

18 June 2014

ODGProg/Inf(2014)8

Council of Europe
Co-operation Document Albania 2012 – 2014

Progress Review Report

CONTENTS

I.	PROGRESS REPORT OVERVIEW.....	3
1.	INTRODUCTION.....	3
2.	KEY ACHIEVEMENTS AND PROSPECTS.....	3
3.	FRAMEWORK FOR IMPLEMENTATION.....	4
4.	OVERVIEW OF RESOURCE MOBILISATION.....	5
II.	STATE OF PLAY OF IMPLEMENTATION.....	7
1.	PILLAR I – HUMAN RIGHTS.....	7
2.	PILLAR II – RULE OF LAW.....	11
3.	PILLAR III – DEMOCRACY.....	15
	ADDENDUM I – FINANCIAL TABLES.....	18
1.	TABLE 1. STATE OF FUNDING BY PILLARS.....	18
2.	TABLE 2. STATE OF FUNDING BY TYPE OF PROJECT AND TYPE OF DONOR..	18
	APPENDIX I PROJECT REVIEW.....	19
1.	HUMAN RIGHTS.....	19
2.	RULE OF LAW.....	25
3.	DEMOCRACY.....	29

I. PROGRESS REPORT OVERVIEW

1. Introduction

The Council of Europe Co-operation Document for Albania (ODGPROG/INF(2012)12rev) (hereinafter the Co-operation Document) was approved by the Committee of Ministers in October 2012. It is a framework for co-operation between the CoE and Albania for the period 2012 – 2014 with the overall strategic objective to sustain reforms aimed at fulfilling the country's commitments as a CoE member state. The Co-operation Document was developed on the basis of the findings and recommendations of the CoE monitoring bodies, the strategic reform context in Albania, including EU accession priorities, as well as results and achievements of previous CoE co-operation programmes.

On 15 April 2014, representatives of the Council of Europe Secretariat and Albanian authorities met in Tirana to review the progress made in the implementation of the Co-operation Document during the period October 2012 – March 2014. The progress review meeting took stock of the main achievements, identified constraints and necessary adjustments in co-operation. Initially planned for 2013, the progress review meeting had to be postponed due to the general elections in June 2013 and the subsequent change of government in September 2013. Rescheduling to early 2014 was a necessary step undertaken in consultation with the authorities, including with a view to aligning co-operation to new priorities against the evolving reform landscape.

The present Progress Review Report (PRR) reflects the outcome of the progress review meeting. It illustrates the impact of the co-operation on the reform process in Albania, the results achieved as well as remaining challenges. It emphasises the need to carry on the efforts undertaken and the continued dedication of all stakeholders in the implementation of co-operation programmes. Complementary information about implementation progress, activities and results of specific projects is provided in the appendix to this report.

2. Key Achievements and Prospects

Achievements have been registered in the majority of priority areas covered by the Co-operation Document. The CoE has significantly contributed to the implementation of the following reforms and priorities:

- Reform of legislative, policy and institutional frameworks to assist the fight against corruption, including a landmark constitutional amendment to lift the immunity of elected officials and judges;
- Improvement of national capacities with respect to prevention, detection, suppression and prosecution of corruption;
- Harmonisation of the legal framework and practices concerning the fight against cybercrime with European standards, establishment and consolidation of a specialised cybercrime unit, as well as mainstreaming of cybercrime training in the national training institutions;
- Elaboration of the criteria and methodology of the Territorial Administrative Reform (TAR) in conformity with European standards as well as development of secondary legislation of relevance to the local self-government in the framework of the Law on Civil Servant;
- Development and implementation of the national Action Plan, *“On Measures for non-discrimination on the basis of sexual orientation and gender identity”*;
- Strengthening the role and capacities of intercultural mediators for Roma across different regions and improving their institutional co-operation with the authorities;

- Reinforcing the capacities of the Central Election Commission on various aspects of the electoral process, including effective voter education campaigns;
- Enhanced regional and international co-operation in nearly all areas of intervention of the Co-operation Document.

