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## **Co-operation document Albania 2012-2014**

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## INTRODUCTION

The present document is a strategic programming instrument, allowing for a comprehensive and coherent approach to co-operation and providing a package of priority actions jointly identified as a result of extensive consultations between the Council of Europe (CoE) and the Albanian authorities. The priority areas for the co-operation document are derived from a number of sources: the country political priorities, the relevant CoE standards and recommendations of the CoE monitoring bodies as well as the experience of CoE's implementation of previous and ongoing projects in Albania.

Albania joined the CoE on 13 July 1995 as its 35th Member State. Upon accession, Albania accepted the obligations under Article 3 of the Statute: compliance with the principles of pluralist democracy and the rule of law and with the principle of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms. At the same time, it entered into a number of specific commitments which it agreed to honour within specified deadlines, and which are listed in [PACE Opinion No. 189 \(1995\)](#) on Albania's application for membership of the CoE. The Committee on Legal Affairs and Human Rights opened the monitoring procedure under Order No. [508 \(1995\)](#) on 6 November 1995 and presented the first report on the honouring of obligations and commitments by Albania in January 1997. Since 1997 the Monitoring Committee is in charge of following up this issue. The co-operation activities foreseen in this document will contribute to the fulfilment of Albania's outstanding accession obligations and commitments.

In the recent years, the CoE has been implementing country specific projects in Albania in the fields of electoral assistance, local democracy and public administration and the fight against corruption. Albania has also been part of multilateral CoE projects, notably the human rights trust fund projects on removing the obstacles to the non-enforcement of domestic court judgments in the area of property right, as well as the project for promoting independent national non-judicial mechanisms for the prevention of torture. The results of past co-operation between the CoE and Albania and the lessons learnt in this context have been taken into consideration in the preparation of the present document.

The preparation of this document coincides with [Albania's Chairmanship](#) of the CoE Committee of Ministers, from May to November 2012. The Albanian authorities view the Chairmanship as an opportunity to provide tangible contribution to the cause of human rights, democracy and the rule of law. To uphold and promote these core values, the Chairmanship is focusing on the following priorities under the guiding motto "United in diversity": 1) promoting sustainable democratic societies by attaching particular importance to the values of diversity and freedom, intercultural and inter-religious dialogue, co-operation with the MENA countries, regional co-operation and integration, youth education; 2) strengthening local and regional democracy by promoting dynamic and democratic governance, decentralisation and citizens participation; 3) strengthening the rule of law in Europe with a particular focus on fight against corruption; 4) bringing forward the political reform of the Organisation; 5) guaranteeing the long term effectiveness of the ECtHR at the national and European level; 6) guaranteeing the promotion of human rights especially with regard to gender equality, combating violence against women and children rights 7) stimulating intra and inter-institutional dialogue by strengthening dialogue and interaction with the PACE and furthering co-operation and partnership with EU and OSCE. Numerous activities are envisaged to support and promote the Chairmanship's priorities.

Albania is a EU potential candidate country. The Stabilisation and Association Agreement entered into force on 1 April 2009. In 2010, the European Commission (EC) recommended in its [Opinion on Albania's application for membership of the EU](#), that accession negotiations with Albania should be opened once the country has met 12 key priorities<sup>1</sup>. Albania's progress towards EU membership has come high on the agenda of the Albanian Government, and the Action Plan addressing the recommendations of the EC Opinion adopted by the inter-ministerial Committee on European Integration on 21 March 2012 is currently being implemented. In October 2012, the EC found that Albania "has made good progress towards fulfilling the political criteria for membership of the EU, delivering a number of reforms against the twelve key priorities of the EC's 2010 opinion."<sup>2</sup>

Consultations have taken place with the EU, so as to ensure coherence and proper co-ordination with the ongoing government's Action Plan addressing the 12 key priorities. A number of the key priorities set as pre-conditions by the EC in its 2010 Opinion on Albania are part of Albania's CoE accession commitments. They also correspond to a number of fields in which the CoE has a clear added value notably, the electoral reform, the independence and efficiency of the justice system, the fight against corruption and organised crime, as well as the protection of human rights. The CoE is fully committed, in close coordination with the EU, to accompanying and assisting the Albanian authorities in some of these reform processes aimed to continue bringing the Albanian legislation, institutions and practice fully in line with European standards in the areas of human rights, the rule of law and democracy.

The CoE and the Albanian authorities have identified specific priority sectors on which they have agreed to focus their co-operation, namely: the protection of human rights notably with regard to anti-discrimination, the fight against corruption and organised crime, the efficiency and quality of the justice system, electoral assistance in view of the 2013 general elections and 2015 local elections, as well as local democracy. These country-specific priorities are complemented with a coherent regional action.

The co-operation document takes into account the activities of other international organisations and several partner States. The work of the CoE is designed above all to foster synergies among all the stakeholders involved in order to avoid overlapping. Projects included in the document are designed according to standard CoE criteria and are to be funded from multiple sources which include the CoE's ordinary budget and voluntary contributions from donor countries and international organisations. A number of projects mentioned in the document are being or will be implemented through EU/CoE Joint Programmes.

