the budget of the respective self-government local units, in accordance with the legislation in force on the address system.

130. The Ministry of Interior has drafted the decision "On determining the technical specifications of nameplates of boulevards, streets, alleys, squares and parks and numbering of buildings", which aims to update and improve the standards of technical specifications of signs, while the naming of boulevards, streets, alleys, squares and parks is in the competence of the Municipal Council. So, it is in the competence of each municipality, depending on the annual budget forecasts and the number of tables to replace the name plates with the new specifications.

131. This draft decision envisages the obligation of local self-government units, where national minorities live and when there is a request, that the signs be written in two languages, in accordance with the provisions of article 15, of law no. 96/2017 "On the protection of national minorities in the Republic of Albania", adhering to the technical specifications of the tables and maintaining the same font size for both languages.

#### **Article 12 Education of national minorities - Recommendations 121, 124**

132. In law no. 96/2017 "On the protection of national minorities" (Article 13, point 4) regarding the right to education in the minority language provides that: Appropriate measures in the field of education and scientific research, in order to promote the recognition of culture, history, language and religious beliefs of national and majority minorities, in accordance with the relevant legislation in the field of education, are approved by a decision of the Council of Ministers, on the proposal of the minister responsible for education, in accordance with relevant legislation in the field of education.

133. Point 5 of this article stipulates that appropriate measures for the creation of opportunities and conditions for the provision of textbooks, initial training, training and further professional development of teachers, as well as for the establishment and functioning of classes in the language of national minorities, are approved by decision of the Council of Ministers, on the



proposal of the minister responsible for education, in accordance with the relevant legislation in the field of education.

134. DCM no. 1155, dated 24.12.2020 "On the criteria for determining the local self-government unit, the essential number and the sufficient demand of persons belonging to national minorities to be educated in the language of the national minority", was issued in support of point 3, of article 13, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", on the proposal of the Minister of Education, Sports and Youth and the Minister of Interior. This decision provides, inter alia (in point 2) that in existing educational institutions, where the language of education is Albanian, students of a national minority have the right to be educated in the language of the national minority to which they belong, as well as to study history, their traditions and culture, according to the curricula and programs approved by the ministry responsible for education.

135. DCM no. 227, dated 17.04.2019 of the Council of Ministers "On the preparation, printing, publishing and distribution of textbooks of basic education for students of public pre-university educational institutions where pupils/students of national minorities study" and the joint instruction of the Minister of Education, Sports and The Minister of Youth and Finance and Economy no. 18, dated 1.7.2020, "On the procedures for the use of state budget funds for the publication, printing, distribution and sale of pre-university education textbooks", stipulate that students of basic education of national minorities are provided with free textbooks.

136. DCM no. 486, dated 17.6.2020, of the Council of Ministers, "On the printing, publishing, distribution and sale of textbooks of the pre-university education system" and DCM no. 682, dated 29.7.2015, "On the use of public funds for the transportation of working education workers and students studying outside the residence", as amended, provide for concrete measures to guarantee the right to the name of national minorities.

137. Pursuant to DCM no. 486, dated 17.6.2020, starting from the school year (2020-2021), students in basic education belonging to the category of national minorities, as well as students in pre-university education belonging to the Roma and Egyptian minorities receive support budget for compensation in the amount of 100% of the price of textbooks.

138. Pursuant to the above mentioned DCM no. 486, dated 17.6.2020, it is adopted the joint instruction no. 18, dated 1.7.2020, of the Minister of Education, Sports and Youth (MESY) and the Minister of Finance and Economy, "On the procedures for the use of state budget funds for the publication, printing, distribution and sale of pre-university education textbooks". Specifically in point 3 of chapter II of this instruction, it is provided that: "3. Each principal of schools where students of national minorities study, through a request, orders textbooks for this category of students in the Local Offices of Pre-University Education (LOPE). The relevant Local Offices, within January of each year, submits the request to MESY for the next school year for all textbooks for national minorities for schools under its jurisdiction. In the request, the amount of textbooks for each title is foreseen, from the selected titles part of the official catalog of textbooks published by MESY.

139. In the DCM no. 682, dated 29.7.2015, as amended, provides that students attending public educational institutions of basic education or public kindergartens (including minorities), traveling from permanent residence to another residence, over 2 km away from public educational institutions on nearby (school / kindergarten), benefit free transportation. The

Ministry's guidelines for enrollment in Roma kindergartens with priority and for providing basic education and part-time gymnasium are significant support for these children.

140. Also pursuant to point 1 of decision no. 269, dated 29.3.2017, of the Council of Ministers, "On determining the categories of individuals who meet the admission criteria in a program of the first cycle of studies, in an integrated program of studies or in a program of professional studies, which are exempted from the annual tuition fee", as amended, are exempted from the annual tuition fee, students who have been admitted to vocational study programs, undergraduate programs or integrated study programs in public institutions of higher education, among others students, who belong to social strata in need, such as Roma and Egyptian students.

141. By the Decision of the Council of Ministers no. 780, dated 26.12.2018, "On determining the categories of individuals who meet the criteria to benefit annual tuition fee reduction in the second cycle study programs in public institutions of higher education", it is provided that Roma and Egyptian students, which are confirmed as such by the ministry responsible for social protection, and attending the studies in public institutions of higher education, in a program of the second cycle of studies, according to the following categories, pay 50% of the annual tuition fee, which is approved by public institutions of higher education.

142. Inter-ministerial agreements have been signed for the identification and enrollment in school of all children of compulsory school age, as well as for children in street situations, etc. The initiative "Doing homework" is being implemented in primary schools. For the development of activities approved within this initiative, the study time is equivalent to the teaching hour. In each educational institution involved in this initiative, 3 hours of study per day are realized for each created class. The teachers in charge also play the role of mediator in the schools where there are Roma and Egyptian students, in order to increase the level of learning from them. Roma and Egyptian students are integrated in all activities organized by "Community Center Schools", where they attend classes.

143. Access to education - The participation of Roma and Egyptians in pre-university education in the 2018-2019 school year has improved by 6%.

- In the school year 2018-2019, 15,923 Roma and Egyptian students were enrolled, 915 more, compared to 15008 who were enrolled in the school year 2017-2018.
- In the school year 2019-2020, there was a significant decrease in the number of Roma and Egyptian students, where 14,525 Roma and Egyptian students were reported (about 1500 less than a year ago).
- This is probably due to the reorganization of the former Regional Education Directorates / Education Offices in the Local Education Offices (LEOs) and the different reporting of statistical data by them.
- The data for the school year 2020-2021 are still being prepared and reported by the Local Education Offices.

144. National minority teachers are trained annually by the Agency for Quality Assurance in Pre-University Education (ASCAP) to teach competency curricula. The Ministry of Education, Sports and Youth with the support of the European Center for Modern Languages of the Council of Europe (ECML) organized, in 2018, the training "Teacher Support for Curriculum Language Development" only for teachers of national minorities. This training aimed at the professional development of teachers of Greek / Macedonian national minorities on the importance of understanding multilingualism, raising teachers' awareness of the competence



of communication required in the languages of schooling and their role as cultural mediators in the classroom and beyond. The training was conducted by experts from the European Center for Modern Languages, Graz, Austria.

145. Every teacher of national minorities is trained at least 3 days a year, with accredited training programs according to the field where they express their interests and needs. Within the professional development of educational staff, professional networks have been set up for each subject for pre-university education. Some of these subject networks are run by national minority teachers.

146. The culture, history and traditions of national minorities are included in school curricula. The following envisages the development of support materials (guides, training programs, teaching modules) for teachers in order to more effectively address the culture, traditions and history of minorities in their classroom / school practices.

### **Article 13 Opening of private institutions.**

147. In law no. 96/2017 “On the protection of national minorities” (Article 13, point 6) regarding the right to education, provides that “Persons belonging to national minorities have the right to open and run private institutions of the education system and institutions of vocational education, when they meet all the conditions provided in the legislation in force in the field of education”.

148. DCM no. 825, dated 07.10.2015, of the Council of Ministers “On determining the criteria and procedures for granting permission for the opening, closing and functioning of private institutions of pre-university education, in which religious subjects are taught or where teaching takes place in foreign languages ”, creates opportunities for the opening of private institutions of pre-university education where teaching can take place in the mother tongue of minorities.

### **Article 14 The right to learn and be taught in the mother tongue.**

*Recommendations 134-137.*

149. In law no. 96/2017 “On the protection of national minorities” (Article 13 - the right to education in the language of the national minority), specifically in points 1, 2 and 3 it is provided that: 1. Persons belonging to a national minority enjoy the right to learn the minority language. 2. Persons belonging to national minorities, in the local self-government units where they traditionally reside or in substantial numbers, if there is a sufficient demand, are provided with opportunities to learn or receive instruction in the national minority language, in accordance with the relevant legislation in the field of education. 3. The criteria for determining the local self-government unit, the essential number and the sufficient demand are determined by a decision of the Council of Ministers, upon the proposal of the ministers responsible for education and local affairs.

150. Law no. 69/2012, "On the pre-university education system in the Republic of Albania", as amended, provides that persons belonging to national minorities are given the opportunity to learn and be taught in their mother tongue, to learn their history and culture, according to curricula.

151. Based on law no. 69/2012 “For the pre-university education system in the Republic of Albania, as amended, conditions are created for students of national minorities to learn the

Albanian language and knowledge of Albanian history and culture, to enable active and equal participation in economic and social life, political and cultural of the Republic of Albania and they are assessed in the national exams of basic education in the subjects of mother tongue, Albanian language and, if desired, also in a foreign language.

152. DCM no. 1155, dated 24.12.2020 “On the criteria for determining the local self-government unit, the essential number and the sufficient demand of persons belonging to national minorities to be educated in the language of the national minority”, provides that: Persons who belong to a national minority have the right to be educated in the language of the national minority in certain educational institutions by order of the minister responsible for education.

153. Point 3 provides that: The units of local self-government, the essential number and the request in order to ensure the right to be educated in the language of the national minority are determined on the basis of the following criteria:

a) the number of persons belonging to the national minority, which must be not less than 20% of the total number of inhabitants of the administrative unit, as a subdivision of the municipality;

b) the period of registration as a resident in the local self-government unit, according to the population census periods, confirmed by a certificate issued according to the data from the basic civil registers and / or the National Civil Registry of 2010;

c) written request, submitted by parents or guardians of children belonging to the national minority, at the municipality / administrative unit, where the will is expressed in writing and based on the right of self-identification for the formation of the class.

154. Point 4 of DCM no. 1155, dated 24.12.2020 provides that: The number of students belonging to national minorities, who have the right to be educated in the language of the national minority to which they belong, as well as to study history, traditions and culture of them, must be not less than 15 (fifteen) pupils/students per class, based on a written request from parents or guardians, as defined in letter "c", point 3, of this decision.

155. Point 5 of DCM no. 1155, dated 24.12.2020, foresees that: The administration of the information for the verification of the fulfillment of the criteria defined in point 3, of this decision, is done by the Prefect of the Region. After verifying the fulfillment of the criteria, the Prefect determines the units of local self-government, in which persons belonging to a national minority will be provided with the right to be educated in the language of the national minority. Point 6 of this Decision provides that: Local self-government units, which are defined according to point 5 of this decision, have the right of initiative to open classes in the language of national minorities, in accordance with legal provisions for the establishment and operation of institutions in the language of national minorities. The institutions responsible for the implementation of this Decision are: the Ministry of Education, Sports and Youth, the Ministry of Interior, the District Prefect and the local self-government units for the implementation of this decision.

156. Pursuant to Law no. 96/2017, "On the protection of national minorities in the Republic of Albania", two Decisions of the Council of Ministers (DCM) have been approved on the proposal of the Ministry of Education, Sports and Youth (MESY), which are:

- DCM no. 561, dated 29.9.2018, "On the provision of textbooks for students, initial training, further professional development of teachers, as well as the establishment and functioning of classes in the language of national minorities."

- DCM no. 562, dated 29.9.2018, "On appropriate measures to promote the knowledge of culture, history, language and religion of national minorities in the teaching and scientific activity of higher education institutions."

157. Based on the DCM no. 561, dated 29.9.2018, the initiative for opening classes in the language of national minorities can be taken by the relevant local self-government unit, the relevant local educational unit and the community of the area, where national minority classes are expected to be opened. Based on DCM no. 561, classes in the language of national minorities are opened when the number of minority students is not less than 15 students per class, while in special cases when the number of minority students is less than 15 students per class, the function of the classes with students of national minorities is done by order of the minister responsible for education.

158. Pursuant to law no. 96/2017 "On national minorities", in co-proposal with the Ministry of Culture, was approved DCM no. 463, dated 3.7.2019, "On determining the directions for the approval of strategies, programs and action plans for the promotion and creation of necessary conditions for persons belonging to national minorities to use and develop the basic elements of the identity of national minorities, including their language". For this, in all pre-university educational institutions where students of national minorities study, there are special plans for the promotion of the culture, language and identity of national minorities.

159. The Agency for Quality Assurance in Pre-University Education (AQAPUE) has drafted the curriculum for national minorities, which has also been approved by the ministry responsible for education. In educational institutions where students of national minorities study, as in the entire Albanian education system, the new curriculum is implemented, based on competencies. All national minority curricula are published on the AQAPUE website. The curricula are the same as in other schools of the pre-university education system. Curricula for national minorities have been designed by the AQAPUE agency, specifically 45 subject curricula, which include:

- Greek mother tongue.
- Macedonian mother tongue.
- History of Greece.
- Geography of Greece.
- History of Northern Macedonia.
- Geography of Northern Macedonia.

160. AQAPUE Agency, has trained teachers of the pre-university education system, for the implementation of the new curriculum, including teachers of national minorities on the following issues:

- - Competency-based curriculum.
- - Curriculum planning.
- - Competency-based curriculum teaching methodology
- - Student assessment with the new curriculum.

161. In the framework of the reorganization of local educational units, which took place in 2019, attention was paid to the educational institutions where students of national minorities study to be covered by a separate Local Education Office (LEO), in order to ensure direct quality educational service.

162. Based on the DCM no. 227, dated 17.4.2019, "On the preparation, printing, publication and distribution of textbooks of basic education for students of public pre-university institutions where students of national minorities study", every school year, textbooks in the minority mother tongue for minority students, are prepared, printed, published and distributed free of charge from the state budget.

163. Order no. 186, dated 15.05.2015, "On determining the curriculum for national minorities" of MESY, has approved the curriculum for basic education for national minorities, based on the new curriculum with competencies. Albanian language and mother tongue are developed in all classes of basic education for national minorities. Also, from grades III-IX, students of national minorities learn a foreign language.

164. In the implementation of the curriculum with competencies for all pre-university education in the Republic of Albania, new subject programs were drafted according to this curriculum. National minority students in basic education develop subjects in their mother tongue, such as: Mother tongue; Native history; Native geography; Nature knowledge; Mathematics 1-5, Biology; Visual art; Music, Citizen, etc. The texts in Greek and Macedonian are translations of the winning texts in the MESY catalog. Scientific texts are translated into Greek and Macedonian of the winning textbooks of Oxford, Cambridge and Pearson. While the texts: Greek mother tongue, Greek mother history and Greek native geography are texts compiled by professors of the Department of Greek Language and Greek Civilization in Gjirokastra as well as by professors of the Department of Slavic-Balkan Languages in Tirana.

165. In addition to joint programs, 22 specific programs were designed for students of national minorities in their native Greek and Macedonian language, history, and geography. These programs were drafted by working groups with the participation of professors from the Department of Greek Language and Greek Civilization in Gjirokastra and Tirana, as well as by Greek and Macedonian language teachers.

166. In the public pre-university education system there are educational institutions where the children of the Greek national minority and those of the Macedonian national minority study. In the framework of the reorganization of local educational units, which took place in 2019, attention was paid to the educational institutions where students of national minorities study to be covered by a separate Local Education Office (LEO), in order to ensure direct quality educational service. Currently, educational institutions where students of the Greek national minority study are supported by the local educational offices of: Delvinë-Finiq; Gjirokastër-Libohovë-Dropull; Saranda-Konispol; and educational institutions where Macedonian national minority students study are supported by Local Education Office of Korça-Pustec.

167. Public educational institutions where pupils/students of national minorities study are in the municipalities of Gjirokastra, Dropull, Saranda, Delvina, Finiq, Pustec<sup>24</sup>. The number of students of Greek and Macedonian national minorities who have attended school, according to the respective school years in public education are:

- School year 2016-2017 - Total 763 students and 101 teachers.
- School year 2017-2018 - Total 685 students and 94 teachers.
- School year 2018-2019 - A total of 611 students and 96 teachers.
- School year 2019-2020 - Total 565 students and 87 teachers.

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<sup>24</sup> Detailed information on the education of national minority students in some municipalities of the country is provided in the fourth part of this Report and the complaints are an integral part of it.

168. In 2018, it was approved the order no. 754, dated 9.11.2018, of the Minister of Education, Sports and Youth, "On the approval of the Roma language program, level III-IV, grades VI-IX". This program is valid for the development of Roma language teaching in lower secondary education as an elective subject. Roma language program, grade III-IV, grades VI-IX, was drafted and approved in implementation of the National Action Plan for the Integration of Roma and Egyptians 2016-2020. The teaching of the Roma language and the development of teaching in the Roma language will be done in accordance with the bylaws for teaching in the minority language in the Republic of Albania. For several years, the Roma language has been taught in the 9-year school "Hamit Mullisi" in Elbasan, within the community center school. It is attended by no less than 30 students each year. There is currently a lack of Roma language teachers.

169. During the period 2016-2020 there were no other requests for opening new classes for national minorities.

**Article 15 Participation of persons belonging to national minorities in cultural, social and economic life and in public affairs.**

- *Government bodies responsible for minorities and dialogue with minorities. Recommendations 142,143.*

**Committee for National Minorities**

170. Law no. 96/2017 "On national minorities", in Chapter III (Articles 18-22) contains several provisions on the establishment of the Committee on National Minorities, as a central institution under the Prime Minister, in order to ensure the protection and promotion of the rights and interests of national minorities, according to the provisions of this law and the relevant legislation in force. This article provides: Organization, functioning and salary level of members of the Committee for National Minorities and administrative staff. The structure of the Committee for National Minorities is approved by order of the Prime Minister.

171. Article 19 of this law provides for the competencies of the Committee for National Minorities. The Committee for National Minorities has the following competencies:

- a) recommends and gives its opinion regarding the drafting of legislation, policies and programs related to the rights of national minorities;
- b) proposes recommendations to the Council of Ministers, ministries and other central institutions, as well as local government bodies for the treatment of issues related to national minorities;
- c) prepares and submits periodic reports to the Assembly on the situation of national minorities in the Republic of Albania;
- d) cooperates and coordinates with state institutions at central and local level reporting and monitoring for the implementation of the legal framework and state policies regarding national minorities;
- e) organizes activities, in order to raise awareness for the protection and promotion of the rights of national minorities and to strengthen the dialogue with the associations of national minorities;
- f) contributes to the preparation of the national report on the implementation of the Framework Convention for the Protection of National Minorities;

- g) undertakes activities, which aim at fulfilling international commitments and obligations;
- h) give opinions on international agreements related to the rights and freedoms of national minorities;
- i) gives an opinion on requests for recognition of minorities;
- j) finances, through the fund for national minorities, initiatives and projects aimed at protecting the rights of national minorities and preserving and promoting the national, linguistic and cultural identity of national minorities.

172. Article 20 of this law provides that the Committee for National Minorities consists of representation of national minorities in the Republic of Albania, provided in point 2, article 3, of this law, which are representatives of 9 national minorities recognized by law no.96 /2017<sup>25</sup>. 2. Each of the national minorities has the right to have a representative in the capacity of a member of the Committee for National Minorities. The members of the Committee for National Minorities are appointed by order of the Prime Minister, based on the candidacies submitted by the associations representing the national minorities. The term of the committee member is four years, with the right to renew. 3. The Chairman of the Committee for National Minorities and the Deputy Chairman are appointed by order of the Prime Minister, every four years. 4. The selection of the chairperson, deputy chairperson and members of the Committee for National Minorities is done through an independent, transparent and inclusive process. The procedures and rules for the development of this process are regulated by a decision of the Council of Ministers, proposed by the Prime Minister.

