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**SECOND REPORT SUBMITTED BY ALBANIA
PURSUANT TO ARTICLE 25, PARAGRAPH 1
OF THE FRAMEWORK CONVENTION FOR
THE PROTECTION OF NATIONAL MINORITIES**

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Introductory remarks

The Framework Convention for the Protection of National Minorities (further referred to as the Framework Convention) was signed by the Republic of Albania (further referred to as Albania) on 29 June 1995 and entered into force on 1 January 2000.

Based on article 25 paragraph 1 of the Framework Convention, the Government of Albania submitted its first state report on 26 July 2001.

This Report reflects the basic guidelines of Albanian State policy regarding the protection of minority rights in Albania. It also contains information on the legislative and other measures taken to give effect to the principles set out in the Framework Convention.

These measures and their level of implementation were assessed by the Advisory Committee of the Framework Convention (further referred to as the Advisory Committee) on the basis of the First State report, submitted by Albanian authorities, as well as on the information gathered during its visit to Albania in May 2002¹.

The Advisory Committee adopted its Opinion on Albania at its 15th meeting on 12 September 2002. This Opinion was subsequently made public by Albanian authorities.

The Government of Albania submitted its written comments on the opinion of the Advisory Committee in February 2003.

These comments were the outcome of dialogue and consultation among representatives of civil society, minority associations and state bodies responsible for minority issues in Albania.

After examining the Advisory Committee's opinion and the written comments of the Government of Albania, the Committee of Ministers of the Council of Europe (further referred to as the Committee of Ministers) adopted the Resolution ResCMN (2005) 2 on the implementation of the Framework Convention by Albania.

The Opinion² and the Resolution point out that in many respects, Albania has made commendable efforts for the implementation of the Framework Convention, but also identified areas where improvements could be made.

¹ From April the 9th till May the 3rd, 2002, the Advisory Committee of the "Framework Convention for the Protection of National minorities" of the Council of Europe has visited Albania in the framework of this report examination and to receive further information on the application of this Convention.

² Opinion of the Advisory Committee of the Framework Convention on the Protection of National Minorities, General Remarks, page 1, paragraph 2.

Resolution ResCMN (2005)2 on the implementation of the Framework Convention on the Protection of National Minorities, by Albania, point 1, paragraph 1 of the Conclusions.

In September 2005, the Ministry of Foreign Affairs in cooperation with the Council of Europe, organized the follow-up meeting for the evaluation of the implementation of the Framework Convention for the Protection of National Minorities by Albania. This meeting concluded the first monitoring cycle for Albania.

In accordance with Resolution (97)10 of the Committee of the Ministers, the Second State Report on the implementation of the Framework Convention by Albania should have been submitted on 1 January 2006.

Aiming to avoid the overlapping of competencies of the structures that deal with minorities' issues in Albania, the new government³ undertook a reorganizing process of these structures. This process influenced the delay in drafting and submitting the Second Report by Albania.

In a letter⁴ from the Deputy Minister of Foreign Affairs addressed to the President of the Advisory Committee, Albanian authorities shared the reasons for the delay and requested to postpone the timeframe to submit the report. They also confirmed the serious commitment of the Albanian Government to submitting the report in the shortest time possible.

The Advisory Committee, replying to the request of the Albanian party appreciated the efforts of Albanian authorities to comply with the commitments deriving from the Framework Convention, and also expressing understanding for the delay in submitting the Second Report by Albania.

In this context we would like to mention that the delay in submitting the second report by Albania, in addition to the reasons set out in the above mentioned letter, was also caused by the postponement for several times of the adoption of the Committee of Ministers Resolution on Albania, adopted on 11 May 2005⁵.

The second official report by Albania was drafted in accordance with the outline for state reports to be submitted under the second monitoring cycle, in conformity with article 25 paragraph 1 of the Framework Convention⁶.

The Report was drafted by the Ministry of Foreign Affairs in cooperation with the State Minorities Committee and the central and local institutions covering minority issues.

The report contains information on the situation of respect for minority rights in Albania during the period from the submission of the first report to July 2006 and any developments after this date are not included in the content of this Report.

The Report contains comments on specific articles of the Framework Convention. These comments are mainly focused on the measures taken by

³ The new government that came out after the elections of July 2005

⁴ Letter of 14 April 2006 of the Foreign Affairs Deputy Minister, Ms. Edith Harxhi, addressed to the President of the Consultative Committee of the Framework Convention, Mr. Asbjørn Eide.

⁵ In compliance with the outline adopted by the Committee of Ministers, the state reports to be submitted under the second monitoring cycle should mainly focus on the measures taken to improve the implementation of the Framework Convention in response to the Resolution ResCMN(2005)2 on Albania.

⁶ Adopted by the Committee of Ministers on 15 January 2003

Albania for the implementation of the Committee of Ministers recommendations⁷ and those of the Advisory Committee.

Minority organizations and associations and civil society that are active in the field of minority rights were also consulted for the drafting of this report.

Necessary information was obtained from the studies carried out by these organizations and from the reports of different international organizations specialized in the field of human rights protection.

Their opinions, analysis and suggestions are included in the content and the annexes attached to this report.

Policy of the Albanian State towards respect of minority rights

After the democratic changes, the respect and protection of national minority rights has taken an increasingly importance in the policies of the Albanian Government.

Albania has had and still continues to have a permanent commitment regarding the continuous improvement of the standards related to the protection and respect of human rights including the rights and freedoms belonging to minorities.

A clear expression of such commitment by Albania is the ratification or adherence to almost all the international conventions on human rights and particularly the ratification without any reservation of the Framework Convention "For the Protection of National Minorities."

The Framework Convention (which after the ratification, as per the Constitution of the Republic of Albania has become part of the Albanian domestic legislation) constitutes the basis for drafting and implementation of policies on minorities in Albania.

Albanian legislation, from the Constitution of Albania to other legal acts, guarantees implementation of the minority rights, and reflects the Framework Convention.

The Constitution of Albania of 1998, drafted in accordance with most progressive European standards, has classified national minorities as an integral part of Albanian society, recognizing their rights as equal to other Albanian citizens and guaranteeing conditions to preserve and develop their national, cultural and religious identity.

Undoubtedly the Albanian society has to cope with serious difficulties and challenges as part of the process of development and efforts of Albania to become a serious partner to developed societies of European and Euro-Atlantic structures. Nevertheless, confirmed and recognized by all the actors in the

⁷ The report does not contain general data on minorities or presentation of the legal framework for the respect of minority rights in Albania, since such information was already contained in the first state report.

country and international organizations, Albania serves as a model for the entire region as concerns the spirit of tolerance, peaceful living, cooperation and understanding of Albanians with national minorities.

This achievement of Albanian society has strengthened in recent years and especially during the period of democratic change.

During the period this Report refers to, Albania's integration into the Euro – Atlantic structures has been a priority in the strategy and the policies of the Albanian Government, aiming the achievement of European standards, through political, social and economical transformation processes.

A major part of this process has been and continues to be the improvement of the level of respect for minority rights. This issue has been one of the main topics of the joint recommendations of the EU – Albania consultative group task force and negotiations for the signing of the Stabilisation and Association Agreement.

These negotiations were officially opened to Albania on 31 January 2003 and the signing of this agreement was concluded on 12 June 2006.

The signing of this Agreement marks a new step forward towards the process of European integration of Albania, being also a challenge for all actors of Albanian society, not only for State structures but also for civil society representatives to work jointly for the fulfillment of the commitments deriving from this Agreement, including the respect and guaranteeing of basic human rights and freedoms.

Through decision no. 463, dated 5 July 2006, the Council of Ministers approved the national plan for the implementation of the Stabilisation and Association Agreement, an important part of which is the undertaking of institutional and legal reforms to guarantee and achieve higher levels of basic rights and freedoms of individuals and more in particular of the rights of minorities.

This document defines the short and mid term priorities of the Albanian Government's policy regarding the respect of minority rights.

As foreseen in this document, in accordance with international instruments in the field of protection of minorities and obligations arising from the European integration process, the Albanian Government is committed to reach and apply the highest standards of respect for the rights of all minorities living in Albania.

All steps and initiatives to be taken will aim to the implementation and the full compliance with the European Convention of Human Rights and the Framework Convention "For the Protection of National minorities" ratified by Albania.

For achieving these objectives the National Plan for the Implementation of the Stabilisation and Association Agreement stipulates the measures, activities and responsible institutions for the accomplishment of these short and mid term priorities in the field of respect for minority rights.

One of the main priorities is the full implementation of the National Strategy “For the improvement of the Living Conditions of the Roma Community”, aiming at improvement of living conditions, education, and employment of this minority group, through programs of economic aid, and social services – both public and private.

The following implementation activities are foreseen in this document to address the short-term priorities:

Ministry of Labour, Social Affairs and Equal Opportunities

1. Organization of round tables in the twelve districts of the country, related to the implementation of the strategy;
2. Functioning of the inter-ministerial Group on the organization, coordination, monitoring and evaluation of the implementation of the National Strategy on Roma;
3. Publication and dissemination of the Strategy in all the districts of the country;
4. Reinforcement of the capacities of the Roma Strategy Implementation Monitoring Section;
5. The accomplishment of the project for the identification of the indicators of monitoring the strategy as well as the accomplishment of different training of the section and the inter-ministerial group responsible for the implementation of the Strategy, through a soft ware program where to include all the data to monitor the progress of accomplishment of the Strategy;
6. Improvement, as per the priorities, of living conditions of the Roma minority.

State Minority Committee

1. Organization of the National Conference for the participation of minorities in public life
2. Organization of a round table on the implementation of the National Strategy on Roma
3. Organization of the Folk Meeting and Minority Cultural Days
4. International Meeting on “Practices of international norms application in the field of minorities” with the minorities counterpart institutions in the region

Mid - term implementing activities

State Minorities Committee

1. Organization of the National Conference on education in minority language;
2. Organization of the Folk Meeting and Minority Cultural Days;
3. International Meeting on “Legislation on minorities in the Balkan region” with the minorities counterpart institutions in the region;
4. Organization of the National Conference for the preservation and development of minority culture identity;

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5. International Meeting on “Positive regional policies on minorities” with minorities counterpart institutions in the region
 6. Organization of the National Conference on the “Access of persons belonging to minorities in the printed and electronic media”
 7. International Meeting on “Minorities and Euro – Atlantic Integration” with the minorities counterpart institutions in the region.

General view on the measures taken for implementation of the Committee of Ministers’ Resolution

(1) While considering the expression of the national, religious and cultural identity of minorities as an enriching element of Albanian society, which should be maintained and promoted, through policies pursued in the field of respect for the minority rights, the Albanian Government aims to create an environment where each individual feels not only accepted and equal, but truly embraced.

Such commitment is reflected in the government program, in which protection of minorities constitutes one of the most important directions of the policies for the protection of human rights.

Amongst the primary objectives foreseen in the human rights field is the further improvement of the level of protection of minority rights, in compliance with the most progressive European standards and with the commitments deriving from the most important international documents that Albania is part of.

Aiming the accomplishment of this program, the Albanian Government has undertaken an increasingly active policy regarding respect for minority rights, paying particular importance to the effective exercise of their rights.

Other Government priorities include the fight against corruption and the consolidation of the rule of law, as an important precondition that guarantee the respect of minority rights, in particular, as regards the most vulnerable groups of society (the Roma).

As foreseen in the Government program submitted to the Albanian Assembly on 8 September 2005, the following objectives regarding the consolidation of the democratic system and the guaranteeing of the basic human rights are foreseen:⁸

“The new majority and its Government commit themselves to apply and reach the highest standards of respect and the exercise of the rights for all the minorities, in accordance with the European Convention on Human Rights and the Framework Convention “For the Protection of National Minorities””.
Priorities include education, as well as housing and employment for the Roma minority and Egyptian community.

Amidst the measures taken, reflecting the spirit of the Government’s policy and sensibility towards minorities is also the fact that a member of the Greek

⁸ Part of the Government program

minority was appointed as the Minister of Labour, Social Affairs and Equal Opportunities in the new government structure.

(2)As reflected in the Opinion of the Advisory Committee of the Framework Convention and in the Resolution of the Committee of Ministers, Albania has made remarkable efforts in many aspects of the protection of minorities.

(3)Also, in the third report on Albania of the European Commission against Racism and Intolerance (ECRI), approved on 17 December, 2004 and published by Albanian authorities on 14 December, 2005, it is affirmed that there has been considerable progress, since the publication of the second report on Albania of 3 April, 2001, regarding measures taken by the State authorities to prevent and eliminate discrimination.

The United Nations Committee on Elimination of Racial Discrimination has evidenced progress in this field, as well.

In the Concluding Observations on the report submitted by Albania for the implementation of the International Convention for the Elimination of All Forms of Racial Discrimination it noted with satisfaction⁹:

The establishment of several competent institutions with competence in the field of combating racial discrimination and protecting minorities

The actions taken by the Albanian authorities against organized crime and corruption, which are particularly harmful to the most vulnerable social groups.

The measures adopted to protect religious freedom and the considerable efforts made to promote the education and cultural rights of persons belonging to national minorities.

The drafting of the National Strategy for the improvement of the living conditions of the Roma minority;

The decision by the Albanian authorities to improve the legislative framework for traditional street names and other indications for the public in minority languages

(5)As previously emphasized, Albania considers the respect to the provisions of the Framework Convention on the Protection of National Minorities not only as an obligation deriving from the norms of its domestic legislation but also as one of the most important commitments made by Albania in the framework of the Stabilisation and Association process in the European Union.

In this framework, important legal changes were completed to reflect international principles and standards accepted by Albania into the Albanian legislation.

⁹ Point B (5-9) of the Concluding Observations

Improvement of the legislation on minorities

(1)By way of implementation of the Advisory Committee recommendations, regarding the improvement of the legal framework on minorities, a Working Group for the review of legislation on minorities was established in March 2002 (further referred to as the Working Group).

The scope of this Working Group activity was to identify the shortcomings in the legislation on minorities, aiming to complete and improve it in the future, in particular regarding the use of minority language in relations of individuals belonging to minorities with the administrative authorities.

An overall assessment of the legal framework on minorities carried out by the Working Group for the review of legislation on minorities, pointed out that the level of implementation of the Framework Convention in Albanian legislation is satisfactory.

It also noted that while there was progress on the legal framework on minorities, there was a gap and need for improvement on the level of measures required to implement the legal framework (bylaw level).

The Working Group indicated some areas where there was a need for improvement of the legal framework on minorities

The Working Group's recommendations were included in the national Action Plan for the Implementation of the Priorities of the European Partnership (Decision of the Council of the Ministers DCM No. 634, dated 30 August 2004) and after the signing of the Stabilisation and Association Agreement, in the Action Plan for the implementation of the Stabilisation and Association Agreement (DCM No. 463, dated 5 July 2006) and are now being implemented by the respective bodies.

The Working Group's recommendations and the level of their implementation will be reflected in detail in the second and third part of the Report on the measures taken to implement the Recommendations of the Resolution of the Committee of Ministers and in the reply to the Advisory Committee Questionnaire.

(2)An expression of the continuous care towards the demands and concerns of minorities was also the amendment of the Law No. 8950, dated 10 October 2002 "On the Civil State". Initially the Law changed, not including the nationality (ethnic origin) as an element of the civil state of the individuals, As a consequence the nationality would not appear in any document issued by civil state offices in the future.

Being that the amendment of this law caused disputes among persons belonging to minority groups due to the eventuality of loss of data regarding national minorities, the above mentioned Law was changed (Law No. 9029, dated 13 March 2003) considering the inclusion of the nationality category in the documents issued by the Civil State Offices.

Statistical data on minorities in Albania

Considering the statistical data on minorities as a determinant factor for the monitoring and the design of policy in relation to national minorities, the Institute of Statistics (INSTAT)¹⁰ in cooperation with the Ministry of Foreign Affairs has published in February 2004, the results of the statistical evaluations at the national level on minorities in Albania.

These evaluations were based on data from the Living Standard Measurement Survey [LSMS] carried out during 2002 by INSTAT, (as part of the Government program on the National Strategy for Economic and Social Development assisted by the World Bank and on data obtained from the registration of the population in the series of years *1945, 1950, 1960, 1969, 1979, 1989 and 2001*.

During the process of elaboration of the data on minorities, INSTAT has also consulted other sources of information of a different nature such as observations, studies, administrative data and retrospective evaluations on minorities in Albania.

Based on such an evaluation, the percentage of national minorities in the population of Albania (approximately 3,069,275) is estimated at 1.4 percent.

The complete study on minorities in Albania, the statistical tables and the method used by INSTAT to obtain such data will be elaborated in the third part and annexes of this Report.

National Strategy “For the improvement of living conditions for the Roma minority”

A clear indicator of the serious and concrete commitment of the Albanian Government regarding the numerous economic and social problems of the Roma minority is also the approval in September 2003 of the national strategy “For the improvement of living conditions for the Roma minority.”

This is a long-term strategy and includes an implementing period of 15 years. It aims to improve the rights of the Roma minority in fields such as: housing, employment, education, culture, infrastructure, participation in political and social life, and public services.

A specialized structure to monitor the Implementation of this strategy was formed within the Ministry of Labour, Social Affairs and Equal Opportunities, (Order No. 213/2, dated 22 June 2004 of the Minister of Labour and Social Affairs), in the framework of the implementation of the National Strategy.

¹⁰ INSTAT is the central institution specialized not only in the collection, elaboration, analyzing and publication of the official statistical data, but also in the drafting of the methodological criteria for carrying such registration.

The main task of this unit is the monitoring of the Strategy implementation process and the strengthening of the cooperation with associations of the Roma minority and different NGOs operating in the field of minority rights. It also cooperates with the responsible institutions – the Ministry of Finance and donors to obtain the necessary funds to achieve the objectives of this strategy.

During its functioning, the Section has worked towards the establishment of a reporting system with the responsible institutions for the implementation of the national strategy, the identification of Roma associations, as well as the identification of donors, who can support projects in those areas where the most concerning problems of the Roma minority were observed¹¹.

The actual progress, as well as the issues that need further consideration in the strategy implementation process will be discussed in details in the third part of this report.

Specialized institutions on minority issues

Aiming to promote the participation of persons belonging to minorities in the country's public life, the Council of Ministers decided in March 2004 the establishment of the State Committee for Minorities.(DCM no.127, dated 11.3 2004).

The State Committee for Minorities cooperates with central and local government structures, with organizations and associations dealing with minority issues, to improve standards in respecting the rights of minorities in Albania. It proposes concrete measures for the economic, social and educational development of minorities, thus contributing to the improvement of the situation of persons belonging to minority groups, wherever they live.

The Committee cooperates on different issues with international organizations, as well.

To ensure a constructive and active dialogue with representatives of the minorities, the Committee has in its structure, besides a technical staff, five members belonging to minorities, as well¹². Actually the State Committee for Minorities is headed by a representative of the Greek minority.

Considering the important role of the State Committee on Minorities, as the representative structure of minorities in Albania, as well as aiming to improve its effectiveness, in 2005 its staff was increased by adding one deputy chairwoman and experts and specialists at the technical level (13 members).

¹⁵ It is noteworthy that there was progress also in the field of education and culture, the creation of facilities in the employment field for the Roma minority, the integration of Roma street children in normal life, etc

¹² More concretely, the Committee is composed, other than its Chairwoman, of a member from the Greek minority, a member from the Macedonian minority, a member from the Serbian – Montenegrin minority, a member from the ethnic – linguistic Aromanian minority and a member from the ethnic – linguistic Rom minority.

A particular fund is also foreseen in the 2007 budget by the Council of Ministers for the State Committee on Minorities, which has as its objectives:

1. to finance projects for the preservation and development of culture and for the preservation of the national identity of minorities;
2. to finance the means of information in the native language of minorities, to take the appropriate measures for the improvement of minorities climate representation in the media;
3. to financially support the organization, at the national level, for the “Day of minorities.”

The establishment of the State Committee on Minorities and the Monitoring Structure for the implementation of the National Strategy “For the improvement of living conditions for the Roma minority”, is an evidence of the commitment of the Albanian Government to support every initiative that contributes to the preservation and development of the national and cultural identity of minorities in Albania, thus fulfilling one of the recommendations of international institutions regarding the reinforcement of structures specialized in minority issues.

Part I-MEASURES TAKEN TO PUBLICIZE THE RESULTS OF THE FIRST MONITORING CYCLE

FOLLOW-UP ACTIVITIES AND MEASURES TO PROMOTE AWARENESS OF THE FRAMEWORK CONVENTION

STEPS TAKEN FOR THE IMPROVEMENT OF CIVIL SOCIETY PARTICIPATION IN THE FRAMEWORK CONVENTION IMPLEMENTATION PROCESS

DIALOGUE WITH THE ADVISORY COMMITTEE

Regardless of the measures taken to publish the first cycle monitoring results (shown below), the Albanian authorities are aware that the short time from the adoption of the resolution to the beginning of preparations for the drafting of the second report was insufficient to complete this process, which requires a considerable amount of time.

Despite this, considering the fulfillment of the commitments of the Framework Convention as a continuous process, in cooperation with civil society and stakeholders, efforts will be intensified in the future for informing and awareness rising of the public regarding the Framework Convention and the first cycle monitoring results for Albania.

MEASURES TAKEN FOR THE PUBLICATION OF THE FIRST MONITORING CYCLE RESULTS AND FOR INCREASING AWARENESS REGARDING THE FRAMEWORK CONVENTION

(1) In October 2001, an awareness workshop on the Framework Convention was organized by the Ministry of Foreign Affairs, in cooperation with the Council of

Europe (CoE), with the participation of representatives from minority groups NGOs, international organizations and media.

(2) The Opinion of the Advisory Committee and the Resolution of the Committee of Ministers, after being translated into Albanian, were disseminated among the representatives from minority associations, in meetings organized for this purpose.

Based on the recommendations of the Advisory Committee, the Advisory Committee Opinion was translated into the national minority languages (Greek, Serbian and Macedonian).

(3) In the spirit of increasing dialogue and full transparency between the Government and minorities, in February 2003, a meeting of the Deputy Prime Minister and Minister of Foreign Affairs with the representatives of minority associations was organized. During this meeting the translation of the "Opinion" of the Advisory Committee into minority native languages were disseminated.

(4) On 18 July 2003, a meeting was organized with experts and researchers on minority issues, experts from the Academy of Sciences and representatives of the State authorities.

The scope of this meeting was the Albanian State policy related to minority rights and the Recommendations of the Advisory Committee Opinion on Albania.

Some issues brought up by representatives of minority associations in Albania were discussed during this meeting, as well.

More detailed information on this meeting can be found in the Third Part of the Report, on Answers to the Questionnaire of the Advisory Committee.

(5) On 27-28 September 2005, in the framework of the monitoring mechanism of the Framework Convention, the Ministry of Foreign Affairs in cooperation with the CoE organized a "Follow-up Seminar on the implementation of the Framework Convention For the Protection of National Minorities" by Albania, with the participation of representatives of national minority associations, international experts and representatives from State institutions and civil society.

This meeting served to analyze the progress made in the implementation of the Framework Convention in Albania and to discuss the measures to be taken to follow-up on the findings of the Advisory Committee's Opinion and the Conclusions of the Committee of Ministers' Resolution.

(6) Aiming to further reinforce the dialogue and transparency between the government and minority associations and in order to increase information and transparency regarding issues of the respect for minority rights in Albania, the Committee of the Ministers' Resolution was translated into the languages of the minorities such as Serbian, Greek, Macedonian and Aromanian.

(7) In this framework, as well as to include minorities in the drafting process of the Second Official Report, a meeting was organized on 28 June 2006 by the Deputy Minister of Foreign Affairs with representatives from minority associations and from civil society active in minority rights field.

During this meeting, after the copies of the translated version of the Committee of Ministers' Resolution were handed over, the representatives from minority associations and civil society were invited to submit their demands, claims and evaluations on the measures taken by the Albanian authorities for the implementation of the recommendations included in the Committee of Ministers' Resolution as well as the reflection of the activities and projects they had in the field of respect for minority rights¹³.

(8) To increase awareness regarding the conventions and the commitments made by Albania in the field of respect for human rights in general and minority rights in particular, a special web link on human rights and minority rights was opened under the official Web site of the Ministry of Foreign Affairs: <http://www.mfa.gov.al/shqip/minoritetet.asp>

This link contains the texts, both in Albanian and English, of the Framework Convention "For the Protection of National Minorities," the Report submitted by Albania on the implementation of the Framework Convention, the Opinion of the Advisory Committee, the Resolution of the Committee of the Ministers, the opinions and the resolution translated into minority languages and the National Strategy "For the improvement of living conditions for the Roma minority."

This Web site also contains information on the signature and adherence of the Republic of Albania to the most important international documents in the field of human rights and minority rights, as well as the different respective reports as follows:

In the United Nations framework, The Republic of Albania is party to the six most important international instruments on the protection of human rights:

- The International Covenant on Civil and Political Rights (ICCPR), entered into force on 4 January, 1992;
- The International Covenant on Economic, Social and Cultural Rights (ICESCR), entered into force on 4 January, 1992;
- The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), entered into force on 10 June, 1994;
- The Convention Against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), entered into force on 10 June, 1994;
- The Convention on the Elimination of all forms of Racial Discrimination (CERD), entered into force on 10 June, 1994
- The Convention on the Rights of the Child (CRC), entered into force on 28 March, 1992.

¹³ More detailed information on the activities and projects of civil society in the field of respect for minority rights is found in the annexes attached to this Report.

The Republic of Albania prepares periodical reports on the implementation of these instruments and since 2002 has submitted the initial reports on the above international ratified instruments to the respective committees.

In addition, the Core Document has been submitted and periodically revised. This document precedes the submission of the national reports.

In response to the submission of the abovementioned reports, the respective committees have examined five of them and have issued the Final Observations and Recommendations on the following:

- The National Report on the implementation of The Convention on the Elimination of all forms of Discrimination Against Women (January 2003);
- The National Report on the implementation of The Convention on the Elimination of all forms of Racial Discrimination (August 2003);
- The National Report on the implementation of The International Covenant on Civil and Political Rights (October 2004);
- The National Report on the implementation of The Convention on the Rights of the Child (January 2005);
- The National Report on the implementation of the Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment, (CAT, 10 – 12 May 2005).

The expert committees of the respective Conventions have appreciated the seriousness that the Albanian Government has shown in drafting the reports and the level of their presentation before these committees. The latter have positively appreciated the steps taken by the Albanian Government for the implementation of the respective United Nations conventions on human rights especially in legal aspects.

The remaining report on the implementation of the International Covenant on Economic, Social and Cultural Rights, already prepared and submitted by Albanian authorities, is foreseen to be considered by the respective committee, during 2006¹⁴.

In the framework of the Council of Europe:

Albania, as party to the Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment, has close co-operation with the Committee for the Prevention of Torture. Such collaboration has been shown in the transparent relations during the monitoring visit that the committee paid to Albania in 2003 and through the commitments to fully fulfil all recommendations presented in their report.

Also, in October 2004, the European Committee against Racism and Intolerance (ECRI), carried out its monitoring visit in Albania and prepared and submitted to the Albanian authorities in December 2004, the third report on Albania, which was published on 14 June 2005, after approval by the Albanian authorities.

During 2005, the relevant comments were prepared to reflect the attitude and the comments regarding this report, which is also included in the web link created on human rights

¹⁴ The report has been considered on 15-16 November, 2006.

Lastly, in this web link, information on the civil society organizations active in the field of human rights has also been included, enabling the public to directly access the web sites of these NGOs.

(9) Aiming to establish regular communication between the administrative structures and minority representatives and with a view to increase the level of public information and awareness of minority rights in general, (particularly for minority groups on their recognized rights), a memorandum of understanding was signed with central and local government bodies¹⁵.

Based on this memorandum, all the organs of local government in the areas where minorities live will publish recognized minority rights by the Framework Convention "For the Protection of National Minorities in a notable place for minority communities" A consultation and dialogue process took place prior to the signing of the memorandum between the State Minorities Committee and the local authorities to increase awareness regarding the need of signing this memorandum.

(10) The annual reports of Albania (2004 – 2005) in the framework of the Stabilisation and Association process, prepared for the European commission, also contain important information regarding the implementation by Albania of the commitments made for the respect of minority rights, especially referring to the measures taken to implement the National Strategy "For the improvement of living conditions for the Roma minority" and the improvement of legislation on minorities. These reports as well as the European Commission recommendations are published in the respective Web sites of the Ministry of Foreign Affairs and of the Ministry of Integration.

(11) The institution of the People's Advocate (the Ombudsman), in its annual reports on its activities presented to the Parliament of Albania in the period 2001 –2005, has also reported and given important attention to the situation of respect for human rights in Albania. More details regarding these reports can be found on the following Web sites:

<http://www.avokatipopullit.gov.al/English/Reportts.html>

http://www.avokatipopullit.gov.al/Raporte_Botime.html

(12) On March 16-18, 2006, in the premises of the Marubi Film & Multimedia School, the Albania Human Rights Film Festival has been organized for the first time¹⁶.

The main goal of this activity was to raise the awareness of the public and state institutions about better respect for human rights in general, and vulnerable groups in particular.

A number of films has been shown during these days. These also included short films that deal with themes of juveniles' rights, their exploitation at

¹⁵ The memorandum was signed on 27.7.2006 by the local government units where minorities of Greek, Serbian and Montenegrin origin live. The Memorandum was signed for the Macedonian minority on 15.11.2006. More details will be given in the part on the respective article of the Framework Convention.

¹⁶ The Human Rights Film Festival is an initiative of the Marubi Film & Multimedia School, realized in conjunction with the International Human Rights Education Consortium, the Albanian Helsinki Committee, Utica College, UNICEF, the Albanian Human Rights Group, the U.S. Embassy in Albania, and the Albanian Media Institute.

workplaces, the rights of persons with disabilities, minority rights, the death penalty, etc.

The Human Rights Film Festival is the first edition and start of a tradition that will continue in coming years.

Activities organized in the framework of the implementation of the strategy “For the improvement of living conditions for the Roma minority”¹⁷

On 3 February 2003, a joint round table was organized by the Ministry of Foreign Affairs, in cooperation with OSCE / ODIHR, aiming to set up a network to increase representation of the Roma minority in the drafting process of the National Strategy. During this meeting, an understanding agreement was signed between the working group for the drafting of the strategy and the Roma minority for the participation of the representatives from the Roma minority in the meetings of the working group, in order to obtain information and identify problems concerning this minority.