This document is a flexible, dynamic strategic tool on co-operation between Albania and the CoE for the period 2012-2014. Its state of implementation will be periodically monitored by the CoE and the Albanian authorities with a view to assessing the achievements and results of approved and financed projects. In addition, the Secretary General and the Albanian Government will be able to assess to which degree the objectives of the concrete co-operation activities have been met, through the established continuous dialogue. If commonly agreed between CoE and Albanian authorities, new and additional projects could be integrated into the current document in areas such as violence against women, child protection, and youth and drug prevention.

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<sup>1</sup> Notably in the fields of: political dialogue and proper functioning of democratic institutions; electoral reform; independence and efficiency of the judiciary; anti-corruption and fight against organised crime; property rights; human rights protection (notably women, children and Roma) and treatment of detainees.

<sup>2</sup> Communication from the Commission to the European Parliament and the Council. Enlargement Strategy and Main Challenges 2012-2013, [COM\(2012\) 600 final](#), Brussels, 10.10.2012.

By the end of 2014, and taking into account the assessment of its implementation, a revised CoE co-operation document should be envisaged for co-operation after 2014.

## 1. HUMAN RIGHTS

### Country-specific priority actions

The CoE has a pioneering and unique role in developing human rights law and policy at the European level, through its Conventions, Recommendations, Guidelines and Declarations adopted in the human rights field, and through the work of its monitoring mechanisms. Reinforcing the protection of human rights, including the rights of specific groups of people (Roma, lesbian, gay, bisexual and trans-gender (LGBT), persons with disabilities, children, women), and effective implementation of anti-discrimination policies constitute one of the priorities for the Albanian Government. Hence, as a country aspiring to EU membership, Albania needs to ensure an appropriate legal framework and show a climate of tolerance and respect for all human beings, without discrimination.

#### 1.1 Enhancing the effectiveness of the Albanian system of human rights protection and anti-discrimination

<b>Duration:</b>	24 months
<b>Implementation status:</b>	proposed by the Ministry of Labour, Social Affairs and Equal Opportunities
<b>Total cost:</b>	approx. € 1 100 000
<b>Funding status:</b>	funding required
<b>Partners:</b>	Ministry of European Integration (MoEI), Ministry of Labour, Social Affairs and Equal Opportunities (MoLSAEO), the Commissioner for Protection from Discrimination and Ombudsman

#### Source of justification:

- CoE's reports (ECRI; PACE; Commissioner for human rights; on the application of the Revised Social Charter).

#### Short description

The principle of equality and non-discrimination is a fundamental element in the protection of human rights. It is guaranteed by the European Convention on Human Rights (ECHR) (article 14) and was reinforced by Protocol No.12 to the Convention. In the last years, Albania has achieved significant progress in aligning its legislation and practice with international standards and EU directives. The law "On protection from discrimination" adopted in 2010 and followed by the establishment of the institution of the Commissioner for Protection from Discrimination is one more step forward in this regard.

#### Overall objective

The overall objective of the project is to contribute to the respect of human rights and fight against discrimination, and further, to contribute to overall social development in Albania.

#### Specific objectives

The project will comprise measures intended to strengthen the effectiveness system of human rights protection and anti-discrimination policies. It will streamline the anti-discrimination policy, thus contributing to the overall strengthening of the human rights protection.

By developing institutional support to the victims of discrimination, both on national and local level the project will also complement the efforts to reform public administration, decentralisation and improve governance at the local level. The project will also raise public awareness of the importance of the anti-discrimination policy.

#### Expected results

- Strengthened administrative/professional capacities, efficiency and coordination of the main human rights protection and anti-discrimination bodies to effectively implement and monitor anti-discrimination law and policies;
- Improved human rights and anti-discrimination legal framework and policies;
- Increased awareness of general public and specific target groups on the key aspects of anti-discrimination policy.

#### **Multilateral/Regional actions**

The country-specific action foreseen for the protection of human rights and anti-discrimination is complementary to the various ongoing multilateral initiatives that are being implemented by the CoE in the region to encourage national implementation of the ECHR, promote minority protection, intercultural mediation for Roma and to combat discrimination on grounds of sexual orientation and gender identity. In addition, a project is currently prepared on Inclusive Education (see page 18), which fully contributes to the efforts to promote tolerance and non-discrimination in the region.

### **1.2 Promoting Human Rights and Minority Protection in South East Europe (Joint EU/CoE Regional Programme)**

<b>Duration:</b>	30/11/2011 - 29/11/2014
<b>Implementation status:</b>	ongoing
<b>Total cost:</b>	approximate budget allocation to Albania: € 515 000 (from the total project envelope of € 3 600 000)
<b>Funding status:</b>	funding secured through EU-CoE Joint Programme

In all South Eastern Europe (SEE), there now exists, by and large, an adequate constitutional and legal framework to protect minorities. The major concern remains the minority protection in practice, through the full implementation of the existing legal provisions and, further, the profound understanding and acceptance of the rights enshrined in these provisions by both decision makers and the public at large throughout the region.