173. Article 21 of this law provides for the establishment of the Fund for National Minorities in order to support initiatives and projects aimed at protecting the rights of national minorities, preserving and promoting their distinct cultural, ethnic, linguistic, traditional and religious identity of national minorities. 2. The fund is financed from the State Budget and is administered by the Committee for National Minorities. 3. The criteria for supporting initiatives and projects, the selection criteria for their financing and the administration of the fund for national minorities are determined by a decision of the Council of Ministers.

174. Pursuant to these provisions, two bylaws have been adopted:

- DCM No. 726, dated 12.12.2018 "On the organization and functioning of the Committee of National Minorities".
- DCM no. 286, dated 10.05.2019 "On the approval of the procedures for the election of the chairman, vice-chairman and members of the Committee of National Minorities".

175. DCM No. 726, dated 12.12.2018 "On the organization and functioning of the Committee of National Minorities" was issued pursuant to point 2, article 18, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", and Article 6 of Law no. 90/2012, "On the organization and functioning of the state administration".

176. This Decision provides, inter alia, that:

- The Committee for National Minorities is a legal, public, budgetary entity, subordinate to the Prime Minister, based in Tirana.

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<sup>25</sup> The national minorities provided in point 2, article 3, of this law are Greek, Macedonian, Aromanian, Roma, Egyptian, Montenegrin, Bosnian, Serbian and Bulgarian.



- The Committee for National Minorities aims to ensure the protection and promotion of the rights and interests of national minorities, according to the provisions of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", and relevant legislation in force.
- The Committee for National Minorities extends its activity throughout the territory of the Republic of Albania. The Committee for National Minorities is organized at the central level.

177. The Committee for National Minorities is headed by the chairman, who organizes and directs the entire activity of this institution, reports and reports to the Prime Minister.

- The Committee for National Minorities is chaired by the chairman, who organizes and directs the entire activity of this institution, reports and reports to the Prime Minister.
- The internal organization, structure and staff of the Committee for National Minorities are approved by order of the Prime Minister, according to the provisions in the legislation in force for the organization and functioning of the state administration.
- The Committee for National Minorities is funded from the state budget. The regulation on internal working methods and conduct of the staff of the Committee for National Minorities is approved by the Prime Minister, upon the proposal of the chairman of the Committee for National Minorities.

178. DCM no. 286, dated 10.05.2019 "On the approval of the procedures for the election of the chairman, vice-chairman and members of the Committee of National Minorities" provides:

- Approval of the procedures for the selection of the chairperson, deputy chairperson and members of the Committee for National Minorities (hereinafter "CNM"), through an independent, transparent and comprehensive process.
- The selection of candidacies for the chairman, vice-chairman and members of the CNM is done through the implementation of open and public competition procedures, by the Prime Minister, based on point 4, article 20, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania".

179. Candidates for President and Vice President of CNM must meet the following criteria:

- a) to be persons belonging to national minorities, according to the definition in point 2, article 3, of law no. 96/2017, "On the protection of national minorities".
- b) to be prominent personalities, with outstanding contributions in the field of protection of the rights of national minorities;
- c) required working experience not less than 10 (ten) years in the field of protection of the rights of national minorities.
- d) This decision provides for the establishment of an ad-hoc Commission by the Secretary General of the Council of Ministers to carry out the selection procedures for the chairman / vice-chairman, as well as the announcement of the vacancy for the position of chairman and vice-chairman of CNM and the announcement, which contains criteria, and deadline for submission of documentation.
- e) The right to nominate a candidate for the position of CNM member is enjoyed by every association registered according to the provisions of law no. 8788, dated 7.5.2001, "On non-profit organizations", as amended, which in its statute has defined as object of activity the protection and promotion of the rights of the respective national minority<sup>26</sup>.

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<sup>26</sup>According to the definition in point 2, article 3, of law no. 96/2017 (9 national minorities).

f) Persons belonging to national minorities (9 national minorities according to law no. 96/2017), can apply as candidates, individually and supported, by recommendation, by at least five individuals, who are personalities with contributions of the respective national minority.

180. Pursuant to this decision, during the period January-February 2021, the application procedures for the position of Chairman and Vice-Chairman of the Committee for National Minorities are published. Based on point 4, article 20, of law no. 96/2017, "On the protection of national minorities ", the open public competition procedures are followed by the Prime Minister`s Office. These procedures also include the required criteria for the candidates. The application deadline was till February 28, 2021, and currently the relevant procedures are being followed based on law no. 96/2017 and DCM no. 286, dated 10.05.2019. This announcement has been announced and published on the official website of the Prime Ministry<sup>27</sup>.

181. Regarding the functioning of the budget of the Minority Committee for 2021, the number of additional employees is financed in accordance with their approved structure.

182. Draft Decision "On the criteria for supporting initiatives, projects aimed at protecting the rights of national minorities, preserving and promoting their distinct cultural, ethnic, linguistic, traditional and religious identity and the selection criteria for the financing and administration of the Fund for National Minorities ", will be issued pursuant to Article 21, point 3 of Law no. 96/2017, "On the protection of national minorities in the Republic of Albania", on the proposal of the Prime Minister (the Committee for National Minorities functions as an independent body under the Prime Minister).

183. The Fund for National Minorities aims to ensure the protection and promotion of the rights of national minorities and is used to support initiatives and projects aimed at protecting the rights of national minorities, preserving and promoting their distinct cultural identity, ethnic, linguistic, traditional and religious.

184. The draft decision defines a transparent, functional, effective procedure, based on the legislation in force, regarding:

- Potential beneficiaries of this fund; The procedure to be followed for determining the annual amount of the fund;
- Principles on which the administration and distribution of the fund is based; Procedures and criteria for selecting winners;
- Monitoring the fair and beneficial implementation of funded projects; Ensuring transparency and equality throughout the process, based on objective rules set out in detail.

185. The creation of a special fund for the exclusive financing of initiatives and projects that preserve and promote the rights of minorities and the characteristics of their distinctive identity constitutes a welcome step required by the associations representing national minorities. The expected effects are the increase of the quantity and quality of the capacities of the associations representing the national minorities, as well as the feeling of their appreciation and involvement in the favorable policies of the Albanian state towards their culture and values.

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<sup>27</sup> <https://kryeministria.al/newsroom/n-j-o-f-t-i-m-p-e-r-a-p-l-i-k-i-m-8/>

186. The Fund for National Minorities is foreseen to be financed from the state budget and after approval is administered by the Committee for National Minorities in accordance with the rules provided in the budget legislation in force. The fund is provided as a separate item in the annual state budget and should be sufficient to finance projects based on a reasoned annual report submitted by the National Minority Committee to the Ministry of Finance and Economy after consultation with representatives of national minorities.

187. The draft decision on the Fund will determine: potential beneficiaries of funding through the fund; review of projects and selection of beneficiary candidates; stages of the selection process and procedure, necessary documentation, deadlines, general criteria for admission of candidates / applicants, conditions for receiving the grant; the tasks of the Project Evaluation Commission, which also has the main role during the selection process. The selection criteria enable the transparency of the process, as well as the relevant reasons argued in case of non-announcement as a winner. The financial fund (budget) will be provided on the basis of a reasoned annual report to be prepared by the Committee of National Minorities in consultation with representatives of the nine national minorities and submitted to the Ministry of Finance and Economy<sup>28</sup>.

188. The draft decision has been drafted by the Committee for National Minorities and is in the process of consultation with line institutions. The proposal for approval in the Council of Ministers has the Prime Minister, since the Committee for National Minorities is an institution, subordinate to the Prime Minister.

➤ **Participation in public, cultural, social and economic life**

189. Law no.96 / 2017 on national minorities in article 11 "Participation in public, cultural, social and economic life" provides: 1. Persons belonging to national minorities have the right to equal and effective participation in public life, economic, social and cultural development of the country, in particular, in matters relating to the preservation, protection and promotion of the culture, traditions and identity of the minority to which they belong.

190. Law no.96 / 2017 provides that: Persons belonging to national minorities and organizations representing national minorities enjoy the right of application and financial support from cultural institutions, in order to promote, preserve and protect their traditions, regardless of cultural, ethnic, linguistic or traditional identity, in accordance with the legislation in force on culture. The necessary measures and policies to ensure the participation of national minorities in public, cultural, social and economic life are approved by a decision of the Council of Ministers, upon the proposal of the ministers responsible for the above-mentioned areas.

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<sup>28</sup> According to the proposals of the Committee for National Minorities, it is intended to submit two calls for applications for project funding per year (one call every six months) and eighteen projects will be funded in each call. The total value of the required annual financing is with a value of at least 2 calls and about 45,000,000 ALL. The minimum value of a project dedicated to each minority in each call will be 1,000,000 ALL, then  $9 \times 1,000,000 = 9,000,000$  ALL

191. Based on point 3 of article 11 of this law, DCM no. 462 was approved, dated 3.7.2019 “On the approval of measures and policies necessary to ensure the participation of persons belonging to national minorities, in public and cultural life, social and economic development in the Republic of Albania” proposal of the Ministry of Culture, the Ministry of Health and Social Protection and the Ministry of Finance and Economy.

192. This Decision provides:

- Persons belonging to national minorities are guaranteed equal participation in the public, economic, social and cultural life of the country.
- The Ministry of Culture and its subordinate institutions, in all their activities, to treat as national property the part of the cultural heritage of national minorities, protecting and promoting their right to equal and effective participation in the cultural life of the country, in terms of preserving, protecting and promoting the culture, traditions and identity of the minority to which they belong.
- The Ministry of Culture drafts special policies, in order to support persons belonging to national minorities, as well as those considered vulnerable, in terms of protecting their cultural, ethnic and linguistic identity and their cultural heritage.
- The Ministry of Culture guarantees the involvement of representatives of national minorities in the consultation and decision-making process on issues affecting persons belonging to national minorities, such as legal framework policies and policies and measures to ensure participation in the cultural life of the country, in terms of preserving, protecting and promoting the culture, traditions and identity of the national minority to which they belong.
- The Ministry of Culture and its subordinate institutions take measures to create the necessary conditions for the effective participation of persons belonging to national minorities, according to the specifics of each institution, in the activities they organize.

193. This decision also stipulates that “Persons belonging to national minorities in the Republic of Albania, benefit equally with other citizens and without discrimination payments for economic assistance, disability and social services, according to the provisions of applicable law for social assistance and services”. Persons belonging to national minorities are treated in accordance with fundamental human rights and freedoms, respecting the principle of non-discrimination and equal treatment in the economic activities of the country. Persons belonging to national minorities in the Republic of Albania benefit equally and without discrimination from active labor market and vocational training programs.

194. The Ministry of Health and Social Protection consults with the representative organizations of national minorities for the drafting of the legal framework and policies, which affect their socio-economic situation. The ministries responsible for the implementation of this decision take the necessary measures and concretely identify the creation of conditions to ensure equal participation, without discrimination, and effective participation in the public, cultural, social and economic life of persons belonging to national minorities.

195. DCM no. 463, dated 3.7.2019, “On determining the directions for the approval of strategies, programs and action plans for the promotion and creation of the necessary conditions for persons belonging to national minorities to use and develop the basic elements of the identity of national minorities, including their language ”also provides that Persons belonging to national minorities and their representatives are invited to participate in the consultation process during the drafting and adoption of strategies, programs and action plans to create the

necessary conditions for persons, who belong to national minorities to preserve and develop their distinctive identity in the Republic of Albania.

196. In the field of education: In the instruction no. 24, dated 30.10.2017, "On the establishment of the National Council of Parents" it is determined that in the composition of the Regional Council of Parents and the National Council of Parents to pay attention to the representation of national minorities. In the joint instruction no.18, dated 20.08.2019 of MESY and the Ministry of Finance and Economy (MFE), "For the school year 2019-2020 in the pre-university education system" it is provided that educational institutions for basic education where students study national minorities, to plan special activities, in order to preserve and promote the cultural and artistic heritage of national minorities.

*Recommendations 150, 151- Participation in the electoral process.*

197. Law no. 96/2017 on national minorities in Article 15/4, "Use of language" provides among other things that: In local self-government units where persons belonging to national minorities constitute over 20% of the total population of this unit, they have the right to receive information, in addition to the Albanian language, also in the minority language, on the development of the electoral process. The provision of information in the minority language for the conduct of the electoral process is regulated by acts approved by the Central Election Commission.

***The right to vote and to stand for election to persons belonging to minorities.***

198. The Electoral Code, in the article of "General Principles", provides constitutional guarantees for all Albanian citizens to be elected and to be elected, defining:

- Elections are held by free, secret, equal and direct voting, according to the rules provided in this Code. Voters exercise their right to vote freely.
- Every Albanian citizen, who has reached the age of 18, even on Election day, regardless of race, ethnicity, gender, language, political conviction, religion, physical ability or economic status has the right to choose and be elected, in accordance with the rules provided in this Code.

199. Further, Article 63 of the Electoral Code stipulates that: "An electoral subject is a political party or a coalition of political parties, who submit a list of candidates, according to the rules set out in this Code."

- An electoral subject can also be an Albanian citizen with the right to vote, who is proposed as a candidate for deputy or for local government bodies by a group of voters, according to the definitions made in this Code.
- A candidate is a citizen who meets the conditions provided in Articles 45 and 69 of the Constitution and who is registered as a candidate for deputy in the CEC or as a candidate for mayor or commune or for local councils in the ZCEA.
- Every Albanian citizen with the right to vote has the right to be elected as a candidate of a political party, candidate of a political party coalition, or supported by a group of voters.

200. The Central Election Commission (CEC), in fulfillment of its mission for the electoral education of citizens, has paid special attention to the design and implementation of educational and informational programs on electoral issues for national minorities, with a special focus on the Roma minority and the Egyptian minority. The acute economic and social problems of this

community condition the approach to the electoral process, where the most evident are the lack of information and low participation in the voting process.

201. Pursuant to Law 96/2017 "On National Minorities", regarding the representation of persons belonging to minorities, in the structures of the State Police are recruited:

- 11 police officers belonging to the Greek national minority.
- 14 police officers belonging to the Macedonian national minority
- 8 police officers belonging to the Roma national minority.

➤ *Information on informing minorities about the development of the electoral process (awareness campaigns, spots, leaflets during the period 2016-2020).*

202. Year 2016: The CEC has identified the needs for electoral information of national minorities, through a project implemented in cooperation with the OSCE and with the support of the Swiss Embassy. Through interviews and questionnaires conducted in the regions of Tirana, Shkodra, Fier and Gjirokastra, the necessary information was collected on the basis of which, the situation was analyzed for the needs and the most efficient ways of disseminating electoral information to national minorities, focusing on curriculum design. for electoral education of national minorities: Roma and Egyptians.

203. The CEC signed a cooperation agreement with the Institute of Roma Culture in Albania (IRCA), the main purpose of which was the ongoing implementation of electoral educational projects for Roma communities. The OSCE support enabled the election education sessions to take place in all community residences: Tirana, Durrës, Elbasan, Fier, Berat, Kuçovë, Pogradec, Korçë, Gjirokastrë, Lezhë, Delvinë, and to extend in time guaranteeing sustainability of the activity.

204. Elections for the Assembly of the Republic of Albania 2017: The CEC approved and implements a special project for informing and raising the awareness of national minorities, part of the Strategy for Electoral Education of Citizens. National minorities: Greek, Macedonian, Roma, Montenegrin and Aromanian. The distribution of election information and awareness-raising messages for voting took place through posters and leaflets in the respective languages. The CEC, in close cooperation with the State Committee for Minorities, as well as with NGOs representing national minorities, identified the respective areas and numbers of the national minority population, translated materials into the respective languages, and produced and distributed posters and leaflets. in minority languages (Greek, Macedonian, Montenegrin, Aromanian, Roma).

205. In all respective areas according to the respective number of resident population belonging to national minorities, the CEC, distributed leaflets with complete information on the electoral system, type of elections, mandates, electoral subjects, candidates, voting schedules, voting procedures, importance and value of the vote, importance of participation in elections, electoral offenses and the extent of the sentence for them, the toll-free telephone number and the application where information is obtained about the election process and can be reported for illegal actions in the elections.

206. In all Voting Centers where national minority voters were registered, posters were posted in the respective languages, with information on voting procedures, prohibited actions in the Voting Center. In areas with national minorities, awareness and awareness posters in the



languages of national minorities are displayed in public places and in all Voting Centers for young people, the elderly, women, voters with disabilities, about the importance of participating in elections. , electoral offenses and the sentence for them, toll-free telephone number or application address where anyone can obtain election information, or report on illegal election actions.

207. Local elections 2019- The CEC signed a cooperation agreement with the State Committee of National Minorities. All information / educational / awareness materials that the CEC produced for the election process of 30.06.2019, were also produced in the languages of nine national minorities. The State Committee of National Minorities carried out the translation into the languages of national minorities of information, educational and awareness-raising materials for the elections of 30.06.2019, as well as committed to their distribution in the local self-government units with the largest number of them.

208. In cooperation with the Border Police, leaflets in the language of national minorities were distributed at border crossing points, located near the territories inhabited by the respective national minorities. Leaflets were also distributed to the Zonal Commissions of Election Administration (ZCEAs) operating in territories inhabited by national minorities in the languages of the respective national minorities.

209. Leaflets in the languages of national minorities were distributed to local self-government units where persons belonging to national minorities make up over 20 percent of the total population, based on information submitted by the Ministry of Interior, the Agency for Local Self-Government Support, which referred to data on the resident population and relevant national minorities at the municipal level as well as at the county level. Information and educational posters in the languages of national minorities (5 types) were sent to the respective ZCEAs to be distributed and posted at the Polling Stations located in the local self-government units with the largest number of national minorities. Information on the development of the electoral process dated 30.06.2019, as well as awareness messages for participation in voting were forwarded by the State Committee of National Minorities, in cooperation with the CEC, through the media space in the language of each national minority on Albanian Radio Television (daily news).

210. The special project "My vote counts" for the Roma and Egyptian national minorities was realized in cooperation with IRCA (Institute of Roma Culture in Albania), supported by the American Democratic Institute (NDI), in 12 regions of the country. Also, the CEC in cooperation with the OSCE presence implemented in the residences of the Roma and Egyptian communities the information and awareness project focusing on women and youth. The Electoral Code of the Republic of Albania, as amended, stipulates that the State Election Commissioner has the competence to direct the work for the education, information and awareness of the voters. Work is currently underway to design a voter education, information and awareness program for the Assembly elections on April 25, 2021.

211. The special program for national minorities provides tools and means, not only in writing but also through television spots, aiming to voters belonging to national minorities, also in the language of national minorities:

- be informed about the rights and duties of the voter during the election period and on election day;
- the type of elections, the voting schedule, who has the right to be elected and to be elected;

- valid identification documents for voting;
- checking the name in the extract of electoral components and in the voter list, the steps to be taken to correct inaccuracies or missing name in the lists;
- voting procedures, where the focus will be on electronic identification procedures;
- criminal offenses affecting free elections and the democratic electoral system;
- information on the electoral process: the system of elections for the Assembly, the content of the ballot paper, the candidates for deputies, the formula for the distribution of mandates; administration of the electoral process of 25 April 2021.

Became aware of:

- the value of free and uninfluenced voting in democratic elections;
- avoiding and denouncing actions that violate free voting and the democratic electoral system;
- participation in elections, as a constitutional right and civic obligation for society and the country.

212. The year 2020 marked the finalization of the implementation of the National Plan for the Integration of Roma and Egyptians 2016-2020. 4 monitoring reports have been prepared for the years 2016,2017,2018,2019 which are published on the official website of MSHMS, under the section Roma Integration. The Ministry of Health and Social Protection is coordinating the process of drafting the new Action Plan for the Integration of Roma and Egyptians 2021-2025. Based on the recommendations of the Fourth Policy Dialogue Seminar on Roma and Egyptian Inclusion, the priority sectors result: (i) Civil registration and access to justice; (ii) Education and promotion of intercultural dialogue; (iii) Employment, training and vocational training; (iv) Health care; (v) Housing; (vi) Social care; and (vii) Anti-gypsumism. The process has been formalized with the establishment of the working group with Order no. 521, dated 23.09.2020 of the Minister of Health and Social Protection, for the drafting of the national action plan for the integration of Roma and Egyptians, 2021-2025.