Also, in the framework of the implementation of the Strategy “For the improvement of living conditions for the Roma minority,” a number of round tables and seminars were held with the participation of representatives from the Roma minority, civil society, international organizations and central and local institutions. More detailed information on these round tables can be found in the third part of the report while addressing the questions of the Framework Convention Advisory Committee.

Activities of the Minorities State Committee¹⁸

The Minorities State Committee has brought up some of the most important problems of minorities in many rounds tables and working meetings organized for minority issues. In these meetings it has requested more cooperation with the central and local government bodies for the fulfilling of the demands of the Greek, Macedonian, Serbo-Montenegrin, Roma and Aromanian minorities.

There have also been links and collaboration with high representatives of international organizations and diplomatic missions in Tirana.

Continuous contacts have been maintained with representatives of the local government in municipalities and communes where representatives from minorities are elected or in other villages of the country inhabited by minorities.

Also, members of the Minorities State Committee have participated in activities and seminars organized internally and abroad¹⁹. Exchange of experience regarding issues and the situation of respect for minority rights in the respective countries is also an important component of the work of the Minorities State Committee and one of its objectives for the future.

¹⁷ According to information from the Ministry of Labour, Social Affairs and Equal Opportunities

¹⁸ According to information from Minorities State Committee

¹⁹ Workshop organized in Kiev (Ukraine) on: “Integration of national minorities and their perspective.” Issues pertaining to the economic integration of individuals belonging to minorities and the perspective for the future were discussed in this forum.

Despite the short period since the Committee was set up, the exchange of information with minorities' counterpart institutions through joint visits²⁰ have been positive experiences. During these visits, importance was given to meetings with representatives from minorities in the areas where they live²¹ as well as to the discussion on issues of common interest. Such experience has outlined the need for cooperation and exchange of experience related to the solution of problems concerning minorities such as population registration, education in native language, participation and representation in the Parliament, etc.

CIVIL SOCIETY PARTICIPATION IN THE PROCESS OF IMPLEMENTATION OF THE FRAMEWORK CONVENTION AT NATIONAL AND LOCAL LEVELS

(1) In Albania, there is a wide and developed network of NGOs, which mainly focus on the area of respect for human rights.

During 2001 - 2006, civil society, in cooperation with various donors, has been particularly active in:

- continuously monitoring the situation of minorities and human rights, training of public administration, central and local bodies;
- increasing the capacities of minority organizations,
- activities aimed at increasing minority participation in public life;
- activities for the prevention of trafficking of women and children; media training;
- drafting of legislation and sub legal acts; and
- producing informative publications.

The Albanian Government, appreciating the role civil society in continuously improving the situation of respect for human rights aims at maintaining and developing constructive relationships with civil society organizations active in this field.

This cooperation spirit is evidenced by the signing of a memorandum of understanding, on 15 October 2002, between the Ministry of Foreign Affairs and NGOs engaged in studying international relations.

The memorandum aims at promoting cooperation, increasing the level of transparency and civil society contributions in the overall efforts towards the integration process of Albania into the European and Euro-Atlantic structures, as well as protecting and respecting, in a well-balanced way, partnerships and sometimes challenging relationships among them.

More concretely, through this memorandum, parties agree to:

- exchange their experiences in studying the essential and priority issues of foreign policy and those of an international importance;

²⁰ Visit of Antal Heizer, Director of the Minorities Office of the Republic of Hungary, Deputy Minister of the Diaspora of the Republic of Serbia, Mr. Aleksandar Cotriq and the Adviser to the Minister. Mr. Miodrag Jakshiq, to Albania

²¹ Meeting with the Serbo-Montenegrin minority in Shkodra.

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- cooperate in analyzing various problems, with regard to national security, and their impact on the internal and external policy of the Republic of Albania;
 - focus on studying the economic, political and social variations within the country and internationally, to analyze the liaisons, their interdependence, causes, consequences and to make the prognosis for future developments;
 - collaborate in the development of regional cooperation, analyzing and identifying the problems so far, aiming to prevent them in the future as well as finding ways to deepen this cooperation, in order to obtain a peaceful and cooperative climate in the region;
 - cooperate in analyzing the efficacy of our foreign policy and diplomacy;
 - cooperate in the field of publication of international relations issues, international rights, diplomacy, the global economy as well as the promotion of these publications in and outside the country;
 - cooperate in the competitions that will be organized for the recruitment of new diplomats to our diplomatic service;
 - cooperate in organizing qualifying and training activities of respective staff;
 - organize professional debates, consultative meetings and continuous roundtables together as well as intellectual activities of a mutual interest;
 - cooperate in informing the public, media, academic and professional circles on important issues of international policy, deepening transparency and promoting dialogue among them; and
 - cooperate in organizing the activities, which target foreign policy issues, and actively participate in them.

Parties agree to invite their experts as members of inter-institutional working groups on various euro-atlantic integration and international relations issues.

In view of the above, NGOs are continuously invited by the inter-ministerial group, coordinated by the Ministry of Foreign Affairs, to assist and contribute in the preparation of reports to be submitted to the respective monitoring Committees of the United Nations Treaty Bodies on human rights.

An important aspect, with regard to the increase of cooperation and dialogue with the civil society in the implementation process and increasing awareness on the Framework Convention was the active participation of central and local institutions in the activities and projects of civil society.

In this respect, we can mention as very important the project of Albanian Helsinki Committee on “Monitoring the respect of minorities’ rights” at the municipality of Korca”, where the municipal council of Korca, through its decision (23 may 2006), decided to participate actively in this project

implementation, establishing also a work group, composed of 5 members of the municipal council, who observed the process of completing the questionnaires prepared for the project implementation.

The program on “Improvement of interethnic relations in Southeastern Europe²²”, which was implemented almost completely locally, offered a very positive experience, as well. More detailed information, regarding this project can be found in the comments about Article 6 of the Framework Convention.

(2) According to the law on “the Ombudsman” the latter cooperates closely with NGOs in exercising its functions, periodically considering their opinions on the status of human rights and freedoms. In this spirit, the Ombudsman has offered cooperation to the most active NGOs in the field of protection of human rights, reflecting the functions and cooperation strategy of this institution.

(3) Albania has been actively participating in the implementation of several projects in the framework of regional initiatives, in the framework of the Working Table on Democracy and Human Rights, Stability Pact for South Eastern Europe and minorities group of Central European Initiative. A number of NGOs, which are an active part of these initiatives, have contributed in their elaboration.²³

The active participation of the Republic of Albania in these Projects shows increasing efforts of Albania to promote and raise awareness of respecting cultural diversity in Albania.

(4) Considering the detachment of minority representatives as a deficiency in the process of drafting the First Report and in the framework of implementing the recommendations of the Advisory Committee of the Framework Convention, representatives of minority associations and civil society have been invited to actively participate in drafting the second report.

For this purpose, as highlighted above, a meeting was organized between the Deputy Minister of Foreign Affairs with representatives of minority associations and civil society in the field of respect for minority rights.

During the meeting, the Ministry of Foreign Affairs requested cooperation with representatives of civil society and minority associations in the preparation of the Second Official Report that the Republic of Albania will submit and in addition to the questionnaire of the Advisory Committee of the Framework Convention to be filled-in by the NGOs, another document was distributed requesting the approach of the associations with regard to:

- specific problems of national minorities and ethno-linguistics;
- statistics on minorities;
- assessment on the status of respect for minority rights, especially factual information on the right of using the native language in relations with local authorities, in the topographic indications, education in their

²² A program of the King Baudouin Foundation, Open Society Foundation (OSFA), Charles Stewart Mott Foundation (CFMF) and Human Promotion and Development Center

²³ Link Diversity, Non-discriminating Review, CEI Publication on Minorities.

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- mother language, information on their representation in the central and local power bodies, police, various financings in their areas of residence, and free movement in their countries of origin;
- various publications on minorities by NGOs;
 - activities, projects on minority rights;
 - assessment on state policies on respect for minority rights, minority problems in Albania and areas for higher commitment from state authorities;
 - assessment on the implementation of the National Strategy “For the Improvement of Living Conditions of Roma Minority.”

Also, the draft report has been shared among all these organizations.

In view of the above, the Albanian authorities express their appreciation of the role and valuable contribution of all national and international NGOs that have participated in the drafting of this Report.

Hoping for continued cooperation throughout the overall monitoring process of the Framework Convention implementation by Albania, special thanks go to the following organizations that, until the completion of the draft Report process, sent their opinions and suggestions on the draft report.

ALBANIAN HELSINKI COMMITTEE
ALBANIAN GROUP FOR HUMAN RIGHTS
ALBANIAN CENTRE FOR HUMAN RIGHTS
HUMAN PROMOTION AND DEVELOPMENT CENTRE
ASSOCIATION “AMARO DROM”
ASSOCIATION “AROMANIANS OF ALBANIA”
ASSOCIATION “MORAÇA ROZAFÄ”
SOROS FOUNDATION
THE MACEDONIAN UNION OF ABANIA
USAID
UNDP
UNICEF

Detailed material on the projects and studies implemented by these organizations can be found in the annexes attached to this Report.

VARIOUS PUBLICATIONS IN THE FIELD OF RESPECT FOR MINORITY RIGHTS

INSTAT publication, in cooperation with the Ministry of Foreign Affairs on statistical data on minorities.

The publication of the Strategy “For the Improvement of Living Conditions of Roma Minority.” (in cooperation with OSCE)

CEI publication on minorities. Study on the legal framework and structures of minorities by the Office for Minorities.

2. Publication of the Albanian Center for Human Rights, which includes the Convention, Opinion and Resolution of the Advisory Committee of the Framework Convention.

3. Publications of the Albanian Committee of Helsinki

- “Minorities in Albania” (Albanian and English versions)
- “The Issue of Minorities in Europe” (texts and analysis, Albanian version)
- Framework Convention on national minorities (English version)
- Brochure Framework Convention on “The Protection of national minorities, Constitution of the Republic of Albania and Albanian legislation on minority rights (Albanian, Macedonian, Greek versions)
- Leaflets on minorities

4. Albanian Group for Human Rights

Analysis on the Roma and Egyptian population registration in Albania
Study on Minorities in Albania ones according to ethnicity, race and sex"-supported by Swedish Helsinki Committee.
Media and minorities" supported by CIDA-Canadian Embassy.

In this context, it is worth mentioning the work of minorities’ associations, about the publication of their periodicals. More detailed information about them can be found in the comments about Article 9 of the Convention.

DIALOGUE WITH THE ADVISORY COMMITTEE

The Albanian Government appreciates the work of the Advisory Committee in the process of monitoring and implementation of the Framework Convention and expresses its consideration for the systematic attention and dedication of the Advisory Committee towards the most concerning problems of national minorities living in Albania.

In the framework of monitoring the first reporting cycle for Albania, the Albanian authorities have demonstrated a constructive dialogue with the Advisory Committee, cooperating in the drafting of Advisory Committee opinion.

We can mention here the cooperation of the state authorities in providing further information through questionnaires submitted by the Counseling Committee.

In addition, as invited by the Albanian Government, the Advisory Committee has visited Albania, from 9 April to 3 May 2002, with the view of examining this report as well as to receive further information on the implementation of this Framework Convention by Albania. During this visit, the Advisory Committee has appreciated the cooperative spirit of the Albanian authorities.

In evaluating cooperation in the process of implementing the recommendations of the first cycle for Albania, as one of the most effective ways of promoting

dialogue with the Advisory Committee, a meeting was organized on 27 - 28 September 2005 on the evaluation of the Framework Convention implementation on "Protection of National Minorities" from Albania, with the participation of representatives from national minority associations, state institutions and civil society representatives as well as members of the Advisory Committee.

This meeting served to analyze progress made so far with regard to the implementation of the Framework Convention on "Protection of national minorities" from Albania and to discussing the necessary steps to be undertaken in accordance with the suggestions of Opinions of the Advisory Committee and Conclusions of the Resolution of the Ministers Committee of the Council of Europe.

Additionally, the Albanian authorities have continuously informed the Advisory Committee of the Framework Convention on the development of the process of compiling and submitting the Second Official Report, including the activities undertaken in connection with civil society and minority representatives in this process.

II - MEASURES UNDERTAKEN IN THE IMPLEMENTATION OF THE RESOLUTION OF THE MINISTERS COMMITTEE IN APPLYING THE FRAMEWORK CONVENTION ON "PROTECTION OF NATIONAL MINORITIES" FROM ALBANIA (COMMENTS TO CERTAIN ARTICLES OF THE FRAMEWORK CONVENTION)

Article 1

The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.

The Albanian Government has continuously expressed its maximum engagement to the signing and ratification of various international acts in respecting human rights and ensuring minority rights.

During the second phase of monitoring, in the framework of the Council of Europe:

1. Albania signed Protocol 12 of the European Convention on the "Protection of essential human rights and freedom" on 26 May 2003, the subject of which is the prevention of discrimination in general.

This protocol was ratified on 26 November and became effective for Albania on 1 April 2005.

In accordance with article 1 of this Protocol, the enjoyment of any right defined by law must be ensured without any discrimination with regard to sex, race, color, religion, political conviction or any other opinion, national or social origin, pertinence to a national minority, ownership, birth date or any other status.

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2. On 14 November 2002 Albania ratified the Revised Social European Cart, signed on 21 September 1998. This cart came into force on 1 January 2003.
 3. The Convention on Nationality, signed on 7 May 1999 was ratified on 11 February 2004 and came into effect on 1 June 2004.
 4. Albania signed the European Convention on the “Participation of Internationals in Public Life at the local level” on 9 June 2004. It was ratified on 19 July 2005 and became effective on 1 November 2005.
 5. Albania signed the supplementary Protocol of the “Convention on cyber crime, in relation to the penalization of racist and xenophobic acts through electronic systems” on 26 May 2003. It was ratified on 26 November 2004 and became effective on 1 March 2006.

Furthermore, in the framework of the United Nations, the ratification of the Supplementary Protocol of the International Pact on Civil and Political Rights, as well as the ratification of the second Supplementary Protocol of the International Pact on Civil and Political Rights, attainment is foreseen, as integral parts of legislative acts of the United Nations.

Article 2

The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States.

The Albanian Government appreciates the good relationships with its neighbors, cooperation and regional integration as one of the most essential pillars of its policies in the implementation of its strategic objective for integration into Euro Atlantic structures, given that it is one of the key requirements to the Stabilisation and Association process with the European Union.

The establishment of regional relationships is the essence of this vision which serves joint policies for good understanding, cooperation and compilation of regional development strategies in priority areas such as: business, transport, energy, the fight against organized crime and trafficking, the environment, the media, human rights and minority rights.

In this respect, as also evidenced in the First Report²⁴, Albania has signed a series of multilateral agreements as well as treaties of friendship, cooperation, good neighboring, and security, protocols of bilateral cooperation with neighboring countries in the fields of education, science, economic cooperation,

²⁴ Comments regarding article 18 of the Framework Convention (pages 61-63 of the first Report submitted by Albania)

inter-boundary commerce etc, which, directly or indirectly, serve to enhance respect for minority rights.

Multilateral relationships in the initiatives and regional organization's activities, which constitute important instruments that implement this integration into practice, play an important role for the reinforcement of cooperation and regional integration

In light of the above, Albania has become an active member in all the initiatives which apply in the region of Southeastern Europe such as:

- Stability Pact
- Central Europe Initiative (CEI)
- Black Sea Cooperation Organization (BEDZ)
- Adriatic-Ionian Initiative (AII)
- South Eastern Europe Cooperation Process (SEECP) etc.

Article 4

1 The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.

2 The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.

3 The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.

(1)Albanian society has a positive balance in regards to the issue of respecting minority rights, being one of the states that is committed to fulfill the international standards of the minority regime. This fact has been identified in several reports and studies done by international organizations and NGOs involved in the issues of respect for human rights in Albania²⁵

The Constitution²⁶ of the Republic of Albania guarantees the general principle of equality of all in front of the law (article 18, paragraph 1) and prohibits the

²⁵ The study MINORITIES IN ALBANIA, The Albanian Helsinki Committee.

The report of the Center for Human Development

²⁶ As reflected in the third Report of ECRI for Albania, page 4, point 7

unfair discrimination because of reasons of gender, race, religion, ethnicity, language, political, religious and philosophic conviction or parental pertinence.

In addition, it allows the execution of positive discrimination²⁷, in taking specific favorable measures, giving special opportunities or protection to those individuals or certain categories of individuals or groups, when there is a reasonable and objective legitimacy.

(2) Besides the constitutional guarantees, the respect and protection of minority rights is assured by the legislation in power²⁸, which is continuously improved and completed in accordance with the commitments undertaken by Albania in the framework of the Stabilisation and Association process with the European Union.

In this context, we emphasize that the in the short term priorities, provided in the National Plan on the Implementation of the Stabilisation and Association Agreement, is included the recommendation of the Working Group for the Review of Legislation on Minorities, “to consider the discriminating motive a reason for the crime commitment, as an aggravating circumstance in the Criminal Code”.

The Ministry of Justice has already prepared the draft-law on “Some additions and amendments to Law No. 7895, date 27 January 1995 “Criminal Code of the Republic of Albania,” amended,” the provisions of which prescribe as an aggravating circumstance the discriminating motive as one to commit the crime. More concretely, it is proposed that after point (i) Article 50 of the Criminal Code named “Aggravating Circumstances,” point (j) was added, containing the following:

“Commitment of a felony induced by motives related to race, gender, religion, nationality, language, religious, social or political convictions”

This draft law was approved by the Parliamentary Commission on Legal Issues, Public Administration and Human Rights (on 28 June 2006) and is expected to be passed soon for approval by the Assembly of Albania²⁹.

(3) The principle of nondiscrimination is also provided in the provisions of law no. 8435, dated 14 December 1998 “On Asylum in the Republic of Albania.” Both internal legislation and everyday practice confirm that foreign citizens who have entered Albania illegally are neither penalized nor treated as criminals.

The Albanian authorities have paid special attention to the treatment of foreign citizens who enter Albania illegally or to persons who seek asylum, etc. Problems arising from this phenomenon have been faced in close cooperation with different international organizations such as UNHCR, IOM, etc, which have funded various projects.

²⁷ Article 18, paragraph 3 of the Constitution

²⁸ Detailed information with regard to the constitutional and legal guarantees for the implementation of this article is found in the relevant comments of the First Report submitted by Albania.

²⁹ Complete information with regard to all the recommendations of the Working Group on Minorities will be found in the third part of this Report, in the specific questions regarding the improvement of legislation for minorities.

All asylum applicants are assisted through all steps and procedures, free of any charge, by legal representatives of the Legal Clinic for Refugees, which is financially supported by UNHCR.

A Reception Center for Asylum-Seekers, with a capacity for 200 people, is established and is functional with the support of UNHCR. As of the beginning of October 2004 this center has been managed and administered by the Albanian authorities and is run by a staff of 15 persons.

The prescreening system is implemented at border points by a team composed of representatives of the Directorate for Refugees, UNHCR and IOM. Instruction no. 2008, date 12 October 2004 was issued on “The procedure to be implemented by the state police to facilitate the prescreening of foreigners” to serve the implementation of this mission. This Instruction has been distributed to all police commissariats and border points.

CARDS Project for Albania of prescreening at the border has assisted with a considerable fund, mainly in the development of internal capacity building to implement migration policies according to international standards. This project aims at achieving three objectives:

- Development and consolidation of prescreening procedure at the border;
- Training and technical assistance to support the completion of this process; and
- Promoting and raising national awareness on migration issues within the country and in the region, in line with other activities undertaken by the Regional CARDS.

In order to ensure regular procedures and dignified treatment of migrants and asylum-seekers, as from the moment of entering the border, and in order to prevent and reduce inhuman, discriminating or racist elements, the training of officials involved in this process, is important. The development and reinforcement of the asylum system in Albania is also a part of obligations in the Stabilisation and Association process. In this framework, Police Officers, Students of the Law Faculty, Judges and Prosecutors, staffs etc have been trained. This training process will also continue in the future.

In order to improve the conditions for the treatment of this category of people, appropriate accommodation facilities have been constructed at all border points. These facilities have also been gradually established at the Regional Police Directorates.

(4) Aiming to promote equal opportunities and to avoid direct and indirect discrimination, based on gender and the social life of the country, a new law no. 9198 “On gender equity” was approved on 1 July 2004. In addition with entry in force of this law No. 9198, the Committee for Gender Equality was

established³⁰, whose mission is to draft mid and long-term policies for gender equity.

(5) Referring to the recommendations of the Advisory Committee³¹ for summarizing all the appropriate legal frameworks related with anti-discrimination, it is worth mentioning that lately from an independent specialists group and the Albanian Group for Human Rights, a draft for the anti-discrimination law is being prepared, but still in the discussion phase.

(6) In the framework of the efforts to establish the appropriate measures to promote full and effective equality between persons who belong to minority groups and those who belong to the other part of the population, it is worth mentioning the drafting and enforcement of the Strategy “For the improvement of living conditions of Roma community,” one of the main objectives of which is the prevention of any kind of discrimination towards this minority³², aiming to improve the living conditions of the Roma minority and diminish the differences with other segments of the population.

(7) Protection from discriminatory acts towards persons who belong to minority groups is also offered by law no. 8553, dated 25 November 1999 “On the State Police” and law no. 8291, dated 25 February 1998 “Ethics Code of the Police,” which foresees the responsibility of police forces for acts against the law, and the complaint procedures of discrimination cases with the police.

(8) The structures of the Ministry of the Interior and of the State Police are engaged to respect human and minority rights by taking the necessary measures to accomplish this purpose.

The General Directorate of the State Police and her dependent structures assess and resolve very carefully all requests, statements, or complaints related with the practical enforcement of freedom and human and minority rights all over the country.

In this framework statistics show that discrimination or torture cases because of ethnic, cultural, language, religious identity are not evident.

A positive indicator of the lack of attitudes, opinions and manifestations of racist, discriminating and xenophobic forms in Albania is also the fact that during recent years there have been very few cases of penal prosecutions for penal acts with a racist nature (articles 253, 265 and 266 of the Penal Code).

The training of the police is important for the recognition and protection of human rights, giving priority to those of national minorities.

Thus, an increase of quality and quantity was encountered in training programs at local and national levels for the employees of the judicial police, the prosecutor’s office and court for the acknowledgement, guarantee and respect of

³⁰ Actually, the Directorate of Policies for Equal Opportunities at the Ministry of Labour, Social Affairs and Equal Opportunities.

³¹ Point 26 of the Advisory Committee Opinion.

³² As it is mentioned above, detailed information on the achieved progress in the process of implementing the Strategy can be found in the third part of this Report.

fundamental human rights and exclusion or prevention of the phenomena of racism, discrimination and intolerance.

These programs have been realized in co-operation with different NGOs³³ and the support of international bodies, which offer assistance such as ICITAP, PAMECA, and INTERFORCE, under the methodological directions of the Magistrate School.

In the Police Academy, there is a special program for the recognition of legal and sub-legal acts, as well as for the recognition of all treaties related with knowledge, guarantee and respect of basic human rights, which is organized every academic year. Training courses have been organized even in District Police Departments, aiming at the education of local police.

In the framework of awareness of prisons system staff – and especially prison police staff – with human rights, the School of Prison Police has included in its training curricula a separate subject on Human Rights which offers knowledge on Albanian legislation and international acts guaranteeing human rights, especially those of prisoners. It also offers biweekly initial training courses for young employees as well as continuous training courses for the existing ones. Periodical monthly training cycles are being held in the penitentiary institutions with police employees according to a previously approved schedule.

Furthermore the Ministry of Interior has done several publications in this matter, as part of the legislation of the State Police, the European Convention of Human Rights, etc.

In this framework we can mention the three-year project of the Albania Center for Human Rights (2000 - 2003) “Police and Human Rights,” which aspired to increase the awareness of the State Police Structure about human rights.

This project was organized in close co-operation with the Minister of the Interior, which has frequently supported this project, by taking active part in its implementation and by contributing through specialized studies from the experts of this institution.

(9)In the framework of training sessions on human rights and fundamental freedoms as well as on the ethics of judges and prosecutors, training that has taken place to the benefit of judges and prosecutors should also be mentioned. During the period up until now, seminars, workshops, lectures, short training courses, regional and institutional courses have taken place and have focused on details of human rights. Judges, prosecutors and Judicial Police officers have participated.

Various themes were the focus of these activities and participants increased their knowledge and have been trained on different aspects of human rights, detailed knowledge on the practical application of different articles of the European Convention of Human Rights, explaining and studying the obligations

³³ The Albanian Helsinki Committee, the Albanian Center for Human Rights, the Institute for Democracy and Intermediation (IDN)

of Albania and how judges and prosecutors should apply the principles of the Convention during their duty in court and in the prosecutor's office.

(10) Another guarantee for the protection of the rights of persons belonging to minority groups is also the institution of the Ombudsman, which is playing an increasingly significant role with the protection and respect for human rights.

During 2005 alone, 4,631 complaints have been registered with the Office of the Ombudsman, of which 1,286 are part of its field of competencies. From those it is worthy to mention that 582 complaints (45 percent) have been resolved successfully.

In addition, referring to the identified cases related with discrimination of persons who belong to minority groups in Albania in the Ombudsman Office, since 2001 to May 2006 14 complaints have been submitted, 13 of which have been considered unfounded.

From these, seven complaints have been registered by the Albanian Roma Union "Amaro Drom," two complaints by the Roma Foundation "Lloko Drom," one complaint by the organization for Roma in Integration, one complaint by the Center for Ethnic Studies (an organization representing the Macedonian minority), one complaint by the Egyptian organization in Albania "Nefreta," one complaint by the Macedonian Rights Protection Organization, and one complaint by the Greek Democratic Union "Omonia."

The object of these complaints has been the alleged maltreatment by public police authorities, alleged abusive medical treatment by health care personnel in hospitals etc, based on discrimination against minority groups.

From the investigated requests only one recommendation was sent to the Prosecutor's Office to start penal prosecution towards two gynecologists in Fier city hospital for careless medical treatment that brought about the death of a woman and her baby from the Roma community during delivery.

Based on the recommendation of the Ombudsman, the Judicial Prosecution Office of the Fier District registered the penal prosecution for the two doctors. At the end of the court process, the Prosecutor's Office declared the doctors guilty and punished them with a fine, but the Judicial District Court in Fier has declared that the two doctors are innocent.

In addition there have been other complaints by minority individuals, but they have been complaints with claims not related with discrimination or their rights as minority representatives.

Moreover in the Ombudsman Office other complaints have been presented related with problems in different fields such as limitation of power and water supply, social service problems, or corruption issues, but taking into account that these are problems that trouble all Albanian citizens and therefore cannot be considered as problems related only to individuals in minority groups.

There have been complaints with this topic in this institution but the concerned subjects did not present as members who belong to minorities.

The problems raised in the complaints by individuals who belonged to minority groups in Albania have not been related with discrimination or abuse based on their ethnic origin. The complaints are processed by the Ombudsman's Office and replies sent after they have been carefully reviewed.

(11) The government of Albania is playing an important active role to reduce cases of discrimination related to minorities in Albania by taking concrete measures to prevent and punish corruption and enforce the legal state, considering these as priorities of its policies. Corruption is a phenomenon that affects the whole of Albanian society and the struggle to prevent and minimize it will give guarantee and influence directly even in the minorities rights respect and avoid discrimination in practice. The prevention of this phenomenon will influence in the life improvement of all the Albanian society and in particular of the vulnerable and unprotected groups and poor layers of the society, no matter if they belong to the majority or minority population.

In this aspect, appreciating the process of civil awareness with human rights and acknowledgment of "discrimination" as a phenomenon as very important, further attention will be paid to encourage equality for all the citizens and eliminate any form of prejudice and discrimination towards the minorities through;

1. Increase of the informative programs, related with the opportunities that the legal framework and judicial system offers to minorities to protect their eligible rights.
2. Training of police authorities, prosecutors, judges and public administration servants with the human rights, and;
3. Monitoring of discrimination cases towards minorities in public and private media, especially about the Roma minority

In order to reduce the hidden cases of discrimination towards this minority importance will be given to the National Strategy enforcement for this minority.

Specific measures taken to encourage the participation of minorities in the election process.

Legal background and implementation in practice of this right

(1) The Albanian legislation guarantees the normal development of elections and participation of minorities in the election process.

Considering the integration in the European family as the biggest challenge that the Albanian society is facing at the moment, Albania is looking to support in every step that is taking the basic principles that are in the foundation of the EU.

Actually this cautious policy, which is in conformity with all the international standards, was followed in drafting, agreeing and amending the New Election Code³⁴.

The amendments, some of which reflected the Joint Recommendations, brought several changes, especially related with election administration, preparation of electoral lists, the criteria of the electoral zones division, the counting process and the handling of complaints and appeals.

(3) The new borders of the electoral zones were determined by a specific law (March 2005) as a result of a political agreement between the two major political parties. The determined criteria for the division of the electoral zones reflect very clearly the will for a natural administrative division, which does not affect in any way the electoral political process.

Considering minorities, as an integral part of the Albanian society increasing attention has been paid to the implementation of the Electoral Code without any kind of discrimination for the persons belonging to minorities who have the right to vote.

(4) As concerns the practical implementation of this right, as results also from the OSBE/ODHR report on the observation of local power elections of 2003 in Albania and the parliamentary elections in 2005, during these elections discrimination cases³⁵, have not been reported related to the participation of minorities individuals in the electoral process or any difficulties that could obstacle their participation in this process.

(5) Positive development to increase active participation of the persons who belong to minorities in public issues, including the participation in the electoral process, marked even the foundation of two new parties, that represent and protect minorities interests in Albania, The Movement for Freedoms and Human Rights (MFHR), founded after the division from the Union for Human Rights Party and the Macedonian minority political party “The Macedonian Alliance for the European Integration.”

Actually, referring to the general parliamentary electoral campaign of 2005, the platform of these parties and the other parties as well, include invocations to enforce minority rights in Albania.

During the election campaigns of the major political parties, the social problems minorities in Albania face have been shown, especially those of the Roma community and the Egyptian community.