The project is aimed to improve respect for human rights, particularly the effective protection of minorities, by enhancing the capacities of the relevant protection bodies and the regional coherence of their activities, through:

- Strengthening the proper implementation of relevant legislation and promoting good practices, in line with relevant European standards;
- Developing a regional network of the relevant bodies and exchange of good practices in the field of minority protection at regional level;
- Promoting NGOs good practices in the field of minority protection.

### 1.3 Intercultural Mediation for Roma communities (Multilateral Joint EU-CoE Programme ROMED)

<b>Duration:</b>	06/07/2011 - 31/12/2012 (extension to end March 2013 is envisaged)
<b>Implementation status:</b>	ongoing
<b>Total cost:</b>	approximate budget allocation to Albania: € 40 000 (from the total project envelope of € 2 000 000)
<b>Funding status:</b>	funding secured through EU-CoE Joint Programme

Mediation is one of the measures used across Europe to tackle the inequalities Roma face in terms of access to employment, healthcare services and quality education. In the Strasbourg Declaration, adopted in October 2010 at the High Level Meeting on Roma, representatives of Member States agreed that the CoE should implement a European Training Programme for Mediators, in close co-operation with national and local authorities.

The project is aimed to improve the quality and effectiveness of the work of intercultural mediators with a view to better supporting communication and co-operation between Roma and public institutions (school/health-care providers/employment office), through:

- integration of a rights-based approach in the work of mediators;
- promotion of a real and effective intercultural mediation;
- establishment of tools for planning and implementation of their activities;
- improvement of co-operation between mediators and local stakeholders;
- development, dissemination and use of a European Code of Ethics of Mediators;

It is also aimed at establishing a European framework for networking and exchange of experiences between mediators, trainers, and their interlocutors in the local administrations. At this stage, project activities in Albania include two training sessions accompanied by follow-up activities in-between sessions, as well as translation of the ROMED curricula into Albanian.

### 1.4 Combating discrimination on grounds of sexual orientation or gender identity

<b>Duration:</b>	01/09/2011 - 31/12/2013
<b>Implementation status:</b>	ongoing
<b>Total cost:</b>	total project envelope of € 950 000; approximate budget allocation to Albania: n/a <sup>3</sup>
<b>Funding status:</b>	funding secured through voluntary contributions

LGBT people still face intolerant attitudes and social barriers across most, if not all, CoE member states. The CM's Recommendation (2010) 5<sup>4</sup> to member states on measures to combat discrimination on grounds of sexual orientation or gender identity constitutes the main framework for the project.

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<sup>3</sup> The project funds multilateral activities and awareness-raising activities for national officials engaged in the development of national LGBT-related policies and legislation. Only limited funds are available for larger scale and longer-lasting national measures. Funds are not allocated specifically by country.

<sup>4</sup> The CM Recommendation (2010) 5 focuses on the need to improve legislation, implement targeted political measures, ensure awareness and access to effective legal remedies for victims of discrimination and to strengthen data collection and research as a basis for further law and policy development. Specific recommendations are given related to a spectrum of sectors and arenas, such as freedom of expression and freedom of assembly, employment, health care, asylum, education, housing, sports etc.

The overall objective of the project is to contribute to the improvement of the quality of life among LGBT people in Europe. The CoE will work with 10 partner countries, including Albania, to develop a forceful, cross-sectoral LGBT policy, strengthening human rights for LGBT people, and supporting the national fight against discrimination on the basis of sexual orientation or gender identity. The project is aimed to:

- raise awareness among policy-makers, law-enforcement bodies and the judiciary
- train specific target groups
- review national legal frameworks
- promote exchanges of experiences between countries

### **1.5 To strengthen implementation of the ECHR in member states by raising the level of knowledge of the Convention and the case law of the ECtHR**

The ECHR is a fundamental element of democratic security in Europe and of European co-operation and integration, and the CoE plays a crucial role in assisting and encouraging national implementation of the ECHR, as part of its wider work in the field of human rights, democracy and the rule of law. Based on the Interlaken, Izmir and Brighton Declarations, Albania benefits from the provision of multilateral technical assistance aimed at disseminating the case-law of the ECtHR in member States.

#### *European Programme for human rights education for legal professionals (HELP Programme)*

<b>Duration:</b>	01/02/2010 - 31/01/2013
<b>Implementation status:</b>	ongoing
<b>Total cost:</b>	approximate budget allocation to Albania: € 20 000 (from the total project envelope of € 1 530 000)
<b>Funding status:</b>	funding secured through the Human Rights Trust Fund

The aim of the HELP Programme is to support the 47 member states in implementing the ECHR at national level, in accordance with Interlaken and Brighton Declarations, by raising the level of knowledge of the ECHR and the case law of the ECtHR among all groups of national legal professionals, by strengthening the capacity of national training institutions for judges, prosecutors and lawyers to fully integrate the ECHR into initial and continuous training.

Albania has been chosen as pilot country for the creation of HELP Focal and Info Points. HELP Focal Points are national experts who co-operate with the National Training Institutions and Barr Associations, providing all necessary information on the HELP resources. Info Points on Admissibility are national experts appointed to provide information on admissibility criteria and on screening applications to the ECtHR.