- *Recommendation: Housing of national minorities, especially Roma and Egyptian minorities. Implement the recommendations of the European Committee against Racism and Intolerance.*

213. Law no. 22/2018 "On social housing" has as its object the definition of administrative rules and procedures for the ways of planning, provision, administration and distribution of social housing programs, in order to create opportunities for adequate and affordable housing, relying on in the solvency of families in need of housing and in the assistance of responsible state institutions. This law enables the increase of housing programs from three to six which are: 1). Low Cost Housing, 2). Rent Subsidy 3). Credit Interest Subsidy, 4). Housing improvement program, 5). Program for the creation of temporary housing and 6). Specialized housing program. An important step in the adoption of this law is marked by the definition of resettlement procedures. determining the manner, time and infrastructure required for relocation.

214. Article 2 of this law defines, among others:

- "Social housing programs" are programs that serve to house families and individuals who do not have housing and live in environments that are not classified as housing or temporary housing, within the meaning of this law, that do not have economic opportunities and to provide an apartment, as well as those families / individuals whose

apartment is below the legal housing norm and who do not have the income to provide payment for a minimum rent in the free market.

- “Eviction” is the permanent or temporary removal, against the will of individuals, families and / or communities from dwellings, formal, informal constructions or structures that are not classified as dwellings and / or from the lands they own, without due process. in the absence of consultation and provision of alternative, adequate and effective housing, and without providing effective legal protection.
- “Relocation” is the permanent or temporary removal, with or against the will of individuals, families and / or communities, of dwellings, formal structures or structures not classified as dwellings and / or of the lands they own, through a regular process. legal, based on consultation with affected entities, on providing alternative, appropriate and effective housing, as well as on guaranteeing effective legal protection.

215. This law is based on a number of principles such as:

- The principle of non-discrimination - 1. The rights deriving from this law are guaranteed without any discrimination to any individual, regardless of gender, race, color, religion, ethnicity, language, gender identity, sexual orientation, political, religious or philosophical beliefs , economic, educational, social status, pregnancy, affiliation and / or parental responsibility, marital or marital status, marital status, health status, genetic predisposition, disability, belonging to a particular group and any situation that has discriminatory consequences. 2. No one may be denied the right to receive housing in one of the social housing programs for the reasons mentioned in point 1 of this article, except when a social housing program is specially programmed and expressed to come to the aid of individuals or groups in need.
- The principle of respecting the culture and traditions of the communities - The units of local self-government, in the planning of residential areas and housing programs, respecting the different traditions and cultures of the communities.
- Principle of participation- Every entity that implements a social housing program includes in the consultation process the community that is affected and / or the one that benefits from the program, in accordance with law no. 146/2014 "On notification and public consultation".
- The principle of transparency and public information - Local self-government bodies should provide: complete information, easy to find, understandable and readable for each individual / family.
- Principle of residence security -1. Staying in a place of residence, temporary or permanent accommodation is inviolable, except in cases that are contrary to the Constitutional principles, as well as those provided by law. 2. Expulsion of individuals / families from their place of residence is prohibited. 3. The relocation of individuals / families in the cases provided by law is carried out in accordance with the principles of notification, consultation and appropriate accommodation.

216. This law provides for the relocation procedure in case the stay in a settlement or housing becomes impossible, due to investments of public interest, demolition of the building due to exclusion from the legalization process or other cases, defined in this law or other laws. The law provides for the procedure followed by the local self-government unit.

- Written notification of the individual / family for the reasons for relocation 30 days before the issuance of the administrative act for relocation from the apartment;
- Informing the individual / family about alternative housing options;

- Issue the administrative act for relocation from the apartment 45 days before the relocation, notifying the approved form for alternative housing.
- Resettlement is not implemented without first securing adequate housing for displaced individuals / families who do not benefit from expropriation.
- An appeal may be lodged with the competent administrative court against the decision of the local self-government unit for relocation.
- Individuals / families affected by resettlement receive legal aid in accordance with applicable state-guaranteed legal aid legislation.

217. DCM no. 405, dated 1.6.2016 “On the approval of the Social Housing Strategy 2016–2025”. The main goal of the strategy is: “Providing ready, accessible, affordable and quality housing solutions for low- and middle-income families who can not afford an open market house and, in particular, for families with indicators of disadvantaged positions leading to exclusion from housing”. The objectives of the strategy include: (1) providing evidence about social housing and local capacity; (2) improving the legal, institutional, and regulatory framework; (3) strengthening financial instruments for disadvantaged groups; (4) expanding and reorienting social housing programs.

218. After the approval of Law no. 22/2018 "On Social Housing" in May 2019, a series of bylaws have been adopted in implementation of this law, which enable its implementation by the local government. Also other bylaws implementing the law on housing are in process. The following have been approved:

- DCM no. 361, dated 29.05.2019 "On determining the procedures for the relocation of individuals / families from their place of residence or housing, in cases provided by law, and institutional cooperation" which provides in accordance with the United Nations guidelines, the procedures of eviction, timelines and institutional cooperation for resettlement cases. This DCM treats all Albanian citizens, regardless of whether they are owners of the house where they are settled or not. The DCM stipulates that citizens will not be forced to leave their homes until a suitable solution is provided for them according to the social housing program.
- DCM no. 453, dated 3.7.2019 "On the amount of the loan interest subsidy and the procedure for granting it to families who benefit from low-cost housing, with loans facilitated by the state".
- DCM no. 458, dated 3.7.2019 "On the procedure of returning to the housing fund, for the purpose of housing, state-owned buildings, which are adapted by local self-government units with competitive grants from the state budget."
- DCM no. 459, dated 3.7.2019 “On the rules for the administration of requests of local self-government units for funds from the state budget for rent subsidy or usufruct, the manner of financing the subsidy, monitoring and cooperation between local self-government units and the ministry responsible for housing ”.
- DCM no. 384, dated 12.6.2019 "On determining the documentation to receive housing according to each social housing program and the deadlines and approval procedures by local self-government bodies".
- DCM no. 361, dated 29.5.2019 "On determining the procedures for relocation of individuals / families from their place of residence or housing, in cases provided by law, and institutional cooperation."
- DCM no. 362, dated 29.5.2019 "On the criteria for granting rent subsidy for categories that enjoy priority in rent subsidy in the free market, through the state budget, and the manner of its calculation".

- DCM no. 522, dated 25.7.2019 "On the methodology of calculating the rent for social rented housing".
- DCM no. 823, dated 18.12.2019 "On the procedures of purchasing houses in the free market that will be added to the public fund of socially rented houses.
- DCM no. 179, dated 26.02.2020 "On the rules, conditions and procedures of housing privatization.
- DCM no. 300, dated 15.04.2020 "On the procedures of exchange of affordable housing units.
- DCM No. 301, dated 15.04.2020 "On housing rates, conditions and standards for social housing purchased on the open market and low-cost housing".
- Regulation of the Minister no. 31, dated 18.11.2019, "On standard application procedures and criteria for benefiting from state budget funds for housing programs.
- Support for housing Roma and Egyptian families, through investment projects.
- Joint Instruction no. 22, dated 5.6.2020 "On the manner of interaction of social housing programs with social services of employment, education and health care"
- DCM no. 496, dated 24.6.2020 "On the organization, functioning, criteria and procedures for the selection of members of the national housing council, as well as relations with other state institutions operating in this field"
- DCM Nr. 579, dated 22.7.2020 "On the determination of public institutions that administer shelters, the sufficient criteria, procedures and capacities to manage social, financial and technical issues, as well as the procedures of administration and maintenance of temporary shelters, the competencies of the responsible entities and cooperation between them "
- Instruction of the Minister of Finance and Economy no. 33 dated 26.8.2020 "On other conditions that must meet the temporary shelters"
- Instruction of the Minister of Finance and Economy no. 40, dated 23.10.2020 "On the manner of administration and maintenance of specialized housing"
- DCM no. 898, dated 18.11.2020 "On the rules, conditions, criteria and procedures for the privatization of apartments and buildings returned to the fund of non-privatized housing".

219. During 2019, for the implementation of investment projects, about 292 million ALL have been made available from the state budget, from 172 million ALL for ongoing projects from 2018 and 120 million ALL for the implementation of the first phase of new projects. The rest of the funds are provided from the 2020 state budget funds. Investment projects include investments to improve housing, infrastructure, water supply and sewerage, and investments to adapt state-owned buildings, which are added to the public housing fund. 1261 families have benefited, of which 918 families have improved their existing housing conditions, while the rest have benefited from infrastructure improvements, mainly in informal settlements. Roma and Egyptian households make up about 28% of the total number of beneficiaries.

220. During 2019, approximately 118 million ALL were allocated from the state budget, of which 65 million ALL were allocated for the rent subsidy of 674 families who have applied under the law on Housing. About 15.7% belong to beneficiaries belonging to Roma and Egyptian minorities; 5 million ALL for the subsidy program of the consecutive amount of 24 families, where 100% of the beneficiaries are Roma and Egyptian families and 48 million ALL are given for the 1-month rent subsidy of families affected by the earthquake of November 26, 2019.



221. During 2020, for the implementation of investment projects, about 354 million ALL have been allocated from the state budget; 92 million ALL for ongoing projects from 2019 and 262 million ALL for the implementation of the first phase of new projects. The rest of the funds are provided from the state budget funds of 2021. Investment projects include investments to: a) improvement of the conditions of existing housing from which 561 families have benefited; b) adaptation of state buildings to residential buildings, from which 99 housing units have been obtained, which are added to the public fund of social housing. Roma and Egyptian minority households make up about 42% of the total number of beneficiaries. Based on the financial instrument for subsidizing the rent of apartments in the market, have been allocated from the state budget, about 3,003 million ALL; 87 million ALL have been allocated for the rent subsidy for 1,235 families that have applied according to law no. 22/2018 "On Social Housing". About 16% of the total beneficiaries belong to the Roma and Egyptian minorities; A budget of 2,945 million ALL is provided for rent subsidies, for about 13,900 families left homeless as a result of the earthquake of 26.11.2019.

#### **Article 16 Composition of the population**

222. Law no. 96/2017 on national minorities, in Article 16 provides for the prohibition of restriction of rights, namely the prohibition of taking measures that change the composition of the population in local self-government units, inhabited by persons belonging to national minorities, in order restriction of the rights provided by this law.

223. As informed and clarified above, the approach to guaranteeing and exercising certain rights such as the use of the language of the national minority in relations between citizens belonging to the minority and the local self-government unit takes into account the 20% threshold, ie for persons belonging to a national minority and constituting over 20% of the total population within its territory, based on their written request.

#### **Articles 17-18 Bilateral and international cooperation**

224. Law no. 96/2017 on national minorities, in Article 17 provides for international agreements, namely: 1. Persons belonging to national minorities, enjoy the right to establish and maintain free and peaceful contacts beyond the borders of the Republic of Albania with persons with whom they have the same ethnic, linguistic, religious identity or a common cultural heritage. 2. The Republic of Albania may conclude international agreements with other states to ensure the protection of persons belonging to the respective national minorities, in accordance with the law on international agreements in the Republic of Albania.

### **III. INFORMATION ON THE IMPLEMENTATION OF NATIONAL MINORITY RIGHTS AT LOCAL LEVEL**

#### **Municipality of Tirana**

225. The Municipality of Tirana consists of 27 Administrative Units and it is reported that in 17 of them there is at least one Roma or Egyptian family registered as beneficiaries of social services. Areas with significant Roma and Egyptian minority populations are:



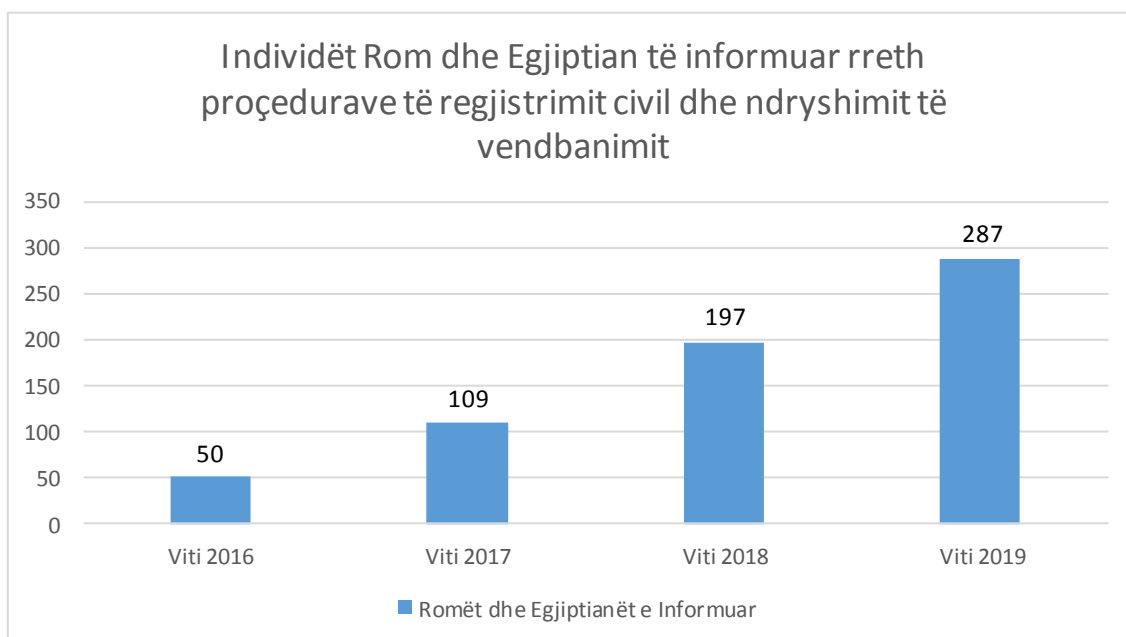
No.	Administrative Unit	No of Roma and Egyptian families	Community area
1	Unit no. 1	226 Families	Shkozë and Lanabregas
2	Unit no. 3	52 Families	Sitki Cico, Rr. Ali Baushi st
3	Unit no. 4	290 Families	Allias, Kinostrudio, Komuniteti 3700 Grumbullimi, Gjon Buzuku etc,
4	Unit no. 5	245 Families	Selitë
5	Unit no. 6	34 Families	Purpulet
6	Unit no. 8	78 Families	Siri Kodra, Bregu Lumit, 5 Maj etc,
7	Unit no. 9	32 Families	Jordan Misja st
8	Unit no. 11	111 Families	Bregu i Lumit, Instituti, Sulajt etc,
9	Neighborhood 14	48 Families	Yzberisht
10	Petrela Unit	31 Families	Ura e Farkës
11	Kashar Unit	22 Families	Katund i ri Kashar, Mëzes Fushë Kashar
12	Dajt Unit	37 Families	National Transitional Center

226. The rest of the Roma and Egyptian families identified in the Municipality of Tirana are located in Administrative Unit No. 2, 7, 10, Vaqarr and Zall Herr. These families in the above-mentioned Administrative Units are few in number and do not live in communities identified as minorities. Based on the Local Plan and the National Plan for the development and integration of the Roma and Egyptian minorities, the General Directorate of Social Services has supported and provided services to Roma and Egyptian individuals and families, as following:

227. Education: By Decision no. 158, dated 26.12.2019 of the Municipal Council "On the Approval of the Local Tax and Tariff System in the City of Tirana" are exempted from tariffs, Roma and Egyptian children who are registered and attend kindergartens or kindergartens.

221. During 2020, 94 children were registered and benefit from this service, of which 24 are in kindergarten and 70 in kindergarten. Meanwhile, the Municipality enables the transport of 35 Roma and Egyptian children from Lanabregas who attend the 9-year school "Androkli Kostallari". According to the pilot program of the school canteen, the canteen hall has been provided in four 9-year schools: the "Kuqe" School, the "Hasan Tahsim" School, the Betim Muço School and the "Ardian Klosi" School. The latter is also the school with the largest participation of members of the Roma and Egyptian minorities.

228. For some families included in the economic assistance system, whose children have been able to attend school, they have been supported with food compensation. It is estimated that in 2019 11 Roma and Egyptian minority children were included in this service. Another support is realized through the Decisions of the Municipal Council of recent years, where students of the Roma and Egyptian minorities have received 77 scholarships for enrollment and attendance of vocational secondary education. Data on civil registration, and the procedures related the change of residence of Roma and Egyptians.



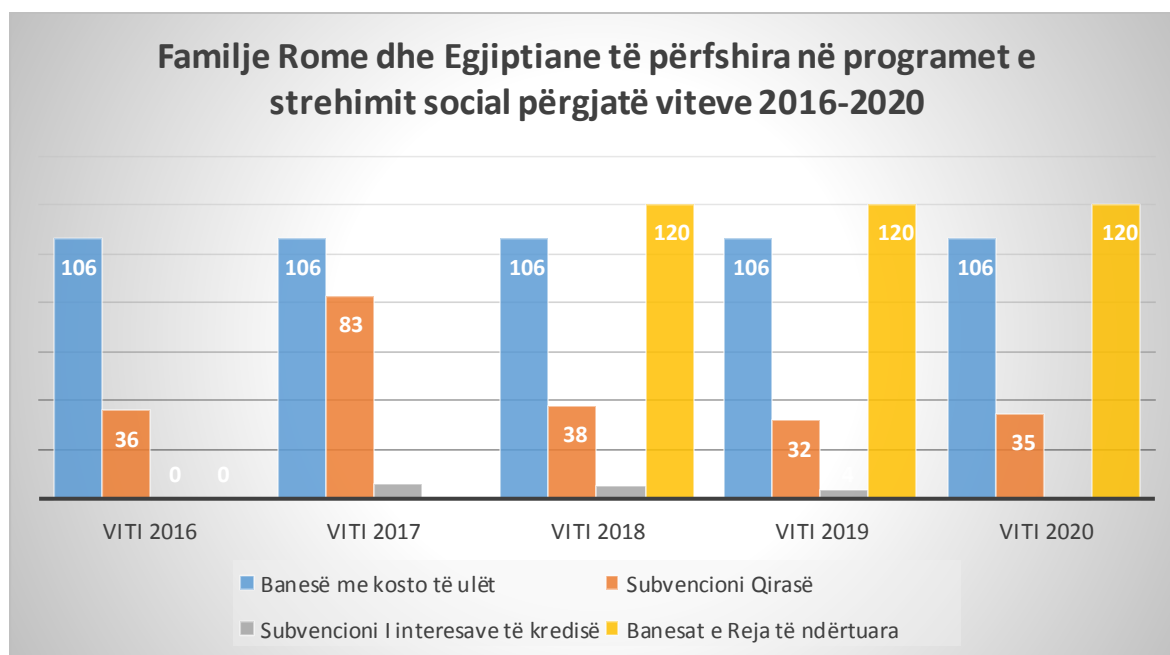
229. The Community Centers of the Municipality of Tirana have played an important role in improving the education situation for these minorities. The services provided by these centers have consisted of: identifying school-age children, accompanying them to complete documentation, enrolling them in the education system, providing support classes for children with disabilities, providing meals, psychological counseling, etc. A novelty in the services provided in the centers, has been the provision of classes against adult illiteracy, where Roma and Egyptian residents who attend the Shkoza Community Center have had a high interest. All services provided by Community Centers have also affected the general data provided by the Local Education Office by years.

School years	Total Roma and Egyptian students by level		
	Preschool	Class I-V	Class VI-IX
2017-2018	<b>185</b>	<b>1218</b>	<b>760</b>
2018-2019	<b>385</b>	<b>1586</b>	<b>943</b>
2019-2020	<b>410</b>	<b>1581</b>	<b>852</b>

230. Housing. The housing situation of the Roma minority and the Egyptian minority in Tirana has been very problematic and inherited for many years. From the data and studies conducted before 2016 by institutions and civil society organizations, which monitor and address the problems of these minorities in Albania, it was found that about 40% live in difficult housing conditions, of which 21% lived in barracks, in the complete absence of the necessary infrastructure.

231. To positively influence this situation, the Municipality of Tirana has given a special importance to the inclusion and housing of Roma and Egyptian families by prioritizing them in the scoring system and by including in the housing commissions as a representative of the interest group a minority member. Rome. For the cases that have been identified as not being able to provide the necessary documentation provided by law for inclusion in the rent bonus program, the Municipality of Tirana has included them as special cases for 1 year.