³⁴In 2004, OSBE/ODHIR and Venice Commission issued “The Joint Recommendations” for the improvement of the legal framework on elections in Albania, in order to fulfill the OSCE requirements and other international standards. As a consequence, the Election Code of June 2003 has been amended in October 2004, January 2005 and April 2005.

³⁵ The International Observatory Election Mission for the local power elections on the 12 October 2003, page 7.

Use of minority language in the electoral process, encouragement and awareness of persons who belong to minority groups for participation in the electoral process

Considering as an important priority the participation of all Albanian citizens in the political processes that occur in Albania, the Central Elections Commission (referred as KQZ below), in its capacity of independent constitutional institution, that organizes, supervises and administers the election process, is engaged to motivate and encourage persons belonging to minority groups to actively participate in this process.

(1) In this framework for the first time in the elections of Albanian Parliament of 2005, KQZ organized an intensive education and information campaign even for electors who belong to national minority groups.

Nevertheless the use of minority language during the election campaign, in the areas where they live, was not included in the changes to the Electoral Code, KQZ took the right measures to realize this commitment.

(2) As far as concerns the last elections for the Albanian Parliament of 2005, with the decision no. 6 dated 07.02.2005 a public relations strategy was drafted and implemented.

In order to guarantee the free practice of the right to participate in an active or passive way in the political processes, on the side of minorities, to fulfill the legal obligations and international standards, this institution gave a particular place in this strategy to the electoral education of national minorities.

To realize this objective, KQZ co-operated with the Ministry of Foreign Affairs and INSTAT to collect the necessary information about minorities in Albania, as their location, statistical data about their numbers and the languages they speak.

It also co-operated closely with the National Council of Radio and Television (KKRT) for the identification of the locations of the radio-television operators transmitting in the areas where minorities live.

To assure a maximum efficiency of this campaign, KQZ also kept continuous contact with different organizations working with minority issues.

Based on the information given by the above mentioned institutions, the ways to realize this campaign have been defined.

Some of its elements were developed in the specific minority languages and we can mention:

1. radio information spot in the Greek, Macedonian and Serbo - Montenegrin languages
2. leaflets explaining how to vote
3. posters for the print media

(3) KQZ with decision no. 39 dated 07.04.2005 'For the agreement of the project "My vote 2005 - electorates educational campaign for the Parliamentary Elections 2005," decided that election education for national

minorities through newspaper announcements and radio spots would be covered in the state budget in the areas where national Greek, Macedonian and Serbo – Montenegrin minorities live.

With the important contribution of IFES³⁶ Albania and USAID it was possible to prepare newspaper announcement and radio spots in minority languages. These versions were prepared in co-operation with representatives of the respective minorities.

More specifically the notification of the Greek minority in print and electronic media appeared:

1. in the Laiko Vima newspaper, based on the contract with KQZ, an information poster was published eight times in the Greek language for a total of 100,000 leke covered by the election budget; and
2. on the radio Argjiropolis, based on the contract with KQZ, a spot was transmitted 420 times in the Greek language for a total of 100,000 leke covered by the election budget.

Media publicity on participation of minorities in election processes

In general, the media has paid attention to the participation of minorities in the local elections of 2003 and general elections of July 2005.

Civil society and donors who have actively supported minority programs have played an important role in increasing access for minorities to the media to introduce their own issues.

In the framework of the program “Minority rights in practice in the East South Europe” (October 2004 – October 2006), a group of specialists from the Center for Encouragement of Human Development and other NGOs monitored the activities of two local television channels, two national newspapers and two local newspapers from May 2005 to election day.

Through this process the assurance of equal participation of minorities in policy development was the objective, as a unique part of the efforts for integration into Euro-Atlantic structures.

The most specific results expected are improved legal and regulatory frameworks implemented, more qualitative capacities in the local government such as municipalities and communes, consolidated capacities in the field of minority rights in civil society, better practices for co-operation between NGOs and different levels of government, intensive public debate and a higher level of awareness related with minority issues in Albania.

At the end of this monitoring process, this group also prepared a report about the media coverage of minority issues, during 2005 parliamentary elections “Media coverage of 2005 Parliamentary elections and minorities.”

³⁶ International Foundation for Election Systems

As confirmed in this Report, progress was made during this election, in the way of raising and address problems concerning minorities by journalists in the local media, as well as in the way these issues were discussed by politicians, which shows the knowledge of minority problems and awareness related to respect of their rights from both parties.

Also, with the participation of journalists from the local and national media, representatives of local and central government and NGOs that work with minority issues, the forum “Elections, Media and Minorities” was founded which has as its focus the discussion on monitoring media coverage of minority problems during the parliamentary elections 2005.

The full observations of this Report can be found in the Annex “Media Coverage of 2005 Parliamentary elections and minorities” of this Report.

Problems and encountered difficulties

(1) Although progress was achieved with respect to the participation of people belonging to minority groups in the electoral process, of course there is still much to do in this direction, especially about the participation of the Roma minority in this process.

The low level of education, poverty and many other factors have affected the attention of this community, making it indifferent and not participating in most cases of the electoral process.

On the other hand, because many persons belonging to this community do not have proper identification documents and as a consequence they do not appear in the election lists they encounter considerable obstacles to participate in elections, excluding them automatically from the decision-making process.

(3)Objective technical difficulties have also been identified during the implementation of the project “Education elector campaign for the Parliamentary Elections 2005” related with:

1. lack of financial support for specific programs of election education of minorities; and
2. lack of available time to apply wider education programs as a whole.

It must be stressed that because of available tools such as newspapers and radio television operators, this campaign was effective in those areas where the Greek minority is located, partly in the Liqenas-Korce Commune cohabited by the Macedonian minority, where posters and leaflets in the Macedonian language were published. This campaign was not implemented in the areas inhabited by the Serbo-Montenegrin minority, because of the lack of massive communication tools for this minority.

For the next elections a specific priority the use of appropriate measures for the electoral education of minorities has been established.

Notwithstanding, the acquired experience from the implementation for the first time in Albania of this practice, that foresees one more opportunity for the

persons belonging to minority groups to receive information on elections in their own language, it was possible to identify the concrete conditions needed to realize a successful platform for the election education of minorities and in accordance with the respective conclusions will work to draft strategies for future elections.

It is important to stress that in the framework of reviewing the Election Code, for the organization of the next local elections in Albania, work is being done to stimulate the Appointed Parliamentary Commission for Election Reform, that the use of minority languages and distribution of information booklets and leaflets in their own language, in the areas where they live during the election campaigns, to be amended even in the Election Code.

Article 5

1. The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

2. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.

The Albanian government remains committed to undertake any initiative, which will help minorities, to protect and further develop their national and cultural identity, traditions and cultural inheritance.

This diversity is an important part of joined cultural heritage and development of tolerance in Albanian society, as well as an example of co-habitation in our region.

To implement this, in the cultural field from the part of the Ministry of Tourism, Culture, Youth and Sports (referred to as MTKRS) several national folkloric activities have been organized, where individuals and groups of minorities have been invited and participated, providing their own performances.

So far we can mention that for five years the MTKRS has financially supported and helped organize, the project The International Folkloric Festival “Permeti Multicultural”, as a cultural artistic event that involves the folklore and art of minorities.

The International Folkloric Festival “Permeti Multicultural” is an annual cultural artistic event that includes minorities who live in our country. Permet was selected to host the festival based on its cultural diversity and the different minority groups living there.

In the national annual events of spiritual heritage that the National Center of Folkloric Events organizes, different groups of minorities have been invited to participate:

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1. National Folkloric Festival of Gjirokastra
 2. National Topologic Folkloric Festival of the Rap sod, organized in Lezha
 3. Folkloric Topologic Festival of Popular Harmonics, organized in Korca
 4. The Festival of the Popular City Song, organized in Elbasan

The Ministry of Tourism, Culture, Youth and Sport has also intermediated the participation of minorities in other projects that it supports financially, such as the Festival “Oda Dibrane” which is organized in Peshkopi, the Festival of Popular Instruments, which is organized in Gjirokaster, the festival “Sofra Dardane”, which is organized in Tropoje, etc.

The opportunity to put some popular costumes of minorities in the Ethnography Division of the National Historic Museum in Tirana is being looked into.

In the framework of the strategy “For the improvement of living conditions of Roma minority” work is being done to promote the cultural values of the Roma minority into all national events of spiritual heritage.

Projects in the cultural field for 2006:

Involvement of national minority traditions in the national events of spiritual heritage.

MTKRS through the National Center of Folkloric Events has proposed to include the culture and tradition of the national minorities in the following events:

1. The annual package of national heritage projects. This package includes three annual events:
 - The National Topologic Folkloric Festival of Harmonics in Korca
 - The National Topologic Folkloric Festival of the Popular City Song in Elbasan
 - The National Topologic Folkloric Festival of Popular Dance in Lushnje

These festivals are organized on annual basis, in cooperation with the National Center of the Folkloric Events, the Institute of Popular Culture near the Science Academy and the respective Municipalities.

2. The projects package of cultural tourism. In the annual activities package that are funded and organized in cooperation with MTKRS the musical traditions of national minorities is proposed for inclusion in the:

- International Festival of CIOFF (International Organizational Committee of Folkloric Festivals), in Përmet

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- The festival of Folk Instruments, in Gjirokastra
 - The Folkloric Festival “Oda Dibrane”, in Peshkopi
 - The Folkloric Festival “Sofra Dardane”, Tropojë

3. The Involvement of musical traditions of minorities in the musical parade “Spiritual heritage in CD”

The set of MTKRS “Spiritual heritage in CD” is the first CD offered to the Albanian public. It aims to popularize Albanian values of spiritual heritage, which are known for their importance and originality all over the world. This includes the “gold songs” of Albanian folk music, as well as the melodies, songs, and dances of from minority culture.

This project will present and promote these cultural values in the world mosaic of cultural heritage.

4. In the framework of caring for minority youth in Albania, MTKRS, (Youth Directorate) will focus its work in the directions of:

- Giving opportunities to represent and integrate young minorities
- Finding opportunities for youth employment
- Creating conditions to promote activities of youth minority organizations
- Their wide participation in debates, round tables and discussions to raise public awareness of the positive aspects of minority culture and tradition

5. Increase sporting activities of national minority communities

MTKRS in cooperation with the local government will increase sporting events for minorities and attract youth to local and national sporting events.

Noted developments during this period of time include cultural and artistic events of minority organizations. Minority organizations in Albania actively contribute to the promotion of their history, traditions and culture through artistic events and publications.

Civil society has played an important role in promoting the cultural values and traditions of minorities in Albania, and through cooperation with minority organizations different international organizations have supported the implementation of several projects in this area. Detailed information about the activities related to minorities can be found in the annexes of this Report.

In relation to the measures taken to protect and develop other elements of minority’s identity as their religion and language will focus in detailed comments of the appropriate articles of the Report, respectively in the article 7 and 10 of the Convention.

Article 6

The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.

The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

Along with the measures taken to draft an appropriate legal framework to prevent discrimination and intolerance, the Albanian government in cooperation with civil society and international organizations, took several measures in order to encourage mutual respect among all Albanian citizens and equal opportunities for participation in public economic and social life.

(1) Involvement of human rights programs in the education process

In the framework of education reform during recent years, and as well as evaluating the importance of youth education with human rights, the teaching programs of Albanian schools have made significant progress.

Schoolchildren start their education with human rights at the preschool level of education. Teaching of human rights is part of the compulsory education program as well of all the schools of low and medium level.

These education books give general information about the cultural tradition of minorities in Albania, aiming to foster feelings of acceptance and appreciation for different cultures, as well as recognition of the contribution that minorities have made to Albanian society.

The Ministry of Science and Education, with the Directive of the Minister of Education and Science No. 16 date 29.08.2003, directed to all schools and education institutions has required that in all the education programs, dealing with the attitudes of neighbors or countries in the region towards our country, teachers should promote the message of understanding, harmony, tolerance and cooperation in the relations between nations and countries of our region to the students. Directives have been given for particular themes and subjects. The full reform of these books is being done at the same time with the presentation of the new structure of compulsory education of nine years³⁷.

Based on a joint agreement of the Ministry of Education and Science with the Albanian Center for Human Rights (ACHR) and in close cooperation with the Institution of Pedagogy Studies and support of TROCAIR, Ireland, the project "Education with Human Rights in the Teaching universities" started in January

³⁷ In more details steps taken in the framework of re-evaluation education curricula about minorities will be treated in comments related to article 12 of the Convention.

2000. The main purpose of this project is to integrate human rights in the official university curricula.

The main goals of the project were:

- Draft of curricula of human rights as a subject in the pedagogy universities
- Strengthen of human capacities (as trainers etc.) and generation of documentation capacities (set up mini-libraries and periodical enrichment of human rights education materials);
- Training of teachers about the methodology and technical methods of teaching.

Four pedagogical universities in Korca, Elbasan, Shkoder, Vlore, and Gjikastota have been included in this project.

An important element and a valued factor at the same time of this project is the establishment of Resource Centers in the five above-mentioned universities. Near every Resource Center are libraries of human rights for the organization of the human right subject. These centers offer computer services and e-mail connection through the Teaching universities. In this framework can be mentioned different publications such as manuals, appraisal reports, brochures and leaflets about human rights.

Some of the main directions of this project were:

- Training of teachers and school directors through appropriate seminars, to a better knowledge of human rights and to put in practice these rights in school performance
- capability, through specific courses from a group of trainers to organize quality activities to respect human rights
- set up a pilot group of schools in 24 districts of the country to realize more effectively the education in the spirit of acknowledgment and respect of human rights; these include beyond others, special training of teachers, set up areas keened cabinets to teach human rights, prepare of appointed specific teachers or reformatory of human rights, etc.
- Activities for integration of the human rights teaching inside the education-teaching process in high schools, aiming to achieve the involvement of human rights aspects in some subjects, draft of particular curricula.
- Summer school activities for children, for the acknowledgment and respect of human rights through recreational activities (competitions, concerts, excursions, exhibitions with paintings and hand made work, etc) in these have been included 17,189 children, half of them were children from Kosovo;
- Foundation activities to include courses, lectures and seminars for human rights with students in the university branches which prepare teachers
- Publications to help teachers and students for all school levels
- Manuals, the school book (classes 1-8) "My rights" for children and teenagers, booklets for students of teaching university branches etc.

SUMMARIZED CONCLUSIONS OF THE PROJECT

During the period January 2000-February 2003

Achieved indicators	During year 2000	During year 2001	During year 2002	Total
Students trained	100	100	100	300
Teachers trained	25	25	25	75
Specialists trained	10	10	15	35
Resource Centers	5	-	-	5

Publications

Modules for the education of human rights for students and teachers of the Pedagogy Universities (elementary and middle level).

Based on the needs assessment of deans, teachers and students, and with assistance of foreign specialists, the Centre drafted 2 –curricula for the human rights course, subject which is performed in the universities which prepare teachers (elementary and middle levels) and is treated in 8-modules, which are as follows:

Module 1 “Human rights, concepts and historic”

Module 2 “Human Rights Classifications”

Module 3 “Human Right Universal Declaration, National and International Institutions for human rights”

Module 4 “the Convention of Human Rights for Children”

Module 5 “Human rights protection Structures”

Module 6 “Human rights books as cross curricular elements in middle school (8-years)’

Module 7 “human rights methodology in schools”

Module 8 “Practical Activities for schoolchildren and students (elementary and middle school level)”

In 2001 ACHR published the teaching book “Human Rights”, to help students and teachers to develop their knowledge’s in this field.

During the third year (2002) of the project implementation, five brochures have been published; these brochures present integration forms of human rights in different subjects (for the 8 years level – middle school) and are:

- Albanian language, literary reading and human rights,
- History, geography and human rights
- Biology, chemistry and human rights
- Mathematics, physic and human rights
- Civil Education, foreign language and human rights

Also in June 2006, the group of collaborators of AHRC – ACHR and experts from IPS – ISP (Institute for Pedagogical Studies), universities, educational directorates and elementary schools, published the study “Human rights in the

education process”, as a serious effort to bring original researches related to the great service that the content of the different curricula offers on the education on human rights issues in the school.

Through this publication, information, analysis, theoretical and practical brainstorming in the curricula of Albanian language, literature, mathematics, physics, biology, history and geography, the objective links between human rights and natural and social sciences are explained, thus submitting a wide panorama on the opportunities that these subjects open for the education of students.

Amongst the most important elements of this publication are the practical activities directly linked with the concrete work of the teachers, offering them existing stereotypes, which can be improved and enriched during the teaching practice.

(2) As stressed above, the projects organized in different districts of the country by the civil society in cooperation with different international organizations and the central and local authorities have given an important contribution for the awareness and education of the public opinion on human rights and minorities.

The Foundation “Open Society for Albania”, SOROS has played an important role in this field by actively supporting programs in the field of minorities.

Hence, 23 projects in the field of minorities were supported by this Foundation.³⁸

It is noteworthy to mention here the actual implementation of the project "Role of the civil society in the protection and public awareness on the rights of national minorities”, supported by this foundation and implemented by the Albanian Helsinki Committee (AHC).

Some of the main objectives of this project are:

1. Better informing of the public in general and minorities in particular on the Framework Convention on the protection of national minorities
2. Fostering the Albanian government to fulfill the obligations deriving from the Framework Convention on the protection of national minorities
3. Fostering local government bodies (where minorities are concentrated) to increase the access of minority population to these organs
4. Fostering of minorities to denounce discrimination cases
5. Monitoring of the State responsible organs in taking measures to remedy the violated rights
6. Fostering of the Albanian government and other actors to successfully implement the strategy for the improvement of the situation of Roma

Also, in the framework of the Stability Pact for Southeastern Europe and with financial support of the Council of Europe, the Albanian Helsinki Committee implemented the project “Diversity and coexistence of minorities and other communities in Albania – important factor of stability in the region.”

³⁸ According to information received from the Albanian Helsinki Committee (AHC) –

The main goal of this project was to urge improved respect of minority rights and to reinforce the coexistence and respect for diversity in Albania.

Monitoring missions were undertaken for the implementation of this project, in the areas inhabited by minorities to see closely their situation and the scale of respect for their rights.

The main directions where the monitoring group focused were the coexistence of the minority with the other part of the population in these areas; the respect of the right for education in the proper mother tongue; the living conditions; the state of health services; the representation in the public administration and the organs of local government; the active participation in the cultural, economic and social life; access to the media; preservation and reinforcement of the ethnic identity; links with the mother country, etc.

The concrete objectives of the project were:

- Evaluation of the situation of minorities in Albania through visits in the places where they live and meetings with the local authorities.
- Increase of public awareness on minorities' rights through publications of conclusions, comparison of these conclusions with the requirements of the Framework Convention, public reactions and letters addressed to competent authorities.
- Fostering of cooperation between representatives of the minorities, by discussing problems rising out of joint round tables organized with them and representatives of local government authorities as well as fostering solution of these problems.
- Building of local capacity and fostering of local initiatives for a better application of the standards established by the domestic and international legislation.

As a result of the implementation of this project, a number of reports on the situation of minority rights in Albania were drafted and recommendations were given for the solution of their problems³⁹.

The program "Improvement of interethnic relations in Southeastern Europe" also offered a unique model for the improvement of interethnic relations. The program was funded by King Boudouin Foundation, Foundation of the Open Civil Society (OSFA), Charles Sterwart Mott Foundation (CFMF) and the Human Development Fostering Centre.

The program was almost fully implemented by local organizations and focused in urging a higher scale of understanding, tolerance and cooperation between different ethnic groups and the majority of the population, including in its implementation also the decision makers themselves.

³⁹ Minorities in Albania, Report on the situation of Roma minority in Albania comparing with the standards of the Framework Convention "On the Protection of National Minorities"

This program included, in addition to the minority representatives, the representatives of the three main religions in Albania, Catholic, Muslim and Orthodox, thus extending its activity in areas with mixed religious populations.

The approach used by this program makes it unique. This is because of the fact that its objectives concentrated more on the improvement of interethnic relations than on the application of the minorities' rights, thus urging for initiatives which included more than one ethnic group.

The program activities have focused in different fields such as development of civil society, education, media, arts and culture, aiming to foster the spirit of tolerance and intercultural dialogue through implementation of projects which include individuals belonging to minorities and the majority of the population and not through working separately with each group.

The implementation of different projects of this program showed that the inclusion of the minorities themselves in the solution of their concerns is a necessity if a successful intervention is aimed.

During the three years of the program implementation (2001-2004), 49 projects were funded, 35 percent of which in cooperation with the local authorities of other local institutions such as the educational directorates, schools, universities, public order structures, etc.

Different from the practice used until now to identify and make public only the negative cases when minority rights were violated, an important aspect of this program was to evidence and reflect the concrete positive examples of relations of tolerance and understanding between different ethnic groups and other part of the population, thus helping to evidence the spirit of cooperation and harmony amidst all minorities and the majority of the population in Albania.

Many projects submitted by Roma organizations were funded in the framework of the program "Improvement of ethnic relations in southeastern Europe".

These projects, which include the organization of sports and cultural activities with participation from ethnic Albanian and Roma children, have also contributed to promote respect, feelings of friendship and cooperation between them.

The new practices of cooperation that this program developed in the mixed communities serve for the education of the tolerance culture, contributing to the promotion of the importance of equal participation and the effective involvement of the minorities in the transforming processes in the country.

(3) The effective work of association and other non-governmental organizations from the minorities themselves reinforces also the vitality of the civil society. The projects of these organizations and their close relations with the community serve to the reinforcement of the social cohesion, the promotion of tolerance and intercultural dialogue, as well as to the specific problems of the community itself.⁴⁰

⁴⁰ Report of the Albanian Helsinki Committee, Minorities in Albania.

Several groups and associations are created in the areas inhabited by the Greek minority such as the one of the minority' teachers, the association "Affirming our identity", students' association, journalists' association, etc⁴¹.

Also, the schools in the areas inhabited by minorities, through the artistic and sports activities that they organize, serve to promote the cultural life in these areas and to foster tolerance and intercultural dialogue.

For e.g. the school of Livadhja, with 250 pupils, through its activities organized jointly with other schools from non-minority areas as for e.g. the school of Konispol frequented by Çam pupils, makes further steps to strengthen links and coexistence between the minority population and non-minority one, thus cultivating this traditional spirit at the young generation.

(4) The work carried out in the printed and electronic media has also given an important contribution in the fight against intolerance and in promoting a spirit of understanding among the different ethnic groups in Albania.

Programs on the life, culture and the traditions of minorities in Albania have been more and more present in the electronic and print media during this period.

Forums and debates have often been organized on different issues particularly sensible for minorities, with the participation of representatives from minority associations, State authorities and civil society.

When treating issues related to minorities, it is generally acknowledged that the media has kept a balanced and objective position, so contributing positively in the awareness of public opinion and State authorities on problems concerning minorities.

Despite of the above, there have been cases when the media, out of certain sporadic events, has negatively influenced to the climate of interethnic relations in the country.

This has been present mostly during electoral campaigns in some areas when representatives of political parties, through their attitude, have influenced in the fostering of momentary nationalist passions or in the misinterpretation and dissemination of such events in the public information means such as stealing of objects in some churches, or cancellation of signs in areas inhabited by minorities⁴². These events have been considered by the inhabitants of the areas where minorities themselves live as acts done by malefactors, out of any context that aims to urge any conflicts.

However, these attitudes do not constitute a concerning phenomena and the general spirit of the media to create an environment of tolerance and peaceful coexistence deserves appreciation.

⁴¹ The Ionian Professional Journalists Association, composed of journalists from both ethnic origins (Albanians and Greek minority).

⁴² Final report of the Program "Improvement of ethnic relations in southeastern Europe", Human Promotion and Development Centre (HDPC), page 10, paragraph 1.

Article 7

The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion.

The Constitution of the Republic of Albania guarantees the respect and protection of human rights and fundamental freedoms, the freedom of peaceful meetings and that of participating in them, as well as the right to organize collectively.

(1) As evidenced also in the first report, the political, economic and social interests of the minorities are protected by all Albanian political parties since a considerable number of individuals belonging to minorities in Albania adhere to them.

Law No. 8580, dated 17 February, 2000, "On the political parties" gives space for the creation of political parties on ethnic basis provided that the party will not engage in activities promoting racial, religious, zonal or ethnic hatred.

Up to now, only the "Union for Human Rights" Party has specifically represented the interests of minorities in Albania.⁴³

(1) Two new political formations, that seek the support of the minority population, have been recently created. They are: the Human rights and Freedoms Movement (LDLNJ), created after their split from the 'Union for Human Rights' Party and the political party representing the Macedonian minority, called "The Macedonian Alliance for European Integration" (June 2005).

The political party of the Macedonian minority, called "The Macedonian Alliance for European Integration" was created based on the Union of Macedonians in Albania, in itself composed by the associations "Mir", "Med", "Gora" and the political and social organization for the protection of Macedonians in Albania "Druzho Prespa."

(2) Building and strengthening of capacities of associations and organization that cover minority issues at the local level and their network cooperation has taken a new impact during this period.

By knowing in details the situation, needs and mentality of different communities where they operate, these organizations are widely involved in the implementation of different projects in the field of respect for the minority rights. The creation of the network of Roma NGOs operating in Albania is important to be mentioned in this case.

⁴³ In addition to other parties mentioned in the first paragraph of this article.

Also, during the implementation of the program “Improvement of ethnic relations in southeastern Europe,” 93 percent of the projects were implemented by small and new local NGOs which are very active in the areas where minorities are living.

During such implementation, the cooperation of these NGOs in a network was evidenced as a need to cooperate efforts of all the actors involved in the same areas of interest and expertise.

This cooperation contributed to the establishment of links and fostering of cooperation in interethnic relations, promoted brainstorming on specific local developments and widened the positive impact of the program on these developments.

The network, which was organized very well, operated in three levels, local, regional and national, thus contributing to the exchange of experience for a continued civil dialogue on issues concerning the minorities. During this comprehensive cooperation, the overall number of organizations, institutions and individuals that regularly participated in the joint meetings reached 210 throughout the country⁴⁴.

During the last year of the program, “The Harmony” network started its function, with participation of media representatives from the entire country who committed themselves to present a realistic view as well as to give their contribution for the issues of interethnic relations in Albania.

Article 8

The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.

Albania cannot be identified as a country belonging to a particular religion but as a country of three different religions that live in harmony with each other.

Understanding and tolerance for members of minorities has been a determinant factor in the exemplar coexistence between them and the religious communities.

Freedom of religion and conscience in Albania is guaranteed for the Albanian nationals as well as for the members of minorities, in article 24 of the Constitution. According to this article, *“Everyone is free to choose or to change his religion or beliefs, as well as to express them individually or collectively, in public or private life, through cult, education, practices or the performance of rituals. No one may be compelled or prohibited to take part in a religious community or its practices or to make his beliefs or faith public.”*

⁴⁴ Final report of the Program “Improvement of ethnic relations in Southeastern Europe”, Human Promotion and Development Centre (HDPC).

As per the above, in addition the four main religious communities, there are many other Christian associations such as Protestants, Evangelists, Adventists, Baha'i, Mormons, as well as a number of Islamic charity associations.

All the ceremonies in the churches of minority' areas are carried out in the mother tongue.

There is no particular law to regulate the relations between the State and the religious institutions until now.

An inter – institutional working group, which aims to prepare a draft – agreement between the Council of the Ministers and the religious communities, was constituted through decision no. 73, dated 25 May, 2006 of the Council of Ministers. Lawyers from the religious communities are also invited to participate in the working group's meetings and it is foreseen that consultations will be carried out with experts from different organizations and institutions, representatives from the religious communities and from the international organizations.

This draft – agreement also stipulates the use of minorities' mother tongue in the areas by them inhabited, in the religious ceremonies and offices.

Article 9

1. The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers.

The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.

2. Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.

3. The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.

4 In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism

The access to electronic media for the minorities should be seen in conjunction with human and fundamental rights and freedoms observance.

(1) Aiming to preserve and strengthen the cultural identity of national minorities in order for them to maintain permanent contact with the political, social and cultural developments inside and outside the country, the Albanian legislation envisages full access, both in print and electronic media, in native language.

The Constitution of the Republic of Albania grants special protection⁴⁵ to the means of communication, such as press, radio and television.

As regards the printed media, the law “On the Press” comprises only one Article, which stipulates, “The press is free. The freedom of the press is guaranteed.”

The Law No. 8410, dated 30 September, 1998 “On public and private radio and television in the Republic of Albania,” stipulates that “radio-television activity shall observe in an unbiased manner the right to information, political opinions and religious faith, personality, dignity, privacy of human beings, as well as their fundamental freedoms and rights.”

As mentioned above, in the framework of improvement of legislation on minorities in the National Plan for Implementation of the Stabilisation and Association Agreement with the aim to facilitate the access to media of the minorities, the implementation of the following legal measures has been foreseen:

- Revision Review of the law no. 8410, dated 30 September, 1998 “On public and private radio and television in the Republic of Albania”, law no. 7756, dated 11 October, 1993 and the law no. 8239, dated 3 September, 1997 “On the press,” by introducing positive provisions to facilitate the access to media of the minorities, as well as detailed procedures and rules in the minority addressed programs, in the licensed radio and televisions.

(2) The print and electronic media have evolved in Albania. In this regard it is increased the coverage of minorities’ problems by the media.

In general terms, the Albanian media has an accurate attitude with regard to promotion of non-discrimination and tolerance towards minorities.

The main problem faced by the minorities when trying to utilize the media in their native language is the lack of financial resources. Another problem is the lack of professional qualification of the staff employed by them.

(An important role towards enhancement of access of minorities to the media, as well as on the reflection of their concerns, is played by civil society.

An important role in this regard has been played by the Albanian Media Institute, which as will be demonstrated below has trained persons on printed media and on radio.

The radio and television programs addressed to minorities or in the minority native languages are mostly ensured through the local branches of Albanian Public Radio and Television, located respectively in Gjirokastra, Korca and

⁴⁵ Article 22 of the Constitution

Shkoder. The Radio and Television broadcasts a daily program, with a fixed timing in the language of the respective minority.

The branches of Albanian Radio-Television located in Shkoder do not operate regularly; therefore they do not broadcast programs in minority native languages.