Sustaining key reforms linked to EU accession as set out the European Commission *2010 Opinion on Albania's application for membership of the EU* is a central objective of the Co-operation Document, deriving from the convergence of Albania's EU accession priorities with its commitments as a CoE member state. In its 2013 progress report on Albania, the Commission concluded that Albania has made good progress on the path towards EU integration, notably by adopting measures identified as essential for granting candidate country status and by continuing to deliver reforms against the key priorities of the *2010 Opinion*. When assessing progress made, the Commission noted, among others, that all CoE's recent recommendations concerning financing of political parties and legal provisions on corruption had been satisfactorily addressed.¹

Within the current co-operation framework, the CoE will continue to support further progress in the following areas:

- Reform of the judiciary, i.a. in developing an efficient court system, improving the High Council of Justice and its judicial evaluation capacities as well as the Albanian School of Magistrates' training on efficiency and quality of justice;
- Enhancing anti-corruption policies, reinforcing integrity systems and deterring measures in specific sectors, notably healthcare and education;
- Improvement of the anti-discrimination institutional and regulatory frameworks;
- Efficiency of the Audio-visual Media Authority, media transparency and ownership;
- Territorial administrative reform and decentralisation, including establishment of the central-local government Consultative Council;
- Enhancing inclusiveness in the education system in full synergy with the government's programme "Schools as community centres";
- Promotion and protection of the rights of minorities in line with the Framework Convention of National Minorities (FCNM);
- Review of cultural heritage legislation and policies.

At the progress review meeting on 15 April 2014, the Albanian authorities and the CoE jointly agreed to continue and to expand co-operation through a new framework for 2015-2017, in the following priority sectors: anti-discrimination and social inclusion; ensuring justice and promoting human rights; the fight against corruption and organised crime; freedom of expression and information society as well as democratic governance, including elections and local democracy. Consultations are underway with the Albanian authorities to identify specific needs for assistance within each sector.

3. Framework for Implementation

The Co-operation Document follows a comprehensive approach to technical assistance and employs needs-assessment studies, legislative expertise, capacity-building, awareness-raising, peer-to-peer exchanges and evaluation, drawing on CoE comparative advantages and focusing on impact and sustainability. Projects are implemented by the CoE operational services in the Directorate General of Human Rights and Rule of Law, the Directorate General of Democracy,

¹ In light of progress made, the Commission recommended that Albania be granted EU candidate status on the understanding that Albania continues to take action in the fight against organised crime and corruption. On 17 December 2013, the Council of the European Union decided to revisit the subject in June 2014.

the Congress of Local and Regional Authorities of Europe, as well as the European Court of Human Rights. The Office of the Directorate General for Programmes is responsible for overall coordination.

Overall, the implementation of the Co-operation Document has proceeded in an orderly fashion and according to schedule. Nevertheless, a number of obstacles have been encountered. External developments, such as the 2013 general elections and the electoral period, project management constraints as well as the need to adapt to donor programming cycles have led to delays in the implementation of some projects. The political divisions among national beneficiaries have affected certain activities in the areas of electoral assistance and co-operation of local authorities. An uneven absorption of CoE assistance has been observed in some specific aspects related to the fight against corruption (see p. 11). To a large extent, these risks have been anticipated and mitigated in agreement with the beneficiaries and donors.

Close coordination with other international organisations and partner states active in Albania has served to enhance impact on reforms and avoid duplication. Co-operation and synergies have been/are being established in particular in the following areas:

- *The fight against corruption*, with the EU-funded European Assistance Mission to the Albanian Justice System (EURALIUS) and Consolidation of Law Enforcement Capacities in Albania (Pameca);
- *Reform of the judiciary*, with EURALIUS and the USAID-funded "Albanian Justice Sector Strengthening Project" (JUST);
- *Local democracy and decentralisation*, with the Swiss Co-operation Office's "Decentralisation and Local Development Project", the USAID-funded "Planning and Local Governance Project in Albania" (PLGP), the UNDP-led multi-donor project to support administrative territorial reform (STAR) as well as the EU twinning project "Support to Albanian Civil Service Reform";
- *Electoral assistance*, with the OSCE Presence, UN agencies and USAID;
- *Inclusive education*, with the OSCE regional project on "Best Practices for Roma Integration" (BPRI).

The CoE Office in Tirana (hereinafter the Office) ensures the necessary co-ordination between the CoE Directorates General at Headquarters, project teams present in the country and national stakeholders. It facilitates contacts with international partners present in the field. The Office contributes to the increased visibility of CoE actions in Albania and to efficient and effective use of resources through decentralised project management. As of March 2014, the Office comprises five core and eight project staff, and manages four de-centralised projects with an overall budget of over € 3.5 million. The Office has actively supported the fundraising efforts for the Co-operation Document.