*Translation and dissemination of key ECtHR case-law in Albanian language*

<b>Duration:</b>	01/03/2012 - 28/02/2015
<b>Implementation status:</b>	ongoing
<b>Total cost:</b>	approximate budget allocation to Albania: € 72 000 (from the total project envelope of € 800 000)
<b>Funding status:</b>	funding secured through the Human Right Trust Fund

This project, implemented by the ECtHR, is aimed to improve the understanding and domestic implementation of ECHR standards by commissioning translations of key case-law of the ECtHR into relevant languages and ensure dissemination of such case-law to legal professionals.

*Setting up a Training Institute within the European Court of Human Rights*

<b>Duration:</b>	01/03/2012 - 28/02/2015
<b>Implementation status:</b>	ongoing
<b>Total cost:</b>	approximate budget allocation to Albania: € 20 000 (from the total project envelope of € 600 000 - € 200 000 per year) € 200 000 secured through the Human Rights Trust Fund;
<b>Funding status:</b>	additional € 20 000 required for Albania respectively for 2013 and 2014

The project, implemented by the ECtHR, provides professional groups (magistrates and lawyers) with high-quality training on ECHR law. It contributes to the dissemination of the ECtHR's case-law and to its effective accessibility for legal professionals.

*Promoting the teaching of the Case Law of the European Court of Human Rights in upper secondary school curricula and higher education study programmes*

<b>Duration:</b>	01/01/2012 - 31/12/2015
<b>Implementation status:</b>	ongoing
<b>Total cost:</b>	approximate budget allocation to Albania: € 20 000 (from the total project envelope of € 100 000 per year) € 200 000 secured through the Ordinary Budget; additional
<b>Funding status:</b>	€ 20 000 required for Albania respectively for 2014 and 2015

This multilateral project, implemented by the Steering Committee for Education Policy and Practice (CDPPE – Education Department DGII), provides students and teachers from Education and Law Faculties (Public and Private Universities in Albania, Croatia, Switzerland, Slovenia and UK) with opportunities to develop specific learning activities on the case law of the European Court of Human Rights and identify ways of integrating them in their study programmes.

The project is aiming to equip future graduated lawyers and educators with the necessary knowledge on the functioning of the European Court of Human Rights and the impact of its case law in European societies. Integration of learning activities related to the case law of the Court in curricula and study programmes of future legal professionals is considered by CDPPE as an important factor for creating sustainable and effective implementation of ECHR standards.

## 2. RULE OF LAW

### Country-specific priority actions

A distinctive component of a democratic society is the respect for the rule of law; it is also a pre-requisite for EU membership. The rule of law, including an independent and efficient judicial system – indispensable to dispel negative perceptions on the functioning of the judiciary and the respect of rule of law – has been identified as a key priority by the Albanian Government. The fight against corruption also remains an important challenge for the rule of law in Albania. In order to strengthen the confidence of Albanian citizens in the political system and the judiciary, the Albanian Government is reforming the immunity system, as part of its Action Plan for addressing the EC Opinions' recommendations. In this context, the Albanian authorities have requested the support of the CoE in the framework of the ongoing project PACA (see pages 11 and 12) to reform the system of immunity in line with international standards and good practices.

#### 2.1 Strengthening the efficiency and quality of the Justice system

<b>Duration:</b>	24 months
<b>Implementation status:</b>	proposed by the Ministry of Justice
<b>Total cost:</b>	€ 1 100 000
<b>Funding status:</b>	possibility for an EU/CoE Joint Programme (under discussion) Ministry of Justice, first and second instance courts, High Court, Constitutional Court; Office for the Administration of the Judiciary Budget, High Council of Justice, School of Magistrates.
<b>Partners:</b>	

#### Source of justification:

- CoE reports: PACE, CEPEJ reports on the quality and efficiency of European judicial systems (2010-2012).

#### Short description

The CoE has in-depth experience on national court case management systems and has successfully implemented a number of programmes in Albania in the judicial reform sector. The CoE's European Commission for the Efficiency of Justice (CEPEJ) to which Albania is a member, has become a key reference for improving the efficiency and quality of justice in Europe, through its unique methodology and tools.

#### Overall objective

Improving the day to day functioning of the public service of justice rendered by the courts to the Albanian citizens

### Specific objectives

- assessing the overall efficiency and quality of the justice system at national level, and recommending specific normative and institutional reforms accordingly;
- improving court case management to strengthen optimum and foreseeable timeframes of judicial procedure;
- measuring the perception of the court service by the users in order to orient court organisation and strengthen the citizens' confidence in their justice system;
- strengthening judicial training on court management towards more efficiency and quality;
- enhancing the capacities of the High Council of Justice and the judicial inspectorate for assessing and promoting the efficiency and quality of the public service of justice.

### Expected results

- From the information already gathered by CEPEJ within the framework of its 2010 – 2012 evaluation cycle, CEPEJ experts prepare a diagnostic on the current functioning of the Albanian judicial system, including recommendations for normative and institutional evolutions;
- The CEPEJ court coaching programme on SATURN tools for judicial time management is implemented;
- The CEPEJ court coaching programme for organising court user satisfaction surveys is implemented;
- The training of judicial staff provided by the Magistrates School on efficiency and quality of justice is strengthened;
- The capacities of the High Council of Justice and judicial inspectorate for assessing and promoting the efficiency and quality of the court work are enhanced.