The National Council of Radio and Television (NCRT), which is the institution charged by law to regulate and monitor the radio-television activity in the Republic of Albania, has granted license to a few radio and television operators that broadcast in the native language of the national minorities, such as: "TV ALPO," located in Gjirokastra, which broadcasts programs intended for the Greek minority in its native language; "Radio Argjiropolis" and "TV CHANNEL 7," in Gjirokastra, which broadcast information in Greek language; and "Radio Prespa," that broadcasts in Macedonian language.

In clear terms, as regards the time limits extended to programs intended for the Greek minority, Radio Gjirokastra broadcasts daily 45 minutes of informative editions in the Greek language and also other programs of cultural character. In addition to that, the local television in Gjirokastra broadcasts 30 minutes per week programs in the Greek language.

In year 2005⁴⁶ The National Council of Radio and Television granted license and established one radio and one private radio-television called "ARMONIA TV," "ARMONIA FM," that cover Dropulli and Gjirokastra area, both broadcasting in Greek language.

A local radio called "Radio Saranda" is located in Saranda and broadcasts two editions in the Greek language, every Sunday and Thursday from 18.15 to 19.00 hrs.

Journalists of national minority origin produce this program. The program entitled "The Greek ethnic minority today" contains news, music and information on cultural and social events. It broadcasts cultural interviews, minority tradition etc. An important component of this program is the Greek folk music.

As regards the printed media, it has evolved and disseminated at a wider range comparing to the electronic one.

Below are shown some data on the printed media of the Greek minority:

- Weekly newspaper "Llajko Vima"
- Weekly newspaper "Zëri i Omonias"
- As of October 2005 the "OMIROS SH.P.K" association has published the newspaper "Tahidhromos tis Ipiru" (Korrieri i Epirit)
- "Romiosini" (Helenizmi) newspaper
- Monthly newspaper "Vizion 2000", in three languages (Albanian – Greek and English)

⁴⁶ Media and the minorities, a publication of the Albanian Helsinki Committee, Tirana 2006

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- In the market of printed media since a few years are in circulation the newspapers “Bularati” and “Poliçani”

Journalists of both nationalities (Albanian and Greek) founded the Association of Ionian Professional Journalists in Saranda in 1998. It has played an important role in strengthening the cooperation in the field of media. Moreover, it has provided training, organized seminars and round tables with the aim to enhance professionalism and raise journalists’ awareness towards the minority issues in general but also in improving the level and quality of reflection of the minority problematic in the media.

As mentioned above, the main problem faced by minority media is the lack of professional qualification of the staff employed by them. In May 2006, a training course on managing a local minority newspaper was organized in Gjirokastra, with the participation of 12 editors, directors, and managers of Greek minority newspapers, located in Gjirokastra and Saranda.

This training responded to a needs assessment survey carried out last year among minority media outlets, where management training ranked among the top priorities⁴⁷.

The Macedonian minority has its own printed media, represented by the “Prespa” Newspaper in Macedonian language, which is facing financial constraints.

Radio-Television Centre in Korca broadcasts five times a week a daily program of 60 minutes in Macedonian language.

The main component of this program is music. It raises also, specific concerns of this minority (40 minutes). The news occupy the remaining time (20 minutes) of the program. The Albanian government finances this program.

Its signal covers the entire minority area. Persons belonging to the minority population are engaged in the preparation of materials transmitted in the radio or they express their opinions and give interviews.

Radio “Prespa” located in the centre of Liqenas Commune continues to broadcast in the language of the Macedonian minority⁴⁸.

According to the representatives of this minority⁴⁹, the population in the Prespa area watches the Macedonian televisions. However, the national minority population is highly interested on the developments of Albanian society and more needs to be done in this regard.

Currently in Albania there are not any printed or electronic media intended for the Serbo and Montenegrin minority. The work is in the process to define the minimal time limits and the instruments that will facilitate the necessary procedure to license a media particularly for this minority.

⁴⁷ This course was organized by the Albanian Media Institute, with the support of Swedish Helsinki Committee. The Albanian Media Institute was established as an independent organization in 1995 and its main mission is to provide further assistance to the existing media in Albania in order to upgrade their professional level.

⁴⁸ According to the information received from the Minorities’ State Committee.

⁴⁹ Media and the minorities, a publication of the Albanian Helsinki Committee, Tirana 2006

However, the local media are regularly broadcasting every public activity, especially concerts, cultural activities and official meetings. The programs broadcasted by Serbo and Montenegrin TV stations are watched in Shkoder region, thus the minority is informed through them on the latest development in the country.

In July 2006, a group of reporters and representatives from the serbo-montenegrin minority gathered to produce two radio programs of approximately 20 minutes in their language. The main aim of these programs was to promote media coverage of minorities in the country and provide a different voice for the minorities within the media landscape. In this context, the first program was devoted to the introduction of this minority group, attempts to protect their rights and organize themselves, cooperation with other organizations, as well as youth education. The second program focused on the culture of this group, tackling such subjects as language, customs, the folk music ensemble, the community life, etc. Radio Shkodra and Radio Tirana, the public service radio, will air these radio programs.⁵⁰

The ethno/linguistical Aromanian minority⁵¹ since 10 years ago publishes in two languages (Albanian and Aromanian) its monthly newspaper "Fratia." It is funded by the Aromanian Association and through sponsors, following presentation of project proposals for funding.

Last year this association, with the assistance of a Danish association, produced and broadcasted at Radio Tirana four thematic emissions related to Aromanian culture and tradition, in the Aromanian language.

There have been also various materials published such as on the Aromanian history, literary creativity in Aromanian language etc. Furthermore, since ten years ago is being published the monthly newspaper "Fratia" (Vëllazëria) in two languages (Albanian and Aromanian), two volumes about the Aromanian history, five volumes with poetry in Aromanian language from Aromanians living in Albania, the book "The Voskopoja Tragedy," a 200 pages monograph in two languages (Albanian and Aromanian), "In the labyrinths of Aromanians' history" book, etc.

With the support of the Albanian Media Institute, four programs have been produced at Radio Tirana, of 25-30 minutes each, broadcasted in Aromanian language every Tuesday. Another program of 30 minutes has been produced and broadcasted at "Koha" television entitled "One day together with the vllahs."⁵²

Taking into account the problematic related to roma minority⁵³, the media has a crucial role in raising awareness for this minority.

⁵⁰ The production of the programs was implemented by Albanian Media Institute, with the support of Swedish Helsinki Committee

⁵¹ According to the information provided by the "Albanian Aromanians" Assosiation".

⁵² Media and the Minorities, a document of the Albanian Helsinki Committee

⁵³ Media and the Minorities, a document of the Albanian Helsinki Committee

In general, Roma minority has ensured the information flow through publishing of periodical newsletters, leaflets etc. These materials are published in Albanian, Roma and English languages. Through these publications the problems of Roma minority have been made public at local, national and international level.

Despite of frequent coverage by media of the Roma minority problematic, of its cultural, artistic activities or other activities which concern this minority, the printed media should be more zealous to cover these issues in order to raise awareness the State representatives and the policymakers.

The Albanian Media Institute has trained some representatives of Roma minority in production of radio programs, and following that in cooperation with Radio Tirana (part of Albanian Public Radio-Television) have broadcasted three programs for the Roma minority. They were produced in Roma language by the persons that received training.

The Roma minority, in cooperation with the Albanian Media Institute is cooperating with independent newspapers to publish articles in Roma language.

In this regard, different team reporting trainings were organized at the Albanian Media Institute⁵⁴ with the participation of eight journalists from both mainstream and local media. The reporters produced a supplement that was published in daily "Panorama and a supplement that was published in daily "Korrieri." The supplements focused on issues of Roma minority reporting and their coverage by both minority and mainstream media. The participants worked as a team and covered different stories addressing topics related to the Roma minority, their living conditions, the economic problems they experience, the existing statistics of Roma minority, government strategy on Roma, profiles of successful Roma people, etc. The supplement included successful Roma stories and the different attempts made within the community to improve their living conditions and their social status, as well.

The section dealing with the media in the Amaro-Drom Union has played a significant role in raising awareness⁵⁵ and conscientiousness not only within the Roma minority but of the civil society as well. Through the activity performed by the media and the publications, this association has brought forward the values of the program to the benefit of the Roma community. These publications have been distributed to all the Roma communities.

Amaro-Drom through the Roma media and in cooperation with Albania printed and other visual media have made public some of the most acute concerns of Roma minority. It was a kind of lobbying or exercising public pressure to withdraw the attention and to raise awareness of the civil society and of the relevant institutions on the Roma problems.

Various local televisions and radios have produced and broadcasted programs that reflect the living conditions of the Roma minority in Albania.

⁵⁴ This project was supported by Swedish Helsinki Committee and organized by the Albanian Media Institute.

⁵⁵ According to the information provided by the Roma minority association "Amaro-Drom" Union.

The “Albania” and “Gazeta Shqiptare” have published two articles prepared by the Information Department of the Amaro-Drom Union, such as “The marriage at young age in Roma community” and “The trafficking of Roma minority in Albania.”

The Roma media has a compilation of press articles (in a book pattern) called “**Shtypi Press,**” comprises the headlines of all the articles published by Amaro-Drom during all these years in the magazines, newsletters and the periodicals, that reflect the concerns of Roma community. These articles intend to raise awareness among the public opinion that the Roma minority is conscious and pro-active in reducing the problems of this minority in Albania.

Bulletin newsheet

The newsletters are composed of separate chapters, each of them reflecting activities, concerns, exchange of experience, round tables, seminars and conferences that have been carried out during the last years in Roma communities.

The newsletters have introduced the concerns of the Roma community in Albania, such as:

- “The issue of enrolment of Roma children at school” during year 2004-2005- efforts made by Amaro-Drom to enroll children at schools in all the Roma communities where this organization acts.
- “The problem of Lana inhabitants” has been reflected also in some of the printed and electronic media.
- The problem of registration of Roma children in the Korça Civil State Office. This problem is published frequently in local newspaper in order to find solution with the relevant institutions.

Article 10

1 The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.

2 In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.

3 The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.

(1) The Albanian State considers the right to use the minority language by minorities in the areas by them inhabited, as a very important aspect for the protection and promotion of their cultural and ethnic values.

According to the Albanian Republic Constitution (article 14) Albanian is the official language in Albania whilst according to its article 20, minorities have the right “... *to learn and be taught in their mother tongue.*” Thus, though Albanian is the official language in accordance with the Constitution, the right to use the proper mother tongue privately and in public, orally and in writing, is guaranteed in practice.

In the areas where minorities live, the oral communication with the local power authorities, as per their free choice, can take place in the minorities’ mother tongue also because of the fact that in most of the cases, local authorities’ representatives are persons belonging to these minorities.

While, the documentation in the central power bodies and in the organs of the local power administrative units is drafted and proclaimed in Albanian as the recognized official language.

As evidenced in the comments of the respective articles of this Report, members of the minorities use their language freely in their daily life, when talking to each other, in the activities of their associations, in the electoral campaigns, in different publications and in the religious ceremonies.

(2) Based on the recommendations of the working group for the review of the legislation on minorities, special care was dedicated to measures related to the use of the minorities’ mother tongue during the electoral campaigns and in the relations with the local government.

It is noteworthy to mention here the measures undertaken by the Central Elections’ Commission, specified in the comments related to article 4 and the signing of the memorandum of understanding for cooperation with the local government units in the areas where minorities live⁵⁶.

Article 11

The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.

2 The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.

3 In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their

⁵⁶ See comments on article 4 and the third part of the Report, at the question related to measures undertaken for the improvement of the legislation on minorities.

legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications

(1) Members of the national minorities living in Albania are free to put and hold their names and family names as per their traditions, in their language, and enjoy the right of their official recognition. The registration of their names and the names of their family members is carried out in the Civil State Offices at the Municipalities or communes where they live.

Law no. 9229 dated 29 April 2004 "On some amendments to the Law No. 8950, dated 10 October, 2002 "On the Civil State Offices", establishes that "the change of name and family name is recorded in the Register of the respective notes, upon approval of the citizen's request by the clerk of the civil state office where he is basically registered.

The respective note reflects the components of the civil state of the citizen, the cause of change, as well as the changed name and family name. The respective note is signed by the demander, by all the adult family members who will have the name or family name as a component, when they accept the change, by the civil state office clerk and by the manager of the civil state office if there is one. The changed name and family name, as well as number and date of the note are reflected in the Basic Register of the civil state." Thus, all citizens are given by law the opportunity to change their names and family names upon a simple request.

(2) One of the main elements of the Memorandum signed on 27 July, 2006 between the central government organs and those of the local government of the cooperation for the respect of minorities' rights was also the establishment of criteria relating to the use of minorities' mother tongue in the local traditional denominations and other topographic indicators in areas where they live."

More concretely, related to this issue, the Memorandum foresees:

In areas inhabited in a considerable number by the minorities, the local government units, when there is sufficient demand by the persons belonging to minorities, shall commit to appoint and take measures to notably put the local traditional denominations, names of streets, squares and other topographic indicators for the public, as well as the names of institutions belonging to minorities, both in Albanian and minority languages.

When establishing the local traditional denominations in areas inhabited in considerable number by minorities, the local government units, respecting the legislation in power and considering the limitations arising from the rules of urban management, shall take into account:

- The opinion, the denomination used traditionally and actually by persons belonging to minorities in these areas
- The language used by the area's population
- The opinion of the representatives of civil society organizations active in those areas

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- As well as the historical tradition relating to the use of these denominations

Article 12

1 The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.

2 In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.

3 The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.

Considering the right for education in the mother tongue as an essential element of the national minority identity, the Republic of Albania shows a great and continuous care for the education of national minorities.

The attempts for reforms in the educational system are concentrated in drafting a complete legal framework to guarantee the right to education of those people who belong to the national minorities, as well as in the elaboration of new school programs in order to provide a proper education, which is in compliance with the modern European standards. In accordance with this, the legal necessary acts have been approved as well as contemporary educational programs.

The Constitution of the Albanian Republic, Law no. 7952, dated 21 June, 1995 "For the Pre-university Educational System," changed by Law no. 8387, dated 30 July, 1998, "On some changes in the Law no. 7952, dated 21 June, 1995 "For the Pre-university Educational System" and a series of other decisions taken by the Council of Ministers and also instructions given by the Ministry of Education and Science issued in compliance with the Albanian legislation, guarantee and ensure the protection and the development of the minorities' rights in the field of education.

In this framework, the Ministry of Education and Science (MES) has worked towards the completion of the legal and sub legal structure, as well as undertaking and implementation of concrete measures in the educational field.

1. The Ministry of Education and Science (MES) has drafted the National Strategy for the Development of the Pre-university Education 2004 – 2015, approved by the Council of Ministers of the Albanian Republic through decision no. 538, dated 12 August, 2004, where all the strata of the Albanian society are provided with education.

2. The issuance of Order no. 321, dated 11 October, 2004 "On the experimentation of the psychological service in the pre-university system", and also Instruction no. 30, dated 11 October, 2004 "On the implementation of Order no.321, dated 11 October, 2004 "On the experimentation of the psychological service in the pre-university system", which provide the possibility

to have a psychological service for all pupils and especially to those who belong to the Roma minority.

3. MES issued Instruction no.34, dated 8 December, 2004 "On the implementation of the project named "Second Chance" for the schooling of pupils who abandoned school and to those who are immobilized because of the blood feud phenomena."

4. MES is in the process of approving the Pre-schooling Education Strategy. One of the main goals of this strategy is the inclusion of the age groups of 5-6 year olds in the mandatory education.

II. Concrete measures in the field of minority education⁵⁷

Minority schools are also included in the new 9-years system for the academic year 2005-2006.

MES is already undergoing the curricula reformation. It has drafted the syllabuses for the new 9-years system and in the framework of this plan implementation it has drawn up the programs of the first, second and sixth year of this education and also is working for drawing up the third and seventh year programs.

MES through an open and totally liberalized process has drawn up schoolbooks for the first, second and sixth grade of the 9-years secondary school system and also it is working for the schoolbooks of the third and seventh grade.

In collaboration with the representatives of these minorities, MES has also drawn up the new syllabuses for minorities, part of the new 9-years system. We emphasize that for the drawing up of this syllabus, MES has organized meetings with teachers, school directors, local specialists of the minorities, and has consulted the Minorities State Committee.

The syllabuses and compulsory school subjects are drawn up in a way that pupils who belong to different minorities can study in their schools their history, customs and the culture of their nation.

In the criteria used for drawing up the texts, which are already liberalized, it is emphasized the creation of equal opportunities given to all pupils belonging to different categories.

Also, due to the low number of copies printed of schoolbooks for minority pupils, publishing of a schoolbook for minority pupils costs 2200 leke, while a schoolbook for the Albanian pupils costs 200 leke. Thus the publishing cost of a book for minority pupils is 11 times more expensive.

The rate pupil/teacher in the Greek national minority school is approximately 7.8/1, while the national level of this rate is 18.2/1. Therefore, the cost of education of a pupil who belongs to a minority is approximately 2.3 times higher than the cost of education of an Albanian pupil.

⁵⁷ According to the information of the Ministry of Education and Science.

In the schools of the Macedonian national minority, the rate pupil/ teacher is approximately 12.6/1 and the educational cost of a pupil belonging to the minority is approximately 30% more expensive than the educational cost of an Albanian pupil.

These recent years have shown visible achievements in the syllabuses, in the learning programs and in the appropriate schoolbooks for these schools in the education of the national Greek and Macedonian minorities in Albania.

New subjects have been introduced in the minorities schools, like: “Knowledge on the Greek / Macedonian history” in the 8-years educational system and the “Greek and Macedonian language” have been included as subjects in the first and second year of high school.

Recently, literature and their mother tongue (both writing and speaking) are included as final exams in the eight-year of school.

In the new syllabuses of the 9-years mandatory educational system, it has been envisaged the inclusion of a new subject, the national geography of the country of origin.

The new syllabuses include in their structure, optional subjects, where minority members themselves can chose the subjects, through parent boards in the schools. This gives to the national minorities the possibility to include in their curricula subjects in their mother tongue.

In the framework of the organization of “Matura Shtetërore” process for the academic year 2006, MES has taken all the measures for the creation of facilities for minority pupils.

- *Data for National Greek and Macedonian Minority Schools.*

1. Data for the schools belonging to the Greek national minority.

The schools belonging to the Greek national minority are located in the districts of Gjirokastra, Saranda and Delvina.

In the Gjirokastra district 3 kindergartens, 3 elementary schools and 8 schools functioning with the new 9-years system and 2 high schools are working. These kindergartens and schools are located in the communes inhabited by the national Greek minority in the district of Gjirokastra.

In the educational institutions for the Greek national minority in this district, the following are teaching:

- 4 educators with the appropriate education⁵⁸ (3 of whom are graduated at university level), all belonging to this minority;

⁵⁸ Those who have graduated in teaching, those who have finished the foreign languages high school, those who finished the pedagogical vocational high school or those who have finished the artistic high school, are all teachers with the appropriate education.

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- 63 teachers, all from the minority and with the appropriate education, in the 9-years educational system; out of whom, more precisely 40; have a university degree in teaching, while 23 of them have finished the pedagogical vocational high school, the foreign languages high school, the artistic high school.
 - 10 teachers in the high school level of the educational system, all of them have the appropriate education; 7 of them belong to the local minority
 - Kindergartens have approximately 55 minority kids
 - 480 minority pupils attend the 9-years educational system
 - 170 minority pupils are already attending the high school

All minority schools have less than 50 pupils and there are a lot of schools which have a minimal number of students such as: Çatista with 4 pupils, the Grapshi school with 4 pupils, and another one in Polican with 5 pupils etc.

The Saranda district.

2 kindergartens, 3 schools with the 9 – year system, 2 elementary schools, and 1 high school are at disposal of the Greek minority.

The following are teaching in the educational institutions for the national Greek minority:

- 3 female educators from the Greek national minority, with the appropriate education;
- 25 teachers, 88 percent of whom are from the minority and with the appropriate education, in the 9-years educational system;
- 5 teachers have finished the pedagogical vocational high school, 4 of whom are from the minority.

60 minority children go to kindergarten (the pre-schooling system).

258 minority pupils attend the 9-years educational system.

139 minority pupils attend high school.

The Delvina district.

2 kindergartens, 6 schools with the 9 – year system, 4 elementary schools are at disposal of the Greek minority.

The following are teaching in the educational institutions for the national Greek minority:

- 4 female educators, 2 of whom from the Greek national minority, with the appropriate education;
- 24 teachers, all of whom are from the minority and with the appropriate education, in the 9-years educational system;
- 83 minority children frequent kindergartens.
- 137 minority pupils study in the 9-years secondary school system.

Data for the national Macedonian minority schools.

The schools, which belong to the national Macedonian minority, are located in the area of Liqenasit, in the district of Korça, and also in the village of Vernik, located in the district of Devoll.

In the commune of Liqenas there are 8 kindergartens, part of the preliminary schooling system, two secondary schools, in Liqenas and in Goricë e Vogël; there are also 6 elementary schools (with the classes from I-IV) and a high school located in Liqenas.

In the villages inhabited by the Macedonian minority, there are kindergartens, which are frequented from 187 children aged from 3-6 years old. In these kindergartens they work in mixed groups. 7 out of 11 educators have finished high school and 4 of which are graduated at university level.

The rate child/educator is 17/1.

Approximately 440 pupils in total follow the mandatory education.

34 teachers are teaching in these schools, 27 of whom are graduated and appointed according to their profile, and 7 of them have finished the pedagogical vocational high school.

9 teachers work in the high school of Liqenas, they are all graduated.

A kindergarten and an elementary school exist in Devoll, located in the village of Vërnik. 12 children, while 3 pupils study in the elementary school, frequent this kindergarten. One educator and one teacher work there.

All the teachers and educators who work in the schools and kindergartens of this minority are of Macedonian ethnic origin, except one of them who teaches foreign language.

Detailed data for the investments done in the minority schools, for years 2000-2005⁵⁹:

School/Districts	Investments
9 years school of Dermish, district of Saranda	2 million leke
Livadhja High School, district of Saranda	15.4 million leke
Total	17.4 million leke
"Andon Poçi" 9- years school, district of Gjirokastra	4,8 million leke
9 - years school of Goranxi, district of Gjirokastra	2 million leke
9 - years school of Sofratike, district of Gjirokastra	3 million leke
Joint High School of Dervican, district of Gjirokastra	2.5 million leke
Joint High School of Bularat, district of Gjirokastra	2.5 million leke
9 - years school of Jergucat, district of Gjirokastra	2 million leke
Total	16,8 million leke
9 - years school of Gorice e Vogel, district of Korça	19,4 million leke

⁵⁹ According to the data from the Ministry of Education and Science

9 - years school of Goricë e Madhe, district of Korça	4 million leke
Elementary School of Zaroshkë, district of Korça	3.5 million leke
Total	26.9 million leke
TOTAL INVESTMENTS	61.1 million leke
INVESTMENTS IN SCHOOLS LOGISTICS	6 million leke

3. In the pedagogical vocational high school, in the city of Gjirokastra, the branch of "Teaching" ("Mësuesi") for the Greek minority is functioning to prepare teachers in order to provide the necessities for the schools of this minority. Although it has a few number of students, it has been kept opened.

The branch of Greek language has opened in 1993 in the "Eqerem Çabej" University of Gjirokastra.

The branch of Greek Language has opened in 1997 in the University of Tirana, the Faculty of Foreign Languages.

From the scrutinizing of the basic indicators for the education of the population it results that those who belong to minorities are in a more privileged position compared to the other part of the population.

Article 13

1 Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.

2 The exercise of this right shall not entail any financial obligation for the Parties.

In Albania, up to now, there is no private educational institution for the children who belong to the minorities, but non – public schools are functioning, and they are frequented also by minority children.

In compliance with the Albanian legislation, two Greek – Albanian schools are already functioning since 1998.

Based on the Decision of the Council of Ministers, no. 404, dated 1 July, 1998 the functioning of the school "Arsakeio" in Tirana (a Greek-Albanian college, part of the "Filekpedheftiqi" Fondation) has been approved. In this school, next to the syllabus and the subjects in Albanian, other subjects in Greek language are also taught, like: Greek language, environmental studies, geography, medical education, mythology/history, theatre game, popular traditions. This school is not only for the children who belong to the national Greek minority. A lot of Albanian children are also attending it.

Based on the DCM (Decision of the Council of Ministers) no. 868, dated 30 September, 2004, and based in the Order no. 405, dated 29 December, 2004 of the Minister of Education and Science, in the city of Korca, it was given the

permission “For the functioning of a private Pre-university Educational Institution for the 9-years school “Omiros”, on behalf of the cultural organisation “Vëllazërimi”, registered as a juridical person through the decision no. 7, dated 30 March, 1998 of the Court of the Korça district.”

In this Order it is also defined the way this school functions, according to the structure of the academic year, syllabus, subjects and schooling texts of the 9 years public educational system, and concretely it is defined in the obligatory subjects (like Greek language, figurative education, technological abilities, music and physical education) will be taught in Greek language and will represent 34.6 percent of the syllabus, and also the number of the students who will be accepted each year will be 80.

Also, through Decision of the Council of Ministers No. 266, dated 5 May 2006, a pre-university private educational institution is opened in the city of Himara. It is the 9 – years school “Omiros”, which will teach also in Greek. This school will start to function for the academic year 2006 – 2007.

Article 14

1.The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.

2.In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.

3.Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language

The Ministry of Education and Science and the School Directorates in the districts where the schools of the minorities exist, pay great attention to the completion of educational institutions with teaching personnel, to the selection of teachers and to its methodical and scientific qualification.

In the Department of Education in the region of Gjirokastra and in the Department of Education in the region of Korça there are specialists who deal directly with the problems of minorities’ education.

Also, minority schools have been given priority in the sector of finance, they have been reconstructed, they are equipped with labs and logistics in order to better illustrate the teaching process.

The environment of the schools in which study the minority students is in good conditions and they are well equipped and have a good didactic material basis.

2. For the implementation of the Instruction given by the Ministry of Education No.12, dated 13 August, 1996, in the cities of Saranda, Delvina, and

Gjirokastra, where the lessons take place in Albanian, there are special classes for the Greek minority where this process is done in their mother tongue.

- The demands for opening of schools or classes in the minority languages.

The opening or the closing of the pre-university system schools in the areas inhabited by minorities is done on the bases of the Decision of the Council of Ministers no. 396, dated 22 August, 1994 “On the 8-years educational system of persons belonging to national minorities in their mother tongue.” For the implementation of this Decision, the appropriate Instruction was given by the Ministry of Education no. 14, dated 3 September, 1994, in which the criteria that need to be fulfilled and also the procedures that have to followed are determined.

Point 6 of this Decision foresees the practice to be followed for the opening of special classes in the areas inhabited by minorities. In this case, the learning of the minority language by members of national minorities is also left as an optional subject, but a procedure has to be followed, whose main aim is to ensure the school frequenting by students. The decision for the opening of these classes belongs to the prefect that has the regional jurisdiction. MES does only the acceptance, after the decision made.

The Serbo - Montenegrin organization “Moraca-Rozafa”, (in 2003) has demanded the Ministry of Education and Science to reopen the school in Serbian language in the district of Shkodra.

Based on the above mentioned by laws, the Ministry of Education and Science asked the regional Department of Education in the district of Shkodra to make the requisite verification and also the concrete proposals for the reopening of the school or classes of these minority. In relation to this request the Ministry of Education and Science replied to the “Moraca-Rozafa” organisation, stating that, based on the verifications done in the civil state centers and in some schools by the Directorate of Education in Shkodra, there is no student who belongs to the Serbo - Montenegrin nationality. In this case the criteria, as defined by the legislation in the field of education, for the opening of a school in the language of this minority are not satisfied.

In 2004 a group of parents from Himara have addressed a demand to the Ministry of Education and Science for the opening of a school in the Greek mother tongue, for the academic year 2004-2005. From the scrutinizing of the request for the opening of the school and from the verifications done in the registers of the civil state centers in the city of Himara, it came out that the parents who have done this request are Albanians.

The Ministry of Education and Science, in response to the above mentioned request, addressed the branch of the Party “Unity for Human Rights” in Himara, and the branch of the “Omonia” organisation in Himara, explaining that the opening of such school is not possible because the criteria defined in the legislation for education are not satisfied.

Till now, there has been no request⁶⁰ for the opening of a school from the Macedonian minority.

Regarding the opening of bilingual classes in schools where there are pupils belonging to national minorities, MES has not received any request from these communities up to now.

As far as the opening of private schools is concerned, every juridical person has the right to open a private school, when he / she fulfils the legal requirements. The private schools in Albanian language are licensed by the Ministry of Education and Science, while schools in foreign languages and those who belong to religious communities are licensed by the Council of Ministers after the respective procedures have been completed and prepared by the Ministry of Education and Science.

Article 15

The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.

The participation of the minority groups in the public life is ensured via the participation of their representatives in the legislative and executive bodies, both at the central and at the local level. They are represented in the current government and in other important institutions of the state administration.

(1)As mentioned also previously, aiming to the participation of persons belonging to minorities in the public life of the country, as well as to evaluate and suggest measures to exercise and protect the rights and freedoms and the minorities enjoy, the Minorities State Committee has been constituted. (Decision of the Council of the Ministers no. 127, dated 11 March, 2004)

Aiming to ensure a constructive and active dialogue with representatives of minorities, the Minorities State Committee has as its members representatives from national and ethnic – linguistic minorities in Albania.

The constitution of the Minorities State Committee and the increase of its efficiency will lead to the institutionalisation of a constructive dialogue with the persons belonging to minorities with the State authorities, in both central and local level, as well as to the cooperation between groups of interest, associations representing minorities and NGOs working in the minorities' field.

(2)Regarding the admission in the public administration, Law No 8549, 11.11.1999 “On the Status of civil servant” defines that the admission in this service takes place through opened competition based on the merits, satisfying the legal requirements, on basis of principles of professionalism, independence and integrity, political impartiality and transparency.

⁶⁰ According to the information of the Ministry of Education and Science

As follows, an information regarding the participation of persons belonging to minorities in the public life.

(3)The Greek minority was represented in the legislative power (that came out of the parliamentary elections of 2001) by the Human Rights Union Party, which won four seats in the Parliament and by two other members of parliament of Greek ethnic origin who were part of the Socialist Party.