232. By the 2016 Municipal Council Decision on the distribution of low-cost social housing, about 106 Roma and Egyptian families were involved. Another significant involvement has been realized in the Rent Subsidy program where dozens of families included in this program are counted every year. Despite this, the visible effects on housing Roma and Egyptian families who lived in barracks and in poor hygienic conditions were realized in early 2018. The Municipality of Tirana has enabled the construction of 120 Apartments in the area of Shkoza and Lanabregas for these families. Data on Roma and Egyptian families included in social housing programs during 2016-2020:



233. Employment: The Municipality of Tirana, through the Directorate of Employment Promotion, supports the individual to be employed or self-employed in two forms: 1) by offering grants to young people and women who have an idea and want to open or strengthen a small business and 2) by interviewed and referred the individual for work in the service sector provided by private businesses. Both of these forms of employment have had a positive impact on the employment of Roma and Egyptian individuals as this directorate has given priority to their inclusion. This is shown by the information sessions that have been conducted and by the projects that have been implemented for their employment in recent years. Specifically, information sessions were conducted at the Vocational Training Center no. 4 for 22 Roma and Egyptian minority youth and 17 women were informed to apply for employment promotion programs. During the period 2016-2020, 6 individuals were supported by employment promotion programs. Meanwhile, it is possible to employ 50 individuals, members of minorities, in the recyclable waste collection sector, where in addition, they receive a payment bonus if they attend classes against illiteracy. The other initiative was realized in 2019 with the realization of a market of used clothes for Roma and Egyptian individuals of the Shkoza area. In this market it was possible to employ 107 individuals from these minorities. Currently, the opening of another market for these minorities in the Selita area has been approved by a decision of the Municipal Council.

234. A novelty is the opening of the Career Counseling Office. This office enables testing and reflection of individuals at an early age, so that when choosing a profession, they know their skills and the needs of the labor market. It has become possible:

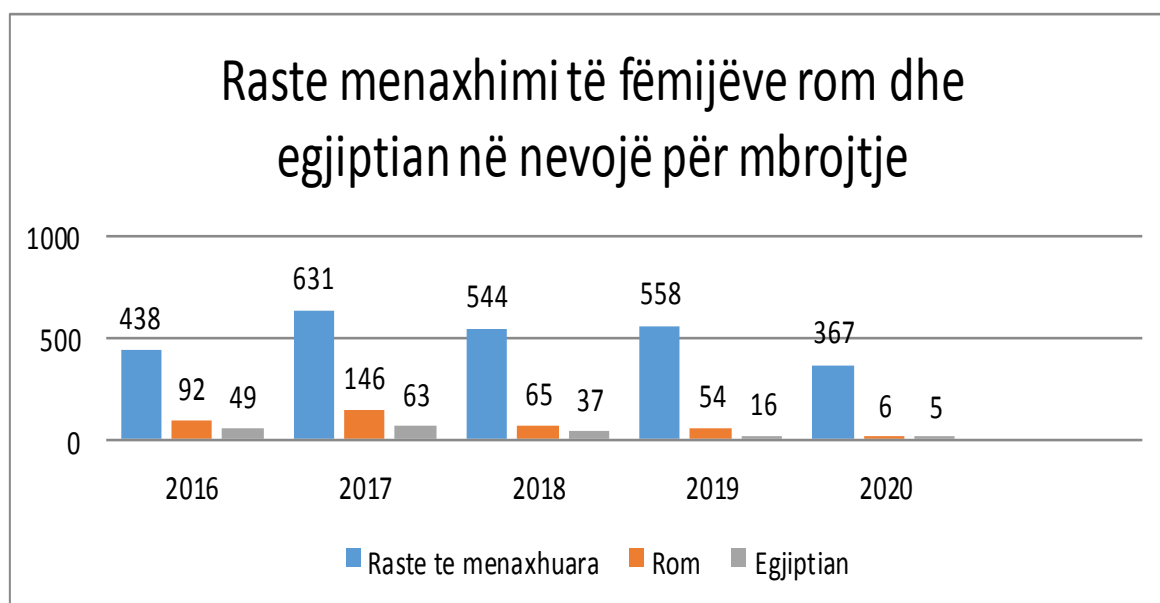
- Fund for the support of women entrepreneurs, for training and financing the opening of businesses through grants. (Results - 6 women beneficiaries and 4 employees in these businesses).
- In cooperation with the ESERE and Eco - Tirana program has provided 53 jobs in the recycling and cleaning sector for residents housed in Lanabregas and Shkoza. Three of the employees are controllers). The employment program increases formal household income and encourages family members to take basic literacy, life skills or similar educational activities. (Positive cases are supported with a bonus).
- Involvement of persons of this minority in the Multi-disciplinary Social Center in the Directorate of Protection and Social Inclusion and the Parks and Recreation Agency.
- Opening of the public market of used clothes in the area of Shkoza-107 self-employed.
- Opening of the public market of used clothes in the area of Selita 120 self-employed.
  - Transition program for Roma and Egyptian recyclers;
  - 55 Employees (Roma and Egyptian) with 12-month employment contracts.
  - ECO Tirana cooperation agreement 70 employees in the cleaning sector.

235. Culture: The Municipality of Tirana has paid special attention to the days marked for these minorities and has realized their celebration in various forms. Specifically, on May 16, the Day of Roma Resistance in the Autchvits camp, the Municipality realized on the facade of a building on the boulevard "Gjergj Fishta", a mural drawing of the symbol of Roma resistance. On November 5, 2013, on the International Roma Language Day, the first Roma monument was placed in front of the courtyard of the Ministry of Social Welfare and Youth, with the approval of the Minister, currently the Mayor of Tirana, Mr. Erion Veliaj. The Municipality of Tirana through Community Centers realizes information and awareness activities for each day marked as, April 8, May 6, May 16, June 24, November 5, etc., where, in addition to information and awareness sessions, the promotion of cultural elements such as: language, clothing, anthem, flag, cooking etc.

236. Health care: Despite the limitations of the competencies of the local government in the provision of health services, the Municipality of Tirana through the legal spaces of the local government has provided information services, awareness, etc. Specifically, through Community Centers was realized: information, escorting women to perform mammography, escorting children to perform vaccination, escorting PWD individuals to follow the exit procedures in the Camp, escorting to issue a health card, psychological sessions, physiotherapy sessions etc. In addition, in cooperation with civil society organizations, the Roma and Egyptian mediator service was provided. Through this service it is possible to subsidize the value of medicines by increasing the awareness of the necessary care for health.

237. Regarding the situation caused by the COVID-19 pandemic, the General Directorate of Social Services has requested disinfection in Roma and Egyptian settlements. Directorate of Protection and Social Inclusion pursuant to the Decision of the Council of Ministers no. 236, dated 19.03.2020 "On Taking Measures to Provide Housing Assistance to the Needy Strata, in the conditions of the epidemic caused by Covid-19", has come to their aid with food and hygienic-sanitary packages. It turns out that, during the period March-April 2020, about 2950 food packages were distributed to Roma and Egyptian minority families living in Lanabregas, Shkoza, Yzberisht, Selit, Kombinat, Petrel, Unit 3, Unit 4, Unit 8, Unit 9 and Unit 11.

238. Social Protection: Pursuant to Law 18/2017 "On the Rights and Protection of Children", the Sector of the Child Protection Unit has been established in the Directorate of Protection and Social Inclusion. This recently set up sector together with the Child Protection staff in each Administrative Unit has the responsibility to identify, evaluate, refer for support and take into protection any child who is identified as abused, exploited or neglected. From the data so far it results that there has been a positive effect on the number of cases identified and handled by the Child Protection Officer.



239. Information and awareness of the Roma and Egyptian minorities on the dangers of trafficking in human beings has been carried out periodically, by the Child Protection Officer and by the Community Centers. Meanwhile, pursuant to Law 121/2016 "On social care services in the Republic of Albania" in each Administrative Unit is installed "Electronic Register of Social Care". This register was built in 2019 and is updated systematically with data from Child Protection Employees on cases they have in the management process. Regarding the mobile teams, the Municipality of Tirana, for the period 2018 - 2020 has set up 11 field teams who are employees of the Community Centers and carry out the identification, referral and protection of children. Through Decision no.66 dated 12.06.2020 of the Municipal Council "On the establishment, organization and functioning of the Community Field Center" the Municipality of Tirana enabled the division of this service by developing it as a separate structure.

240. Meanwhile, through Decision no. 129, dated 13.3.2019 of the Council of Ministers "On procedures for identification, immediate assistance and referral of economically exploited children, including children in street situation", is defined and the procedure for identification and referral of children and families in street situation. Each case identified in need of protection, according to the level of risk, has been addressed through the drafting of the Individual Protection Plan, which provides concrete interventions and services for children and their families in coordination with the Cross-cutting Technical Group in Administrative Units / Municipalities.

241. These interventions for the cases of Roma children identified in need of protection, are mainly focused on:

- Registration of any child identified as unregistered in the National Registry of Civil Status by completing the necessary documentation and following the appropriate procedures;
- Vaccination of any child identified as unvaccinated;
- Medical visits to health institutions for children and medical support;
- Enrollment in schools and kindergartens;
- Employment of parents;
- Referral for attendance at day care centers for children;
- Placement in a social care institution in case of the best interest of the child;
- Taking protection measures according to Law 18/2017 "On the rights and protection of the child";
- In the ascertained cases where there is ill-treatment of a minor according to the Criminal Code, a criminal report of the user has been made;
- Counseling and psychological support;
- Support with rent bonus or social housing;

242. The Municipality of Tirana has six Community Centers under administration and they are distributed almost throughout its territory, namely:

- Shkoza Community Center.
- Multidisciplinary Community Center.
- Community Center "Let's stay together".
- Community Center "Gonxhe Bojaxhi".
- Community Center "Streha Tirana".
- Community Field Center.

The multidisciplinary typology services offered in these centers are:

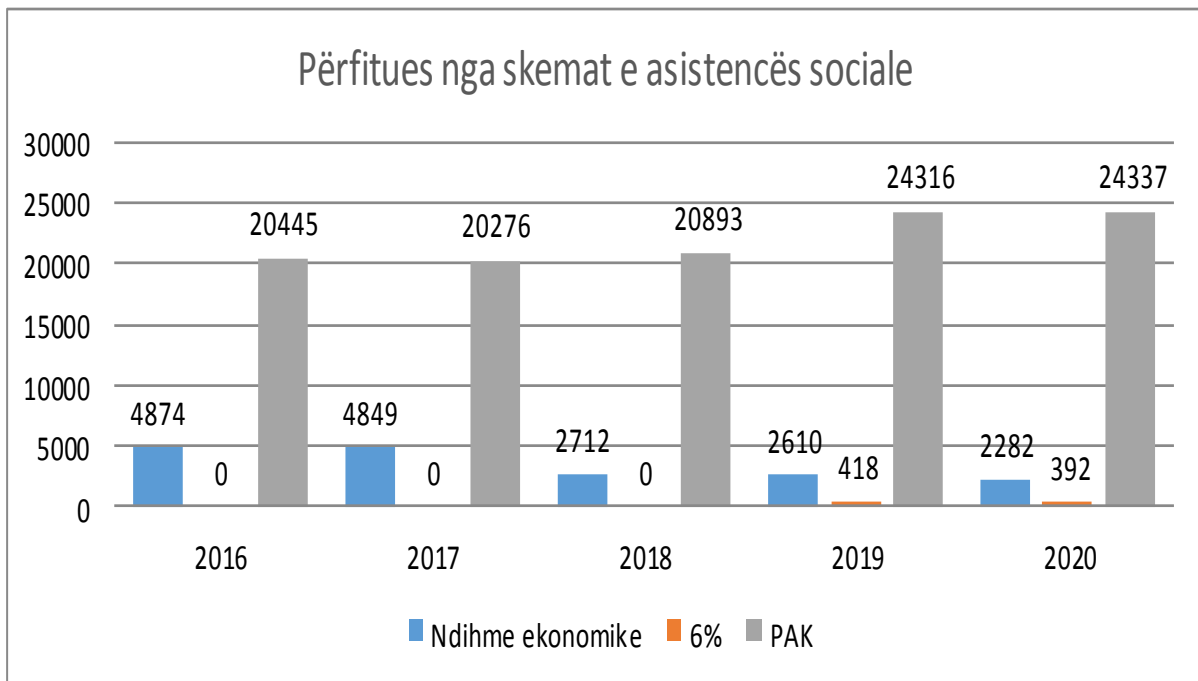
- Psycho-social support
- Employment promotion services
- Risk prevention services
- Customer orientation towards services
- Therapy for children with developmental problems
- Support class for Roma and Egyptian children
- Counseling and consultation of parents of children with developmental disabilities
- Physiotherapy session
- Transportation of Roma and Egyptian children to Lanabregas;
- Social canteen service
- Legal assistance
- Daily service for the elderly
- Health care
- Family visits
- Socio-cultural activities, etc,

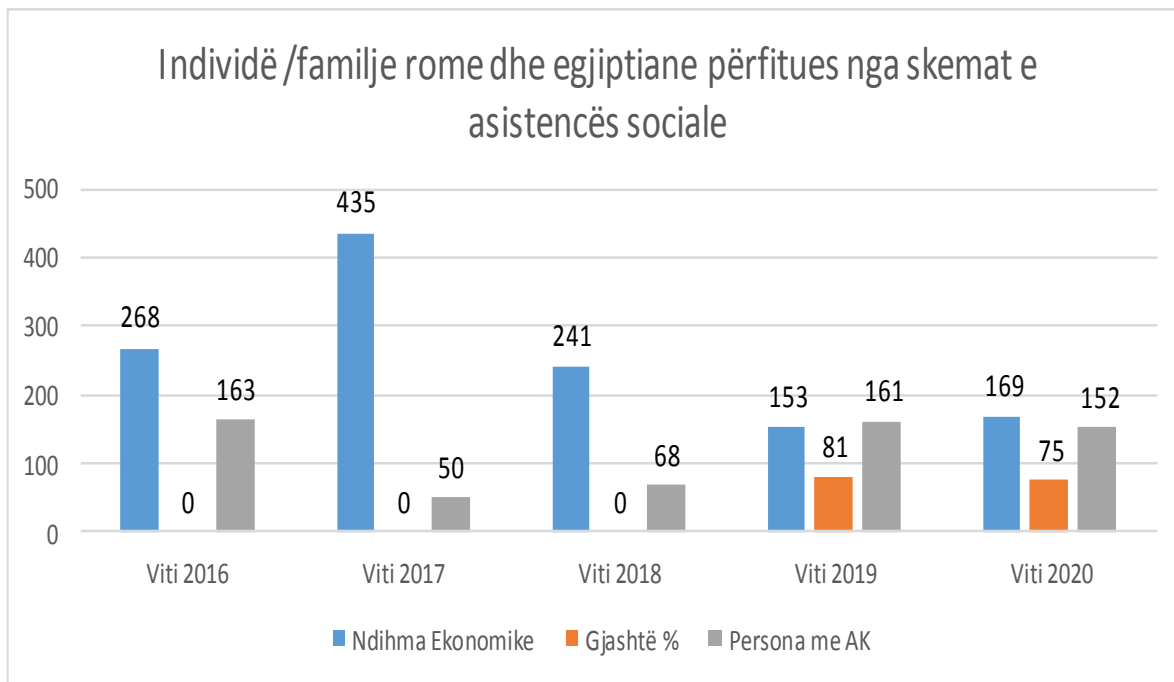
243. Services in these centers in 2020 are enabled to be provided in a time band 8:00 -20: 00 from Monday to Saturday, to provide longer care and support, especially for children in many processes, which have to do with their education and development, but also the families themselves. The involvement of the Roma and Egyptian minorities in these programs, through municipal community services is significant and is estimated at 998 individuals / families. (according to the table below).



Categories in need	Year 2020						
	Total	QKSH	QKM	QKTSB	QKGB	STREHA	QKT
Total beneficiaries based on files	<b>1496</b>	<b>479</b>	<b>316</b>	<b>103</b>	<b>305</b>	<b>50</b>	<b>243</b>
Roma individuals / families	807	531	68	5	80	2	121
Egyptian individuals / families	191	52	56	0	38	5	40

244. Roma and Egyptian individuals / families, in addition to benefiting from social services for integration and empowerment, are also beneficiaries in payment schemes for people with disabilities, economic assistance and from the conditional fund up to 6 percent for those applicants in unclassified need from the national electronic system (according to the tables below).





245. To facilitate communication between the community and the service provider at the local level, the General Directorate of Social Services has established a network of Roma and Egyptian liaisons. This network consists of representatives of these minorities in different settlements and aims to exchange information such as the different needs of residents but also to inform them to be included in care programs. An important aspect in this part is the fact that in the Municipality of Tirana are employed members of this minority who facilitate communication in their own language. Regarding the concrete investments and the budget used for housing, the provision of services with a positive impact on the communities of national minorities, we inform you that pursuant to Decision no. 5 dated 31.01.2018 of the Municipal Council "On the approval of the list of beneficiaries and the provision of housing built for housing the families of the Roma community in Shkoza.

246. From the implementation of the project "New House-New Life: Rehabilitation of Roma Community Settlement", during the period 2016-2017, 60 families of the ROM community were sheltered, respectively near the Shkoza Social Housing Block. This project has cost 76 million ALL, 69 million from IADSA and 7 million from the budget of the Municipality of Tirana. Also, in the shelter of 60 other families of the Roma community, these families affected by the Tirana River Rehabilitation Project, with the Decision of the Municipal Council in 2016, the fund of 80,400,000 ALL for the construction of residential buildings in the territory of former military unit, Shkoza.

### **Dropull Municipality**

247. According to the Civil Registry, the Municipality of Dropull has about 22,685 inhabitants, of which about 98% belong to the Greek minority. It is divided into three administrative units (Upper Dropull, Lower Dropull and Pogon) and 41 villages. All names of streets, squares, villages, administrative units, provinces are in Greek and Albanian. Along the national axis Gjirokastra Kakavie, in the part that crosses the territory of the Municipality of Dropull, all

indicative signs of the villages are in Greek and Albanian. All the names of the inner streets and squares in the villages reflect the identity and traditions.

248. Data on education: In the Municipality of Dropull, there is the United Dervician School and the Bularat United School, which carry out their activity based on law no. 69/2012 "On the Pre-University education system" amended. Dervician United School has 17 teachers and Bularat United School has 11 teachers. Also, depending on the United Dervician School, there is a Dervician Kindergarten with 1 educator and Goranxi Kindergarten with 1 educator. Depending on the Bularat United School, there is a Bularat Kindergarten with 1 educator and a Jeorgucat Kindergarten with 1 educator. In the public educational institutions that function in the territory of the Municipality of Dropull are employed 28 teachers and 4 educators.

249. For the school year 2020-2021, 215 children and students are enrolled in pre-school education, compulsory education and secondary education. For the period 2016-2020, in all levels of Pre-University Education for the Municipality of Dropull were registered 870 children and students, for the period 2016-2020. In the Dervician United School and in the Bularat United School all classes I-XII function. Teaching in kindergartens is conducted in the mother tongue, while in compulsory education, grades I-IX, 60% of subjects are taught in the Greek mother tongue and in 40% of subjects teaching is conducted in the Albanian language. Whereas, for the secondary education, grades X-XII, the Greek language is optional.

250. By Order no. 234, dated 19.04.2019 of the Minister of Education, Sports and Youth "On the approval of the structure and staff of local offices of pre-university education", as amended, the Local Education Office Finiq-Dropull was established, for the Municipality of Dropull and the Municipality of Finiq ".

251. Cultural Activities: In the Municipality of Dropull there are several artistic and folk groups, such as the group of Lower Dropull, the group of Upper Dropull, the polyphonic group of Pogon. For its part, the Municipality of Dropull is coordinating the work of these artistic and folk groups, organizing and financing local festivals and artistic performances inside and outside the country. The Municipality of Dropull pays special attention to the cultivation of the culture and folklore of the area, organizing extracurricular districts in cooperation with the Dervician United School and the Bularat United School. Also, with the funding of the Municipality of Dropull, activities are organized and National Holidays are commemorated, as well as other activities are organized.

252. Data on Beneficiaries of Economic Assistance and the amount of benefit. The number of families and individuals in need that receive economic assistance through the application in the National Electronic System of Economic Assistance has been respectively: year 2016 - 12 individuals; year 2017-10 individuals; year 2018-52 individuals; 2019- 20. For 2020 the number is 29 with an annual benefit of 2,980 ALL. Also starting from 2020 and onwards are treated and will be treated by the conditional fund on the economic assistance fund (fund from the Municipality), on average 35-40 families with an annual fund of 1,660 - 2,000 lek.

253. Data on infrastructure investments. In the period 2016-2020, a series of investments were made in infrastructure, which have affected the accessibility and increased the quality of central and local services:

- Construction of the Pogon ring, the foreseen fund 1,039,180 lek, where so far 137,898 lek has been realized.