## **2.2 Fighting against corruption and economic crime<sup>5</sup> (Joint EU/CoE Programme against Corruption in Albania - PACA)**

<b>Duration:</b>	01/09/2009 - 31/12/2012
<b>Implementation status:</b>	ongoing
<b>Total cost:</b>	€ 2 130 000
<b>Funding status:</b>	funding secured through EU-CoE Joint Programme
<b>Partners:</b>	Department of Internal Administrative and Anti-corruption Control at the Council of Ministers (DIACA); Ministry of Education; High Inspectorate of Declaration and Audit of Assets; Ministry of Justice; Department for Prevention of Money Laundering; Law enforcement agencies; Prosecutors and Judges (General Prosecutor Office and High Council of Justice); Private auditors and accountants and selected financial institutions with reporting obligations.

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<sup>5</sup> A separate project may be developed in due course as a follow-up to the existing PACA project, based on an assessment of the level of implementation of the recommendations of the PACA project and subject to discussion and agreement with the national authorities. The CoE could in particular provide further assistance in:

- Supporting the institutions which benefited from PACA risk assessments to put into practice reform workplans designed to address the findings of the risk assessments;
- Assistance for capacity-building to prevent conflict of interest and corruption;
- Capacity-building for judiciary and law-enforcement to report on statistics of investigation, prosecution and adjudication of economic crime cases;
- Supporting the implementation of the recommendations of the 4th evaluation report by GRECO, including recommendations on the reform of immunity system.
- Supporting the implementation of MONEYVAL Recommendations.

**Source of justification:**

- GRECO and MONEYVAL Reports

**Short description**

Following the commitment of the Government of Albania to proactively implement an anti-corruption strategy as part of the National Strategy for Development and Integration and the adoption of an ambitious and cross cutting strategy for the Prevention and Fight against Corruption and for Transparent Governance 2008-2013, the CoE has launched in 2009 a technical assistance Joint EU/CoE Programme against corruption in Albania (PACA) which has been extended until 31 December 2012.

**Overall objective**

To contribute to democracy and the rule of law through the prevention and control of corruption.

**Specific objectives**

To enhance the implementation of the Anti-corruption Strategy for 2007-2013 and Anti-Corruption Action Plan for 2011-2013.

**Expected results**

- Institutions are able to identify corruption-related problems and risks on the basis of PACA Risk Assessment Guide, and develop policies to address previous risk assessment findings and recommendations;
- Tools are in place for clear recording and reporting of statistics on investigations, prosecutions and court cases of corruption-related cases. Tools are provided for streamlining the coordination mechanism for reporting on and monitoring implementation of the fulfilment of the Anti-corruption Strategy;
- Legislation and its implementation are improved in line with GRECO and MONEYVAL recommendations and good practices;
- Policies which tackle corruption and underpin integrity in the education system are adopted, and tools for tackling corruption through the education system are established;
- Systems for the submission, processing and follow-up on citizens' complaints concerning corruption are made operational;
- Provide recommendations and facilitate discussion of proposals to reform the legal and institutional framework for ensuring access to information;
- Public awareness of corruption issues and government anti-corruption policies is raised.

**Multilateral/Regional actions**

The country specific actions foreseen in the field of the rule of law are complementary to the regional action aimed at fighting crime, in particular economic and organised crime, including money laundering; to monitor, to follow up and support effective implementation of CoE and other international standards in this respect; to protect and assist victims; to promote international co-operation; to develop standards for laws, procedures and actors in criminal justice; to ensure the protection of detainees and respect for European standards by law enforcement agencies; to improve prosecution standards and investigative techniques; to develop restorative justice.

### **2.3 Co-operation against Cybercrime (Joint EU/CoE regional programme “Regional Co-operation in Criminal Justice – Strengthening capacities in the fight against cybercrime”).**

<b>Duration:</b>	01/11/2010 – 30/04/2013 <sup>6</sup>
<b>Implementation status:</b>	ongoing
<b>Total cost:</b>	approximate budget allocation to Albania: € 350 000 (from the total project envelope of € 2 777 778)
<b>Funding status:</b>	funding secured through EU-CoE Joint Programme

Countries of the SEE rely increasingly on information and communication technologies, and they are thus vulnerable to threats such as cybercrime. It is therefore essential that these countries strengthen their capacities to meet this challenge, and in particular enhance their ability to cooperate at regional and international levels.

The project aims to support the Albanian Institutions in their efforts to take effective measures against cybercrime based on existing tools and instruments, in particular the Budapest Convention on Cybercrime. The project provides tools to monitor, to follow up and support effective implementation of CoE and other international standards in this respect. Within its eight results the project provides: for the harmonization of legislation; support and advice for enhanced international co-operation; support for the preparation of strategies and policies on cybercrime; support for law enforcement by providing best practices and training; support for the improvement of prosecution standards and investigative techniques; support for training of judges and prosecutors; support to the efforts to fight economic and organised crime, including money laundering and financial investigations; furthermore Cybercrime@IPA provides guidelines on the good practices for the establishment of effective private public co-operation in fighting cybercrime.