The Greek minority was represented in the executive power, in the period after the parliamentary elections of 2001, by the Minister of Health, the Deputy Minister of Labour and Social Affairs and the Deputy Minister of Justice.

After the parliamentary elections of 3 July, 2005, the Greek minority is represented in the legislative power by the Human Rights Union Party with two seats in the Parliament, one independent member of parliament and by one member of parliament of Greek ethnic origin who is part of the Socialist Party.

Actually, the Greek minority is represented in the executive power by the Minister of Labour, Social Affairs and Equal Opportunities, the Head of the Minorities State Committee, three General Directors, some directors of Directorates in ministries, one Prefect, regional directors, directors of institutions, members and experts of the Minorities State Committee, employees of the State administration, etc.

It is also noteworthy to mention that 6 persons belonging to the Greek minority are employed in the administration of the Ministry of Labour, Social Affairs and Equal Opportunities⁶¹:

1. one external advisor of the Minister
2. one General Inspector
3. one General Director
4. one deputy General Director
5. two experts

The following are employed in the administration of the Ministry of Interior⁶²:

1. Responsible in the Human Resources Section
2. Expert in the Regional Directorate of Decentralisation Policies
3. 11 persons in the General Police Directorate belonging to the Greek minority

This minority is also represented in other levels of the executive power in the central and local administration in posts such as three General Directors, Director of Directorate in Ministries, Director of Directorate in the Regional ones, members and experts of the Minorities State Committee.

From an administrative point of view, the Greek minority is spread in municipalities and communes.

Members of the national minorities have freely chosen their representatives in the local elections held in October 2003.

⁶¹ According to official data available at the Minorities State Committee.

⁶² According to official data available at the Minorities State Committee.

This minority is represented in local government level by members of the Prefecture Council, the Municipal Council, Mayor, Heads of Communes and communal advisors as follows⁶³:

- Prefecture of Gjirokastra:
 1. The Prefect of Gjirokastra District.
 2. Three advisors.

- District of Gjirokastra
 1. Municipality of Gjirokastra 2 advisors
 2. Commune of Dropull i Poshtëm Head of commune and 15 advisors
 3. Commune of Dropull i Poshtëm Head of commune and 15 advisors
 4. Commune of Pogon Head of commune and 13 advisors
 5. Commune of Odrie Head of commune

- Prefecture of Vlora
Municipality of Saranda 5 advisors

- District of Saranda
 1. Commune of Livadhja Head of commune and 13 advisors
 2. Commune of Dhivri Head of commune and 14 advisors
 3. Commune of Aliko Head of commune and 11 advisors
 4. Commune of Xara 12 advisors

- District of Delvina
 1. Municipality of Delvina
 2. Commune of Mesopotam Head of commune and 10 advisors
 3. Commune of Finiq Head of commune and 13 advisors

Persons belonging to the Greek minority are also employed in the State administration institutions in the Prefecture of Gjirokastra, respectively⁶⁴:

1. Prefecture administration – 4 persons from the Greek minority
2. The Director of the Vehicles' Use Regional Directorate
3. The Director of the Water Directorate
4. The Director of the Saving's Bank
5. The Rector of the University
6. The Roads' Directorate
7. The Real Estate Office

Regarding the representation of the Macedonian minority in the local government bodies, the commune of Liqenas (in the Prefecture of Korça), inhabited by members of this minority, all the representatives of the local government belong to the Macedonian minority, respectively⁶⁵:

- The Korça Prefecture Council one member

⁶³ According to official data available at the Minorities State Committee and the Ministry of Interior.

⁶⁴ According to official data available at the Ministry of Interior.

⁶⁵ According to official data available at the Minorities State Committee.

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- The Korça Prefecture one member
 - Commune of Liqenas (Pustec)
 1. The Head of commune
 2. The secretary of the commune
 3. The members of the commune 13.

Persons belonging to the Macedonian minority are also employed in different institutions as follows⁶⁶:

- | | |
|---|------------------|
| 1. Administration of Liqenas commune | 11 |
| 2. Regional Employment Office in Korça | 1 (the Director) |
| 3. The Food and Agriculture Directorate | 2 |
| 4. The Tax and Tariffs Directorate | 1 |
| 5. The State Police | 27 |
| 6. The Army | 3 |
| 7. The Forests' Police | 7 |
| 8. Education | 46 |
| 9. Health structures | 20 |
| 10. Insurance Institute (INSIG) | |

The Macedonian minority is also represented by one member in the Minorities State Committee.

Regarding the participation of persons belonging to the Serbo–Montenegrin minority in public life, members of this minority are also employed in the local State administration, respectively⁶⁷:

1. Deputy Director of the Rail Station in Bajza;
2. Accountant at the Electric Energy Corporation (KESH) in Shkodra.
3. Social insurance institution, Malësi e Madhe.
4. Director of 9 – years school in Vrakë.
5. Directorate of Taxes and Tariffs, Malësi e Madhe.

Taking into account the property problems of persons belonging to the Serbo–Montenegrin minority, an Office for Minorities was opened in the commune of Gruemirë. It is normally functioning and a persons belonging to this minority is hired there.

- District of Shkodra
 1. Municipal Council of Shkodra-one advisor
 2. Commune of Gruemirë-one advisor

This minority is also represented in different institutions in the district of Shkodra as follows:

1. Director of Hospital
2. Director of the Regional Employment Office
3. Director of the Inspectorate

⁶⁶ According to official data available at the Minorities State Committee.

⁶⁷ According to official data available at the Ministry of Interior.

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4. Director of Vocational Training
 5. Director of the High School in Gruemirë
 6. Director of the 9 – years school in Vrakë
 7. Director of ISKSH
 8. Director of the Maize Institute

The Serbo-Montenegrin minority is also represented in the central administration by:

1. One director of Directorate in the Ministry of Culture;
2. One member in the Minorities State Committee.

The participation of the Roma minority in public life is inconsiderable. This minority is represented with one member in the Minorities State Committee. This minority is also represented by a member of the Municipal Council in the Unit No. 4, in Tirana, and one member in the Communal Council in the village of Ndërnënas in Fier⁶⁸.

Aiming to a larger participation of the Roma minority in the State administration and in order to ensure a more qualitative monitoring of the National Strategy on Roma, a direct representative of this minority has been appointed in the monitoring structure of this strategy (Minister of Labour, Social Affairs and Equal Opportunities).

There is no complete information on the participation of the Aromanian minority⁶⁹.

(4)The investments in areas where minorities live are allocated in relation to their situation and their development plans.

Information on the investment funds for infrastructure allocated to municipalities and communes where minorities mainly live, for the period 2001 – 2005, is given in the following tables⁷⁰:

⁶⁸ According to official data available at the Minorities State Committee.

⁶⁹ The Minorities State Committee informs that, according to information from the Ministry of Interior, three chief of sectors, one unit commander and one lawyer from this minority have been employed in the directorates and sectors of this ministry.

⁷⁰ According to official data available at the Ministry of Interior.

Prefecture	District	Municipality	Commune	Year 2002	Year 2003	Year 2004	Year 2005	Total four years
Gjirokastra	Përmet		Çarshovë	0	0	1000	1000	2000
Gjirokastra	Gjirokastra		Antigonë	3000	0	0	0	3000
Gjirokastra	Gjirokastra		Cepo	0	3000	0	0	3000
Gjirokastra	Gjirokastra		Dropull i Poshtëm	1000	0	0	0	1000
Gjirokastra	Gjirokastra		Dropull i Sipërm	0	0	2500	2500	5000
Gjirokastra	Gjirokastra	Gjirokastra		8.886	10.840	73.994	30.000	123.720
Gjirokastra	Gjirokastra		Lunxhëri	1.500	0	0	0	1.500
Gjirokastra	Gjirokastra		Odrie	0	3000	0	0	3000
Gjirokastra	Gjirokastra		Pogon	0	0	0	0	0
Gjirokastra	Gjirokastra		Qendër Libohovë	7000	0	5000	2500	14.500
Gjirokastra	Gjirokastra		Zagorie	0	0	0	0	0
Shkodra	Shkodra		Ana e Malit	400	3000	0	0	3.400
Shkodra	Malësi e Madhe		Gruemirë	0	0	3.000	3.000	6.000
Vlora	Delvina	Delvina		6.769	4.000	0	4.900	15.669
Vlora	Delvina		Mesopotam	2.000	0	7.500	4.000	13.500
Vlora	Saranda		Aliko	3.000	2000	4000	4000	13.000
Vlora	Saranda		Xarrë	200	4500	0	0	4700
Vlora	Saranda		Livadhja	3000	0	2000	2000	7000

Subventions for water supply (in thousand leks)

Municipality / Commune	2004	2005		
	Factual	Planned		
	Value	Value	5%	Amount
Bashkia Delvina	3137			
Bashkia Himarë	2147		430	430
Bashkia Libohovë Gjirokastra		5000		5000
Commune Antigone Gjirokastra	4735	2500		2500
Commune Dropull i Sipërm	7640	8500		8500
Commune Lunxheri Gjirokastra	4448	5000		5000
Commune Odrie Gjirokastra		2400		2400
Commune Qendër Libohovë	4945			
Commune Qendër Piskovë	4470			
Commune Dropull i Poshtëm	3985			

Despite of the funds planned for 2006, the funds allocated as grants for the first 6 months for the organs of local government in communes where members of the national minorities live show a significant increase compared to 2005. this is better reflected in the following table (in thousand leks):

No	District	Name of local units	Municipality / Commune	Year 2005	Year 2006	Investments	Total	Difference 2006-2005	Increase in %
1.	Gjirokastra	Dropull i Poshtëm	Commune	14144	14144	1,945	16088	1945	14%
2.	Gjirokastra	Dropull i Sipërm	Commune	18537	18537	1,701	20239	1701	9%
3.	Delvina	Delvina	Municipality	16409	27959	4,866	32824	16415	100%
4.	Delvina	Mesopotam	Commune	6107	9059	5,268	14327	8220	135%
5.	Saranda	Aliko	Commune	5364	13141	546	13687	8323	155%
6.	Saranda	Livadhja	Commune	6288	14718	1,334	16052	9764	155%
7.	Saranda	Xara	Commune	4365	11366	1,174	12540	8175	187%

Increase of funds is foreseen for all these communes in the second six months of 2006, both in the funds allocated as grants and in the investments.

The table below contains a more detailed information on the investments in public field and the roads infrastructure in communes where minorities live for the period 2001 – 2005 and the investments' program for 2006⁷¹.

No.	Name of the process	Unit	Planned	Procuring entity	Investor
		000/leke			
	Year 2005				
	District of Gjirokastra				
	Prefecture of Gjirokastra				
1.	Opening of well, village of Goricë, commune of Dropull i Poshtëm, Gjirokastra.	000/leke	2.000	General Directorate of Sewerage and Water Supply (DPUK)	General Directorate of Sewerage and Water Supply (DPUK)
2.	Opening of well, village of Jergucat, Commune Dropull i Sipërm, Gjirokastra	000/leke	4.900	General Directorate of Sewerage and Water Supply (DPUK)	General Directorate of Sewerage and Water Supply (DPUK)
3.	Opening of well in the village of Llongo, Commune Dropull i Sipërm, Gjirokastra	000/leke	1.600	General Directorate of Sewerage and Water Supply (DPUK)	General Directorate of Sewerage and Water Supply (DPUK)
4.	Reservoir for the water supply, village of Frashtan, Commune Dropull i Poshtëm	000/leke	4.000	Commune of Dropull i Poshtëm	Commune of Dropull i Poshtëm

⁷¹ According to the information from the Ministry of Public Works, Transport and Telecommunication.

5.	Internal water supply network, village of Jergucat, Commune Dropull i Sipërm, Gjirokastra.	000/leke	2.000	Commune of Dropull i Sipërm	Commune of Dropull i Sipërm
	District of Përmet				
1.	Water supply reconstruction, village of Iliar, Commune Çarshovë, Përmet.	000/leke	4500	Commune Çarshovë,	Commune Çarshovë,
	Year 2004				
	Total investments	000/leke			
	District of Gjirokastra				
	Prefecture of Gjirokastra				
1.	Water supply construction, Jergucat, Commune Dropull i Sipërm	000/leke	4000	Commune Dropull i Sipërm	Commune Dropull i Sipërm
2.	Water supply construction, Kakavijë and Ajnikollë, Commune Dropull i Sipërm	000/leke	4000	Commune Dropull i Sipërm	Commune Dropull i Sipërm
3.	Water supply construction, Terihat, Commune Dropull i Poshtëm	000/leke	4.000	Commune Dropull i Sipërm	Commune Dropull i Sipërm
	District of Përmet				
1.	Water supply construction, Strëmbec, Commune Çarshovë, Përmet	000/leke	4.500	Commune Çarshovë	Commune Çarshovë
	Year 2003				
	Total investments	000/leke			
	Prefecture Gjirokastra				
	District Gjirokastra				
1.	Water supply reconstruction, Jergucat, Gjirokastra	000/leke	3.990	Commune Dropull i Sipërm	Commune Dropull i Sipërm
2.	Water supply reconstruction, Dropull i Poshtëm, Gjirokastra.	000/leke	5.000	Commune Dropull i Poshtëm	Commune Dropull i Poshtëm
	Year 2002				
	Total investments	000/leke			
	Prefecture of Gjirokastra				
	Municipality Gjirokastra				
1.	Equipment and machineries (electromotor) for the water supply of commune Dropull.	000/leke	2.992	Commune Dropull i Poshtëm	Commune Dropull i Poshtëm
	Year 2001				
	Total investments	000/leke			
	Prefecture of Gjirokastra				
	Municipality of Gjirokastra				
1.	Water supply construction, Derviçan district of Gjirokastra	000/leke	23000	The unlimited water supply company of Gjirokastra	Commune Dropull i Poshtëm

2.	Study and project of water supply, Derviçan	000/leke	440	The unlimited water supply company of Gjirokastra	Commune Dropull i Poshtëm
No.	Name of the process	Unit	Planned	Procuring entity	Investor
		000/leke			
	Year 2005				
	District of Saranda				
	Commune Dhivri, Saranda				
1.	Opening of well in Dhivri, Commune Dhivër, Saranda	000/leke	2.900		Commune Dhivër, Saranda
2.	Water supply of Navaricë, Commune Dhivër, Saranda	000/leke	10.500		Commune Dhivër, Saranda
	Commune Aliko, Saranda				
1.	Water supply, village of Berdenesh, Commune Aliko, Saranda.	000/leke	3.500		Commune Aliko, Saranda.
	Villages of Xara, Mursi, Vrinë, Saranda				
1.	VAT and customs' taxes for the water supply in the villages of Xara, Mursi and Vrinë, Saranda	000/leke	312		General Directorate of Sewerage and Water Supply (DPUK)
	District of Delvina				
	Commune Mesopotan, Delvina		10.000		
1.	Water supply, village of Livinë, Commune Mesopotan, Delvina	000/leke	5.000	Commune Mesopotan, Delvina	Commune Mesopotan, Delvina
2.	Water supply, village of Livinë, Commune Mesopotan, Delvina	000/leke	5.000	Commune Mesopotan, Delvina	Commune Mesopotan, Delvina
	2004				
	Villages of Xara, Mursi and Vrinë, Saranda				
1.	VAT and customs' taxes for the water supply in the villages of Xara, Mursi and Vrinë, Saranda (PHARE Program)	000/leke	6500		General Directorate of Sewerage and Water Supply (DPUK)

No.	Name of the process	Unit	Planned	Procuring entity	Investor
		000/leke			
	Year 2004				
	District of Korça				

1.	Study of the tourism intended area, Prespë – Korça.	000/leke	1000		
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Prefecture of GJIROKASTRA
(Gjirokastra, Përmet, Tepelenë)

Nr.	Investments in roads from the State budget	Achievement every year				
		2001	2002	2003	2004	2005
1.	Construction of holding walls, Qafë Muzinë – Jergucat District Përmet			1224		
1.	Supporting wall in the road, Commune Çarshovë			3000		
2.	GO reconstruction Jergucat - Saranda				2983	
Nr.	Support by foreign investments	Achievement every year				
		2001	2002	2003	2004	2005
1.	VAT for the maintenance of road Saranda – Jergucat			1200	1400	
2.	Road maintenance Tepelenë – Çarshova			60000	66800	3400
3.	Road maintenance Saranda – Jergucat, 40 km			4000	5000	4000
4.	VAT for the Customs' Checking point, Tri Urat, Commune of Çarshova			3000		
5.	PHARE Project Tri Urat, Commune of Çarshova	50496	215085			

Prefecture of VLORA
(Vlora, Delvina, Saranda)

No.	Investments in roads from the State budget	Achievement every year				
		2001	2002	2003	2004	2005
1.	Systematisation and asphalt paving of the road Livadhja – Dyrnish	49428	48824	37037		
2.	Systematisation and asphalt paving of the road Saranda – Jergucat				47207	57999
3.	Partial reconstruction of road Jergucat – Saranda	61078				
4.	GO reconstruction Jergucat – Saranda					
5.	GO Systematisation and asphalt paving of the road Livadhja – Dyrnish, Saranda – Muzinë.				3575	

No.	Support by foreign investments	Achievement every year				
		2001	2002	2003	2004	2005
1.	VAT for the maintenance of road Saranda – Jergucat			1200	1400	
2.	VAT for the maintenance of road Borsh – Saranda, Saranda – Jergucat, Saranda – Butrint, Saranda – Muzinë.				3600	

No.	Investments in transports	Achievement every year				
		2001	2002	2003	2004	2005
1.	Road maintenance Saranda – Jergucat			4000	5000	4000

Prefecture of KORÇA
(Korça, Devoll, Kolonjë, Pogradec)

No.	Investments in roads from the State budget	Achievement every year				
		2001	2002	2003	2004	2005
1.	Systematisation and asphalt paving of the road to Liqenas, Korça			7581		19000

Detailed budget for the Prefecture of Vlora for year 2006
in 000/leke

No	Name of the process	Full project value	Starting year	Ending year	Budget for 2006	Investor
Prefecture of Vlora						
Roads' sector						
1.	Systematisation and asphalt paving of the road Jergucat – Saranda no. 2 (contract signed)	101089	2005	2006	45000	Roads' Maintenance Directorate, Saranda
2.	Supervision of works for the systematisation and asphalt paving of the road Jergucat – Saranda no. 2		2006	2006	700	General Roads' Directorate
3.	Supporting wall Livadhja-Dyrmish	1500	2006	2006	1500	Roads' Maintenance Directorate, Saranda
Investments in sewerage						
1.	Systematisation and sewerage in the village of Livadhja Qendër, commune of Livadhja, Saranda.	5000	2006	2006	4750	

Detailed budget for the Prefecture of Korça for year 2006
in 000/leke

No	Name of the process	Full project value	Starting year	Ending year	Budget for 2006	Investor
	Prefecture of Korça					
	National roads' network					
1.	Systematisation and asphalt paving of the road to Liqenas, Korça (contract signed)				68400	
2.	Supervision of works for the systematisation and asphalt paving of the road to Liqenas, Korça (contract signed)		2006	2006	900	General Roads' Directorate
3.	Construction of the road to Liqenas, Korça (expropriations)		2006	2006	500	General Roads' Directorate

- **Representation of persons belonging to minorities in the public order bodies**

As also clarified previously (article 4), aiming to increase the representation of persons belonging to minorities in the police forces, the National Plan for the Implementation of the Stabilisation and Association Agreement has foreseen the revision of the law "On the State Police" in the framework of a broader participation of persons belonging to minorities in the public order forces in the areas where they live in considerable numbers, thus establishing fixed quotas for persons belonging to minorities. Regarding the revision of such law, the Ministry of Interior has already completed the draft law "On the State Police" in cooperation with representatives from the legal office of OSCE, PAMECA mission, ICITAP program and the European Commission Delegation. This draft law foresees requirements and criteria for being part of the police structures, in accordance with the European Union countries' standards, which solve the problem of the broader participation of persons belonging to minorities in the public order forces.

Regarding the participation of persons belonging to minorities in the State Police structures, it can be said that State Police has considerable staff from these minorities. In 2005, the number of persons belonging to minorities in the police structures was 37, while in June 2006 they appear to be 41.

Regarding the participation of persons belonging to minorities in the State Police structures, it is noteworthy to mention that a study has been carried out to identify the actual needs and potential ways of recruitment in the police forces of persons belonging to minorities.

The two following tables give some information on the number of persons belonging to minorities employed in the police structures, their distribution and

the necessary clarifications according to roles and police structures in which they are employed⁷².

Table of distribution of persons belonging to minorities in the State Police according to the police structure.

No.	Police Structure	National minorities				Total
		Greek	Macedonian	Aromanians (Vlach)	Roma	
1	Vlora District Police Directorate	6				6
2	Gjirokastra District Police Directorate	3				3
3	Berat District Police Directorate					
4	Fier District Police Directorate	1				1
5	Korça District Police Directorate		25			25
6	Elbasan District Police Directorate					-
7	Tirana District Police Directorate		1			1
8	Durrës District Police Directorate					-
9	Lezhë District Police Directorate					-
10	Shkodra District Police Directorate				1	1
11	Kukës District Police Directorate					-
12	Dibër District Police Directorate				1	1
13	Police Academy	1				1
14	General Police Directorate		1	1		2
	Amount	11	27	1	2	41

Table of distribution of persons belonging to minorities in the State Police according to their roles.

No	Police Structure	Roles				Total
		Civil	Basic	Mid level	High level	
1	Vlora District Police Directorate		3	3		6
2	Gjirokastra District Police Directorate		2		1	3
3	Berat District Police Directorate					
4	Fier District Police Directorate			1		1
5	Korça District Police Directorate		20	4	1	25
6	Elbasan District Police Directorate					
7	Tirana District Police Directorate		1			1
8	Durrës District Police Directorate					
9	Lezhë District Police Directorate					
10	Shkodra District Police Directorate	1				1
11	Kukës District Police Directorate					
12	Dibër District Police Directorate		1			1
13	Police Academy				1	
14	General Police Directorate			1	1	2
	Amount	1	27	9	4	41

The State police structures will also work for the accomplishment of the obligations and institutional / legal commitments regarding the following:

⁷² According to data given by the Ministry of Interior.

Undertaking of measures needed to increase the presence of minorities in the State Police by drafting a special work program, with the scope of gradually regulating such presence in the districts and prefectures where a broader presence is required.

Proposal for changes of laws or bylaws aiming to increase the participation of persons belonging to minorities in the police structures, to bring them closer to the structures for their education and training.

The State Police Structures (the Directorate of Staff Training in cooperation with the Directorates of the Police Academy and the Police Institute) will scrutinise the opportunity of establishing quotas for the acceptance of students from the national minorities thus paving the way for a gradual solution of the problem of the presence of minorities in the police structures, through a special plan.

The local police structures (also in cooperation with the local government) will work to increase the level of information of the minorities on the rights to them recognised and the opportunity to be employed in the police structures thus really offering a concrete opportunity to work for the State Police (areas where they live in considerable numbers are to be considered with priority).

III. ANSWERS TO THE ADVISORY COMMITTEE QUESTIONNAIRE

1. Please provide information on any steps taken to widen the personal scope of application of the Framework Convention.

The Framework Convention “For the Protection of National Minorities” does not contain a generic definition of the term “ National Minority”, leaving it to the state parties to the Convention, the right to define its scope of application, on the basis of the specific situation of different groups of population residing in their territory, as well as on the basis of the criteria set by international acts and conventions.

Historical tradition in Albania has developed in the course of recognizing, as national minorities, the minorities having a native state, sharing common characteristics as: the national identity, the language, culture, customs and traditions, religious beliefs and others.

The Greek, Macedonian and Serbo-Montenegrin minorities have been considered as such.

The Roma and Aromanians have been recognized as ethno – linguistic minorities.

The recognition of Roma and Aromanians as ethno-linguistic minorities occurred in 2003, following a consultation with experts⁷³ and researchers on minority issues, from State authorities and the Academy of Sciences.⁷⁴

The scope of this meeting was the Albanian State policy related to minority rights and the Recommendations of the Advisory Committee Opinion on Albania.

Likewise, this meeting touched on some issues raised by representatives of minority associations in Albania.

Among the items discussed at this meeting were the following:

- Albanian State policy related to minorities.
- Actual situation of minorities and the level of respect for minorities' rights in Albania.
- The notion of the Montenegrin minority (demand for naming as the Serbo-Montenegrin minority after the founding of the Union Serbia - Montenegro, on 4 March 2003).
- The situation of the Egyptian community in Albania.

At the end of this Meeting, the researchers arrived at the following conclusions:

- The Albanian State policy on minority rights is permeated by a positive stance, in terms of respecting and protecting the minority rights.
- The Albanian legislation, starting with the Constitution and other legal acts, as well as the practice of the Albanian state safeguard and protect minority rights and explicitly show the spirit of the Framework Convention "For the Protection of National Minorities".
- The situation of minorities will be progressively improved, with the improvement of the situation for the entire Albanian population.
- As to the issue of the naming of Serbo-Montenegrin minority, the researchers expressed themselves that scientifically speaking, there can be no Serbo- Montenegrin minority, since there exists no Serbo - Montenegrin ethnic group and consequently, these groups constitute two different nationalities. Nonetheless, under the Constitution of the Republic of Albania, everyone has the right to has the right to freely express, without being deprived of or forced on his ethnic, cultural, religious and linguistic belonging; in this case, they pointed out that the subjective criteria should be applied.

We do emphasize that the changing the name Serbo - Montenegrin minority was a conventional solution following the demand of the Montenegrin minority, in the conditions of the existence of the Union Serbia-Montenegro; this matter will be

⁷³ The Consultation organized on 18 July 2003

⁷⁴ The Academy of Sciences is the highest and the most important scientific institution in the Republic of Albania. It is an independent institution. It puts together the most prominent scientists of the country. In cooperation with the relevant state bodies, the Academy of Sciences conducts researches and studies of theoretical and practical nature in various albanological, social, natural and technical fields, elaborating theses and recommendations in the field of minority rights as well.

definitely resolved with the population census and the voluntary declaration on the part of the persons belonging to this minority.

- As to the status of the Egyptian community in Albania, after admitting the socio-economic problems facing this community, the experts emphasized that the solution of the issues of this community does not lie simply on the issue of recognizing the national minority status, but on taking the necessary and comprehensive measures for the gradual improvement of their situation.

2. Please provide information on pending legislation relating to national minorities in particular with regard to the use of minority languages in relations with the administrative authorities and the display of traditional local names and other topographical indications in minority languages.

By way of implementation of the commitments undertaken by the Albanian Government, in course of the Stabilization-Association process with European Union⁷⁵, an inter-ministerial Expert Group, has been established to review the legislation on minorities.

The inter-ministerial working group, led by the Office for Minorities at the Ministry of Foreign Affairs, started working on 10 April, 2002.

Aiming to bring out the deficiencies in legal framework on protection and respect of national minorities' rights, in order to complete and improve it in the future, especially in regard to the relations among the individuals of the minorities with administrative authorities. In the framework of the implementation of the the Albanian government engaged in the creation of an inter-ministerial working group for the revision of the Albanian legislation towards minorities.

The aim of this working group is the revision of legal provisions for the protection and respect of the minorities' rights, evaluating the degree of implementation of the Framework Convention "For the Protection of National Minorities" in the Albanian legislation.

The studies of this working group, has focused in these directions:

- Revision of the whole Albanian legislation regarding minorities, in order to create a complete legal framework in conformity with the European standards for the protection and the respect of the rights of minority groups;
- Identification of the deficiencies in the legal framework on minorities, aiming to complete and improve it in the future, in particular regarding the use of minority language in relations with the administrative authorities.

⁷⁵ Joint Recommendations of the second meeting of the Task-Force (6-7 March, 2002) between EU and Albania

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- Definition of criteria related to minorities' rights for using their mother tongue in the traditional local names and other topographic indicators in the areas they live.

Aiming that the final report of this working group is complete, transparent and in compliance with European standards for the protection and the respect of minorities' rights, the working group worked in two levels. The first level is composed from specialists of different ministries and NGOs representatives, while the second level is composed from well-known Albanian personalities in the human rights field.

After the first meetings, in order to become more efficient and concrete, the working group decided that its work should continue in two directions, as it is stated below:

The Office for Minorities, in cooperation with the International Law Department within the Ministry of Foreign Affairs, engaged in collecting all the international acts for the protection and respect of minorities' rights, pointing out the State obligations in this field.

The Department of Codification at the Ministry of Justice focused in studying the Albanian legislation for minorities, aiming to the identification of possible fields of intervention for future improvements and fulfilments.

The Centre for Parliamentary Studies was invited to take part, in the meetings of the Working group, since with the support of the Council of Europe it was engaged in a project with the same target⁷⁶.

During year 2002, the working group for the legislation revision had continued its work on regular bases, holding meetings every month.

Being aware of the importance of the fulfilment of such challenge undertaken by the Albanian government, and also by taking into consideration that the final deadline envisaged for the conclusions of this working group is the end of 2003, in the period September – October 2003, this working group has worked intensively to define an attitude towards the degree of the changes that are needed in the legal framework of the minority rights.

During the different meetings of the working group a general assessment of the legal framework for minorities was made and different fields for improvements and fulfilments for the protection and respect of minorities' rights were identified.

On October 21st, 2003 the working group held its last meeting, concluding the first phase of this process and later on its work was focused in the elaboration of the final results of the working team.

After a research and an assessment done during the first phase, the Working Team for the revision of the legislation for minorities attained at the conclusions and recommendations stated below:

⁷⁶ Non-discrimination review under the stability pact for south-eastern Europe

CONCLUSIONS:

After the democratic changes in Albania, the treatment of national minorities took a new dimension, which is reflected in the fundamental orientation of the Republic of Albania to protect and respect the fundamental rights and freedoms of the individuals. These rights and freedoms are guaranteed by the Constitution and the legislation in force, which are drafted in full compliance with the recognized international standards.

Important legal changes have been done to reflect the constitutional principles and standards and the international ones accepted by Albania.

However, aiming at the achievement of the highest standards on the protection of minority rights, the need of improvements on the legal framework, which guaranties protection, and respect of the minorities' rights is felt.