- Construction of the Multifunctional Center in Jorgucat with a fund of 100,139 lek, completed.
- Construction of Water Supply, with a value of 552,316 thousand ALL, of which 207,332 ALL have been completed.
- Reconstruction of Llongo Bridge with a value of 16,345 thousand lek, finally realized.
- Rehabilitation of the dams of the catchments of the Municipality of Dropull with a value of 37.002 thousand lek, realized so far 14.074 lek
- Annual investments in the inner streets and squares of the Municipality in the amount of 35,000 ALL, every year.
- Annual investments in the reconstruction of internal networks of water supply, water depots in the villages of the Municipality in the amount of 7,500 ALL, every year.

254. Also within the INTEREG-IPA projects, 2016-2020, the Municipality of Dropull is a beneficiary in the following projects:

- “EXTROVER ”, value 200,000 euros, realized 118,000 euros
- “LED ”, value 40,000 euros, realized 34,000 euros
- “HERBINO ”, value 30,000 euros, realized 21,000 euros
- “Polyphonia ”, value 59,000 euros, realized 9000 euros.
- “CLLD-CUITOUR ”, value 139,000 euros, in process.

255. Representation in elected and executive bodies. Representation in local bodies is 100% of the members of the Municipal Council, or all 21 members, belong to the Greek minority. While from the average number of employees over the years in the Municipality in total of 135 people, 131 of them, or 97% belong to the members of the Greek minority.

256. The meetings of the Municipal Council are held in Greek and are published in Albanian. All public hearings related to the drafting and implementation of the local budget, with the setting and approval of local tariffs and taxes, which take place periodically every year in the administrative units with wide participation, are held in Greek.

257. Residents of the Municipality of Dropull are informed in Greek through programs broadcast by the Local Public Television Gjirokastra. (Weekly show 60 minutes on television and daily 60 'on radio). Currently, no print media is published in Greek. Another source of information for residents are social networks, as well as the official website of the Municipality of Dropull, which operates in Greek and Albanian.

### **Finiq Municipality**

258. The municipality of Finiq has 58 villages, with a population of 35.280 according to civil registers. In most of the villages of the 5 administrative units of the Municipality, the registered inhabitants are citizens belonging to the Greek minority are over 90%, but the resident inhabitants are much less due to the high level of emigration, mainly in Greece, but also towards European Union countries and the USA.

259. Representation in the elected and appointed bodies of the Municipality is dominated by persons belonging to the Greek minority. In the Municipal Council composed of 21 members, 19 of them are members of the Greek minority and 2 are Albanian citizens.

260. As regards the education of persons belonging to the Greek minority, continuous efforts have been made over the years. With the establishment of the Local Education Office Finiq-

Dropull, it is intended to provide textbooks, subject programs, teacher training, regular attendance of students, regardless of the distance from the nearest school, etc.

261. Information provided by Education Office Finiq-Dropull, for the school year 2019-2020 and the school year 2020-2021, on the schools where the students of the national minority study, the number of students and the teachers.

#### School year 2019-2020

Nr.	Village	Number of pupils/students	Number of teachers
1.	Finiq	27	8
2.	Bregas	3	1
3.	Karahaxh	2	1
4.	Mesopotam	36	8
5.	Aliko	12	3
6.	Dhrovjan	1	1
7.	“Lefter Talo”	42	7
8.	Dërmish	8	1

#### School year 2020-2021

Nr.	Village	Number of pupils/students	Number of teachers
1.	Finiq	26	8
2.	Karahaxh	2	1
3.	Mesopotam	38	8
4.	Aliko	7	3
5.	Dhrovjan	1	1
6.	“Lefter Talo”	52	7
7.	Dërmish	8	1

School year	Non public school “Frymë dashurie”	Number of pupils/students	Number of teachers
2019-2020		150	34
2020-2021		126	19

262. Students and teachers are working with texts in Albanian and Greek, approved by the Ministry of Education, Sports and Youth, in accordance with the curriculum. Supply with textbooks is provided in the following subjects:

- Albanian Language, Grades I-V;
- Citizen in Greek, Class V;
- History in Greek, class IV;
- Citizen in Greek language, class IV and class IX.

263. The use of the minority language in the relations of citizens with local authorities, especially in the context of informing the community is an already consolidated practice, while the official language in written communication with citizens is the Albanian language. Public

announcements and information of citizens on the official website of the Municipality, as well as social networks is done in both languages, Albanian and Greek. Within the territory of the Municipality of Finiq and on the national road, topographical signs are in both languages, Albanian and Greek.

264. In the Municipality of Finiq, interventions have been made in road infrastructure, water supply, urban waste processing, environment, etc. Regarding the provision of services, there are no differences. Efforts have been made to provide social services, health, employment and housing according to needs and priorities. As far as property titles are concerned, the process of equipping for all citizens is undergoing.

265. The promotion and preservation of culture, heritage, traditions and customs are in the focus of the Municipality of Finiq. Prior to the constraints created by the COVID-19 pandemic, the calendar of activities organized or supported by the Municipality was quite rich and varied, which identified:

- Folklore Festival, Livadhja, with wide participation of folk groups from the country and the world.
- National holidays
- Construction of the Cultural Center "Katina Papa" in Livadhja
- Reconstruction of the Cultural Center in Dhrovjan

266. The Municipality of Finiq has continuously applied to be a beneficiary of projects under various European Union funded and donor programs. The projects implemented or in process are:

- The project "Milestones I", within the Greece-Albania Cross-Border Program 2013-2017, which began to be implemented in 2014, with the benefit of the former municipality of Finiq and was successfully completed in 2017, with the main object of intervention in the infrastructure of Finiq Archaeological Park, opening of the Info Point.
- The project "Milestones II", within the Greece-Albania Cross-Border Program 2014-2020, which began to be implemented in May 2018 and is expected to end in June 2021, with the main object of the reconstruction of the Cultural Center of Dhrovjan.
- The "RyTHM" project, within the Greece-Albania Cross-Border Program, which started to be implemented in April 2018, with the main object of installing the necessary equipment for the Cultural Center, Livadhja.
- The project "Municipality of Finiq closer to vulnerable groups with public social and health services", by the IADSA II Program, which started in July 2020 and has a duration of 24 months, with the main object of construction of the Social Center, Finiq.
- The project "SOLIS", within the Greece-Albania Cross-Border Program 2014-2020, which began to be implemented in December 2019 and is expected to end at the end of 2021, with the object of reconstruction of a building in the service of the municipality.
- The "Milestones III" project, in the framework of Greece-Albania Cross-Border Program 2014-2020, which is implemented since December 2019 and is expected to be completed by the end of 2021, with the main object of reconstructing a building to turn it into an ethnographic museum in the village of Livadhja.

## **Pustec Municipality**



267. The Municipality of Pustec is a municipality inhabited mainly by persons belonging to the Macedonian minority composed with 9 villages. This minority enjoys the rights provided by the legislation in force, as well as all Albanian citizens.

268. In 9-year schools from Grade I to Grade V, the entire school curriculum is conducted in Macedonian language and 4 hours per week in Albanian language. From grade V to grade IX, 60% of the program is conducted in Macedonian and 40% of the program is conducted in Albanian. The second language in the high school system is Macedonian and English.

269. The Municipality of Pustec regularly organizes cultural activities for the promotion and protection of the culture, traditions and customs of the Macedonian minority. Religious rites are conducted in the Macedonian language. The state administration employs persons belonging to the Macedonian minority.

270. The official language in all institutions of the Municipality of Pustec is the Albanian language, but during public information and consultations with the community, the Macedonian language is also used. Function Local newspaper in Macedonian language "Prespa".

271. The names of the streets, the orientation signs, are placed on the basis of the names that have been approved by the Municipal Council, in two languages, in Albanian and in Macedonian. The written signs and topographical signs are in the Macedonian language.

272. Pursuant to the Law on Local Self-Government and the Law on the Right to Information, formal consultations with the community include: Drafting the Budget, Fiscal Package, General Local Plan, Investments. Consultations are conducted in Albanian language and Macedonian language. There has been an increase related investment in public works and the provision of services, mainly the water supply and sewerage system.

### **Shijak Municipality**

273. A considerable part of the Bosniak minority lives in the Municipality of Shijak, mainly in the village of Boraka. This minority is worthily represented in the Municipal Council where out of 21 council members 7 of them are Bosniaks.

274. A new 9-year school is already built in the village of Boraka, which bears the name of a prominent figure of the Bosniak minority. Work is underway to finalize the opening of classes in the Bosnian minority language.

275. The Municipality of Shijak is being rebuilt with 30 new buildings and over 500 individual houses, of which about 20 houses are for the Bosniak minority. The Bosniak minority association "Zambak" has developed numerous activities to promote the rights of the Bosnian minority, cultural activities, documentaries, publications, etc. In the Municipality of Shijak, names and signs have been placed in the language of this minority, in the areas where this minority is mainly concentrated, in the village of Borakë.

### **Gjirokastër Municipality**

276. In the Municipality of Gjirokastra live in full harmony residents who belong to different minorities. About 80% of the residents provide their income in the trade of household appliances and used clothing, while the rest in the collection of recyclable materials, scrap metal, as well as medicinal plants. At the disposal of this community is also placed space for

trade in goods. According to the decision no. 44, dated 28.03.2019, "On the exclusion / reduction of food payment in kindergartens / kindergartens for children in need", currently the beneficiaries are 20 children who attend the kindergarten "Shpresa Demaj". From the Social Fund children belonging to this community benefit, food packages, clothing, medicines, coverage of court costs for children who are placed in custody with blood ties, psychological services, mediation and lawyer in case of minors in conflict with the law, etc.

277. Data on the education of national minority students:

Year 2016 - 18 students of the Egyptian minority and 15 of the Roma minority

Year 2017 - 18 students of the Egyptian minority, 11 of the Roma minority

Year 2018 - 40 students of the Egyptian minority, 14 of the Roma minority

Year 2019 - 32 students of the Egyptian minority, 20 students of the Roma minority

Year 2020 - 75 students of the Egyptian minority and 16 students of the Roma minority

278. Students of the Roma and Egyptian minorities have free textbooks, according to the relevant DCM. Teachers and students have been trained in the "Siri Shaplo" school. This project also includes issues of marginalized minorities, such as the Egyptian minority and the Roma minority. At the school "Pandeli Sotiri" from grade I-XI is taught in the Greek mother tongue with textbooks in Greek and subject programs determined by MASR. Specific trainings were conducted at the Department of Greek Language, Literature and Civilization, in cooperation with the University of Ioannina and Thessaloniki.

279. Children who attend the pre-university system are enrolled in 9-year public schools: "Together" - Zinxhira, "Cajupi" - Workshop, "Koto Hoxhi" - neighborhood "September 18", and "Urani Rumbo" - Palorto. The inhabitants of this community make up 2% of the population in the Municipality. The Roma minority receives all services being treated in all social protection schemes, such as PWD payments and the social assistance scheme. 75% of the beneficiaries of the economic assistance scoring scheme are Roma / Egyptian communities. Due to the proximity to the neighboring country Greece, the seasonal emigration of members of this community is also observed.

280. The Egyptian minority is mainly concentrated in the "Punëtori" neighborhood, but also in other neighborhoods of the city. According to decision no. 44, dated 28.03.2019, "On the exclusion / reduction of food payments in nurseries / kindergartens for children in need", currently the beneficiaries are 24 children who attend kindergartens and kindergartens located in the territory of the Municipality. From the Social Fund dedicated to children, children belonging to this community benefit, food packages, clothing, medicines, coverage of court costs for children who are placed in custody with blood ties, psychological services, mediation and lawyer in case of minors in conflict with law, etc. All services are provided by being treated in all social protection schemes, such as disability payments and the social assistance scheme. 75% of the beneficiaries of the economic assistance scoring scheme are Roma and Egyptian minorities.

281. Greek minority: is located in the Municipality of Dropull, but residents belonging to this minority live in all neighborhoods of the city of Gjirokastra, as well as in the administrative units.

282. Aromanian minority: is located mainly in the territory of the Odrie Administrative Unit and in the administrative units of Cepo, Lunxhëri and Antigone. Residents earn their income

mainly from agriculture, livestock, beekeeping and trade. All measures have been taken by the local government to respect their rights. Based on international conventions, the tables are also located in the Aromanian language in the territory of the administrative unit of Odrie. In order to improve the quality of life of these residents, a series of investments have been made and others are planned in the future, investments that will focus on tourism development due to the resources and cultural, historical and architectural heritage of hundreds of years old homes.

## **KORÇA MUNICIPALITY**

283. People belonging to the Greek, Vlach-Aromanian, Roma, Egyptian and Macedonian national minorities live in its territory. What should be emphasized in the case of the Greek minority in the municipality of Korça is the fact that as a result of emigration, the vast majority of its members are in emigration, mainly in Greece. The Aromanian minority is mainly living in some neighborhoods of the city and surrounding villages. The Macedonian minority in the municipality of Korça is mainly located in the city.

284. Teaching in Greek, according to the legislation on private education takes place in the non-public school "OMIROS" and in the gymnasium "PLATON". The school "OMIROS", in preschool education is attended by about 100 children, while the 9-year education is attended by about 400 students, from 1st to 9<sup>th</sup> grade. The "PLATON" gymnasium is attended by about 80 students, from the 10th grade to the 12th grade.

285. Roma minorities are declared with about 1000 families (over 3,000 members). Language learning is conducted privately by Roma organizations. Once a week, the Albanian Public Television provides weekly news coverage and a cultural program in Romani. The Egyptian minority is scattered throughout the municipality.

286. The Municipality of Korça has approved the Local Plan for the Integration of Roma and Egyptian Minorities. The municipality maintains constant contacts with various associations of national minorities, in its territory, to recognize their needs and problems, then in planning and finding their solutions.

287. Regarding housing for the period 2016-2020, the municipality has built 2 buildings, by the National Housing Authority, with 74 apartments, of which 30% have benefited members of national minorities. In the housing bonuses offered by the municipality, over 70% of them, beneficiaries are members of minorities. About 20% of the beneficiaries of social loans provided by the Municipality are from minorities.

288. The municipality is co-financing 30% of the value of the project "Improvement of housing conditions", with the Ministry of Economy, where 80% of the beneficiaries are from national minorities. 26 families who came out homeless from the reconstruction of the Old Bazaar, as well as 7 families living in buildings in danger of collapsing, are sheltered near the dormitories administered by the Municipality. Interventions have been made to improve housing conditions in the Geology area and in the Construction dormitory, where members of national minorities have been housed.

289. The Community Center has been reconstructed, and the Operational Plan for the functioning of the Community Center has been approved. 3 daily care centers for children of Roma and Egyptian minorities have been opened and are functioning in cooperation with the "DORKAS" foundation. In these centers children are offered 1 meal, support teachers and

various social activities. The municipality supports the rent of space and coverage of energy-water costs, 4 centers of the elderly, where over 50% of the beneficiaries are from minorities. The 1-month summer camp "FRIENDSHIP", which takes place during the summer holidays, has over 50% of children benefiting from minorities. Anti-Discrimination Week was organized in cooperation with the Commissioner against Discrimination. Numerous socio-artistic activities have been organized for minority holidays.

290. In cooperation with the "EMANUIL" foundation, there is a Multifunctional Center for returnees from illegal immigration, as well as to help families at risk of illegal immigration, where 89% of the beneficiaries are from the Roma and Egyptian national minorities. Every year the municipality offers 100 free school kits, where 80% of the beneficiaries are minority children.

291. Every year, the municipality offers free kindergartens and nurseries for children in need, where 90% of children benefit from minorities. Reconstruction of the school "Naim Frashëri" has been completed, which is attended by 100% of children of Roma and Egyptian minorities. In areas where they are most concentrated, investment has been made in modern infrastructure such as parks and playgrounds for children.

## **POGRADEC MUNICIPALITY**

292. In the Municipality of Pogradec live persons belonging to national minorities: Aromanians; Egyptian; Rome; Macedonians; Greek. The Municipality of Pogradec does not have data on the number of population for each of them. According to the data in this Municipality are about 2200 Egyptians and Roma.

293. The Municipality of Pogradec has taken measures to promote and protect the rights of national minorities, at the local level, in the field of education, culture, employment, housing, health care and service delivery. On 28.02.2020 in the Municipality of Pogradec was approved the Local Plan for the Integration of the Roma-Egyptian Community 2019-2022, a Plan which pays more attention to the integration of this Community. The Social Service Office in Pogradec has worked with marginalized families by constantly informing and sensitizing them about socio-cultural topics.

294. The following are represented in the Pogradec Municipal Council:

- 2 advisors to the Macedonian minority
- 1 advisor to the Egyptian minority
- 1 advisor to the Aromanian minority

295. Housing the Egyptian and Roma communities is a priority of the Municipality.

- In 2017, the beneficiaries were 17 Roma-Egyptian families with a value of 12 million ALL.
- In 2018, 7 two-storey buildings were restored in neighborhood no. 4 where the beneficiaries were 28 families, 24 Roma-Egyptian families and 4 majority families with a value of 24 million ALL.
- In 2019, the project for the restoration of housing was won, involving 45 families, of which 27 Egyptian families and 5 Roma families worth 29 million ALL.

296. Roma and Egyptian families (6 Egyptian families and 2 Roma families) are beneficiaries of the soft loan program for 2020. In the Kabashi area where 18 Roma-Egyptian families

live, infrastructure has been invested in the construction of the Kabashi Bridge with a value of 10,000 Euros, and the construction of a water supply system with a value of 500 Euros, financed by the Council of Europe and work continues to resolve ownership of this building. In the area of Guri i Kuq where 40 Roma-Egyptian families live in 2019, the Municipality in cooperation with the Office of the Commissioner Against Discrimination has made possible the suspension of the Auction issued by Albminiera and the acquisition of ownership of 10 families living in this building. The legal proceedings for the other families continue until the end of this case.

297. In the Municipality of Pogradec, there are no problems of school dropout by children of the Egyptian minority and the Roma minority. The number of Roma and Egyptian children attending pre-school and compulsory education is: 285 Roma and Egyptian children, 225 Egyptians and 60 Roma excluded from tuition fees. Special attention has been paid to vocational training by directing Roma-Egyptian youth to the Vocational High School where currently this year there are 61 young people who attend vocational education and all are treated with scholarships to enable and facilitate their education.

298. The Municipality of Pogradec has supported the youth of national minorities by employing them in state administration and various sectors such as: Office of Social Service, Office of Urbanism, Directorate of Culture, Municipal Police, Directorate of Water Supply and Sewerage, etc. The Municipality employs from the Egyptian and Roma Communities: 6 specialists with higher education and 40 employees in different sectors.

299. In terms of social protection, the number of Roma and Egyptian families receiving economic assistance is: 161 Egyptian families and 47 Roma. 20 families that have not benefited from the Economic Assistance system have been treated with 6% of the assistance. During the COVID-19 Pandemic period, food packages and hygienic-sanitary packages were distributed to all vulnerable Roma-Egyptian families in cooperation with organizations and foundations of different. Work has been done with Roma-Egyptian families to vaccinate their children regularly at the Health Centers and to register 4 Egyptian children and 2 Roma children from the Office of the Unit for the Protection of the Rights of the Child.

300. The Community Intercultural Center has organized activities for Roma and Egyptian minorities to promote the culture and tradition of these two national minorities, such as April 8, International Roma Day and June 24, Egyptian Day, as well as the engagement of Roma and Egyptian youth in awareness-raising activities. on socio-cultural topics.

## **ELBASAN MUNICIPALITY**

301. According to the data of the Municipality of Elbasan, about 2800 Roma and 5718 Egyptians have been identified. The Municipality of Elbasan to help provide the highest quality services for this minority has set up effective structures which cooperate with all local actors to identify, evaluate and monitor the services provided.

302. The Municipality of Elbasan has for years established a community center which provides education, training, and entertainment activities for Roma minorities and beyond. In cooperation with public and non-public institutions in their awareness of the importance of schooling and education we have an increase in the number of children attending schools and kindergartens.

303. For education and intercultural dialogue, since the beginning of the school year 2020-2021, the Municipality of Elbasan has followed the process of identifying and referring cases



of children in kindergartens, kindergartens and schools. In coordination with the local actors and the Local Education Office in Elbasan, a list was compiled with the children who started the first grade, the list of children who have left school for various reasons. The cases of children who have dropped out of school are under constant monitoring by the Directorate of Social and Community Care Services.