### **Regional/multilateral action in the field of media freedom**

In addition, regional action has been proposed, aimed at promoting freedom of expression and freedom of the media in SEE. For many years, the CoE has carried out a wide range of activities aimed at guaranteeing and promoting freedom of expression and information and at promoting the functioning of professional, independent and pluralistic media in SEE countries, which could be further complemented by a comprehensive regional project in this field.

### **2.4 Promoting freedom of expression and information and freedom of the media in SEE**

<b>Duration:</b>	24 months
<b>Implementation status:</b>	proposed by the CoE
<b>Total cost:</b>	approximate amount required for Albania: € 200 000 (from the total project estimated cost of € 1 292 000)
<b>Funding status:</b>	funding required

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<sup>6</sup> This timeframe includes a six month extension of the project.

The CoE has a unique and substantial expertise, consolidated standards and several monitoring mechanisms, and has developed into a leading authority as regards the protection of freedom of expression. The co-operation will be tailored to the needs of each beneficiary country<sup>7</sup>, and have a regional component allowing exchanges of experience, co-operation, networking and synergies in appropriate areas such as journalism education and training, self-regulation and broadcasting regulation.

The project will aim at developing legal and institutional guarantees for freedom of expression, higher quality journalism and a pluralistic media landscape in line with CoE standards, by:

- Enhancing the independence and effectiveness of the body responsible for broadcasting regulation and enabling the public-service broadcasting system to better fulfil its remit;
- Developing professionalism, responsibility and respect of ethical rules among journalists;
- Providing legal assistance for aligning the laws and regulations in the traditional and new media field with CoE standards and for securing the proper implementation of the legal framework through the incorporation in public authorities' daily practice of European standards in the field of freedom of expression.

### 3. DEMOCRACY

#### **Country-specific priority actions**

Electoral reform and good conduct of elections in line with European and international standards remain a central priority for Albania. In August 2011, the Secretary General of the CoE asked the Venice Commission to provide an opinion on the electoral legislation and practice in Albania. In December 2011, a Joint Opinion on the electoral law and practice of Albania was adopted by the Venice Commission and the OSCE-ODIHR. An ad-hoc parliamentary committee for electoral reform was set up to work on the reform of the electoral legislation by focusing on fulfilling the recommendations of the Venice Commission/OSCE-ODIHR. The amended electoral Code was adopted by the Parliament and entered into force on 1 September 2012. Electoral assistance will be provided by the CoE. It is also foreseen that the Albanian authorities will request the Venice Commission's Opinion on the revised legislation.

In the context of Albania's European integration agenda, the decentralisation of public administration and the reinforcement of local democracy are also of importance, so as to provide better public services for Albanian citizens. Over the last decade, Albania has carried out reforms in order to develop a local government system based on the requisites of the European Charter of Local Self-Government. The CoE, in co-operation with the Swiss Agency for Development and Co-operation, has been working since 2009 towards strengthening local democracy and building up stronger local and regional government structures in Albania.

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<sup>7</sup> Beneficiary countries comprise Albania, Bosnia and Herzegovina, Montenegro, Serbia and "the former Yugoslav Republic of Macedonia".

### 3.1 Electoral assistance

<b>Implementation status:</b>	subject to the completion of the electoral reform
<b>Total cost:</b>	approx. € 800 000
<b>Funding status:</b>	€ 150 000 secured under the ordinary budget; € 650 000 required
<b>Partners:</b>	Election administration, Ministry of Education and Science, high schools

#### **Source of justification:**

- Venice Commission/OSCE-ODIHR's Opinions
- Congress' and PACE's election observation reports on Albania
- Report on the implementation of the Action Plan to support the local elections in Albania (8 May 2011)

#### Short description

At its 1121st meeting of [21 September 2011](#), the Committee of Ministers took note of the report on the implementation of the [Action Plan](#) to support the 2011 local elections in Albania and invited the CoE Secretariat "to prepare, in due course, proposals for electoral assistance activities in Albania" in particular in light of the [Venice Commission's Opinion](#) and the documents adopted by the Congress at its 21st Plenary Session of October 2011<sup>8</sup> following the observation of the 2011 local elections.

At this stage, early contacts with the authorities and international partners in Albania have already allowed for a broad identification of possible fields of CoE's action. A comprehensive electoral assistance project will be drafted in co-operation with the Albanian authorities and in coordination with other international actors present in Albania as soon as the reform of the electoral legal and institutional framework is completed. The implementation of the project, in order to be feasible, should then start well ahead of the next general elections.

#### Overall objective

Building on the experience of the previous CoE's action in view of the 2011 local elections, based on the electoral reform carried out in 2012, and in order to prepare the 2013 general elections and 2015 local elections, the CoE could provide support to the Central Election Commission (CEC). The main purpose will be to build and to reinforce the capacity of the electoral administration in a sustainable way in order to organise and run the electoral process, and to raise awareness amongst first-time voters.

#### Specific objectives

- Technical assistance and capacity building provided to the electoral administration;
- Awareness raising and education of voters, focusing in particular on first time voters.