From a general assessment of the legislation in this field, it is verified that the law is defined on the negative legal sense to prevent discrimination. In the limelight of the developments in this field, it is required a legislation with an affirmative view that fights discrimination, recognizing to persons belonging to minorities, their rights.

The Working Group for the review of legislation on minorities observed that notwithstanding the adoption of important legal guarantees, further efforts were necessary to complete the legal administrative framework, in order to ensure its full implementation in practice, especially, as far as definition of the criteria is concerned, regarding minorities' rights for using their mother tongue in traditional local names and other topographic indicators in the areas where they live.

The public use and display of traditional local names, street names and other topographic signs is not regulated by any specific law. But in fact there are no real obstacles preventing the naming and using of such names, even when they are in the national minority languages.

Local authorities of the areas where minorities are located, when requested are free to decide on these issues, always by taking into consideration restrictions linked with the rules of urban planning management.

However, the working group a complete legal improvement of all the matters treated in this article remains an issue to be dwelt upon in the future.

Based on the above conclusions, the Working Group indicated some areas where was a need for improvement of the legal framework on minorities as follows:

Recommendations

1. The improvement and complementation of the legislation, which regulates relationship between minorities and administrative authorities.

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2. A more comprehensive legal framework is required for the usage of minority language towards the administrative authorities.
 3. The amendment of the Electoral Code for facilitating the use of minorities' language during the electoral campaigns in the areas where they live and the distribution of brochures and leaflets in their native language.
 4. Definition of the criteria concerning the right of minorities to use the native language in traditional local names and other topographic indicators in the areas where they live.
 5. Approval by the local government institutions of a Regulation in order to increase the information for minorities about their rights recognised by law.
 6. Review of Law "On State Police" in the framework of a larger participation of minorities in public order bodies, in those areas where they live in a considerable number.
 7. The consideration in the Criminal Law of the discriminating motive as a grave circumstance when it is a motive for the crime commitment.
 8. The enforcement of the mechanisms for the protection of minorities' rights in the administrative levels, in the judicial system and especially at the Ombudsman institution.
 9. Positive provisions to facilitate minorities' access to media.
 10. Detailed procedures and rules for programs for minorities in the radios and TV channels which are licensed.

Mainly, the recommendations of the Working Group for minorities are included in the National Action Plan for the Implementation of Priorities of the European Partnership [DCM No. 634, 30 August, 2004] and after the signing of the Stabilisation and Association Agreement in the Action Plan for the implementation of this agreement (DCM No. 463, 5 July, 2006). Actually they are in the process of implementation by the respective authorities.

It needs to be especially emphasized that regarding the language used by minorities in relation with the administrative authorities and the usage of their national language in the traditional local names and other topographic indicators of the areas they live⁷⁷, the National Plan for the Agreement Implementation concretely includes:

- The definition of the criteria related to minorities' rights for using their mother tongue in the traditional local names and other topographic indicators of the areas they live.

⁷⁷ One of the recommendations that the Working Group gave for the revision of the legislation for minorities (as it is mentioned in the paragraphs above).

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- The approval of a regulation by the local government units, in order to increase minority information for the rights they have. This process has to be done from the local government.

For the implementation of these measures, it was signed in areas inhabited by minorities, “The Memorandum for Cooperation and Understanding between central government authorities and the local government, for the Cooperation in the Field of Protection and Respect of Minority Rights in Albania”⁷⁸, which aims to the incitement of cooperation for the appliance of the right of use of their language.

The Memorandum concretely envisages that:

The local government units shall engage in creating *favorable conditions* and to take measures for the preservation and development of national, cultural and religious identity of minorities, through the development of different activities regarding history and culture of national minorities in Albania, especially in the areas where the presence of these minorities is considerable;

In the areas where the presence of minorities is considerable, the authorities of the local governments shall engage in the strengthening of the collaboration through fostering a proper way of communication towards minorities, with a tendency for creating necessary spaces for evidencing and solving minorities’ problems;

In this framework, the local government units are engaged in drafting rules to increase information towards minorities’ members regarding the rights recognized to them.

In the areas where the presence of minorities is considerable, the authorities of the local governments, **when there is a sufficient demand from minorities**, shall engage in appointing and in taking measures for the appearance of traditional names such as street names, square names and other topographic indicators to the public, as well as to have the names of institutions that belong to minorities **not only in Albanian but also in the minority language**.

In the definition of traditional local names, in the areas inhabited by a considerable number of minority members, the local government units, by respecting the legislation in power and also by considering the restrictions which derive from the rules of the urban management, should take into consideration:

- the opinion and the names used actually and traditionally by persons belonging to the minorities in these areas,
- the language spoken from the locals,
- the opinion of the representatives of different civil society organizations that operate in these areas,

⁷⁸ Attached in the annexes of this report, The Memorandum for the Cooperation and for the Understanding between Central Government Authorities and Local Government Authorities, for the Cooperation in the Field of Protection and the Respect of Minority Rights in Albania.

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- as well as the historical tradition regarding the usage of these names;

This memorandum has been signed on behalf of the central government by the Prefect of the Gjirokastra District, the Prefect of Vlora District and by the representatives of the local government units in the areas that actually are inhabited by the Greek minority:

This memorandum has also been signed in the Shkodra District by the Prefect of this district and by the Mayor of the Gruemirë commune, in which the Serbo - Montenegrin minority is settled and in the Korça District, for the Macedonian minority.

A more detailed information regarding the actual status and the implementation of these measures [for the revision of the legislation for minorities] is given in the second part of the report with comments for different articles of Framework Convention (comments on the Articles 4, 9, 10,11, 15) .

Please inform the Advisory Committee of any recent steps or plans to strengthen the legislative framework and institutional framework to prevent discrimination.

Regarding measures recently undertaken to improve the legal framework to prevent discrimination, please refer to comments of article 4, second part of the report, on measures undertaken for the implementation of the recommendations issued in the Committee of the Ministers' Resolution relating to the application of the Framework Convention.

Regarding the institutional framework, it is worthy to mention the establishing of the Minorities' State Committee and the Section for Monitoring the Strategy "On the improvement of living conditions for the Roma minority".⁷⁹

In the field of education, please provide information on the steps taken to increase the possibilities for the persons belonging to national minorities to learn their language and receive education in that language.

Regarding measures undertaken to increase the opportunities of individuals belonging to minorities to learn their language and to obtain education in their mother tongue, please refer to comments of article 12 in the second part of the report, regarding measures undertaken for the implementation of the recommendations issued in the Committee of the Ministers' Resolution relating to the application of the Framework Convention.

Please provide information on the implementation of the strategy for the Roma that was adopted in September 2003, including information on its monitoring, and provide comments on the results achieved so far, in particular as regards the development of a dialogue with the Roma community.

⁷⁹ More detailed information is submitted in the first and third part of this report.

The Albanian Government taking into account the difficult situation in which the Roma minority finds itself, in its efforts to increase their life standards and protection and respect of the minorities' rights, is engaged in the implementation of the national strategy "For the Improvement of the Living conditions of Roma Minority" (agreed with the Council of Ministers Decision, no. 633 date 18.09.2003).

The main purpose of this long-term strategy is to establish and conserve the social consensus, thus securing co-operation and continued discussion relating to the different problems of the integration of the Roma community, making them an important part of life for the other majority population.

The drafting of the National Strategy was based in the critical analysis and the assessment of the social-economic problems of the Roma minority. It was based in the knowledge of the social-economic situation and the quality and quantity assessment of the needs and problems of this community.

This strategy was created as a result of the joint work of the Government and the representatives of the Roma minority as well as other non-governmental organizations and has as its constituting elements the demands of the Roma minority and the real accomplishing capacities and opportunities of the State.

Aiming to create a network focused on the growth of Roma minority' representation in the process of drafting the National Strategy, on 3 February, 2003, a round table was organized by the Ministry of Foreign Affairs, in co-operation with OSCE / ODIHR.

During this meeting, a memorandum of understanding was signed between the working group for the drafting of the National Strategy and the Roma minority, for the participation of the Roma minority representatives in the meetings of the working group, to ensure obtaining of information and identification of problems that concerns this minority.

The Strategy is real, concrete and includes the ideas, proposals, and suggestions of the Roma minority organizations. It has served as a basic document for the policies drafting serving for the improvement of the conditions in the aspects of education, art and culture, media, employment, housing, participation in the public order and public administration, etc.

The Albanian Government, based in this strategy, is engaged to treat the economic and social problems, which the Roma community is facing, in the framework of the general social policies.

The main goals of this strategy are:

1. To create an intellectual Roma layer aiming to represent in the most dignified way this minority in the society.
2. To create an identity of the Roma minority in which the historic and cultural values can be appraised and come to light.

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3. To encourage this community to participate in an active way in the economic, cultural, social and politic life of the country, as well as the elimination of any kind of discrimination towards them.

The action areas of the national strategy for the Roma are:

1. Education
2. Social issues (Social protection, employment, poverty reduction)
3. Accommodation and Infrastructure
4. Health
5. Cultural heritage
6. Economy
7. Public Order
8. Central and local administration
9. Participation in the civil life
10. Justice

In the framework of the implementation of the national strategy "For the improvement of living conditions of the Roma minority", through order No. 213/2 dated 22.06.2004 of the Minister of Labour and Social Affairs, the Department of Monitoring and Implementing this strategy at the State Social Service in the Ministry of Labour and Social Affairs was set up.

This department (*composed by one manager department and two specialists*) has started to function since 1 July, 2004 and depends on the General Directorate of the State Social Services, near the Ministry of Labour, Social Affairs and Equal Opportunities.

The duties of this department are:

1. To program and follow up the implementation of the objectives and priority measures that are established in the strategy "For the improvement of the living conditions of Roma minority" from all the other institutions and ministries which have direct responsibilities to implement this Strategy.
2. To co-operate and encourage institutions and other ministries and the local government to include in the annual plan of the Government Program, the objectives foreseen in the Roma minority strategy.
3. To follow up the progress of the monitoring indicators that are established in the Roma Strategy by all the ministries and other institutions, which have duties assigned by this strategy and to report for the progress achieved in a periodical way.
4. To co-operate with the Ministry of Finance and different donors to ensure the funds necessary in order to fulfill the objectives of this strategy.
5. To co-operate with the Roma minority organizations to resolve problems that require the co-operation and co-responsibility of the

Roma minority and the other concerned actors, the different NGO-s working in the area of minorities' rights protection.

6. To draft reports on the progress of the objectives, propose new policies and improvements of the legal framework for the improvement of Roma minority conditions.

The implementation level of the objectives determined in this Strategy, according to the institutions involved in its enforcement, is presented as follows:

I. In the social protection field

The Ministry of Labour, Social Affairs and Equal Opportunities (MPCSSHB), by enforcing the social policies of the government, evaluates the need to strengthen and develop programs of social protection, aiming to increase the level of access and benefits for all the vulnerable groups and categories of the society, including the Roma minority as well.

In this framework, legal, structural and organizational opportunities and facilities have been created to guarantee benefits of social legislation for this category. More services have been offered as well in the educational, health, culture area living conditions, etc.

In this context, an important role has been given to the support of families and children in need in the Roma minority through the program for economic help and the social care system.

- *The application of special programs that stimulate the employment of the Roma minority*

Based on the Council of Ministers Decision no. 632 date 18.09.2003, "For the stimulation of the program of employment of female unemployed job seekers", it is assured as a priority the employment of females over 35 years old, Roma females, women with social problems, single mothers, etc.

Female job seekers of any category that will be employed will benefit income and qualifications through work aiming to achieve a long-term employment opportunity in the future.

There have been implemented three encouraging programs abetting women and young females from which 86 Roma women have been employed.

For year 2006, priority has been given to the stimulation of employment of particular groups in need, to the employment encouragement of women, including the Roma minority' women.

More concretely in the Decision no. 645, dated 20 March, 2006, of the Minister of Labour, Social Affairs and Equal Opportunities "For the priorities of encouraging employment program for the year 2006", it is stressed that the participation of the special groups in the encouraging employment programs will consist in not less than 20 percent of the total number of the employees based in this programs. Among the others, part of the special groups is the Roma minority. In the same decision it is stressed that 50 percent of the funds

of this programs it will be used only for the implementation of the program "For the employment of female unemployed job seekers" (DCM No. 63, dated 18 September, 2003). This program foresees that the employer who employs a female job seeker, from the list of Employment Office, by giving a regular one-year job contract, can benefit a monthly income equal to 70 percent of the expenses of the obligatory insurance (employer's contribution), during the whole duration of the contract implementation. When the job contract is valid for 2 or 3 years the refund is respectively 85 percent and 100 percent of the amount of the obligatory insurance. In case of employment of people from the special groups, to the reimbursement shown above for 1,2 and 3 years of employment it is added respectively 4, 6 and 8 minimum wages at national level.

- *Involvement of the unemployed Roma in the encouragement employment programs*

The employment of unemployed job seekers from the groups in need where Roma are included is one of the priorities of the Employment Offices during the application of the employment encouragement programs.

In the areas of Tirana, Korça, Elbasan, Fier and Vlora in the contingency of the unemployed job seekers, people capable to work from the Roma community have also been registered. According to the statistics they are all treated with economic financial aid. Regarding the exact statistics for the number of Roma job seekers, there are no exact evidences in the Employment Offices.

- *Creation of facilitation conditions for vocational training of the unemployed Roma*

Based on law no. 8872 dated 29 March, 2002 "On the education and vocational training in the Republic of Albania", DCM No. 616 dated 4 December, 2002 for the determination of the special categories that benefit from the above mentioned law, through the Instruction of the Minister of Labour and Social Affairs No. 2222, dated 31 October, 2002 "On counselling and orientation in the vocational training" it is determined that special attention should be paid for the vocational training of the special groups.

Based also on the Decision no. 394, dated 23 February, 2004 of the Minister of Labour and Social Affairs, "For the fees on the vocational training system" the fees of the vocational training system have been overviewed and actually in the vocational training public centers the registration fee is gratis for the groups in need registered as unemployed in the employment offices, including people from the Roma minority.

During the year 2004 around 50 people have benefited from this courses.

For year 2005 (according to MPCSSHB data) 67 Roma job seekers have been registered in total in the vocational training courses, which is the 73 percent of the total number of the beneficiaries of this service, from whom:

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1. In the Vocational Professional Centre in Elbasan, 39 unemployed job seekers (trained in specialties: 12 in cosmetic/hairdresser, 13 in tailoring and 14 in welders)
 2. In the Vocational Professional Centre in Korça, 22 unemployed jobseekers (trained in specialties: 16 in hairdresser, 2 in tailoring and 4 in plumber)
 3. In the Vocational Professional Centre Vlora, 6 unemployed jobseekers in tailoring

During the period January-May 2006, have benefited professional training free of charge 20 Roma unemployed job seekers in total from whom:

1. In the Vocational Professional Centre Tirana, 9 unemployed jobseekers (registered in the vocational training courses in specialties: 6 in cosmetics/hairdresser, 1 in air-conditioning repair, 2 in electric)
2. In the Vocational Professional Centre Korça, 4 unemployed jobseekers (registered in the vocational training courses in specialties: 6 in tailoring)
3. In the Vocational Professional Centre Vlora, 8 unemployed jobseekers (registered in the vocational training courses in specialties: 7 in tailoring, 1 tailoring machine repair)

It is also foreseen in the Order No. 782, dated 4 April 2006 "Fees for vocational training systems," that the registration fees for the unemployed job seekers registered in the Employment Offices who would like to follow vocational professional courses will be gratis for specific groups.

- *Identification of Roma NGO-s, coordination of their work and increment of their capacities*

Information on Roma NGO-s their location and subjects of interests, etc is collected. At the moment there exists a list with about 30 active Roma NGO-s, as for e.g. Roma Union "Amaro-Drom", "Amaro Drom" Fier and Elbasan, "Roma for integration", "For a future for Roma/Social Centre "Mother's Heart", "Roma Chance", "Romani Batx", "Democratic Union of Roma in Albania", "Amarodives" etc.

Work is being done with Roma NGOs to increase capacity building for the good representation of this minority, offer services, awareness for different negative phenomena and especially to increase capacity to draft projects.

The drafting and implementation process of the Strategy have served to increase the cohesion and cooperation between the Roma NGOs themselves and the governmental institutions. During the meetings information has been exchanged in order to help Roma NGOs and to address their problems to the appropriate structures.

In April – May 2006 all NGOs that offer social services in all the districts of the country were identified and institutional relations are being established in accordance with legal acts and provisions.

Also the identification of NGOs that offer social services for this minority will help to support these organizations, increase their capacities, etc.

- *Integration of Roma children (including Roma children of the street as well) in normal life.*

Street Children are a transition phenomenon which our country is going through, this phenomenon is mainly encountered in the big cities like Tirana, Durres, Elbasan, etc. These children belong to the group age from 0 to 18 years old, they beg or work in the street; they might have left school or work after school. Regarding the question if street children belong to minorities, in general it can be said that these children belong mainly to Roma minority, but a good part of them also comes from families which have migrated from rural areas, poor families and families that suffer from social problems as divorce, emigration, one parent families, etc.

Although numerous studies from nongovernmental organizations have been made it is difficult to give exact statistical data regarding this phenomenon.

Irrespective of the lack of exact statistics about street children, the Ministry of Labour, Social Affairs and Equal Opportunities has given priority to the support of families in need and street children.

State Inspectorate of Labour during the controls in natural and judicial subjects that perform activities in different economy sectors did not found Roma children employed in these sectors. This is because Roma children usually are employed in the informal sector or perform activities as street children (ambulatory sellers, begging, car wash, etc).

Regarding the measures undertaken to prevent economic profit/abuse of these children and to give an end to this phenomenon, the types of social services for Roma minority children are identified. In cooperation with many non-profit organizations several projects have started for the protection, sheltering, education, vocational training of street children and teenagers in need as well as projects to support families to take better care for their children and allow them to continue school.

In this framework cooperation agreements have also been signed with several organizations that offer services for children with social problems in daily and residential centers, a part of whom are from the Roma community. These projects help the street children and their families and specifically from the programs of these organizations, many families and children in Tirana, Elbasan, Korça, Berat etc benefit.

However, it is being worked to raise awareness of Roma minority for education and medical treatment of their children, prevention of negative phenomena as trafficking etc.

Several NGO-s support Roma families in need with food aid, school support for children as books procurement, courses against illiteracy, involvement of Roma youth in vocational training courses, etc.

From 43 new community social services that are being created through a Global Bank project, a considerable number of services include addressing of Roma community problems – Roma women and children.

In cooperation with World Food Program, support for 400 families in need is ensured.

Among organizations which work with the Roma minority we can mention:

1. “Children of the World; Human Rights”, that offers daily services and school integration of Roma children.
2. Community Centre of the “Amaro Kham” organization serves as daily centre for children, where Roma language is learned, raise awareness of individuals who belong to this minority for common activities, etc.
3. International Social Service; Foundation “Terre des Homes” “Help for Children” raise awareness of Roma minority for children trafficking consequences, and are active in the repatriation of children from neighbour countries and preparation of families to welcome children as well.
4. SECO Organizations have implemented their project on 320 Roma children.
5. Christian Children Foundation has set up gardens of mother and children, which serve to improve children treatment, mother and children health etc.

During 2005, the process has started for setting up 18 community services 9 of which are for children, where one of the priorities is the involvement of Roma children in these services. Also for the period of 2006-2007 the set up process of 25 other community services has started, where 1/3 of them will offer services for children. There will also be special services only for Roma children (e.g. the case in Fier).

Decentralization of competencies and budgets from central to local level, will give space to municipalities and communes to evaluate better the situation of street children and the need for social services. One of the services will be also support service for families in need and street children and those who work. In cooperation with NGOs, which have experience in the street children integration into the education system and the vocational training one, municipalities and communes will undertake initiatives for the benefit of these groups.

More concretely Tirana Municipality in cooperation with UNICEF has undertaken a study of the street children situation in order to set up several services for them. Besides, an important initiative to minimize this phenomenon will be the identification of families in need and their support with employment, social assistance etc, in order to take off children from work and return them at school.

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- *The right of information of Roma families on how they can profit from the social protection system, economic help program, social care services, NGOs help programs etc.*

The current legislation does not discriminate Roma minority, in relation to economic help benefit, their involvement in public social services and those offered by NGOs.

They are treated as all the other individuals in need and are facilitated to benefit from the social services for individuals and groups in need.

The State Social Service (ShSSh), in its Regional Offices staff has appointed a person who monitors the social services standards, benefits from social programs, their acknowledgement with legislation as well as the following of objectives progress of this strategy.

Pursuant to the law no. 9355, dated 10 March, 2005, "On the help and care services" the information of the Roma community by the social administrators in municipality and communes has started. Social administrators in municipality and communes have the obligation to give information and assistance to complete documents for the economic help, identification of people's services needs, etc. Increase of the benefit ceiling level of the economic help with 7000 leke, advantages Roma families with many members.

Information of Roma minority of rights and benefits from programs of social protection, economic help, supporting programs of NGOs, is an objective that is followed and continues to be followed by the Ministry of Labour and Social Affairs structures in cooperation with local governmental institutions. As a result, progress is noted in the involvement of Roma minority families in the economic help program, in the limited disability payment and in the public social services and those of NGOs. This project aims to fund the projects managed by NGOs, which will offer social services to the benefit of groups in need including Roma minority too.

State Social Service (ShSSh), as an implementing institution of MPCSSHB policies, has various obligations for the involvement and treatment of Roma minority in the social protection programs.

In the framework of the reorganization of the State Social Service it is foreseen that in the composition of the Regional Offices to start its function the standards monitoring section and divisions strategies including even the Roma strategy implementation. Involvement and integration of Roma minority occupies an important part even in the Midterm Strategy of Social Services. This document has in its foundation the idea of creating wide net services, decentralized and widespread in community with new alternatives closer to recipients and in accordance with their social needs.

In support of this strategy is being implemented the project: "Distribution of Social Services in Albania" financed by Global Bank. This project aims funding of projects managed by NGO-s, which will offer social services to the benefit of vulnerable groups including also the Roma minority.

Deal with Roma minority problems is conditioned by the identification of needs and social-economic situation, identification of mechanisms that will anticipate the integration of this minority in social-economic flow of the country.

II. In the Education Area

Regarding the implementation of the Roma National Strategy in the education area, the Ministry of Education and Science MASH has undertaken the following measures:

- *Measures in the legislative area*
 1. MES has sent for implementation to all Regional Education Directories and Education Offices, the Strategy “For the improvement of living conditions of the Roma minority”, and through Instruction No. 18, of 30 August, 2005, of the Minister of Education and Science, they are required to report in writing twice a year for the implementation of this Strategy.
 2. The Order No. 321, of 11 October, 2004, “Experimenting of psychologist service in the pre-university education system” as well as Instruction No. 30, of 11 October, 2004, “For the implementation of the Instruction No. 321, dated 11 October, 2004, of the Minister of Education and Science, for experimenting of psychologist service in the pre-university education system for the academic years 2004-2005 and 2005-2006” which ensure the opportunity to offer a psychological service to all students, in particular way to Roma students, has been issued.
 3. The Instruction No. 34 of 8 December, 2004, “On the implementation of the project “Second Chance” for the education of students who left school and are closed in because of blood feud”, has been issued.
 4. The Instruction No. 6 of 29 March, 2006, “For the registration in schools of the Roma students who are not provided with a birth certificate” has been issued.

To ensure the increase of Roma children participation in all education levels, the Ministry of Education and Science has focused its work in these directions:

1. Reconstruction of schools where are Roma children groups, as in Berat, Elbasan, Korça, Fier, Lushnja, Shkodra, Tirana etc.
2. Through the implementation of the Instruction “For the implementation of the project “Second Chance” the drop out of school was considerably decreased.
3. With further cooperation with different organizations and foundations to reduce poverty of Roma families, raise awareness to send children at school as well as in the education of their children.
4. Education of Roma children by opening classes or kindergartens especially for them as the Roma school in Moravë of Berat, the class in Lllakatund and in Novoselë of Vlora, the varsity school “Together” close to the Çajupi school in Gjirokastra, the school “Liria” in Shkodra, a class in the Roskovec school in Fier, and it is near its closure the Roma kindergarten in Korça. There are opened even special classes near

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- schools in the districts of Elbasan, Berat, Pogradec, Korça, and against illiteracy in Zhupan of Fier etc.
5. Priority is given to opening of non-public institutions for the Roma children education as, kindergarten and school “Amaro Tam” in Pogradec and Roma children school in Kruja.
 6. Qualification of teachers who work with Roma children in order to raise awareness of parents to send their children at school as in the districts of Gjirokastra, Berat, Korça, Elbasan, Durres, Fier, Shkodra etc.
 7. Scholarships were given for the professional and social-cultural schools for Roma children.
 8. In cooperation with IKS and NGOs, has performed different activities to promote and achieve human rights and in particular of Roma children’ rights.
 9. In cooperation with UNICEF and Save the Children is starting a study for the assessment of Roma children educational situation. This study will be followed by concrete recommendations which will support the foreseen activities in the Strategy, as well as other activities that support the Roma children education. Furthermore is being followed the performance of some projects for pre-school education.
 10. Drafting of the Pre-school Education Strategy where one of its objectives is the involvement of the group age 5-6 years old in the obligatory education system, which will ensure a major involvement of Roma children in the obligatory education system.

Moreover MASH has taken several measures to reduce school evasion as:

1. Introduction to the parents, especially to those whose children have dropped out or have the trend to abandon the school, with the law on obligatory education.
2. Cooperation between Education Directories, school directories and teachers is increased in order to motivate school attendance of children who attend occasionally.
3. In the cooperation of MASH with different organizations and foundations for reducing poverty of families in need, to raise awareness to send children at school as well as in the education of their children, where we can mention the cooperation with the Foundation “Help for Children” based in Korça and its branches in Berat, Elbasan and Tirana, with donors UNICEF and Swiss Corporation. More than 50 percent of these children are Roma.
4. Reduce number of students per class.
5. Provide laboratory basic items for all big schools of the country.
6. Engagement of pedagogic staff to motivate school attendance.
7. Special financial treatment of teachers.
8. Substitution of teachers without appropriate education.
9. State and community control for the quality of lessons at school

According to data for the period of 1999-2000 the school drop out has been 3.66 percent. In 2000-2001, 2.8 percent, in 2002-2003, 1.8%, in 2003-2004, 1.6 percent.

Actually school drop out is being better monitored by all local and central structures, by giving a second chance to Roma children, who drop out school.

Regarding qualification of teachers who work with Roma children a specific training with schools directors and students' governments about Roma issues was organized, in order to raise parent's awareness to send their children at school, and a special qualification for human rights education especially for minorities. We emphasize that Bajram Curri School in Tirana is a model school for human rights education, whereas in the Nikel Dardani School is founded the European Centre of civilization for the community.

Furthermore work was done to identify educators and teachers from Roma community and their engagement with priority in these areas in order to respond to the needs and mentality of this community in a better way even though this number is very little. So we can mention the director of the Cultural Centre in Fier.

Meanwhile MASH in cooperation with the Regional Education Directories and NGO-s has performed different activities for promoting and achieving human rights and especially children rights. Different activities were performed for encouraging development policies for Roma girls and women. Exhibitions with Roma children paintings were opened and the organized activities were published in media as well.

III. In the area of public works, transport and telecommunication.

Main objectives:

1. insurance of minimum needs for housing;
2. coverage with water-supply net, sewerage and electric power;
3. insurance of habitation connections with the national road.

From the part of the Ministry of Public Works, Transport and Telecommunication, in cooperation with central governmental institutions, there were identified the housing needs, the number of families and that of family members, present housing conditions, number of households that need repairing, identification of ground property where is located this part of the population, as well as the identification for infrastructure needs in the areas which are inhabited by Roma minority.

This information, which enriches continuously, includes 10 local governmental units that have the larger concentration of Roma minority.

From the gathered data from 7 municipalities' results:

No	Municipality	No. of families	No. of members	Actual living conditions – not the building	With House-holds	No. of buildings that need repair	Ownership of the land	Infrastructure need
1	Berat	73	About 5	51	22	4	16 families have property on the land	68 families are in need for infrastructure
2	Bilisht		About 5	16	25	25	16 families have a land owner	16
3	Gjirokastra	120	About	30	39	39	With owners	81 families

			6					
4	Pogradec	83	About 5	33	50	16	33 households own the land	
5	Tirana	12000	5-8			504		
6	Shkodra	75	About 4	50		50	Does not have	75 families
7	Elbasan	640	About 7			580	80% private property and 20% state property	90% need roads, water supply system, sewerages and telephone

From the study performed about conditions and housing problems in these regions it is noticed that:

1. 10% of the observed families need house repairing
2. 2% of the families are homeless
3. 90% of the families in big cities need infrastructure
4. problems with the ground property of the house
5. difficult conditions in the existing households

Also by this institute the needs for providing water supply system, sewerages and electric power at the areas inhabited by Roma community have been identified, and it is being worked in projects to increase access of Roma people for the fulfillment of these needs.

The General Directorate of Water-supply and Sewerages has identified the needs for water supply and is working for the implementation of the objective "Coverage with water-supply – sewerage and electric power system for all Roma community" based in the National Strategy of water supply and sanity approved by DCM no. 706, of October 16th, 2004. In this framework it is foreseen that people access in the water infrastructure will increase up to 90% until 2012. In addition after all the information will be collected by municipalities all over the country it will be done a unification of the data arrived by the municipalities and a more accurate determination of needs about the minimum conditions for accommodation.

Measures were programmed as well for improvement the infrastructure. The donors have also supported different projects, as it is the case of an investment in Shkodra city for water supply system, sewerages and electric power for this minority with 75,000 euros from the Austrian government. At the moment the proper documentation is being prepared.

The second phase, which consists, on drafting the study and projects for the construction and rehabilitation of these areas has started after the identification of problems related to housing conditions of this minority, in the areas where it's more concentrated.