304. For children coming from families with socio-economic problems, coordination and referral was made between the structures to benefit from services from multifunctional public and non-public centers operating in the city of Elbasan, which consist of preparing after school lessons, information on the current situation, psycho activities -sociale etj. Providing services to the parents of these children but not only as information on the care and attention they should show during this pandemic period how to take care of the importance of the well-being of their children's schooling as well as ongoing psychological support. In the Municipality of Elbasan, about 158-164 Roma families and 473 Egyptian families receive economic assistance. Approximately 220 children and adults benefit from social services provided by public and non-public centers operating in the city of Elbasan.

305. Regarding the employment of Roma minorities, from the current data we have collected in the field, it results that most of them live on economic assistance and a part is self-employed in the sale of used clothes, handicrafts and the collection for the sale of recyclable materials.

306. Information, awareness and referral sessions were held at the Labor Offices to understand the benefits of registering as an unemployed jobseeker in employment promotion programs or for orientation towards vocational training courses. The municipality cooperates with organizations and foundations to support families in need through projects for family empowerment and income generation. The cases identified by the Municipality refer to employment promotion projects implemented by the Employment Office.

307. Regarding the housing problems of minorities, the Municipality of Elbasan has for years supported the improvement of housing conditions by investing in the neighborhood where most of them live by repairing roads, sewers, water supply, lighting and reconstruction of housing. During 2020, about 158 families received bonuses, of which 115 were from the Roma and Egyptian minorities, while for 2021 about 130 families from these minorities will be treated. 41 dwellings for Egyptians and 30 for Roma have been reconstructed. Recently, thanks to the cooperation with ROMACTED, the bridge was restored in the 5 Maji neighborhoods.

308. Health care: The Municipality of Elbasan in cooperation with health structures has guaranteed health service and accessibility for Roma and Egyptian minorities. Information activities were carried out regarding the protection measures against COVID-19, on the importance and necessity of vaccination, health care.

309. Regarding social protection, the assessment of the needs for social services and the capacities of local institutions to address the specific needs of the Municipality of Elbasan, as part of the drafting of the Local Plan for Social Protection, 2018-2022. The management of cases according to the specifics was followed through sub-sectoral roundtables, treating them with individual plans. There are 6 field teams which have in their composition employees of the Directorate of Social and Community Care as well as representatives of local actors that focus on children. These teams identify and monitor the cases of children who are used for various jobs (begging, outpatient sales, collection of recyclable waste, etc.)

## **Vlora Municipality**



310. In the Municipality of Vlora are treated 67 Roma families in the Administrative Unit Novosela and 60 Roma families in the Administrative Unit Shushica. 13% of the families that make up the Economic Assistance scheme in the entire Municipality of Vlora are of the Egyptian minority. During the period of the COVID-19 pandemic, regarding the taking of necessary, immediate measures for the Roma and Egyptian Communities in the municipality of Vlora, measures were taken to meet their basic needs to cope with this emergency situation. Specifically, the treatment of the beneficiaries of the economic assistance scheme for all categories in need, as well as the Roma minority and the Egyptian minority through the provision of food packages continuously for these beneficiaries and individuals in need, without exception, especially in the two Administrative Units Novoselë and Shushicë.

311. Administratorët Sociale kryesisht të këtyre Njësi, të cilat kanë në përbërje përfaqësues të këtyre pakicave, por edhe Administratorët e Rajoneve brenda Bashkisë ku trajtohen një numër i konsiderueshëm i këtyre pakicave, ndjekin zbatimin e masave për mos braktisjen e shkollës të fëmijëve të këtyre pakicave. Aktualisht Bashkia e Vlorës po bashkëpunon me Qendrën Kombëtare për Studime Sociale në kuadër të projektit SoRI II. Ky projekt ofron mbështetje për frekuentimin e shkollës pa ndërprerje të fëmijëve të pakicave rome dhe egjiptiane nëpërmjet linjës së internetit që do të shtrihet për këto familje dhe dhënien e tabletave për familjet që kanë dy ose më shumë fëmijë që frekuentojnë shkollën për të mundësuar mësimin online në kushtet e pandemisë Covid 19. Janë zhvilluar fushata sensibilizuese kryesisht takime ndërgjegjësuese kundër dhunës, abuzimit dhe martesave në moshë të hershme.

### **Përmet Municipality**

312. According to the information of the Municipality of Përmet in the territory of this municipality there are about 200 families of the Egyptian minority, which are distributed in the city of Permet and in the Administrative Unit Piskovë. For this community, the municipality of Përmet provides support with the necessary basic services. Free textbooks for children were also distributed. In the support structures of the Municipality during 2020 are employed about 30 employees. The houses of about 15 families of the Egyptian minority have been built in the Piskova administrative unit with the support of the ROMACTED project, and the municipality has helped about 50 families with the reconstruction of the houses.

313. Based on the law on social housing and the law "On local self-government", the Municipal Council has approved during 2020 the list of homeless families seeking housing under social housing programs, which have benefited 6 people from the Egyptian minority out of a total of 9 people. A member of the Egyptian minority is represented on the City Council.

## **ANNEXES TO THE REPORT**

### **Annex no. 1- Projects to support the culture of national minorities**

1. During the years 2016-2020, are supported financially by the Ministry of Culture, Calling Projects, for the promotion and protection of the values and cultural identity of national minorities:

#### **2. For 2016:**

“Përmeti Multicultural, Minorities and Ethnic”, organized by the Albanian Branch of CIOFF, on June 21-23, Përmet;

- "Chronicle in Dropull", organized by the association "Connex Sh.p.k." on 07-15 August, in some villages of the Dropull area.

- The process of registration and inventory of intangible community-based heritage elements is underway, which will also benefit national minority cultures.
- Multicultural Festival Berat-Edition III-2016 by the organization "People and Ideas", • "Art, children and the museum" with Roma children,
- Rome Exhibition: Art and Folk.
- International Film Festival for Human Rights in Albania, 11th edition - Ora Film Marubi.
- "Romanian-Albanian dictionary" - Raxani Baxt Albania.

3. For 2017:

- "Multicultural Përmeti, Minorities and Ethnicity", organized by the Albanian Branch of CIOFF, in June, (groups and individuals of different cultures) In this event, in 2017 participated a total of 140 artists. In addition to representatives from various national minorities, 25 artists from the Egyptian community and 10 artists from the Roma Community participated.
- "Aulona festival" (groups from different countries and cultures but also representatives of national minorities in Albania).
- "Dibrane Chamber" (representatives of national minorities also participate).
- "International Human Rights Festival", 12th edition. 18 - 20 September 2017, Marubi Film and Multimedia Academy. Its purpose is to educate the youth public in Albania about the issue of human rights and national minorities.
- For 2017, on the occasion of the International Roma Day, the Ministry of Culture funded and enabled the theatrical performance of a group of Roma youth entitled "Wooden plate", in one of the most important state theaters.

4. For 2018:

- The traditional festival "Multicultural Përmeti, Minorities and Ethnicity", organized by the Albanian Branch of CIOFF, where there was again participation and cultural exchanges between foreign ensembles, such as Roma, Egyptian and Vlach and Albanian.  
The activity "Macedonian Cultural Summer 2018" organized in Pustec on July 25-30, where folklore concerts, handicraft and culinary fairs, etc. took place of the Macedonian minority.

5. For 2019:

- The project "Hand in hand generations dance" breza vallesh of the Greek community, by the Multifunctional Association for Culture", developed in the Dervician Administrative Unit on April 18.
- The project "Folklore Festival of the Macedonian minority in Albania" by the Association "ILINDEN", organized in Tirana on June 9.
- The project "Millennium of the Roma: Fair of Roma culture and tradition" by the NGO "Disutni Albania" organized in the city of Korça on April 15.
- Tradition Festival project "Përmeti Multicultural 2019 National Minorities and Ethnicity", organized by the Albanian Section of CIOFF, where in addition to Albanian ensembles also participated groups of Egyptian and Greek national minorities.
- Project Festival "Përmeti Multi cultural 2019" held in the city of Përmet on June 21-23, 2019. In this festival participated 7 groups with about 130 participants.

6. Participants in this festival were:

- Group of the Cultural Association Aferdita, Tirana, Group of the Greek minority from Finiqi, Saranda, Group "Syziu Danc" from Lushnja, Popular group "Neither big nor small" Kolonjë, Group of the Cultural Association "Avjerinos" from Ioannina, Greece , Vevchani Group, Macedonia and Këlcyra Popular Group, representative of the Egyptian community (9 artists). It was attended by 1000 spectators.
- "Millennium of the Roma: Fair of Roma culture and tradition in the Region of Korça ". Applicant NGO "DISUTNI ALBANIA", Arben Kosturi, executive director.
- It took place in the period 15 February-15 April 2019, in Korça.
- This project also included the creation of a popular traditional Roma dance ensemble with Roma boys and girls. The activity took place in the premises of the Characteristic Bazaar of Korça on April 15. 60 Roma artists and 10 artisans from the Roma national minority participated. It was attended by 600 spectators.
- Project Folklore Festival of the Macedonian-Macedonian minority in Albania, by the Association "ILINDEN". Organized at the Puppet Theater. 100 artists from the Macedonian national minority participated. It was attended by 100 spectators.
- The project "Hand in hand dance belts" Multi-functional Association for Culture, Education and Development, organized in Dervichian (Greek minority). 80 artists and 35 children from the Greek national minority participated. It was attended by 800 spectators.

7. For 2020:

The project "International Roma Language Day" which was developed by the Association "Rromano Kham", in Tirana on November 5, 2020. Due to the Covid 19 pandemic, it was not possible to carry out a series of activities which were planned.

**Annex 2. Programs broadcast on minorities from 2017 to 2020.**

**Viti 2017**

Report for ERIAC - Roma Cultural Center in Berlin

Tower of Grace / Roma

Identity starts from the ABC / Roma

Serbo-Montenegrin songs

News from Monday to Friday

Short news in Bulgarian, Greek, Aromanian, Roma, Macedonian, Serbian

Every Saturday and Sunday, each minority has 30 minutes of space for music in the language of each minority.

**For 2018**

Alloy-Bulgarian

24 hour reportage (for Egyptians)

They are the other... but like us (documentary for Roma)

Egyptian National Day IN Albania

Employment and housing of Egyptian minorities

Reconstruction of Egyptian Minorities in Librazhd

Egyptian Community Community School

Egyptian youth towards employment-training

Cultural Heritage of Roma in Albania

The Vlachs of Selenica

Selenica-Vlach

In Narta-Greek

News from Monday to Friday

Short news in Bulgarian, Greek, Aromanian, Roma, Macedonian, Serbian

Every Saturday and Sunday, each minority has 30 minutes of music space in the language of each national minority.

**For 2019**

Documentary, give me your hand Roma

Vangeloff Ensemble in Albania 2019- Bulgaria

The language of hatred

The show NE-Roma

The show NE – Aromanians

The show NE - Montenegrin Minority in Albania

Show NE - Bulgarian Package

Show NE - Macedonian Package

The show NE - Roma children are educated the same as us.

Show NE - Greek minority

News from Monday to Friday

Short news in Bulgarian, Greek, Aromanian, Roma, Macedonian, Serbian

Every Saturday and Sunday, each national minority has 30 minutes of music space in the language of each minority.

**For 2020**

Documentary-Employment of Roma in Kosovo

Documentary - "Egyptian culture in Peja"

In the footsteps of the great Roman masters

NE show during 2020

Show NE- Macedonian Minority

NE- Montenegrin show

The show NE Education of Roma children

Show NE- Roma children are educated in the same way as all children

The show NE-Aromanians over the centuries with us

The show NE-28-JUNE-DAY OF THE EGYPTIAN MINORITY

The show NE- Law on National Minorities in Albania

The show NE - Montenegrin minority in Albania

The show NE - Egyptian Minority

The show NE- Education for Roma children in Albania

News from Monday to Friday

Short news in Bulgarian, Greek, Aromanian, Roma, Macedonian, Serbian

Every Saturday and Sunday, each minority has 30 minutes of music space in the language of each national minority.

**Annex no. 3. Additional information on informing minorities about the development of the electoral process (awareness campaigns, spots, leaflets during the period 2016-2020.**

1. Year 2016 Celebration of World Election Day, one of the most important activities for electoral education organized every year by the CEC, on February 5, 2016 was held in the youth center "Tirana", with young people of the capital, voters for the first time. With the motto "For Roma, with Roma", in cooperation with the Institute of Roma Culture in Albania IRCA, election educational programs for Roma and Egyptian communities were designed and implemented. The methodology, forms and tools used were based on the social specifics, cultural and educational level of the communities. In cooperation with the OSCE, leaflets with information on the Roma election process were distributed to the participants, mainly Roma and Egyptian youth women.

## 2. Assembly Elections 2017:

There were produced and distributed in the residences of national minorities In Greek: 3000 posters, leaflets: 2000 A4 format and 2000 85x400 format. In Macedonian language: 2000 posters, leaflets: 1000 A4 format and 1000 85x400 format. In Romani language: 1000 leaflets posters: 1000 A4 format and 1000 85x400 format. In Aromanian language: 1000 leaflets posters: 1000 A4 format and 1000 85x400 format. In Montenegrin: 700 leaflets posters: 700 A4 format and 700 85x400 format. The CEC implemented the project for the electoral education of the Roma community, with the support of the OSCE.

3. The CEC administration trained 25 Roma students from all 12 regions of the country and trained them to conduct electoral education sessions in the community. The trained youth, in cooperation with the CEC administration, conducted over 22 electoral education sessions in the residences of the Roma community in the regions of Gjirokastra, Lezha, Durres, Delvina, Berat, Fier, Korca, Tirana, Elbasan, Shkodra, Pogradec. These sessions were attended by about 856 members of the Roma community of whom 432 were female and 328 were male. Roma students engaged as trainers helped the community during June 2017 to guide voters to the polling stations where they were registered, their location, as well as to address various community problems on the eve of elections, including attempts for vote buying. In the training sessions, the trainer's contact number was made available to participants to report any situation that might impede free participation in the election.

4. This project brought tangible benefits to the voting process, but also aimed to leave a long-term legacy in the community, through training in basic democratic principles, training community members on how to make their choices, and how to assess accountability. by their political representatives.

5. Thanks to the continuous cooperation of national minority associations, election information meetings were held in Dervician (Greek national minority), Pustec and Peshkopi (Macedonian national minority) in Vlora (Aromanian national minority) in Tirana, Fier and Durrës (Roma and Egyptian national minorities).

6. Local elections 2019. The CEC signed a cooperation agreement with the State Committee for National Minorities. Posters and leaflets, in the languages of national minorities, provided complete information on the type and date of elections, the local election system, voting schedules and procedures, voting identification documents, voter rights and duties, election-related offenses free and democratic electoral system.

7. Information and educational posters in the languages of national minorities (5 types) were sent to the respective CEAZs to be distributed and posted at the Polling Stations located in the local self-government units with the largest number of national minorities. In Greek: 4000

posters, leaflets: 2000 A4 format and 2000 85x400 format In Macedonian language: 3000 posters, leaflets: 1000 A4 format and 1000 85x400 format In Romani and Egyptian: 2000 posters, leaflets: 1000 A4 format and 1000 85x400 format.

In Aromanian: 1000 posters, leaflets: 1000 A4 format and 1000 85x400 format In Montenegrin: 700 posters, leaflets: 700 A4 format and 700 85x400 format In Serbian: 700 posters, leaflets: 700 A4 format and 700 85x400 format In Bosnian: 700 posters, leaflets: 700 A4 format and 700 85x400 format In Serbian: 300 posters, leaflets: 300 A4 format and 300 85x400 format In Bulgarian: 300 posters, leaflets: 300 A4 format and 300 85x400 format.

For the Roma and Egyptian national minorities, the special project "My vote counts" was realized, in cooperation with IRCA (Institute of Roma Culture in Albania), supported by the American Democratic Institute (NDI), in 12 regions of the country.

8. Roma students (25) from all 12 regions of the country were trained by the CEC administration and trained to conduct electoral education sessions in the community. The trained young people, in cooperation with the CEC administration, conducted over 30 electoral education sessions in the residences of the Roma community in the regions of Gjirokastra, Lezha, Durres, Delvina, Berat, Fier, Korca, Tirana, Elbasan, Shkodra, Pogradec. These sessions were attended by about 900 members of the Roma and Egyptian communities, of whom 550 were female and 350 were male.

9. Roma students engaged as trainers helped the community during June 2019 to orient voters to the polling stations where they were registered, their location, as well as to address various community problems on the eve of elections, including attempts for vote buying. In the training sessions, the trainer's contact number was made available to participants to report any situation that might impede free participation in the election. The appropriate methodology and tools made the electoral education sessions followed with interest by the Roma and Egyptian communities, clarifying the voting procedures and increasing the confidence to exercise the right to vote unaffected.

10. Also, the CEC, in cooperation with the OSCE presence, implemented in the residences of the Roma and Egyptian minorities the information and awareness project focusing on women and youth, to address the negative phenomenon of vote buying, individual and social consequences in the case the alienation of the will against the offering / giving of money or material goods, as well as family voting. The sessions conducted within this project were attended by 356 members of the Roma and Egyptian minorities (198 women and 158 men).

#### **Annex no.4: Additional information- Ombudsman.**

1. The People's Advocate considers the promotion and protection of human rights as a priority of his activity. Referring to the recommendations for immediate action, regarding: "Adoption without further delay of the secondary legislation necessary to make the law on the protection of national minorities applicable, in accordance with international human rights standards and in particular the provisions of the Framework Convention for National Minorities", it is concluded that there have been delays in this process.

2. On 25.02.2020, the Ombudsman addressed a recommendation to the Chairman of the Council of Ministers, as well as the Chairman of the Central Election Commission, to conclude the process of issuing bylaws, based on and implementing law no. 96/2017. It is concluded that



some important bylaws for this purpose have not yet been issued and have not entered into force.

3. The Ombudsman considers that this process is very necessary and should be concluded as soon as possible, in order to fully guarantee the rights of the community, but also the individual rights of members of national minorities in Albania. During 2020, the PA has given its opinion on three draft decisions submitted by the Ministry of Interior:

- Draft Decision “On determining the composition, functions and procedure of the Commission for reviewing the request for recognition of a national minority”
- Draft decision of the Council of Ministers "On determining the criteria, documentation and procedures for data collection for the identification of persons belonging to national minorities".
- Draft decision of the Council of Ministers "On the manner of using the language of national minorities in relations between persons belonging to national minorities and local self-government bodies".

4. Population census - During the consultation process of the draft law "On the censorship of the population and housing", as well as earlier in the Report "On the rights of national minorities in Albania", sent to the Albanian Parliament in 2015, the Ombudsman has given recommendations regarding: "The development of a new population census, based on the best international criteria and standards, where minorities would find themselves to express objectively and unreservedly about their existence." The development of a census in these standards would help in the implementation of some provisions of law no. 96/2017, "On the protection of national minorities".

5. According to the People's Advocate, the legislation for the protection of national minority rights has meanwhile developed and improved, referring here to the process of consulting the draft decisions that will be issued pursuant to the provisions of law no. 96/2017, "On the protection of minorities" in the Republic of Albania”, and which will be proposed for approval by the Minister of Interior.

6. It is necessary to carry out a process of harmonization of all legislation as a whole, which aims to regulate the legal regime of censorship, without excluding here bylaws and draft laws that are directly or indirectly related in their implementation to the censorship process and data provided by him. This mandatory requirement becomes even more sensitive in the case of questions about ethnic group, religion and languages, the answers to which are based on the free and non-mandatory declaration of the individual. Finding the right alternatives in the content of the census questionnaire designed by INSTAT, takes on a special importance for the very objectivity and reliability of the process, in this sense.

7. In addition to the other articles of the draft law, a special and detailed care is shown for the protection of personal data in accordance with the legislation in force and a detailed definition is given for the composition and competencies of the institutions and administrative structures that will take care of the progress of the census process (Central Census Commission, INSTAT and census offices). According to the People's Advocate, INSTAT has a significant role in this process, for ascertaining, reviewing and imposing an administrative sentence, according to the provisions of the law.