#### Expected results

- The electoral process, including the appeals procedure better complies with European and international standards;
- The CEC capacity to train election officials at all levels is improved, notably through the elaboration of specific curricula and handbooks;

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<sup>8</sup> Congress [Resolution 328 \(2011\)](#) and Congress [Recommendation 312 \(2011\)](#) on local elections in Albania.

- The framework for the creation of a forum of election officials is agreed and the creation is underway;
- Voters' awareness raising is enhanced through a campaign notably on TV;
- All high school pupils in the last two years receive elections specific training given by teachers trained in co-operation with the CEC and the Ministry of Education.

### **3.2 Strengthening Local and Regional Government Structures and Co-operation of Local Elected Representatives in Albania – Phase 2**

<b>Duration:</b>	39 months (October 2012 – December 2015)
<b>Implementation status:</b>	ongoing
<b>Total cost:</b>	€ 1 923 000
<b>Funding status:</b>	funding secured: € 1 480 000 through Swiss government's voluntary contribution and € 129 000 under ordinary budget. <sup>9</sup>
<b>Partners:</b>	Ministry of Interior; local and regional authorities; Local Government Associations

#### **Source of justification:**

- Congress reports and recommendations;
- Reports on the implementation of the CoE programme on Reinforcing Local and Regional Government Structures in Albania Phase 1, notably the Assessment report on the state of local democracy in Albania<sup>10</sup>, the Assessment report on Human Resource Management in Albanian Local Governance and the Baseline assessment report on Inter-Municipal Co-operation in Albania.

#### Short description

On the basis of the results of the programme on Reinforcing Local and Regional Government Structures in Albania (Phase 1) implemented by the CoE from 2009 to early 2012, a follow up project has been developed to foster local and regional democracy. In this context, Inter-Municipal co-operation (IMC), Human Resource Management (HRM), co-operation and capacity building of local elected representatives have been identified as key areas where further efforts are required to consolidate the legislation and practice towards the strengthening of local and regional governance in Albania. The proposed Phase 2 is conceived as a consolidated intervention with two lines of action: while the CoE Centre of Expertise for Local Government Reform will assist the improvement of conditions for co-operation through implementation of IMC and HRM practices, the Congress will focus on building a unified platform for dialogue and co-operation for local government representatives.

#### Overall objective

To strengthen the local and regional government structures and reinforce co-operation of local elected representatives in Albania in order to ensure effective decentralisation and local self-government, in line with the principles enshrined in the European Charter of Local Self-Government.

#### Specific objectives

- To improve the conditions for and foster the implementation of Inter-Municipal Co-operation initiatives between Albanian Local Government Units (LGUs);
- To support the creation of standards and benchmarks on Human Resources Management, transposed into legislation and practices;

<sup>9</sup> The CoE contribution also includes an in-kind contribution estimated at € 314 000.

<sup>10</sup> Report of 15 April 2010, prepared within the Decentralisation and Local Development Programme in Albania ([DLDP](#)), phase 2.



- To build a sustainable pluralistic and unified platform of dialogue for local government representatives in Albania, in order to strengthen their role, capacity and co-operation.

#### Expected results

- The legislative framework and conditions on Inter-Municipal Co-operation are improved; at least 6 pilot IMC arrangements are created; the management of a number of public services amongst Local Government Units and their effectiveness and efficiency are improved; due to IMC intervention, the situation of respective local communities is improved; the LGU's approach towards IMC initiatives is improved at national level.
- Effectiveness and efficiency of a number of LGUs are improved through the adoption and implementation of tailor-made Human Resources policies; the Albanian legislation on public administration at local level is improved; positive practices and know-how on HRM are disseminated and exchanged throughout the country.
- An operational structure is in place, with necessary legitimacy and capacity to represent the Local Government Units in political processes with one voice. This would contribute to: regular, increased and structured dialogue and co-operation among LGUs both horizontally and vertically; strengthened local political governance and leadership capacities; further enhancement of decentralisation within the clear principles of subsidiarity, fiscal equivalence and accountability.

#### **Multilateral/Regional actions**

The action carried out by the CoE in Albania to support the authorities in further strengthening the democratic process is complemented by regional and multilateral initiatives aimed at strengthening democratic culture through the development of education processes conducive to intercultural awareness and understanding, based on the principles of human rights and democracy.

### **3.3 Network of the Schools of Political Studies: the Albanian School of Political Studies**

<b>Duration:</b>	36 months
<b>Implementation status:</b>	ongoing project implemented by the Albanian School of Political Studies (ASPS)
<b>Total cost:</b>	approx. € 60 000 per year <sup>11</sup>
<b>Funding status:</b>	€ 120 000 secured through a separate agreement between the ASPS and the Swiss government and € 15 000 secured under ordinary budget for 2013. Additional € 45.000 required.

The Schools of Political Studies promote democratic values, democratic processes and active participation in public life through training and confidence building measures for future generations of political, economic, social and cultural leaders in places in transition.

The well-functioning Network of the Schools of Political Studies facilitates opportunities for the Schools to work on partnership projects and joint initiatives in order to develop bilateral, regional and inter-regional confidence-building activities. The Schools of Political Studies have proven themselves to be reliable and effective partners for the CoE.