Work is focused in some main directions for implementing the Strategy for 2006 and onwards:

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- Drafting of several studies for the most risky communities as already are two communities in Tirana (*one in the cleaned area of the Lana corner, which is administered by the municipality unit no. 7 and one is located in the area of river coast (Allias) and is in continuous risk for flow, administered by the municipality unit no. 4*)
 1. Studies will be complex and will include the urban study for the rehabilitation of the existing inhabited area where this community is located. In case the rehabilitation of this area is impossible, possible different areas will be identified where this community can be moved in cooperation with local government authorities.
 2. The goal of these projects will be the improvement of the buildings where the community lives, placement of some minimal hygienic-sanitary equipment, connection with infrastructure and engagement of inhabitants in public works.
 3. Respective municipalities will be required to identify Roma families who are registered in the municipality civil state office to offer council houses to the families of this community in the buildings that are being build through the state budget.
 4. Integration of these citizens will be seen also in the legalization aspect or investments in infrastructure.

In the draft-budget of 2007 it is planned a fund with separate voice for the Roma community with details as following:

- Drafting of the project-preventive for 4 pilot areas where Roma minority lives in Tirana, Elbasan, and Korça.
- Rehabilitation of 89 individual households of Roma minority. Construction of 154 individual households for this minority.

IV. In the Health area

Health institutions beside of the activity of health care for the whole population of the country, have undertaken specific projects to evaluate the immunization situation, to create the map to locate the Roma minority in our country and to prevent sexually transmitted diseases.

Since the first stages of the drafting of the strategy “For the improvement of living conditions of the Roma minority” and continuously, cooperation took place with all civil state offices of local power and the Roma organizations, to complete the basic data of the layer out of this community in level of district, commune or village.

It exists nowadays a database of the exact location of Roma community in each district, commune or village, number of children, in order to register them in the health care systems (health care centre or village ambulatory) for health care assistance.

At the moment from all health care structures at national level has been done the Roma population registration (like in Durrës, Tirana, Shkodra, Berat, Fier, Vlora, etc) identifying not only adult group ages but especially children group ages, whom should be registered in the obligatory immunisation scheme, but also the follow up health situation of the pregnant women.

From the information's so far results that actually the Roma minority in our country is located in its major part near the main cities and in their suburbs as in Tirana, Durrës, Shkodra, Korça, Elbasan, Berat, Lushnja, but in other cities as well, apart of their location in cities there are Roma whom are located even in the rural areas.

There were identified some mobile Roma communities in some cities like in Tirana, Shkodra or any other city.

The Public Health Institution in co-operation with Roma organisations is working to make the mapping of the Roma minority locations in our country, project that is close to its end and will help the progress of the Roma Strategy implementation.

A database of Roma minority was set up in 9 major regions and this information continues to be enriched and expanded in other areas.

1. In Tirana	12000 inhabitants
2. In Korça	5 100 inhabitants
3. In Shkodra	6 000 inhabitants
4. In Durrës	about 92 families 125 children of group age 0- 14 years
5. In Vlora	1 300 inhabitants
6. In Fier (Levan Commune)	1 370 inhabitants
7. Qëndër Commune	1 700 inhabitants
8. Dermenas Commune	500 inhabitants
9. In Lushnja	1 200 inhabitants

On these basis, concrete plans were drafted to take actions to improve the health conditions.

This institution in co-operation with other partners as NGO-s and USAID has executed the epidemic study in Tirana City for SST/HIV-AIDS situation; the complex study involved all population as well as the Roma one.

The Ministry of Health in order to implement the Strategy during this period has also undertaken these actions:

1. The health system has accomplished the immunisation scheme implementation at national level (for all group ages) in figures up to 95%; In some cities, in Roma contingents like in Durrës, Korça, Elbasan higher figures are reported up to 99.8%;

In Korça, from 635 Roma children registered, according to their allocation in different locations/areas, it was made possible the immunisation of 602 children of group age 0-14 years.

2. In the health care centers, the health care personnel correctly follows the problems of mothers and children in every city. The commissions of mother and child are already reorganized and they analysis problems related to this service, as good care for children, follow-up of pregnant women, immunization, reproductive health, etc.
 3. Services for health education, reproduction health and family planning are available to all inhabitants of the area but especially to Roma minority.
 4. In the Roma minority locations it is checked the potable water purity even in the urban and rural areas the drinking water is monitored constantly.
 5. Problems of concern are the hygienic-sanitary conditions of living and residences' surrounding environment like the absence of sewerage, presence of house livestock, lack of urban garbage's removal.
- Projects performed in the territories where Roma minority lives:
 1. Immunization project for this minority in Tirana area (Public Health Directory)
 2. Accomplished Mapping of Roma minority (Public Health Institution, Roma NGO-s)
 3. Epidemic study in Tirana city for SST/HIV AIDS (Public Health Institution, NGO-s and USAID).

V. In the Culture area

In all national folkloric activities organized by Ministry of Tourism, Culture, Youth and Sports (MTKRS), individuals, groups or ensembles of Roma community have been invited and have participated interpreting and playing their repertory. Individuals, groups or ensembles of Roma community also have participated even in the folkloric cultural activities organized by the Ministry of Tourism, Culture, Youth and Sports

More concretely in the Culture area, the Strategy objectives progressing for the first 6 months consist in:

1. Drafting of Action-Plan of the Ministry of Tourism, Culture, Youth and Sports for Roma community in the area of art, culture, youth and sports (attached with the annexes of this report).
2. Through the Decision no. 328, of June 1st, 2006 of the Ministry of Tourism, Culture, Youth and Sports is approved the financial aid of 100,000 leks for the publishing of no. 11 of the social-cultural multi-ethnic magazine "Equal", dedicated to life, culture and social problems of the Roma minority.
3. Several artistic cultural activities were organized where artistic groups of Roma minority have participated as in; the National Folkloric Topologic

Festival of the Albanian Urban Folk Song, organized in Elbasan city, the National Folkloric Topologic Festival of Folk Dance organized in Lushnja city, the Folkloric Festival "Sofra Dardane" organised in Tropoja city etc.

MTKRS aims to the involvement of Roma musical tradition in the official musical compilation of the spiritual heritage "Spirit Heritage in CD". For its realization a special project will be prepared under the supervision of the Culture Heritage Directory and this project will include:

1. Registration of the musical material and preparation of the sample;
2. Scientific study performance on this material, text pieces of the CD (Albanian and English)
3. Reproduction of 1000 pieces CD-s with this musical tradition;
4. Their distribution in the cultural, education and science institutions, etc.

Also membership of Roma cultural organizations near the Albanian section of CIOFF/IOFFC (International Organizing Folkloric Festivals Committee) is encouraged.

For youth involvement in the national youth strategy, the Ministry of Tourism, Culture, Youth and Sports is organizing the identification of individuals or groups from Roma minority.

Meanwhile, work is being done to prepare a pilot project to set up a public library near the big Roma centers to animate cultural life of Roma community.

Among the MTRKS projects is also the organization of common path finding and collecting expedites with the Academy of Science, respectively with the Folk Culture Institute on the Roma minority traditions in Albania.

This initiative will include tracking, collection and studying of this tradition through:

1. Photographic expeditions from this tradition.
2. Publications from this tradition as children tales / stories, etc.
3. Musical transcriptions of Roma tradition.
4. Organized ethnographic pavilions and different crafts of Roma tradition.

The Ministry of Interior in co-operation with NGO-s has raised awareness of this minority for the necessity of registration in the Civil State Offices. It is important the contribution that CAFOD gave in this direction through the Free Legal Service.

This Ministry also has contributed to the organization of round tables with local government in 12 prefectures of the country, by taking the co-coordinator role with these prefectures.

- *Different activities related to awareness for strategy implementation*

The monitoring Roma strategy unit is also focused on awareness and involvement of local government in the strategy objective accomplishment as well as establishing contact points in municipalities and communes.

In the framework of informing and raising awareness of local government structures, some round tables were organized aiming to the:

- Acknowledgement of local government with this Strategy.
- Identification of Roma minority problems in different areas.
- Introduction of representatives from this minority with responsible institutions appointed to implement this strategy;
- The opportunity to implement projects offered by donors for the Roma minority.

Representatives from ministries responsible to implement the Strategy (health, education, sheltering, culture, employment), UNDP, OSCE, Council of Europe representatives etc, as well as Roma Community representatives in the respective cities, representatives from local government, representatives from the Regional Offices of Municipalities and Public Health Directories, have participated in these meetings.

Participants and actors in these meetings have been the Strategy Monitoring Section, representatives from ministries responsible to implement the Strategy (health, education, sheltering, culture, employment), UNDP, OSCE, Council of Europe representatives etc, as well as Roma Community representatives in the respective cities, representatives from local government, representatives from the Regional Offices of Municipalities and Public Health Directories.

This experience showed that the acknowledgement of the Strategy as a document and the objectives established in it should be used as an opportunity to raise awareness of the actors and their engagement to involve this minority in the social life of the country.

The Monitoring Section of the Strategy "For the improvement of living conditions of the Roma minority" in co-operation with the above mentioned international organizations, will implement a project that consists in the training of this Section and that of the inter-ministerial group appointed to implement this Strategy, with the DevInfo program, that relates to data inputting from the implementation of the Strategy.

Dialogue development with Roma minority.

As mentioned above, representatives of Roma minority have been an active part in the drafting process of the Strategy.

In the framework of dialogue development and representation for this minority in the Strategy implementation process, several round tables and workshops were organized with the participation of Roma minority representatives, civil society, international organizations and local and central governmental institutions.

In February 2006 a round table was organized the with subject "Development and Integration of Roma Minority, Priority of the Government," where representatives from Ministries appointed to implement the Strategy "For the

improvement of the living conditions of the Roma minority,” representatives from the Roma minority and International Organizations participated.

The aim of this round table was the progress on the Strategy implementation according to the areas and objectives for 2006.

This round table came out with concrete recommendations related to the National implementation Strategy for this minority, as follows:

- Acknowledgment of the Strategy’s objectives, not only at the central but also and primarily at the local level, meaning districts, municipalities and communes.
- Publication within a short time of the strategy document in two languages, so that this document could be distributed in more than 300 units of local government and in all the other institutions, at central and local levels, to NGOs and to donors.

- Drafting of a matrix by the Monitoring Strategy Section where the indicators that should be reported by all central government institutions but also by their regional directories will be established.

- Periodic reporting, each month on a specific date, on the progress achieved by the involved ministries to the Monitoring Section and contact points.

- Review of the opportunity to increase the level and capacity building of the Section and representation of Roma minority itself in this unit as well as supplying it with the necessary infrastructure.

- Creation of the legal opportunities to enable the Roma population to access education, especially university, employment and vocational education. The realistic implementation of the existing legislation on the Roma.

- Continuing work in the health system to perfect health information for the Roma community and insisting to increase quality of services.

- Identification of the number of Roma children in the education area who do not attend school and number of children from this minority who attend school.

- Needs assessment by the Ministry of Public Works, Transport and Telecommunications in co-operation with central government institutions and the Roma minority itself, for the improvement of households, road infrastructure, sewage systems, potable water etc, co-ordination in the projects’ implementation, coordination of donors’ resources through projects and state budget funds in accordance with concrete possibilities.

Following the recommendations from this meeting and in order to evaluate in real terms the objectives progressing for this minority life improvement, the Section for the Monitoring Strategy “For the improvement of the living conditions of the Roma minority,” has organized several round tables in

different cities of the country with the theme "On the objectives' progressing for the improvement of living conditions of Roma minority".

These round tables were organized in April, May, June 2006, and ended up in Tirana District.

The objectives of these round tables were:

- To identify and raise problems concerning this minority in the respective districts as well as introduction of representatives from this minority to the responsible institutions charged to implement the strategy.
- To create the opportunity to implement projects offered by different donors to improve their living conditions, acknowledgement of central government institutions with the existence of the strategy.
- To raise awareness of the local government, which plays an important role in the Strategy implementation.

Participants during this meeting were the representatives of different institutions as: Monitoring Strategy Section, ministries involved in Strategy implementation (health, education, sheltering, culture, employment), Roma minority in respective cities, central government, regional offices of Municipalities and Public Health Directories.

Recommendations following the roundtables are in the elaboration process by the Monitoring Strategy Section and a report with approximate data will be prepared at the end.

The data of this report will be used by international organizations such as UNDP, UNICEF, UNFPA, and IOM to establish the success indicators.

It was concluded by these round tables that the Ministry of Labour, Social Affairs and Equal Opportunities has taken further steps in the involvement of unemployed Roma in the vocational professional courses but it is noted that the Roma minority itself has manifested negligence for the attendance of these courses.

In co-operation with international organizations and other donors, proper actions will be taken according to priority issues in different areas, to put in practice the objectives established by the Strategy.

Meanwhile The Monitoring Strategy Section "For improvement the living conditions of the Roma minority," in co-operation with international organizations mentioned above, will implement a project which aims to train the Section and the inter ministerial group charged with the implementation of this Strategy, in the DevInfo program, set up for the collection of data resulting from the implementation of the Strategy.

Respect, protection of Roma minority rights and integration into society are already looked at in a different way. The achievement of this important objective

is a challenge not only for the State and its institutions but also for the other actors such as the Roma minority, civil society and the private sector.

DIFFICULTIES ENCOUNTERED IN THE IMPLEMENTATION PROCESS OF THE STRATEGY

Regardless of achievements related to the Roma strategy implementation, this complex process requires a major involvement from all institutions and ministries involved.

In more concrete terms:

1. There are difficulties regarding co-operation and exchange of information with some of the involved ministries in relation with the strategy reporting process.
2. The Strategy implementation process has identified the need for capacity building of Roma non-governmental organizations, which should get involved more widely in raising awareness of institutions and use of the Roma minority's own resources.
3. Capacity building and strengthening of the Monitoring Strategy Section remains an essential factor to increase co-operation with responsible actors of the strategy implementation.
4. Lack of direct contribution of the Roma minority in the implementation process of the Strategy. In this framework, it is foreseen that in the staff of this section a representative from this minority will be included, as an indicator of their participation in the monitoring and decision-making process.

As mentioned above, to address the problems identified, the Monitoring Agency in cooperation with the Roma community, NGOs and donors has organized several round tables, whose recommendations are in the process of implementation by this Agency.

In this framework it is worth mentioning the initiative started by the Foundation Open Society for Albania (SOROS) with some specialists from the Albanian Helsinki Committee and Centre for Children's Rights Protection in Albania to monitor the successful measures and achieved results from the implementation in practice of the National Strategy "For improvement of living conditions of Roma Minority" for a period of time of three years since its approval.⁸⁰

For this reason, from the Albanian Helsinki Committee, Foundation of Open Society for Albania (SOROS) and Centre for Children's Rights Protection in Albania organized the workshop: 'Presentation of monitoring conclusions of the National Strategy "For the improvement of living conditions of Roma minority in Albania."⁸¹ This monitoring was performed in five main districts of the country where this minority has a major concentration respectively in Tirana, Fier,

⁸⁰ This initiative was financially supported by the "Open Society for Albania" Foundation (SOROS).

⁸¹ This activity took place on 5 July, 2006 in the Tirana International Hotel.

Korça, Elbasan and Shkodra. Achievements, problems, identified weaknesses, reasons for not accomplishing the objectives foreseen to improve living conditions of Roma minority were presented at the round table as well as relevant recommendations for local and central governing structures, Roma and other organizations that work in the area of human rights. A full and definitive report will soon be prepared that will contain concrete recommendations and suggestions of the National Strategy “For improvement the living conditions of the Roma minority” monitoring

Please provide information on any planned measures in the field of ethnic data collection including data on the socio-economic situation of minority groups and on the situation of women and girls belonging to those groups

While considering the statistical data on minorities as crucial in devising and monitoring the policies on the rights of the persons belonging to minorities, the Albanian Government remains constantly committed to the collection and elaboration of accurate statistical information on minorities and their socio-economic situation.

These data are essential, since the relevant cautious and accurate national policy planning would be not possible, without a good knowledge on the distribution and major features of minority population all over the country's territory.

In this regard, during the period 2001-2006, actors of civil society and other specific state entities have conducted various surveys, offering statistical assessments on minorities and data on their socio-economic situation.

Noteworthy is the Survey of the Institute of Statistics (INSTAT) in cooperation with the Ministry of Foreign Affairs (Office of Minorities), published in *February 2004*, on the results of the national statistical assessments on minorities in Albania.

In order to have an ongoing statistical information on minorities in Albania, a series of archive documents have been processed, containing data on the number of minorities in Albania.

The complete material with the current assessments and those of the archives of minorities in Albania is attached in the Annexes of this Report.

Progress has also been made in evidencing the data related to the representation of persons belonging to minorities in public order bodies and the data on their representation in the central and local administration bodies. (Please see the comments related to Article 15 of the Report)

With the extension of the scale of the decentralization of the competences and responsibilities, from the central down to the local level, special significance has been attached to the collection of the factic data from the units of local government, in view of education in the mother tongue of minorities, their representation to local government bodies and bringing to evidence the data on

the investment funds for infrastructure, allocated to municipalities and communes, mainly inhabited by minorities.

Likewise, in the framework of the implementing the national strategy “ On the Improvement of Living Conditions of Roma Minority”, the local government bodies, in cooperation with the central ones, collect on an ongoing basis, data related to the following: the number of Roma families; participants in a family; the current housing conditions; the number of dwelling units inhabited by Roma minority and which need repair; identification of ownership over the land where this part of population has established itself; the identification of infrastructural needs in the areas inhabited by Roma minority.

Finally, we mention that in the framework of the new financial instrument (Pre - Accession Instrument - PAI) for granting EU financial assistance to candidate and potential candidate countries, providing assistance to INSTAT has also been envisaged, aimed at creating the capacities of obtaining and publishing statistical data, in compliance with European standards and in view of assistance to conduct a general census, in particular.

In the following, you will find a summary with information on the socio-economic situation of the persons belonging to minorities.

*Data on the social and economical situation of persons belonging to minorities*⁸².

- **Greek national minority**⁸³.

The Greek minority in Albania is mainly concentrated in the southern part of the country in the areas of Gjirokastra, Saranda, Përmet, Delvina, but due to the vast demographic movement, individuals from the Greek minority have spread in the big urban areas as well as have emigrated abroad.

The conditions of the market economy as well as the emigration have opened the path for investment and business development in local (minority) level, thus importantly improving the economical situation of the area. Access to economic life is easily notable.

A number of private companies, known countrywide, owned by members of the Greek minority exercise their activity in the area of Dropull, employing inhabitants of that area. People have been hired in other private activities such as working and trading of wood materials, transport, etc in the area of Dropulli i Sipërm (Upper Dropull). In general they have given up agriculture. Some families have turned now to the activity of viniculture.

The private activity in the mountainous areas is mainly focused on arboriculture and farming.

⁸² According to information from the State Minorities' Committee and the Albanian Helsinki Committee.

⁸³ According to the publication “Minorities in Albania”, Tirana 2003 – “Minorities in Albania”, Tiranë 2003, by the Albanian Helsinki Committee.

The facilitation of passing the borders have enabled the development of trade activity while the private activity was widely extended also in construction; hotels and restaurants, most of them along the southern coastline, were built.

There are no families from that minority to have income in the level of need for social assistance. This is another meaningful fact, typical for the population of this minority.

New houses, either completed or while being built, can be noted in all the villages inhabited by members of this minority. Emigrants have brought investments and have also contributed to the surrounding environment and the local roads. In a situation when private initiative is in a good path, there are considerable returns of the emigrants in the native areas and this has influenced to the increase of investments in such areas.

However, in the areas inhabited by the Greek minority, minority communes have brought up concerns regarding provision of water, power, state of the infrastructure, etc.

The overall hardship situation of the country should be taken into consideration to have a more objective analysis of the situation. However, the concerns raised above, in the minority areas, are not in critical levels.

There has been improvement in power supply but there are still numerous problems in particular villages or areas, especially due to reasons of internal network amortization. Amortization of the water supply network has also kept unsolved the problem of potable water supply provision for a number of villages.

Despite of these problems there have been investments for the rehabilitation of the existing network or for building of new water supply lines. Emigrants have also contributed, together with the respective communes, for the improvement of the state of water supply or road maintenance. The state of the roads in numerous villages, especially in Dropull i Poshtëm – Lower Dropull, is good. In the areas of Dropull i Sipërm, especially in the remote villages, the state of the roads is problematic. The state of the roads is also problematic in other mountainous communes.

The areas where the Greek minority lives have benefited from State projects, given in grants from the Greek Government. It is noteworthy to mention also a project undertaken by UNDP in the villages of Dropull i Poshtëm. The project aims to reinforce local governance, the building of capacities of the communes as well as direct work with the community. The program also aims to improve the situation of power and provisions and water supply as well as some investments in the infrastructure.

Regarding health services, the areas inhabited by the Greek minority in Gjirokastra, Saranda and Delvina are duly covered.

Greek minority women and girls have their organization and contribute in the whole economic, social and political life of the country. The women's organization within the Human Rights Union Party, the association of minority women, the youth forums of Greek minority where women and girls participate,

are part of the contribution and decision taking on all the problems concerning the Greek minority in Albania in general and youth in particular.

- ***Macedonian national minority***

In the southeastern part of Albania, in the communes of Liqenas and Vërniku, in Devoll district, lives part of the Macedonian minority. During recent years, benefiting from free movement of people, many inhabitants, mainly young people from these villages have gone for seasonal work and have furthermore settled with their families in the neighboring countries of Greece, Macedonia, etc.

Part of this minority also lives in other big centers such as Bilisht, Korçë, Pogradec, Tirana, etc.

The inhabitants of this area, as per their tradition and also nowadays, work mainly in agriculture, farming and fishing. During the recent years many members of this minority have started trade thus developing small and middle businesses. A number of trade companies are active in the area of Prespa, Bilisht, Korçë, etc. the developments in the most recent years have brought considerable improvement in the living standard of these inhabitants, in their economies, etc.

Regarding the economic and social situation of the Macedonian minority, it is noteworthy to mention that, same as part of the Albanian population or other minorities in the country, persons belonging to this minority have emigrated permanently or on seasonal basis in the neighboring countries of Greece, Macedonia, etc. Small percentage of this minority works in trade, while the rest work in agriculture, farming and fishing.

There has been considerable improvement in the standard of living; yet there are difficulties and problems regarding infrastructure, though funds have been given on such purpose. Still work remains to be done to turn Prespa (commune of Liqenas) in a genuinely tourist area.

The Albanian government has invested in the infrastructure of Prespa area, as an area of great perspective in tourism, by widening and completing most part of the road from Qafa e Zvezdës to Gorica (Customs' check point). Work is proceeding to its full completion. Also, in cooperation with the German foundation GTZ, a project is being implemented in the National Park of Prespa which includes all the villages of Pustec commune. A number of other smaller projects are also being implemented.

Aiming to foster cooperation between organs of the central power and local government unit in Liqenas, as well as to apply the mutual obligations in the economic and educational field, the Prefect of the Korça district and the chief of Liqenas commune have signed a memorandum of understanding "On the cooperation in the field of protection and respect for the rights of minorities in Albania". Amidst issues to be followed up and applied in this context, are:

1. Proceeding of work for the completion of the national road Liqenas – Gorica Customs' check point.

-
2. Financial support for potable water supply for the villages of Goricë e Madhe, Kallamas, Gollomboç, Diellas, Zaroshkë.
 3. Financial support for the completion of the urban study of the villages in general and the lake coast in particular.
 4. Additional minutes of broadcasting in Macedonian in the Korça radio and television.
 5. State financial support for the minority newspaper “Prespa”.
 6. Building of a museum in honor of the writer Sterjo Spase;
 7. Bilingual labels and establishment of road signs, change of names for some villages, etc.

The situation of women and girls of the Macedonian minority is linked to the overall economic and social situation in the area inhabited by this minority. Anyhow historically, even though relatively emancipated, the women of Prespa carries out not only most of the housework, but also considerable part of farming, agriculture etc in conditions of very limited mechanization.

Women and girls of this minority are organized in a number of social and cultural organizations in Prespa and Korça.

Every year, aiming to preserve cultural and linguistic traditions, a folk fest is organized in the commune of Liqenas, with participation from the area and wider. Also there have been different cultural groups of artists from schools, youth, etc who have performed shows in the neighboring country of Macedonia.

Also⁸⁴, special attention is showed for the actual and perspective development of Prespa minority area. Different projects are drafted for water supply and roads improvement. Different organizations and associations, mainly from Germany, have undertaken studies for tourism development in the Prespa area but still the situation on infrastructure is problematic.

Actually this area is somehow marginalized due to the bad infrastructure situation, which impedes tourism development. Problems of power and water supply are also present in the areas where the Macedonian minority lives.

Unemployment rate is relatively high, though lower than that of numerous other parts of the country. The hope is that the projects mentioned above will bring improvement of the situation in these areas.

Health services are in positive conditions. There is a hospitalization center in the commune of Liqenas. The level of services offered is sufficiently satisfactory and the staff working in this sector is completed.

- ***Serbo-Montenegrin national minority***⁸⁵

This minority is mostly concentrated in the north of Albania, in the towns of Shkodra and Koplik, in the communes Gruemirë, Vrakë, etc. persons belonging

⁸⁴ According to the publication “Minorities in Albania”, Tirana 2003 –by the Albanian Helsinki Committee.

⁸⁵ According to the publication “Minorities in Albania”, Tirana 2003 – “Minoritetet në Shqipëri”, Tiranë 2003, by the Albanian Helsinki Committee.

to this minority are also situated in the districts of Lezhë, Durrës, Tirana, Elbasan, Librazhd, Fier, etc.

After the nineties, the Serbo and Montenegrin minority was given the opportunity of free movement with the former Yugoslavia, what led to increase of trade and well being of this minority. Families of Serbo and Montenegrin minority have are in consolidated economic conditions due to the free movement of goods and people. Agriculture and trade with Serbia and Montenegro are the main source of income for the inhabitants of this minority.

Inhabitants of this minority do not own any of the big companies or trade organizations operation in Shkodra but they are mainly active in small business of the town. Many members of this minority own bars, restaurants, shops, etc. Youth has mostly left the minority area. Only children and elderly have remained. Inhabitants of these villages, in addition to trade with Montenegro, generate their income from agriculture.

Road infrastructure is very poor in the area of Vrakë. There is no landline telephone network in the entire commune. Potable water problems have been solved with the investment from the commune itself.

Regarding health services, there is a health centre in Vrakë, built through financing of the Italian organization COOPI, whilst there are ambulatory centers in Gruemirë and Grilë, staffed and equipped accordingly.

- ***Roma ethnic and linguistic minority***

Roma minority has to cope with numerous problems such as poverty, low education level, difficult living conditions and other economic and social factors.

Persons belonging to this minority work in different activities mainly in trade of used clothes, collection of iron products, transport through carriages, etc. they are also widely involved in begging. Both extremes of the economic situation are present in Albania. There are families in a very good economic situation while most of the Roma families face economic hardship and the number of those who suffer a very low standard of living is dominant.

The government provides social assistance to Roma families in hardship situation, in many cases through positive discrimination against Albanian population, but many Roma families, even though entitled by law, do not benefit from it for different reasons such as: no permanent residence, incomplete documentation, or lack of registration in the areas where they live⁸⁶.

The low economic, educational and cultural situation is an important problem that impedes this minority to factually enjoy equal opportunities with other citizens to actively participate in the political and economic life.

As mentioned above, the implementation of the national strategy for the improvement of the living conditions of the Roma minority will also influence to

⁸⁶ According to the publication "Minorities in Albania", Tirana 2003 – " by the Albanian Helsinki Committee.

improve the living conditions of this minority and the softening of the differences with the other part of the population.

- **Aromanian ethno-linguistic minority**

The Aromanian minority is mainly settled in the southern and middle Albania. This minority preserves its traditions and customs, has created since the early nineties its association, 1990, and actively participates in the different artistic activities. There are a number of publications in Aromanian language on their history, literature, etc. this minority is active in its efforts to preserve its ethnic and linguistic minority.

A number of science and culture activities were organized to promote and evidence the values and contribution of individuals belonging to this minority in the Albanian society⁸⁷.

Persons belonging to the Aromanians are integrated in all sectors of the Albanian society and give their contribution throughout the political, economic, social and cultural of Albania.

Relating to the data on the social and economic situation of minorities, it is also noteworthy to mention that the Statistics' Institute INSTAT⁸⁸ has performed some calculations based on the data from the Population and Residences Registration (REPOBA), in 2001. Calculation based on the data from the survey conducted by LSMS⁸⁹ (Living Standard Measurement Survey) is very difficult, since the scope of this survey was poverty. On this purpose, the calculation of some indicators relating to the level of education and employment rate of the Greek and Macedonian minority in the communes where they are majority, was made possible. Concretely:

	Districts	Level of education
		Classes completed
	Total	7.60
1	Gjirokastra	
-	Commune Dropulli Sipërm	7.10
-	Commune Dropulli Poshtëm	7.00
-	Commune Pogon	6.70
2	Saranda	
-	Commune Livadhja	6.97
-	Commune Aliko	6.98
3	Delvina	
-	Commune Finiq	5.50
-	Commune Mesopotam	5.07
4	Korça	
-	Commune Liqenas	7.95

⁸⁷ According to the publication "Minorities in Albania", Tirana 2003 – "Minoritetet në Shqipëri", Tiranë 2003, by the Albanian Helsinki Committee.

⁸⁸ According to information from the Statistics' Institute (INSTAT).

⁸⁹ In 2002, INSTAT, assisted by the World Bank, organized the LSMS, Living Standart Measurement Survey, compiled based on the data from the registration of residences in 2001.

As can be seen from the table above, the educational level of the minorities in the country is almost equal to that of the entire country's average. It is lower only in the district of Delvina. This is explained by the fact that the percentage of the elderly in Delvina is very high. It should also be noted that the Macedonian minority in the Liqenas commune has a higher educational rate than the country's average.

Districts	Employment rate %		Unemployment rate %	
	Minority	District	Minority	District
Delvina	32.22	79.37	10.93	20.63
Gjirokastra	49.42	76.88	17.64	23.12
Saranda	46.68	80.42	15.71	19.58
Korça	41.05	78.24	33.52	21.76

Regarding employment level it is noted that the employment rate is lower than the average of district where these communes are part while the percentage of unemployment is lower than the district's average. This reflects the situation of the Greek minority while the unemployment rate among the Macedonian minority is very high.

As a conclusion, the transition processes have not equally influenced in the rhythm of economic and social development in different areas of the country. The same is valid for the areas where minorities live.