4. Overview Of Resource Mobilisation

In line with the Council of Europe resource mobilisation strategy, fundraising efforts under the coordination of the Office of the Directorate General of Programmes have been concentrated on the Co-operation Document as a whole. This ensures a strategic approach, an increased level of sustainability and predictability of resources and thus an efficient and effective implementation.

The Co-operation Document is funded from multiple sources, which include the Council of Europe's ordinary budget as well as voluntary contributions from donor countries and international organisations. A number of projects are being, or will be, implemented through Joint Programmes with the European Union, including at the regional level.

The current overall budget of the Co-operation Document is approximately € 8.8 million. Funding has been secured for all projects.

The European Union is the largest contributor in terms of financial support. The financial volume of EU/COE JPs amounts to over € 6.6 million covering key areas such as the fight against corruption and money laundering, anti-discrimination system, protection and promotion of national minorities' rights, inter-cultural mediation for Roma, the fight against cybercrime, inclusive education as well as national cultural heritage. Over € 1.7 million have been secured in terms of voluntary contributions, notably from Switzerland in the area of local democracy, as well as the Human Rights Trust Fund and Norway, which fund multilateral projects aimed at supporting effective national implementation of ECHR standards and freedom of media. The electoral assistance programme for the 2013 general elections was implemented through funds from the CoE ordinary budget.

II. STATE OF PLAY OF IMPLEMENTATION

1. PILLAR I – Human Rights

Co-operation Document commitments

- To contribute to the respect of human rights and the fight against discrimination, and overall social development;
- To improve respect for human rights and minority protection in practice, by enhancing the capacities of the various national bodies involved, and regional co-operation;
- 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;
- To assist in bringing policies and national legislation in line with the standards of the Council of Europe, as laid down in the Recommendation of the Committee of Ministers to member states on combating discrimination on grounds of sexual orientation and gender identity (CM/Rec(2010)5)
- To strengthen the national implementation of the ECHR by raising the level of knowledge of the Convention and the case-law of the ECtHR

Sector Impact

The CoE has continued to reinforce *national capacities to effectively implement European human rights standards* through increased accessibility to educational resources on ECHR. The education and training curricula of the national training institutions – the Albanian School of Magistrates and the Chamber of Advocates – now incorporate relevant courses on ECHR, and combined with quality translations of key ECtHR judgments into Albanian language, contribute to improved preparedness of Albanian legal professionals to apply the ECHR standards in their daily work. Both the Albanian School of Magistrates and the Advocacy Chamber of Albania are members of the HELP Network and benefit from the exchange of good practices and experience in human rights education with legal professionals across Europe.

The CoE has worked towards the official recognition of the role of the *Roma mediators*, which is a priority in order to reduce the difficulties encountered by the mediators during their work. A network of Roma/Egyptian mediators has been established and operates now in different regions across the country. As a result, the authorities' awareness of the approach, role and responsibility of the Roma mediators has increased, which has a positive impact on co-operation between the two parties towards further improvement of human rights, social inclusion and integration of Roma and Egyptian communities.

A solid foundation and concrete tools have been put in place to further improve legal and policy frameworks in order to implement the *Recommendation CM/Rec(2010)5 on combating discrimination on grounds of sexual orientation and gender identity*. The adoption and implementation of the national Action Plan, "*On Measures for non-discrimination on the basis of sexual orientation and gender identity*", with CoE support, has been a milestone step forward in the protection of human rights of LGBTi persons. Ultimately, an overall improvement of the Albanian stakeholders' knowledge of LGBTi issues has been reported.²

² At a regional workshop on "*Human Rights of LGBT People, Equal Treatment and Fight against Discrimination*" in Belgrade in June 2013, Albania together with Montenegro and Serbia, which participated in the project, displayed a remarkably higher level of knowledge of the situation of LGBT people than the other SEE states. Improved

The CoE efforts have contributed to a climate conducive to legal reforms. In May 2013, the Parliament amended the Criminal Code in order to more effectively combat homophobic violence and hate speech. Article 50 of the Criminal Code now recognises a hate crime motivated by the victim's sexual orientation and gender identity as an aggravating circumstance. The second amendment, concerning Article 119, introduces the concept of hate speech crimes against the LGBT community through the use of information technology.