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<sup>11</sup> Estimated costs for the implementation of the ASPS core programme and the capacity building programme for local government administration.

The ASPS, which actively participates in the Schools' Network, brings together young leaders from different political parties, the state administration and sectors of civil society, the mass media and the business world. The ASPS supports the capacity building of the young political and civic leaders capable to manage the integration and democratisation processes in the country, by:

- developing and consolidating an advanced training programme for political and civic leaders in Albania;
- strengthening the knowledge and practical experience of local government authorities;
- using the ASPS alumni as drivers for change in democratic and integration processes of the country.

### **3.4 Support for Inclusive Education in SEE (Joint EU/CoE regional programme)**

<b>Duration:</b>	36 months
<b>Implementation status:</b>	pending signature
<b>Total cost:</b>	approximate budget allocation to Albania: € 730 000 (from the total project envelope of € 5 110 215)
<b>Funding status:</b>	funding secured through EU/CoE Joint Programme

The project aims to promote the concept and practices of inclusive education in the formal pre-university education systems in the SEE region. Inclusive education is based on the belief that education is a basic human right and a foundation for a more just society and aims to eliminate social exclusion which is a consequence of attitudes and responses to diversity in race, social class, ethnicity, religion, gender and ability. This project will be conducted at the regional level, thereby accentuating the role of education and training in the promotion of social inclusion, tolerance, intercultural dialogue and non-discrimination in SEE as a whole. This project is complementary to the initiatives carried out under the Human Rights pillar (see page 5).

The project is aimed to promote the concept of inclusive education, as well as relevant policies and practices of inclusive education in the formal education system at pre-university level in SEE, through:

- setting up regional support mechanisms and resources for pilot inclusive education schools;
- raising awareness of the benefits of inclusive education for the general public as well as decision makers;
- enhancing the capacities of policymakers for designing and implementing inclusive education policies;
- improving teacher competences and practices for inclusive education.

### 3.5 Support to Ljubljana Process II - Rehabilitating our Common Heritage (Joint EU/CoE regional programme)

<b>Duration:</b>	19/05/2011 - 18/05/2014
<b>Implementation status:</b>	ongoing
<b>Total cost:</b>	approximate budget allocation to Albania: € 55 000 (from the total project envelope of € 500 042)
<b>Funding status:</b>	funding secured through EU-CoE Joint Programme

The Ljubljana Process is a regional pilot project, built on the outcomes of the previous Joint EU/CoE Programmes Integrated Rehabilitation Project Plan - Survey on Architectural and Archaeological Heritage (IRPP/SAAH). The project is one component of an overall regional programme set up by the CoE and EU. It aims at overseeing the economic and social benefits that rehabilitation of the cultural heritage can bring to local communities, and at attracting increased public and private investment to support the enhancement of the region's cultural heritage. Rehabilitation projects not only safeguard Albania's heritage, but also bring wider benefits by striking a balance between development and conservation.

Guidance will be provided to Albania and the other countries of the region, in putting economic, administrative and professional reforms in place, in bringing about the cultural shifts in attitude that are essential to deliver them, and embedding the heritage dividend in national planning policies in order to achieve real progress in improving the quality of life. Various structural issues, such as those related to governance (relations between the different institutional levels), legislative reforms in the planning and environmental spheres, public sector recruitment policy, and democratic participation processes in local development strategies, are specifically targeted as part of the Ljubljana Process.

More specifically, the project will ensure supervision of the setting up process of a regional co-operation permanent mechanism in the fields of cultural heritage restoration and rehabilitation, and support the process with expertise in coordinated and integrated social and economic development strategies, by:

- supporting the setting up of the transitional operational framework managed by the Regional Co-operation Council's Task Force on Culture and Society (RCC TFCS) aimed at continuing and developing the IRPP/SAAH methodology;
- accompanying the transfer of the cross-sector operational management to the secretariat of the RCC Task Force and to the Beneficiaries;
- helping sustain the regional co-operation framework procedures and the long term management of national and regional rehabilitation strategies;
- assisting technically the elaboration of the sustainable mechanisms aiming to mobilise national and international funding to rehabilitate monuments and sites in the region.

## Appendix 1 Financial tables

TOTAL BUDGET: € 8 921 000

Table 1

Type of project	Funding secured			Total funds secured	Additional funds required
	Ordinary Budget	EU/CoE Joint Programmes	Voluntary Contributions		
<b>National</b>	279 000	2 130 000	1 480 000	3 889 000	2 850 000
<b>Regional/ Multilateral</b>	55 000	1 690 000	112 000	1 857 000	325 000
<b>TOTAL</b>	<b>334 000</b>	<b>3 820 000</b>	<b>1 592 000</b>	<b>5 746 000</b>	<b>3 175 000</b>

Table 2

Pillars	Total funds secured	Additional funds required
<b>1. Human rights ( 5 projects)</b>	707 000	1 180 000
<b>2. Rule of law ( 4 projects)</b>	2 480 000	1 300 000
<b>3. Democracy ( 5 projects)</b>	2 559 000	695 000
<b>TOTAL</b>	<b>5 746 000</b>	<b>3 175 000</b>