In general it can be concluded that the situation of the minorities, except for the Roma minority, has drastically improved and is better than the other part of the population.

The economic level of the Roma minority, compared with the rest of the population, is in a lower level. It should be kept in mind anyhow that the poverty rate is also high to a considerable part of the Albanian population⁹⁰.

Please provide information on any developments as regards participation of the persons belonging to national minorities in decision making process. In this context, please provide information on steps taken to establish institutionalised forms of dialogue between national minorities and the authorities, including through the recently established State Committee for Minorities in Albania.

Regarding the participation of persons belonging to minorities in the decision-making process, refer to the comments of Article 15, Second Part of the Report, related to the "New developments relevant to each particular article of the Framework Convention".

⁹⁰ This conclusion is drawn also by a study done by Human Development and Promotion Centre (HDPC), entitled "Economic development in minority areas" - "Zhvillimi ekonomik në zonat e minoritetit" - Comparative study case, found in the annexes of this report.

The institutionalised dialogue forms between national minorities and authorities, also including the Committee of Minorities.

(1) The institutionalisation of a stable and transparent dialogue between State institutions and the representatives of the minorities' associations constitutes the main premise for the creation of the spaces needed to reveal and resolve the problems concerning the minorities in Albania.

Special attention has been paid to the institutionalization of the dialogue between the competent administrative institutions and the associations that represent the minorities, as a very important element for the identification and the solution of their problems, especially in cases when they claim that violations of minority rights have taken place.

(2) The decentralization process, as an essential element of the reforms undertaken, brings about its advantages and disadvantages.

With the extension of the degree of decentralization of competences and responsibilities from the central level to the local level for a range of important services as education, social and health services, etc, the performance of the local structures and bodies is intended to considerably improve.

The strengthening and development of the capacities in these bodies, which will be responsible for the accomplishment of the necessary services towards their community will also have its positive impact in the making local authorities aware to their role in the encouragement and improvement of the daily life of the persons belonging to minorities.

The decentralization process is accompanied by the involvement of the community and the stimulation of the community initiative and resources. The administration of resources at a local level will better satisfy the local priorities identified by the citizens themselves, through community planning comprehensive processes. From this point of view a better level of development will be achieved in the areas where the communities live.

An important factor in this changing process are the NGOs which carry out developing programs assisting this community as well the minorities organization themselves, which must organize and urge the members of these minorities to follow-up the initiatives for their benefit.

Though the above, there are difficulties in the transmission of the information from the institutions of the local government to those of the central government, creating thus a lack of information about the concerns of the minorities in the areas where they are located.

In this regard difficulties come across when faced with the unawareness of minority persons concerning their legal rights and the application of these rights. There is the case when minority associations raise political problems, which are not consistent with reality and do not help the solution or the improvement of the situation of the minority groups in Albania.

In this context, the approval by the institutions of the local government of the Regulation on awareness rising of minority groups with regard to their recognized rights, will have a positive impact. This way the persons belonging to minorities will become more demanding in relation to their rights guaranteed by the legislation in force⁹¹.

(It is concretely explained at the third part of this report regarding the question of the Advisory Committee Questionnaire, on the legislation in process related to national minorities, especially related to the use of minorities' languages in relations with administrative authorities and the use of traditional local names and other topographical indicators in the language of the minorities)

An important aspect, in the framework of the enhancement of collaboration and dialogue with minorities' associations, has also been the active participation of the institutions that cover minorities' issues in different activities related to the problems of minorities in Albania and the increasing of awareness on the Framework Convention, especially of the Minorities State Committee, as the representative body of minorities in Albania.

In these meetings, representatives of central and local governmental bodies and the Minorities State Committee were informed on the problems of the minorities and have given recommendations regarding to improvement of the indicators of the minorities' representation, their employing in the local administration, in the State Police and military structures, their education' situation and for the steps to be undertaken in the future.

In order to have a direct dialogue with persons belonging to minorities, the members of the State Committee hold periodical meetings with minority organizations they represent and the members of minorities themselves.

These meetings serve as a forum for debate from where the necessary information on the minority problems and concerns is derived.

The following is a comprehensive summary⁹²:

Activities related to Macedonian minority problems

In round tables and meetings organized by the Albanian Helsinki' Committee, the Albanian Human Rights' Group and the associations "Drushtvo Prespa" and "Mir", where the member of the Minorities State Committee for the Macedonian minority has participated, leaders of the Macedonians' associations in Albania, or other representatives and the representatives of the local government have brought up several problems such as deficiencies in infrastructure in the minorities' rural areas, the absence of the potable water in some villages and the education in their mother tongue of persons belonging to this minority. It is mentioned frequently the absence of school texts in Albanian language and in the mother tongue for the students of the schools of this minority as well as

⁹¹ The signature of the "Memorandum of Cooperation and Understanding between the Central Power Organs and the Local Government ones, on the Cooperation in the field of the Protection and Respect of the Minorities' rights in Albania".

⁹² The following information was brought by the Minorities' State Committee.

the problem of the minorities' teachers' qualification, at the "Fan Noli" University of Korça or in the neighbouring country, Macedonia.

There is continued request for productions in the minority's language in the local television of Korça.

The Radio-Television Centre of Korça is requested to increase the time of news broadcasted in Macedonian language, as well as productions prepared for the minority in its language, collaboration with other Macedonian radios for mutually exchange of cultural productions, etc.

Improvements are requested also in the local radio' broadcast in Liqenas, which is broadcasting in Macedonian language since more than two years

Another problem that the representatives of the Macedonians' associations, such as "Drushtvo Prespa", "Mir", "Gora", etc. have brought up is the absence of funds for the publication, on regular basis, of the "Prespa" newspaper.

This newspaper continues to be published in Macedonian language, but in many cases with some months delay. It is requested for this newspaper to be published in Macedonian and Albanian languages, with the purpose that also other members of Prespa community have the possibility to know the minority' problems.

Prespa's community has demanded for acceleration of work for complete realization of the "Prespa – National Park" project that is going to bring many advantages in the reaching of the economical, tourism and cultural objectives in this area.

Working meetings on the Macedonian minority' problems were also held in the Embassy of Macedonia in Tirana, in various central institutions such as the Ministry of Education and Science, the Ministry of Tourism, Culture, Youth and Sports, etc.

Regular meetings and contacts were maintained with the members of Serbo-Montenegrin minority and representatives of the association of this community "Moraça-Rozafa" in Shkodra district and problems and measures that must be undertaken such as: the education of children in minority' language, nationality recognition, broadcasting in minority' language in public and local media, population's registering, participation in central and local government, etc have been discussed.

To address these issues, the Minorities State Committee has informed the competent bodies and has asked for the improvement of the situation by these structures.

In this regard, more attention is required to be paid to the allocation of funds for the rehabilitation of the schools' buildings in several minorities' villages.

In cooperation with the Ministry of Education and Science, the problem of learning texts and minorities' teachers' qualification will also be resolved gradually.

The Minorities State Committee has called for a meeting with the representative of minorities at the Steering Council of Radio-Television on the work' coordination and the collaboration of institutions on broadcasting of programs on minorities in the Albanian Radio Television ART.

In cooperation with the Ministry of Interior, a survey for the number of minority persons employed in local administration has been carried out. The purpose of this survey was the drafting of a stimulating policy for participation of minorities in the public life of the country.

One of the main components of the activity of the Minorities State Committee has been also the participation and cooperation in the different projects and activities of the civil society for minorities.⁹³

Regarding the problem of education in mother tongue of the Serbo-Montenegrin minority children, in cooperation with the Ministry of Education and Science, the work will continue to find a solution to the problem⁹⁴.

Considering the increasing social and economical gap between the Roma and the other part of the population, the Minorities State Committee has paid particular attention to the Roma minority problems, especially to:

1. Foster the implementation of priority measures of the National Strategy "On the improvement of the living conditions of the Roma minority". In this framework the Minorities State Committee has continuously cooperated with the central and local government bodies, with the monitoring structures, with legal associations and organisations belonging to minorities, as well as with respective international organisations and institutions.

In 2005, noticing the risk to demolish by force the houses of the Roma minority by the Construction Police, due to needs of regulating the urban infrastructure, the Minorities State Committee made considerable efforts and managed to stop this process. This was done through contacts with the Mayor of Tirana, the former Minister of Local Power and Decentralisation, the former Minister of Urban Regulation and Tourism, and the former Prime Minister so that he would use his authority to stop the forcible demolition of the Roma houses before they were situated somewhere else.

2. Increase the access of Roma children to third level schools. For this, contacts have been taken and efforts were done with the Ministry of Education and Science to have the Roma children accepted in the university with competition.

In this framework, the Minorities State Committee has participated in the round tables organised by the Council of Europe and OSCE inside the country and

⁹³ In this regard we can mention, the roundtable in Shkodra city, organized by the Albanian Helsinki' Committee where an analysis of the minorities' situation was carried out and it was discussed about the implementation of international standards on the human and minorities' rights, and measures for the achievement of the standards were proposed.

⁹⁴ According to the data by the Ministry of Education and Science, there is no Serbo-Montenegrin student registered in public schools. This, due to non-registration of children as minorities' members

abroad, as well as in other round tables on Roma issues organised by UNDP, UNICEF, World Bank, etc.

The Committee has often incited such issues in round tables organised by the Roma associations with different donors:

1. Education of the Roma children.
2. Registration of the Roma in the civil state offices.
3. Integration and ways of improving the situation of Roma youth.
4. Trafficking of Roma children and girls, etc.

Please provide information on the measures taken to raise-awareness and adequately inform communities, including Roma and Egyptians communities, on the issues of trafficking in human beings and steps taken to involve associations of the relevant minorities in combating this phenomenon.

Prevention of and fight against trafficking in human beings, phenomenon that has a negative impact in many directions and areas, is established as a priority in government's agenda, by paying particular attention to the prevention and fight against it.

This fight is concentrated in several main directions, such as:

- Investigation and penal prosecution of trafficking crimes
- Support and protection of victims and witnesses
- Concrete steps to prevent trafficking and re-trafficking

All these main areas have been reflected and transformed into objectives and concrete measures in every central government institution, independent government institutions as well as other actors and factors of society, involved in the fight against this phenomenon.

The trafficking of human beings phenomenon for Greek, Macedonian and Serbia-Montenegrin minorities is not a society plague excluding sporadic and spontaneous cases. This phenomenon is very sensitive for Roma minority.

The National Strategy of Fight against Trafficking in Human Beings, approved by the Prime Minister's Decision No. 25 of 22 February 2005 is a comprehensive strategy and its strategic frame contains measures, which are addressed to all Albanian citizens including persons belonging to minorities.

Every person, who is considered a victim or potential victim of trafficking, is subject of this strategy, without any ethnic distinction.

During these last years, the continuing changes of legislation in accordance with international standards, building of new structures and strengthening of the existing ones have had a particular place based in a strategy for preventing and fighting against trafficking in human beings.

An important role for monitoring the enforcement of this strategy plays the structures in political level as well as those in technical level. Here we can

mention the set up and functioning of the State Committee for the Fight against Trafficking in Human Beings, presided by the Minister of Interior, which has in its composition high political level representatives of central governmental institutions, responsible also for preventing and fight against trafficking of human beings in the respective areas.

Also one of the important developments is the set up of the Office of National Anti-trafficking Coordinator / Deputy Minister of Interior, as the focal point for good co-ordination of anti-trafficking efforts at national and international level.

In the framework of important structures to prevent and fight trafficking of human beings, based on the Decision of the Prime Minister no. 203, of December 19th, 2005, the Anti-trafficking Unit at the National Coordinator of Anti-trafficking was set up, whose main duties are:

- a. monitoring of institutional activities established to implement the National Strategy of the Fight against Human Beings Trafficking,
- b. working in co-ordination with these institutions,
- c. collecting information and data about issues related to this phenomenon, etc.

Regarding concrete measures taken for preventing and fighting trafficking of human beings, the National Coordinator's Office for Human Beings Trafficking Issues and the Anti-trafficking Unit at the Ministry of Interior several measures were taken:

Concretely:

- It is compiled and the work has started for implementing the established duties of the National Strategy "For the Fight against Trafficking of Human Beings" and National Strategy Against Children Trafficking (approved through DCM no. 171, of 11 February, 2005).
- The Responsible Authority for the trafficked victims, for help, protection and long-term rehabilitation of all trafficked victims, in close co-operation with all involved partners was set up and is actually functional.
- The Regional Committees of the Fight against Trafficking of Human Beings (through Prime Minister's Decision no. 139, of 19 June, 2006) with representatives from police directories through districts, educational directories, representatives from local government and social services representatives were set up to play an important role in preventing and fight against this phenomenon.
- In the framework of changes in the Penal Code, it has been passed at the Council of Ministers also the change of the article 298 related with the criminal act of facilitation for illegal border crossing, which aims to a more efficient fight against the human beings trafficking phenomenon and a closer co-operation with Border Police.
The Moratorium for motorized vehicles and sea sailing ones will also serve to this purpose.

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- Training sessions have started all over the country for the police employees in order to offer legal and psychological assistance to children victims, witnesses or in risk of trafficking.
 - The drafting of protection national standards and trafficked victims rehabilitation is in process, presided by the Ministry of Labour and Social Affairs, UNICEF, IOM and all other organizations working in this area.
 - Fees in the vocational training system have been reviewed and actually in public professional training centers the registration fees are gratis for groups in need registered as unemployed job seekers in the employment offices, including even trafficked girls and women (according to decision no. 394, of 23 February, 2004 of the Minister of Labour and Social Affairs, "For vocational professional system fees").
 - Some public and non-public social centers are in use of the trafficked human beings victims' rehabilitation as the reception centre of victims in Linza, Vatra Centre in Vlora, "Tjetër Vizion – Other Vision" in Elbasan, International Social Service.
 - The Serious Crimes' Court is being provided with the necessary technical elements for the protection and safety needed for the victims of trafficking testifying during a criminal trial.
 - It is ratified by the Albanian Parliament, the Agreement between the Government of the Republic of Greece and Republic of Albania for the Protection and Assistance of Trafficked Children Victims.
 - Agreements have been signed with the internal and foreigner actors involved in the fight against trafficking, as it can be mentioned the agreement with Terre des Homes, partnership declaration with IOM, ARSIS, ICMPD, etc.

We emphasize also that Penal Code changes offered the opportunity to implement the penal law of the Republic of Albania even for the foreign citizens who deal with illegal trafficking of people - children and women – not only in the territory of the Republic of Albania but also outside this territory.

This change, which assures protection of minors even from foreign citizens criminality is done to protect from trafficking especially those Albanian children who live outside the Republic of Albanian territory because of family emigration or because they left their family.

To accomplish engagements and government priorities, for the second half of the 2006, concrete steps will be undertaken in relation with:

- Implementing and monitoring of measures for the prevention and fight against trafficking of human beings foreseen in the action plans of the National Strategy of the Fight against Trafficking of Human Beings, by all involved institutions; other responsible ministries and institutions.

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- Establishment of further steps for a more efficient functioning of the Responsible Authorities, as well as set up of the contact points network with all interested partners, for the referral co-ordination process for help, protection and rehabilitation of trafficked victims. In the same framework of the Responsible Authority functioning, in co-operation with all involved parties, will be set up a "help line" for reporting trafficking cases that will help all interested parties in relation to this issue. Also under the Responsible Authority, a database will be set up to identify all returned victims' cases that have been referred.
 - In the framework of the functioning of the Anti-trafficking Committee at local level will be organized several meetings, seminars, activities for prevention and fight against the phenomenon of human beings trafficking.
 - Re-open of the reception centre for trafficked victims at Rinas Airport and other border cross points and provision with proper logistic equipment for this reason.
 - Organisation of training courses to get knowledge about human rights and trafficked victims, for all employees, in police stations, prosecutor offices, and courts; moreover common training of a more specialized nature for police officers, prosecutors and courts employees with specific duties related to trafficking of human beings issues.
 - Steps for the improvement of legal, physical protection and personal identity for all victims/witnesses in judicial cases and reviewing of compensation scheme for these victims by the confiscated properties.
 - Provision of serious crimes' court with appropriate technical elements for protection and appropriate security for trafficking victims who witness during a judicial process.
 - Continuance and development of international and regional co-operation in the legal area and law implementation against trafficking and human beings traffickers.
 - Signing of Agreements for the trafficked victims protection even with other countries of the region and more widely, expanding the activity area not only for children but also for other vulnerable groups towards this phenomenon, with EU countries (as for e.g. with United Kingdom), for the Albanian trafficked victims.
 - Foreseen of the children abuse crime for begging as a new crime of the Penal Code in order to help protection of children from trafficking within 2006.

In co-operation with Local Anti-trafficking Committees at local level, the Office of National Coordinator will undertake a local campaign to remove children off the street, their registration at school, fight against daily prostitution, etc. This process, which requires the commitment of agencies and institutions directly appointed with these issues, is aimed to be accomplished within May 2007 all over the country.

In the framework of measures taken to raise awareness and be informed, regarding human beings trafficking issues and involvement of minority organizations in the fight against this phenomenon, among priorities for this year it is mentioned:

- √ The signing of an agreement with the Ministry of Education and Science for the involvement of a cycle of subjects in the school program about human beings trafficking.
- √ Drafting and completion of co-operation agreements with local and international NGOs, which are involved in the fight against human beings', trafficking, by establishing obligations and responsibilities of this partnership and especially the division of the information product and reporting.
- √ Awareness campaign, in co-operation with other actors involved, for informing and teaching more efficiently people/individuals in general and especially women, children and risk groups on causes, dangers and consequences of trafficking.

Also in order to prevent this phenomenon, among priority measures established in the National Strategy "For the improvement of living conditions of the Roma minority", it is foreseen that proper measures will be taken to prevent children and Roma girls trafficking.

In the round table meetings on the Roma issue that the Monitoring National Strategy Section has organized, with the participation of Roma organizations as well, the trafficking risk of this minority has been identified and the above mentioned organizations have been informed and made aware of the prevention and the fight against this phenomenon.

Meanwhile this section is in continued contacts with NGOs and international organizations, which work in the anti-trafficking area to collect data in relation to this phenomenon.

The Roma organizations have played an important role in the process of the awareness of the public opinion on the risk of trafficking phenomenon of Roma children, women and girls for abuse purposes.

These organizations, have set up working groups in several cities of the country in order to raise awareness and inform public opinion to prevent trafficking phenomenon, and have organized round tables meetings at local and national level, that have been supported and encouraged by governmental structures as well⁹⁵.

Even organizations operating in human rights area and children as well as different international organizations, are engaged and have contributed to raise awareness and inform the fight against trafficking phenomenon.

⁹⁵ According to the information of the Minorities State Committee

It is worth mentioning several activities of USAID against children trafficking⁹⁶:

- Awareness activities were organized in schools where 937 Egyptian children and 309 Roma children have been informed about this phenomenon.
- Awareness community activities were organized where 138 Roma children have been informed about this phenomenon prevention.
- Activities were organized on protection issues where 304 Egyptian children and 345 Roma children have been assisted.
- Around 126 families of Egyptian children and 114 families of Roma children have been assisted with food, clothes, medicines etc.
- For the period between May 2005 –and March 2006 around 800 Roma women have been assisted with anti-trafficking benefits and have received messages for the prevention of this phenomenon.

USAID has in total invested around 1.7 million USD in activities against trafficking.

Please provide information on co-operation between Albania and its neighbouring countries and on the transfrontier contacts pertaining to the protection of national minorities.

Good neighbouring relations and cooperation with the countries of the region, especially with the countries of the Western Balkans, are *one of the priorities of the Albanian Foreign Policy*.

Considering that *regional cooperation is a precondition for the Euro – Atlantic integration of these countries*, Albania complies with the orientations given by the European Union for a stabilized and safe region, where the place of ethnic and religious conflicts is taken by the bilateral and multilateral cooperation between all countries of the region.

The philosophy of the Albanian Government in the development of good relations with its neighbours is based on *three basic principles: transparency, tolerance and dialogue*. Under this point of view, particular importance has been given to the intensification of political dialogue at high levels with all the countries of the region, as well as the juridical bases for institutional bilateral cooperation has expanded in many fields of common interest.

Relations with countries of the region

The relations with Greece have known progressive positive developments and a close regional, European and international collaboration from both sides in order to preserve and to enforce peace, stability and progress in South-eastern Europe. Being engaged in the European Union and NATO integration process, Albania considers Greece, as a Euro-regional strategic partner. The partnership achieved in the actual level of relations between Albania and Greece is a reality that is assessed by the governments of the two countries and by the international factor. This approach from both sides has its own positive effects in the level of the regional cooperation and especially in the integration

⁹⁶ According to USAID information

processes Albania is involved, where Greek understanding and support has never lacked.

Positive developments have also been achieved in the drafting of the legal framework through the signature subscription of treaties, agreements, protocols and collaborative programs in many fields of mutual interest. The number of signed agreements is high and includes almost every field of collaboration. Amongst the most important agreements to be mentioned are: the Treaty of Friendship and Cooperation, the Agreement for the Promotion and Protection of Investments, the Agreement for the Elimination of the Double Taxation, the Trade Agreement and the Cultural Cooperation Agreement, etc.

Economical cooperation between the two countries is one of the main directions of mutual consent. Both sides have worked for the intensification of this collaboration. It is to be stressed that there exists an almost complete legal framework for the collaboration and the consolidation of the relations in the major fields of economic development. Greece is the second partner in commercial relations with Albania and also occupies second place when it comes to foreign investments. There exists a fruitful collaboration in the fields which are important for our economy such as in banking and finance, in telecommunication, commerce, transport, infrastructure and in fuel technology.

Actually, 210 Greek firms operate in Albania, with a capital of approximately 210 million GRD. Greece is one of the most important commercial partners in Albania, with a tendency of continuous progress. It occupies second place in the total export and import in our country, and first place as a commercial Balkan partner of Albania. Albanian exports towards Greece represent 12.8 percent of the total volume of our exports. Imports from Greece represent 20.1 percent of the total imports.

Relations with **Macedonia** have known continuously increasing progress because of a continued political dialogue with the highest levels of the Macedonian authorities and because of the constructive attitude of the Albanian government towards certain developments that happened in this country. By holding the same attitude as the international community, Albania has continuously supported the implementation of the Ohrid Agreement, as a key process not only for Macedonian stability, but also for its integration into the European Union.

Relations with the new independent country of Montenegro take particular importance in the framework of the relations with neighbouring countries also due to the fact that an Albanian minority is located there. This minority is active in the political life of the country and also serves as a bridge between the two peoples. Albania welcomed the referendum of the 21 May, and was one of the first countries that officially recognized the independent and sovereign state of Montenegro.

COOPERATION WITH THE COUNTRIES OF THE REGION IN THE FIELD OF PROTECTION OF THE MINORITY RIGHTS

The Albanian government has always ensured and respected the minority rights all over the Albanian territory, without any kind of discrimination.

In the framework of the commitments made by the Albanian Government, for the improvement of the living conditions, and free circulation of people who belong to minorities; especially to those living in border areas, agreements and memorandums of understanding have been signed between Albania and the neighbouring countries, on the bases of which new border crossing points have opened to enable visits from both sides of the border.

The Albanian Republic has in total 26 border crossing points with neighbouring countries. Mainly these border points are only functioning for the circulation of border dwellers traveling to neighbouring countries.

Considered in its entirety, the opening of these border points will increase human contacts between our citizens and will also interfere visibly in the increase of fair trade relations and in tourism development on both sides of the border.

All the existing border points, including those that we have planned to open in the future, as well as the facilitation of the visa procedures for the citizens of both countries, especially in the border areas show not only good relations with the neighbouring countries, but also successful cross-border cooperation.

The Greek minority

Albania pays particular attention to the protection and respect of rights of the Greek minority located in its territory, by considering them as a vital element of its society and as a link with Greece and Europe. This attention is perceived especially in the policy of stability and good neighbouring relations that Albania implements in the region, and also in the important European Union integration process. The Greek minority has the necessary space and opportunities to carry out their rights, based on the standards defined by the international documents of the UN, OSCE, EU, the Constitution of the Albanian Republic, mutual consents, and also on the best experiences of European countries with a developed democracy.

A clear example of the implementation of this policy in practice is the fact that those who belong to the Greek minority have benefited in the same way as the other citizens in the field of recognition, guaranteeing and protecting basic human rights, as freedom of consciousness, right of thought and right of expression; the guaranteeing of a persons' safety; the freedom of movement and of the right of carrying on free contacts with the country of origin; the freedom of religion, property rights; the freedom of agglomeration and organization; the right to participate in public life; in the electoral process; in the free media; the right of participation in State and social institutions, etc.

We are mentioning below some of the mutual agreements, which have contributed to the further improvement of the Greek minority's rights in Albania.

1. The Treaty of Friendship, Cooperation and Good Neighbouring and Security between the Republic of Albania and the Republic of Greece.

Article 1: The commitment of the parties for the respect of “...fundamental freedoms, human rights and minority rights.”

Article 12 : Based on the mutual Conventions and Agreements, the Contracting Parties shall try to broaden their cultural exchange at all levels including the creation of cultural centers and the opportunity to learn their language, in order to give their contribution in the mutual recognition of national cultures and in the enrichment of the common cultural patrimony of Europe.

Article 13 : Both parties, aware of the importance of the respect and the protection of Human and Minority Rights, agree to implement the provisions of OSCE documents, as of Copenhagen (in 1990), Geneva (in 1991) and of Moscow (in 1991).

2. The agreement between the Government of Albania and the Government of Greece for the Cooperation in the Fields of Education, Science and Culture, signed in Tirana, on 4 November 1998.

Article 1, paragraph c: The contracting Parties will encourage and raise to a higher level the study of the Greek language in the University of Tirana and in that of Gjirokastra, and of the Albanian language in the University of Janine.

Article 1, paragraph f: The contracting Parties will create the necessary conditions for the Greek minority; thereby they learn their mother tongue language and culture. The Greek Party will consider the possibility of the learning of the mother tongue by the Albanian children who live in Greece with their parents for economical reasons. The Albanian Party will scrutinize the possibility of the inclusion of the Greek language among other optional foreign languages in high schools.

Article 1, paragraph k: The Parties will cooperate for the introduction in each of the countries of the history, geography, culture and the economy of the neighbouring country, especially in school books. For this reason they will undertake common actions such as the exchange of documentary materials and the undertaking of a joint action for the schoolbooks.

Article 2 : The Greek Party engages in giving its contribution in the development and modernisation of educational system for Albanians and for the Greek Minority by providing learning materials, equipment, training for the teachers and any other adequate mean.

3. The Cultural Program of Cooperation between the Government of the Albanian Republic and the Government of the Republic of Greece for 2003 – 2005, was signed in Athens on 1 and 4 April, 2003.

Article 1, Chapter 1.3.1: The contracting Parties will promote and raise to a higher level the study of the Greek language in the University of Tirana and in that of Gjirokastra, and of the Albanian language in the University of Janine.

Article 1, Chapter 1.3.2: The contracting Parties will consider the possibility for the inclusion of the Albanian language in the University of Athens.

Article 1, Chapter 1.3.3: The contracting parties will create the necessary conditions for the Greek minority to learn their mother tongue and their culture.

Article 1, Chapter 1.3.4: The Greek Party will consider the possibility of learning the mother tongue by the Albanian children who live in Greece with their parents for economical reasons.

Article 1, Chapter 1.3.5: The Albanian Party will consider the possibility of the inclusion of the Greek language among other optional foreign languages in the high schools.

Article, Chapter 1.3.6 : The Greek Party engages in giving its contribution to development and modernisation of the educational system for Albanians and for the Greek Minority by providing learning materials, equipment, training for the teachers and any other adequate means.

The cross border cooperation is considered to be essential in some aspects:

- a. It influences the level of mutual trust between the two nations. The aim is to turn the Greek – Albanian border into a modern European border where mutual trust and dignity are respected.
- b. It helps to ensure the free movement of people, in the same scale as it prevents the breaking of the border regime.
- c. It is considered in the same time the neighbouring door as well as the door that leads towards Europe.

Albania considers cooperation with Greece in the fight against clandestine emigration, illegal trafficking and every kind of smuggling between our borders to be important.

Fight against cross border trafficking is relevant for the facilitation of the procedures and opportunities for legitimate circulation, as well.

A contribution in this field was and continues to be up to its completion the cooperation for the reconstruction of the pyramids.

In the framework of the Albanian government's attempts for the creation of facilities for the free movement of goods and people, the government signed agreements for the opening of new border crossing points such as in the case of the Qafë Botë border crossing point. The border points, which are functioning with the Greek party, are useful mostly for the movement of the border dwellers who live in the border areas.

Macedonian minority

In the framework of the Agreement for the Small Border Circulation signed by the Albanian Government and Macedonian Government, the Macedonian minority members can work in Macedonia.

In the framework of guaranteeing the educational rights, special care has been shown towards minority rights for education in the mother tongue.

Due to its favourable geographical position for tourism purposes, and taking into consideration that it is a border commune, which connects the city of Korça and Macedonia, the development of the Liqenas area is of interest. In the last two years, investments have continued in the commune of Liqenas, for the complete road rehabilitation of the national road section Korçë – Doganë.

The Albanian Development Fund has allocated grants for the rehabilitation of rural roads and sewage systems. Also, projects for the construction of a water supply in Lajthiza village and for a healthcare centre in Kallmas are ready and the government is applying for funds for their implementation.

Great importance was also given to the matter of free movement of members of the Macedonian minority. In this framework, based on the bilateral agreements signed by both parties, new border crossing points were opened, including the latest one Xhebisht–Trebishtë –Peshkopi⁹⁷. The opening of this border crossing served to increase contact between citizens from both sides of the border and also for commercial and tourism development on both sides of the border. A visa application system for Albanian and Macedonian citizens is also operational at the border.

Serbo – Montenegrin minority

In the framework of cross border cooperation in the areas inhabited by the Serbo – Montenegrin minority, during June 2006, bilateral agreements were signed for the cooperation in the field of the environment around Shkodra Lake and in the field of transportation for the railway network through Bajza. Connection in the Shkodra Lake has been achieved through the opening of the fourth border crossing point between the two countries, in Ura e Bunës and Vir Pazar.

⁹⁷ Agreement signed in Tirana, on 16.11.2005.