8. Legislative framework for the prevention of discrimination. Since the beginning of 2013, a recommendation has been sent to the competent institutions for some improvements in the law

no. 10221 dated 4.02.2010 "On protection from discrimination", as amended, for the inclusion as grounds for discrimination of; nationality; the stated intent to discriminate; incitement to discrimination and aiding and abetting discrimination. With the latest amendments to the law no. 10221 dated 4.02.2010 "On protection from discrimination", there have been improvements, but the recommendations brought back to attention by the People's Advocate are not included.

9. Socio-Economic Situation of Roma and Egyptians, we bring to your attention the fact that the Ombudsman has long addressed the problems of the Roma national minority and the Egyptian national minority, who still face many obstacles to inclusion and integration in the social system: housing, registration in the civil status, receiving economic assistance, or even mother, employment, vocational training, health care.

10. The difficult conditions of the Covid 19 pandemic in our country have led the AP to pay special attention to the situation of the Roma and Egyptian minorities, addressing some specific recommendations for taking the necessary, immediate measures for the Roma and the Egyptian minority.

11. The Alliance without Hate and its founding institutions: the People's Advocate, the Commissioner for Protection from Discrimination, the Audiovisual Media Authority and the Albanian Media Council will work together to promote and advocate in the fight against hate speech and discrimination in Albania. The "Alliance without Hate" consists of a common approach to promoting diversity and more specifically will:

- develop communication and information materials to raise awareness and promote diversity and freedom of expression such as brochures, reports, campaigns, etc. to reach its audiences and the general public.
- promote cooperation with partner organizations and agencies that play a role in the fight against discrimination and hate speech such as the Ministry of Education, Youth and Sports, Internet Service Providers (ISPs), journalists' organizations, civil society organizations, organizations for consumer protection etc.  
support partners in identifying effective mechanisms to combat hate speech based on European practices and standards.
- Identify mechanisms for improving information sharing and staff training.

12. "Alliance without Hate "will develop a common agenda and will share an action plan which will define the interventions to be fulfilled during the next 3 years. The Alliance is supported by two projects of the Joint Program of the EU and the Council of Europe "Horizontal Instrument for the Western Balkans and Turkey 2019-2022", respectively the Project "Promotion of Diversity and Equality in Albania" and the project "Freedom of Expression and Media (JUFREX)".

#### **Annex no. 5: Additional information - Commissioner for Protection against Discrimination.**

1. One of the national mechanisms for the protection of minorities and for guaranteeing the implementation of the Law "On Protection from Discrimination" is the Office of the Commissioner for Protection from Discrimination (CPD) as a public and independent institution in the exercise of its duty which " ensures effective protection against discrimination and from any form of conduct that promotes discrimination"(Article 21 point 1). Legal amendments to Law 10221/2010 "On Protection from Discrimination", have

increased the legal guarantees for the protection of national minorities in the Republic of Albania. The Office of the Commissioner has all the tools to deal with discriminatory situations against national minorities in a professional and effective manner.

2. In addition to the central office, the Commissioner exercises his activity also through the regional offices in Korça, Shkodër, Fier. With decision no. 88, dated 23.07.2018, of the Assembly of Albania, it was decided to change the structure and staff of the Office of the Commissioner for Protection against Discrimination. Based on these changes, the number of staff of the Office has increased from 23 employees with the old structure to 34 employees with the new structure. In the framework of the joint EU / CoE project "Increasing the effectiveness of the Albanian system of protection of human rights and anti-discrimination", the Commissioner piloted 3 regional offices in the cities of Korça, Gjirokastra and Shkodra until 2018. Financial resources of The Commissioner, have experienced a slight increase over the years (this in line with the expansion of the structure of the CPD), but further support is needed in order to realize the extended competencies of the Commissioner.
3. Cases reviewed by the Commissioner.
  - During 2016, 82 cases were handled (75 complaints and 7 ex-officio), with subjects: 38 Men; 29 Women and 8 NGOs.
  - The issues addressed were addressed to 80 Public institutions and 2 private entities (5 cases against central government institutions and 75 cases against local government institutions).
  - By fields: 16 Education; 10 Employment and 56 Services.
  - In 2016, the Commissioner issued 70 decisions and 2 Recommendations in the field of education. The 70 decisions given are divided into: 51 basic decisions, 13 non-acceptance decisions; and 6 fines for failure to provide information. Decisions are categorized as follows:
    - 7 discrimination decisions (4 decisions in the field of education have been implemented, 2 decisions in the field of goods and services have been implemented and 1 decision in the field of goods and services has been challenged in court.)
    - 32 non-discrimination decisions;
    - 13 non-acceptance decisions;
    - 9 decisions to achieve effectiveness;
    - 2 decisions to terminate procedures after effectiveness has been achieved;
    - 2 decisions to terminate procedures after effectiveness has been achieved;
    - 6 decisions with fines for not providing information.
4. During 2017, 92 cases were handled (89 complaints and 3 cases ex-officio), with subjects: 40 Men; 39 Women, 6 Group of persons and 4 NGOs.
  - The cases addressed were directed 11 against private entities and 81 against public institutions (6 cases against central government institutions and 75 cases against local government institutions).
  - By fields: 5 Education, 5 Employment and 82 Services.

In 2017, the Commissioner expressed 72 decisions and 1 recommendation in the field of education as follows:

- 12 discrimination decisions (9 decisions in the field of goods and services have been challenged in court, 1 decision in the field of goods and services has been implemented, 1 decision in the field of employment has been implemented, 1 decision in the field of employment has not been implemented and is given a decision with a fine).

- 26 non-discrimination decisions.
  - 24 non-acceptance decisions.
  - 3 decisions to achieve effectiveness.
  - 1 decision to terminate the investigative procedures, after the complainant withdrew from the complaint;
  - 4 decisions terminating investigative procedures, for lack of evidence.
  - 1 fine decision for non-enforcement of the decision.
  - 1 decision with a fine for not providing information.
5. During 2018, 63 cases were handled (59 complaints and 4 cases ex-officio), with subjects: 19 Men; 20 Women, 9 Group of persons and 11 NGOs.
- The cases addressed are directed 7 against private entities and 56 against public institutions (6 cases against central government institutions and 50 cases against local government institutions).
  - By fields: 10 education, 5 employment and 48 services.

During 2018, the Commissioner has expressed 64 decisions: 41 basic decisions, 20 non-acceptance decisions; and 1 decision suspending the review, 2 decisions terminating the proceedings. Decisions are categorized as follows:

- 10 discrimination decisions.
  - 25 non-discrimination decisions.
  - 20 non-acceptance decisions
  - 6 decisions to achieve effectiveness.
  - 1 decision to terminate the investigative procedures, after the complainant withdrew from the complaint.
  - 1 decision termination of investigative procedures, after the case has been submitted for trial in court.
  - 1 review suspension decision.
- During 2019, 35 cases were handled (33 complaints and 2 ex-officio cases), with subjects: 9 Men; 10 Women, 5 Group of persons and 9 NGOs. 7 cases against private entities and 28 against public institutions (7 cases against central government institutions and 21 cases against local government institutions). By fields: 7 issues on en and 28 issues on services.
6. During 2019, the Commissioner has expressed with 33 decisions: 26 basic decisions, 4 non-acceptance decisions and 3 decisions termination of procedures, which are categorized:
- 12 discrimination decisions (7 decisions in the field of goods and services have been implemented, 1 decision in the field of goods and services has been challenged in court, 2 decisions in the field of goods and services are still in process and 2 decisions in the field of education are implemented).
  - 9 non-discrimination decisions;
  - 4 non-acceptance decisions;
  - 5 decisions to achieve effectiveness;
  - 2 decision termination of investigative procedures, after the complainant withdrew from the complaint;
  - 1 decision to terminate investigative procedures, for lack of information.
7. During 2020, 16 cases were handled (15 complaints and 1 case ex-officio), with subjects: 4 Men; 4 Women, 4 Group of persons and 3 NGOs.

- The issues addressed are: 2 against private entities and 14 against public institutions (7 cases against central government institutions and 7 cases against local government institutions).
- By fields: 2 Education, 3 Employment and 11 Services.

During the period January-November 2020, the Commissioner has expressed 14 decisions: 12 basic decisions and 2 non-acceptance decisions as follows:

- 5 discrimination decisions (4 decisions in the field of goods and services are in process, 1 decision in the field of employment has been challenged in court);
- 4 non-discrimination decisions;
- 2 non-acceptance decisions;
- 3 decisions to achieve effectiveness;

**Cases treated - typology of problems:**

- Problems of electricity supply for members of Roma and Egyptian minorities. The Commissioner ordered the ERE to take measures to amend the Regulation by relieving from the burden of paying the new connection fee, applicants who are treated with the status of "customer in need", who are in financial difficulties.
  - The problem of drinking water supply, lack of sewerage or lighting in areas where most of the inhabitants belong to the Roma or Egyptian minorities has been addressed in some cases by the Commissioner in different cities such as Elbasan, Shkodra, Fier and Korça. In the case of the residents in Shkodra and Korça, the authorities have implemented the decisions of the Commissioner by resolving the identified problems.
  - Problems of using inappropriate terminology for labeling certain areas inhabited by members of Roma or Egyptian minorities, in official documentation used by the electricity supply service provider in the city of Shkodra. During the review of the case by the Commissioner, the electricity supply operator in the city of Shkodra took immediate measures on the issue.
  - Problems of Roma children dropping out of school due to poverty. The responsible institutions took the appropriate measures for the opening of part-time basic classes in the 9-year school "Agimi" Maliq for the school year 2020-2021, solving the problems addressed to the Commissioner.
  - Problems of segregation of children belonging to certain Roma and Egyptian minorities in schools. The Commissioner found discrimination in the form of segregation of Roma and Egyptian students studying in the 9-year school "Liria" Shkodra and the subordinate school "Isuf Tabaku", Ajasem, Shkodra and ordered immediate measures to regulate the situation and prevent such situations in the future.
  - The language used in the media, social media, against the Roma, Egyptian minorities, by journalists, public figures and even MPs, are considered by the CPD as discrimination against these groups.
  - Dismissal by a public institution employer of a woman belonging to the Roma minority was found to be discriminatory by the Commissioner.
8. Regarding the education of national minorities, the Commissioner has ascertained the following problems, which he has addressed to the competent bodies.
9. Problems of enrollment of Roma and Egyptian children in public kindergartens in the city of Tirana. Based on the recommendation of the Commissioner, the Municipality of Tirana took measures for the inclusion of children coming from families of the Roma / Egyptian community, as a category that benefits from free service in public Kindergartens and Nurseries of Tirana.

10. The issue of segregation of children belonging to Roma and Egyptian minorities in certain schools has been identified by the Commissioner. Problems with transportation of children.
11. Problems of school dropout by Roma children due to poverty. Through part-time basic education they can be given the opportunity to complete compulsory education and then enroll in vocational secondary education and beyond.

#### Recommendations of the CPD.

Pursuant to Article 32 of the Law on Protection from Discrimination, the Commissioner has the power to make recommendations to the competent authorities, in particular by proposing the adoption of new legislation, or the amendment or reform of existing legislation. The recommendations aimed at implementing the principles of the Law on Protection from Discrimination:

- On the draft law “On National Minorities in the Republic of Albania.
- On the draft law "On National Minorities in the Republic of Albania".
- For the draft law “On social housing programs”, the proposals have been taken into account.
- On the draft law “On social programs for housing residents of urban areas.
- Recommendations for the National Strategy for Migration Governance and Action Plan, 2019 - 2022.
- Recommendation regarding the housing of Roma and Egyptian families, in the area of Selita, Tirana.
- Recommendations on Bylaws in implementation of law no. 22/2018 "On social housing".
- Recommendation (framework Covid-19) for the approval of an additional fund of the economic assistance scheme, in the amount of ALL 500 per month, for each child of families treated with economic assistance, who regularly attend the learning process.
- Recommendation (under Covid-19) for the approval of an additional fund for the beneficiaries of economic assistance and disability, in order to fulfill the obligation to use protective barriers (outside the home by each individual).
- Recommendation to the Ministry of Sports and Recreation Take measures to guarantee protection against discrimination for all children with disabilities, belonging to disadvantaged groups, such as Roma children, Egyptians, children with disabilities from families and poor.
- Recommendation regarding financial support through DCM no. 236, dated 19.03.2020 "On taking measures to provide housing assistance to the needy, in the conditions of the epidemic caused by COVID-19", for the inclusion in the scheme of families which provide income through informal work, situation this affected to a greater extent members of the Roma and Egyptian minorities.

#### 12. Amicus curie / third party in court.

Based on article 36, point 4, of law no. 10 221, dated 04.02.2014 "On protection from discrimination" expressly provides that the Court may ask the Commissioner, at any stage of the proceedings, to submit a written opinion, the results of his investigation, if any investigation, or any other information relevant to the case”. The Commissioner has submitted his opinion, as a third person, on the subject matter "Finding discrimination in the form of" Harassment "and" Indirect Discrimination "against plaintiffs members of the Roma minority and on compensation for damage caused by discriminatory behavior through redress of legal violations.

#### 13. Awareness of minorities through the activities of the Commissioner.



Raising public awareness is one of the basic activities of the Commissioner, as well as of the representatives in the regional offices in the city of Fier, Shkodra and Korça. Awareness activities aim at promoting the principle of equality and non-discrimination, raising awareness and information, providing information on this law, in Albanian, in minority languages. The activities consist of:

- Public appearances of the Commissioner in visual and print media.
- Distribution of awareness materials and organization of open days
- Publications of CPD leaflets and other publications
- Continuation of awareness campaigns in 9-year schools;
- Open lectures with students; conducting activities on discrimination issues with relevant social groups, non-governmental organizations.

14. In the field of housing are addressed topics:

- Discrimination in the field of housing.
- Lack of housing and living conditions for Roma and Egyptians.
- Lack of income, condition to have an apartment.
- Expulsion of Roma and Egyptians from their homes due to infrastructure interference.
- Social policies of the Action Plan for Roma and Egyptians in the field of housing.

19. In the field of employment, meetings have been held with various groups such as abused women, young people and the community itself. Topics covered:

- Employment. Their current situation
- Discrimination in the workplace in private institutions and businesses
- Informal employment.
- Professional innovation courses to integrate into work.
- State policies for this category and their applicability.
- Employment of young people who have completed higher education.

20. In the field of education the following topics are addressed:

- Discrimination in pre-university education.
- School dropout is a very worrying phenomenon nowadays.
- Social policies that exist in the field of pre-university and university education.
- Promoting successful role models in the community.
- Promoting values, culture and traditions for Roma and Egyptians. Preservation of the Roma language.
- Involvement of Roma and Egyptian teachers in the pre-university education system.
- Education is a tool that leads to social integration. Assimilation in pandemic times.

21. In decision making:

- Familiarity with the adoption of the law on national minorities.
- Discrimination in institutions. Employment in public administration
- The importance of the vote. Involvement in Municipal Councils and central institutions. Registration of children, a phenomenon that brings social problems for the exploitation and trafficking of human beings.

22. In the field of health:

- Discrimination in the field of health.
- Receiving services in health and hospital facilities; Hygienic-sanitary conditions of dwellings at the time of the pandemic.

23. The Memorandum of Cooperation on the Fight against Hate Speech "was signed during the national conference" Freedom without Hate "(December 2019), which was organized by the People's Advocate and supported by the program" Horizontal Instrument for the Western Balkans and Turkey 2019- 2022”.

24. The main object of its activity is:

- Fight hate speech by raising awareness, informing and contributing to a national dialogue, creating bridges of dialogue and interaction with civil society and public bodies, on the consequences of hate speech, its impact on the democratic development of the country and reducing this phenomenon in Albanian society.
- Promote freedom of expression as a necessity of a democratic society by facilitating an open and public awareness debate on promoting news in a correct and ethical manner, promoting media diversity and respect for human rights in Albania.
- Ensure a fuller harmonization between civil and criminal anti-discrimination legislation. Encourage the regular and accurate publication of hate speech statistics under the Criminal Code.
- Sensitize and intensify efforts to prevent the use of hate speech on the Internet and / or social media, as well as ways to combat it.
- To increase the training of teachers as well as the strengthening of efforts in the educational environment of all levels against the negative phenomena of hate speech and its prevention.
- Raise the awareness of employers and employees, both in the public and private sector, of their obligation to prevent and address hate speech, hate crimes and harassment in the workplace, and to ensure systematic efforts to combat its in the field of health, safety and workplace environment.
- In achieving these objectives, the Alliance aims to invite and work closely with individuals or civil society organizations as well as public bodies at all levels to eliminate hate speech and its negative consequences in Albanian society.

#### **Annex no. 6- Information in the language of national minorities and COVID-19.**

1. In the framework of the implementation activities under Instrument Horizontal Facility II, the action on "Promoting Diversity and Equality in Albania", the Council of Europe Office in Tirana in cooperation with the Institute for Public Health, in April 2020, enabled the translation into languages of national minorities in the brochure "Information on the COVID-19 virus".
2. This initiative was also supported by the joint action "Romacted" of the European Union and the Council of Europe, the Committee of National Minorities, the House of Europe, the Commissioner for Protection against Discrimination. The booklet, through information provided by the Institute of Public Health, contains important information on COVID-19 safety measures, information on the rules for the prevention and treatment of the Covid pandemic 19. Brochures are translated into 8 languages of national minorities: Greek, Macedonian, Montenegrin, Serbian, Bulgarian, Bosnian, Vlach, Roma national minorities. These brochures are also accessible online<sup>29</sup>.

#### **Annex no. 7 Information on projects being implemented under the Horizontal Facility Instrument, phase II.**

<sup>29</sup> <https://www.coe.int/sq/web/tirana/-/covid19-outbreak-information-in-minority-languag-1>  
<https://www.coe.int/en/web/tirana/-/covid19-outbreak-information-in-minority-languag-1>

1. The Horizontal Facility Instrument (HF) for the Western Balkans and Turkey, 2019-2022, is being implemented in Albania, which is a Cooperation Program of the European Union and the Council of Europe. The second phase of the HF for the Western Balkans (including our country) is implemented for a period of 3 years (2019-2022), funded by the European Union EU and the Council of Europe CoE (85% and 15% respectively), and projects are implemented by the Council of Europe. Areas of action are: the justice system; fight against corruption and organized crime; equality, anti-discrimination and human rights; freedom of expression and media. The Horizontal Facility program phase II in Albania (2019-2022) with a dedicated budget of over 4 million Euros includes six areas of action in support of the implementation of reforms related to: judiciary, property rights, penitentiary system, fight against corruption, organized crime, equality and non-discrimination, freedom of expression and the media. Despite the effects of the COVID-19 pandemic on the implementation of actions in the framework of the second phase of HF in Albania, significant results were achieved during the second year of implementation (2020-20 March 2021).

2. The main achievements of the implementation of the Horizontal Facility Instrument in Albania during 2020-2021, specifically in the field of anti-discrimination and diversity promotion are:

- In the field of anti-discrimination and diversity promotion, international expertise has been provided to bring them in line with the recommendations of the Council of Europe Commission on Racism and Intolerance (ECRI) and the Framework Convention for the Protection of National Minorities, namely:
  - during the drafting of bylaws of the law on national minorities;
  - Law on Protection from Discrimination and Law on Registration.
- Awareness raising initiatives focused on promoting LGBTI rights and combating hate speech. Expertise was provided in evaluating the national LGBTI action plan 2016-2020 and in preparing the new plan 2021-2027.
- In the area of freedom of expression and media freedom, support has been provided to local actors in their efforts to provide better protection for journalists. In September 2020, the Albanian Alliance for Ethical Media was established with the support of the program and established a Self-Regulation Mechanism, which is actively engaging and helping the media, especially those online, to comply with the Journalistic Code of Ethics.

**Annex no. 8: Full texts of bylaws pursuant to law no. 96/2017 "On national minorities".**

## **DECISION**

### **No. 561, dated 29.9.2018**

For the equipment of students 'textbooks, initial training, further professional development of teachers, as well as for the establishment and functioning of national language classrooms.

### **Official Journal No.143**

Pursuant to Article 100 of the Constitution and point 5 of the article 13, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", on the proposal of the Minister of Education, Sports and Youth, the Council of Ministers.

## **DECIDED:**

1. National minority basic education students, learn and / or learn in the language of national minorities, and provide free textbooks.

2. The Ministry uses education together to make the public institution of higher education, which has the opportunity of their teaching and scientific activity social, social and those education, for the needs and initial training for lessons that will teach in the language of national minorities.

3. The training and professional development of teachers who teach in the language of national minorities is financed with state budget funds. Teachers are trained, at least 3 (three) days a year, with accredited training programs. Shop educational units organize, coordinate and continuously support professionals to teach at the educational institution level. Procedures for training and professionalization of teachers at the institutional level of education are determined by your minister's instructions for education.

4. The initiative to open classes in the language of national minorities can be taken from:

a) the relevant local self-government unit;

b) the relevant local educational unit;

c) The community of the area, where national minority classes are expected to open.

5. For the opening of classes in the language of national minorities, the mayor and the head of the respective local educational unit, after consultation with representatives of national minorities, submit the relevant proposal to the minister responsible for education.

6. The proposal for opening classes in the language of national minorities in public pre-university educational institutions is accompanied by a study on the argumentation of the necessity of opening classes with students of national minorities, as well as the contribution of the local self-government unit.

7. The proposal for opening classes in the language of national minorities is submitted no later than 6 (six) months before the beginning of the school year.

8. Classes in the language of national minorities are opened when the following criteria are met:

a) The building of the educational institution and its facilities to meet the standards according to the legislation in force;

b) The educational institution must be equipped with teaching aids for the normal functioning of the teaching process;

c) The number of students of national minorities should be not less than 15 (fifteen) students per class;

ç) The teaching staff of the classes with students of national minorities meets the professional criteria and is appointed according to the legal and sub-legal acts in force.

9. In special circumstances, when the number of children or students of national minorities is less than 15 (fifteen) students per class, the operation of classes in the mother tongue of the national minority is done by order of the minister responsible for education.

10. The financial effects for the provision of textbooks for students, the further professional development of teachers, as well as for the establishment and functioning of classes in the language of national minorities to be provided in the budget of the ministry responsible for education.

11. The initiative to close classes in the language of national minorities can be taken from:

a) the Minister responsible for education;

b) the relevant local self-government unit;

c) the relevant local educational unit.

12. The mayor and the head of the respective local educational unit, in cases when the educational institution does not meet the criteria set out in point 8 of this decision, submit to

the minister responsible for education the proposal to close classes in the language of national minorities in the public educational institution, after consultation with representatives of the national minority community where the public educational institution is located.

13. The opening and closing of classes in the language of national minorities is done by order of the minister responsible for education.

14. The right to education in the language of the national minority should not affect the teaching of the Albanian language.

15. The Ministry of Education, Sports and Youth is in charge of implementing this decision.

This decision enters into force after its publication in the Official Gazette.

## **PRIME MINISTER**

**Edi Rama**

## **DECISION**

**No. 562, dated 29.9.2018**

### **Official Journal No.143**

On appropriate measures to promote knowledge of culture, history, language and religious belief of national minorities in the educational and scientific activity of high education.

Pursuant to Article 100 of the Constitution, point 4, article 13, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", and articles 5 and 7, of law no. 80/2015, "On higher education and scientific research in higher education institutions in the Republic of Albania", on the proposal of the Minister of Education, Sports and Youth, the Council of Ministers.

### **DECIDED:**

1. Public institutions of higher education, which have in the object of their teaching and scientific activity social and educational sciences, must include in their teaching activity the knowledge, research and promotion of the culture, history, language and religious belief of the national minorities.

2. Public institutions of higher education, which have in the object of their teaching and scientific activity the social, social and educational sciences to include, support and encourage the realization of scientific-research activities related to the recognition, research and promotion of culture, the history, language and religion of national minorities.

3. The Ministry of Education, Sports and Youth, through activities, awareness campaigns and coordination with higher education institutions, promotes the knowledge of the culture, history, language and religious beliefs of national minorities.

4. The necessary financial effects for the development of activities, awareness campaigns that will be undertaken at the initiative of the ministry responsible for education, will be borne by the funds provided in the budget of the ministry responsible for education. The necessary financial effects for the development of teaching and scientific activities, realized by the institutions of higher education, will be borne by the revenues of the institutions of higher education themselves.

5. The Ministry of Education, Sports and Youth and public institutions of higher education are in charge of implementing this decision.

This decision enters into force after its publication in the Official Gazette.

**PRIME MINISTER**

**Edi Rama**

**DECISION**

**No. 462, dated 3.7.2019**

**Official Journal No.97**

For the approval of measures and policies necessary to ensure the participation of national minorities in public, cultural and social life in the Republic of Albania.

Pursuant to Article 100 of the Constitution and point 3, article 11, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", on the proposal of the Minister of Culture, the Minister of Health and Social Protection and the Minister of Finance and Economy, the Council of Ministers.

**DECIDED:**

1. Adopt the necessary measures and policies to ensure the participation of persons belonging to national minorities in public, cultural, social and economic life.
2. Persons belonging to national minorities are guaranteed equal participation in the public, economic, social and cultural life of the country.
3. Persons belonging to national minorities shall enjoy, in particular, rights relating to the preservation, protection and promotion of the culture, traditions and identity of the minority to which they belong.
4. The Ministry of Culture and its subordinate institutions, in all their activities, to treat as national property the part of the cultural heritage of national minorities, protecting and promoting their right to equal and effective participation in the cultural life of the country, in terms of preserving, protecting and promoting the culture, traditions and identity of the minority to which they belong.
5. The Ministry of Culture, in the call projects that it organizes every year, to support financially, based on the quality level, the projects of persons belonging to national minorities in terms of protection of cultural, ethnic and linguistic identity and their cultural heritage in the entire territory of the Republic of Albania.
6. Criteria and procedures for the participation of representatives of national minorities in various projects are made in accordance with law no. 10352, dated 18.11.2010, "On art and culture", as amended, and the annual instruction issued by the Ministry of Culture, "On calls for project proposals".
7. Of the total number of projects to be funded, 5 (five) percent of them should be supported with financial, logistical and / or material resources for cultural associations / individuals who have applied and belong to national minorities.
8. The Ministry of Culture drafts special policies, in order to support persons belonging to national minorities, as well as those considered vulnerable, in terms of protecting their cultural, ethnic and linguistic identity and their cultural heritage.
9. The Ministry of Culture guarantees the involvement of representatives of national minorities in the consultation and decision-making process on issues affecting persons belonging to national minorities, such as legal framework policies and policies and measures to ensure participation in the cultural life of the country, in direction of preserving, protecting and promoting the culture, traditions and identity of the national minority to which they belong.



10. The Ministry of Culture and its subordinate institutions take measures to create the necessary conditions for the effective participation of persons belonging to national minorities, according to the specifics of each institution, in the activities they organize.
11. Persons belonging to national minorities in the Republic of Albania, benefit equally with other citizens and without discrimination payments for economic assistance, disability and social services, according to the provisions of applicable legislation on social assistance and services.
12. The Ministry of Health and Social Protection consults with the representative organizations of national minorities for the drafting of the legal framework and policies, which affect their socio-economic situation.
13. Persons belonging to national minorities in the Republic of Albania benefit equally and without discrimination from active labor market and vocational education and training programs.
14. Persons belonging to national minorities are treated in accordance with fundamental human rights and freedoms, respecting the principle of non-discrimination and equal treatment in the economic activities of the country.
15. The ministries responsible for the implementation of this decision take the necessary measures and specifically identify the creation of conditions to ensure equal participation, without discrimination, and effective participation in the public, cultural, social and economic life of persons belonging to national minorities.
16. The financial resources for the implementation of this decision will be covered by the annual budget, which is foreseen every year for the ministries responsible for its implementation.
17. The Ministry of Culture, the Ministry of Health and Social Protection and the Ministry of Finance and Economy are responsible for the implementation of this decision.

This decision enters into force after its publication in the Official Gazette.

**PRIME MINISTER**  
**Edi Rama**

**DECISION**  
**No. 463, dated 3.7.2019**  
*Official journal no. 97*

To determine the directions for the adoption of strategies, programs and action plans for the promotion and creation of the necessary conditions for persons belonging to national minorities to use and develop the basic elements of the identity of national minorities, including their language.

Pursuant to Article 100 of the Constitution and point 3 of the article 12, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", on the proposal of the Minister of Culture and the Minister of Education, Sports and Youth, the Council of Ministers.

**DECISION:**

1. Persons belonging to national minorities enjoy the right to preserve and develop their distinct identity in the Republic of Albania.

2. The responsible ministry in the field of culture and the responsible ministry in the field of education, sports and youth have the obligation to determine the directions for the approval of strategies, programs and action plans for the promotion and creation of necessary conditions for persons belonging to national minorities. to use and develop the basic elements of their identity.
3. The responsible ministry in the field of culture and the responsible ministry in the field of education, sports and youth guarantee the protection and promotion of the language of persons belonging to national minorities as an integral element of their identity.
4. The Ministry responsible for culture and its subordinate institutions take measures to create the necessary conditions for guaranteeing and exercising the right of persons belonging to national minorities to preserve and develop their distinct cultural, ethnic, linguistic and religious identity throughout the territory of the Republic of Albania.
5. The Ministry responsible for culture, in the strategy for culture and in the national program "Education through culture" foresees and creates the necessary conditions for the preservation, promotion, protection, cataloging and digitalization for the preservation and development of culture and identity of persons belonging to national minorities as assets, values and parts of the national cultural heritage and the prohibition of practices aimed at assimilating their distinct culture and identity.
6. The Ministry responsible for education, sports and youth plans special activities for public institutions of pre-university education, with the aim of preserving, promoting, developing cultures, distinct cultural identity and the languages of national minorities.
7. The Ministry responsible for education, sports and youth supports young people and youth organizations in organizing awareness and promotional activities for the preservation and development of cultures, identity and languages of national minorities, as well as the preservation of cultural heritage values of national minorities.
8. The Ministry responsible for education, sports and youth and the Ministry responsible for culture promote programs and projects for the preservation and development of cultures, languages and key elements of the identity of persons belonging to national minorities, the development of activities in consultation with them and their representatives, based on the needs of different groups and in accordance with transparent procedures.
9. Criteria and procedures for participation in various projects, where representatives of national minorities apply are provided in law no. 10352, dated 18.11.2010, "On art and culture", as amended, as well as in the bylaws in its implementation.
10. Persons belonging to national minorities and their representatives are invited to participate in the consultation process during the drafting and adoption of strategies, programs and action plans to create the necessary conditions for persons belonging to national minorities to maintain and develop their distinct identity in the Republic of Albania.
11. The financial resources for the implementation of this decision will be covered by the annual budget provided annually for the ministries responsible for the implementation of this decision.
12. The Ministry of Culture and the Ministry of Education, Sports and Youth are responsible for the implementation of this decision.

This decision enters into force after its publication in the Official Gazette.

**PRIME MINISTER**  
**Edi Rama**

**DECISION No. 726, dated 12.12.2018**

## **ON THE ORGANIZATION AND FUNCTIONING OF THE COMMITTEE ON NATIONAL MINORITIES**

### ***Official journal No.176***

Pursuant to article 100 of the Constitution, point 2 of the article 18, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", and Article 6 of Law no. 90/2012, "On the organization and functioning of the state administration", on the proposal of the Deputy Prime Minister, the Council of Ministers.

### **DECIDED:**

1. The Committee for National Minorities is a legal, public, budgetary person, subordinate to the Prime Minister, based in Tirana.
2. The Committee for National Minorities aims to ensure the protection and promotion of the rights and interests of national minorities, according to the provisions of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", and relevant legislation in force.
3. The Committee for National Minorities has the official emblem, logo and seal. The coat of arms consists of the coat of arms of the Republic of Albania, with the notes "Republic of Albania, Prime Ministry, Committee for National Minorities", in accordance with the provisions of the decision of the Council of Ministers, on the manner of using the coat of arms of the Republic of Albania.
4. The seal of the Committee for National Minorities has the form and elements defined in the decision of the Council of Ministers on the rules of production, administration, control and preservation of official seals. The seal is produced, administered and stored in accordance with the applicable law.
5. The Committee for National Minorities extends its activity throughout the territory of the Republic of Albania.
6. The Committee for National Minorities is organized at central level.
7. The Committee for National Minorities is chaired by the chairman, who organizes and directs the entire activity of this institution, reports and responds to the Prime Minister.
8. The Committee for National Minorities exercises the competencies defined in law no. 96/2017, "On the protection of national minorities in the Republic of Albania"
9. The internal organization, structure and staff of the Committee for National Minorities are approved by order of the Prime Minister, according to the provisions in the legislation in force for the organization and functioning of the state administration.
10. The Committee for National Minorities is funded by the state budget.
11. The regulation on internal working methods and conduct of the staff of the Committee for National Minorities is approved by the Prime Minister, upon the proposal of the chairman of the Committee for National Minorities.
12. Employees' employment relations are regulated on the basis of the provisions of the legislation on civil servants. The employment relations of administrative employees are regulated in accordance with the provisions of the Labor Code.
13. For the current civil servants of the State Committee for Minorities, the provisions of the legislation for the civil servant apply in case of closure and restructuring of the institution. The provisions of the Labor Code apply to administrative employees.
14. Until the beginning of the full functioning of the Committee for National Minorities, according to this decision, the current structures of the State Committee for Minorities continue their functioning according to the approved structures and staff.

15. Decision no. 127, dated 11.3.2004, of the Council of Ministers, "On the establishment of the State Committee for Minorities", as amended, is repealed.

16. The Prime Minister's Office, the Ministry of Finance and Economy and the Department of Public Administration are in charge of the implementation of this decision.

The Prime Minister's Office, the Ministry of Finance and Economy and the Department of Public Administration are in charge of the implementation of this decision.

**PRIME MINISTER**

**Edi Rama**

**DECISION**

**No. 286, dated 10.5.2019**

*Official journal No.71*

**ON APPROVAL OF THE PROCEDURES FOR THE SELECTION OF THE CHAIRMAN, VICE-CHAIRMAN AND MEMBERS OF THE COMMITTEE FOR NATIONAL MINORITIES.**

Pursuant to Article 100 of the Constitution and point 4, article 20, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", on the proposal of the Deputy Prime Minister, the Council of Ministers.

**DECIDED:**

1. Approval of the procedures for the selection of the chairperson, deputy chairperson and members of the Committee for National Minorities (hereinafter "CNM"), through an independent, transparent and inclusive process.
2. The selection of candidacies for the chairman, vice-chairman and members of the CNM is done through the implementation of open and public competition procedures, by the Prime Minister's Office based on point 4, article 20, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania".
3. To carry out the selection procedures for the chairman / vice-chairman, the Secretary General of the Council of Ministers sets up an ad-hoc commission, which consists of 3 (three) members appointed by him.
4. Candidates for President and Vice President of the CNM must meet the following criteria:
  - a) to be persons belonging to national minorities, as defined in point 2, article 3, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania";
  - b) to be prominent personalities, with outstanding contributions in the field of protection of the rights of national minorities;
  - c) to have work experience of not less than 10 (ten) years in the field of protection of the rights of national minorities.
5. The announcement of the vacancy for the position of chairman and vice-chairman of CNM is made no later than 3 (three) months from the date of termination of the mandate of the chairman and / or vice-chairman, in the Bulletin of Public Notices, on the official website of Prime Minister and CNM, for a period of 30 days.
6. The notice for the announcement contains the criteria defined in point 4 of this decision, and the deadline for submission of documentation.
7. The ad-hoc commission evaluates the submitted candidacies within 30 (thirty) days from the date of closing the deadline for submission of documentation, compiles the list of qualified

candidates for president and / or vice-president of CNM, according to the order of accumulated points , and proposes to the Prime Minister.

8. The process of selection and appointment of CNM members takes place after the appointment of the chairman and vice-chairman of this institution.

9. The right to nominate a candidate for the position of CNM member is enjoyed by every association registered according to the provisions of law no. 8788, dated 7.5.2001, "On non-profit organizations", as amended, which in its statute has defined as object of activity the protection and promotion of the rights of the respective national minority, as defined in point 2, article 3, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania".

10. Persons belonging to national minorities, as defined in point 2, article 3, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", can apply as candidates, individually and supported, by recommendation, by at least five individuals, who are personalities with contributions of the respective national minority.

11. The announcement for vacancies for the position of CNM member is published on the official websites of the Prime Ministry and the Committee for National Minorities for a period of 30 days.

12. The announcement sets out the general criteria that each applicant must meet, according to the legislation in force for the recruitment of persons in public administration. Due to the specifics of the position, the applicant for the position of member must meet the following special criteria:

a) recognize the language of the relevant national minority (only for those national minorities who have their own language);

b) to have work experience of not less than 5 (five) years in the field of protection of minority rights.

13. To carry out the procedures for the selection of the CNM member, the Secretary General of the Council of Ministers sets up the ad-hoc commission, which functions within the CNM, is chaired by its chairman and consists of a representative from the academic life and the representative of Albania in the Advisory Committee of the Framework Convention for the Protection of National Minorities of the Council of Europe, in the capacity of members.

14. The ad-hoc commission qualifies applicants who meet the general and specific criteria. Eligible applicants undergo a written test of knowledge of the legislation, practices and factual situation of each relevant national minority. Also, a structured oral interview is conducted with each of the qualified candidates. The announcement for candidacy for the vacant position of CNM member also defines the modalities for the development of the processes provided in this point.

15. The ad-hoc commission, at the end of this process, lists the candidates according to the points received in total and, through its chairman, proposes to the Prime Minister the two candidacies that have received the best evaluation, according to the ranking for each national minority.

16. The Prime Minister selects, from the submitted names, the most suitable candidate for the position of member of the respective national minority and appoints him for a four-year term.

17. The President, the Vice President and the incumbent members shall continue to exercise their functions until the election of the President, the Vice President and the members of the CNM, according to this decision.

18. The procedure for the election of the chairman and vice-chairman to be announced within 30 (thirty) days from the entry into force of this decision.

19. The procedure for the election of members to be announced within 30 (thirty) days from the appointment of the chairman and vice-chairman.

20. The Prime Minister's Office and the Committee for National Minorities are in charge of the implementation of this decision.

This decision enters into force after its publication in the Official Gazette.

**PRIME MINISTER**

**Edi Rama**

**DECISION**

**No. 1155, dated 24.12.2020**

**ON THE CRITERIA FOR DETERMINING THE LOCAL SELF-GOVERNMENT UNIT, THE ESSENTIAL NUMBER AND THE SUFFICIENT REQUIREMENT OF PERSONS OF THE NATIONAL MINORITIES TO BE EDUCATED IN THEIR OWN LANGUAGE.**

Pursuant to Article 100 of the Constitution and point 3 of the article 13, of law no. 96/2017, "On the protection of national minorities in the Republic of Albania", on the proposal of the Minister of Education, Sports and Youth and the Minister of Interior, the Council of Ministers.

**DECIDED:**

1. Persons belonging to a national minority have the right to be educated in the language of the national minority in certain educational institutions by order of the minister responsible for education.

2. In existing educational institutions, where the language of education is Albanian, students of a national minority have the right to be educated in the language of the national minority to which they belong, as well as to study their history, traditions and culture, according to approved curricula and programs by the ministry responsible for education.

3. The units of local self-government, the essential number and the request in order to ensure the right to education in the language of the national minority are determined based on the following criteria:

a) the number of persons belonging to the national minority, which must be not less than 20 (twenty) percent of the total number of inhabitants of the administrative unit, as a subdivision of the municipality.

b) the period of registration as a resident in the local self-government unit, according to the population census periods, confirmed by a certificate issued according to the data from the basic civil registers and / or the National Civil Registry of 2010.

c) written request, submitted by parents or guardians of children belonging to the national minority, at the municipality / administrative unit, where the will is expressed in writing and based on the right of self-identification for the formation of the class.

4. The number of students belonging to national minorities, who have the right to be educated in the language of the national minority to which they belong, as well as to study their history, traditions and culture, must be not less than 15 (fifteen) students per class, based on a written request from parents or guardians, as defined in letter "c", point 3, of this decision.

5. The administration of the information for the verification of the fulfillment of the criteria defined in point 3 of this decision, is done by the prefect of the region. After verifying the fulfillment of the criteria, the prefect determines the units of local self-government, in which persons belonging to a national minority will be provided with the right to be educated in the language of the national minority.



6. The units of local self-government, which are defined according to point 5 of this decision, have the right to initiate the opening of classes in the language of national minorities, in accordance with the legal provisions for the establishment and functioning of classes in the language of national minorities.

7. The Ministry of Education, Sports and Youth, the Ministry of Interior, the prefect of the region and the units of local self-government are in charge of the implementation of this decision.

This decision enters into force after its publication in the Official Gazette.

**DEPUTY PRIME MINISTER**  
**Erion Braçe**