Actions and Results

i) Capacities and resources for effective domestic implementation of the ECHR

The CoE programme for human rights education for legal professionals (*HELP*) has further mainstreamed ECHR standards in the curricula of the Albanian School of Magistrates. *HELP* self-learning materials, distance-learning courses, as well as methodology for training of trainers, are now available in Albanian and can be accessed through a dedicated internet webpage. Three new distance-learning courses were developed in 2013, tailored to developments in the Albanian legal order. Dissemination of the ECHR standards among legal professionals was further ensured through translation of 109 ECtHR judgments and 61 legal summaries into the Albanian language, as well as training of Albanian lawyers conducted by the ECtHR in Strasbourg.

ii) Inter-cultural mediation for Roma

30 Roma and Egyptian mediators from different regions in Albania have been trained on issues such as civil registration, healthcare, education, and employment. The ROMED National Focal Point, *Roma Active Albania* has further promoted training on mediation with a number of Albanian institutions, notably the Training Institute of Public Administration. CoE training has complemented and reinforced national training, which is better equipped to deal with the specificities related to the field of work of the mediators and the legal, administrative and socio-cultural context.

iii) Combatting Discrimination on Grounds of Sexual Orientation and Gender Identity

The CoE provided Albanian policy-makers, institutions, and civil society organisations with concrete expertise and capacity building to address problems faced by the LGBTi persons through supporting the implementation of the national Action Plan, "*On Measures for non-discrimination on the basis of sexual orientation and gender identity*". Legal challenges have been identified with specific emphasis on relevant legal provisions in the Criminal, Family and Labour Codes. Albanian human rights defenders involved in litigation cases have been assisted to develop proper legal strategies in order to improve the legal position of LGBTi persons. The capacities of NGOs to train teachers in handling LGBTi issues at school have been strengthened through the training of 40 high school teachers as future trainers. The CoE has fostered co-operation between LGBTi organisations and other institutions – the Ministry of Education and Sport, the Ombudsman, the Commissioner for the Protection from Discrimination, the State Police, the Albanian Chamber of Commerce – towards more inclusive and tolerant environments in education, police, business and healthcare.

iv) Protection of National Minorities

Progress in this area has been uneven due to the suspension of the regional project on "Promoting human rights and minority protection in South East Europe", during the second semester of 2013. Prior to the project's suspension, assistance consisted mainly in promoting exchange of experience and co-operation between the Albanian Ombudsman and counterpart institutions mandated to protect and promote minority rights in other SEE countries. During the project's transition period, the CoE initiated support to national consultations on potential ratification of the European Charter on Regional and Minority Languages.

v) Effectiveness of the Anti-Discrimination System

During the period under review, preparations were still underway to develop and launch the project on enhancing the overall effectiveness of human rights protection and anti-discrimination system.³ The lengthy programming and preparatory phase has delayed support to national stakeholders. This may affect in particular the Commissioner for Protection against Discrimination (CPD), which is in need of immediate assistance concerning staff trainings. This situation is currently being mitigated through mobilising HELP training resources for CPD staff until the project becomes operational.

Programming Outlook

The project on enhancing the effectiveness of the Albanian system of human rights protection and anti-discrimination will be launched towards the end of 2014. Key challenges will include strengthening co-operation between the Ombudsman and the Commissioner for Protection against Discrimination as well as capacity-building for the MSWY and CPD in terms of procedures, methodology and staff training. In view of the planned adoption of the new law of Inclusion and Accessibility of Persons with Disabilities, the authorities have pointed out at the need to align the legal framework and practice with the principles of the Convention for the Rights of Persons with Disabilities.

The regional project on promoting human rights and minority protection in SEE will be fully operational as of June 2014. The objectives of the project have been re-focused in consultation with the national stakeholders. The CoE action will follow a bottom-up approach targeting implementation of minority rights at the local level and on this basis inform and assist the policy-making at central level. The adoption of comprehensive legal framework on national minorities is a priority in accordance with the *Committee of Ministers resolution on the implementation of the FCNM by Albania CM/ResCMN(2014)1*. Moreover, steps have been taken by the government to prepare the signature and ratification of the ECRML. These interrelated reforms could benefit from CoE assistance.

Despite progress made on LGBT rights, successful implementation of the national Action Plan remains a challenge. The relatively positive political climate towards LGBTi issues and the solid partnerships established with civil society, during previous co-operation, will allow the CoE to provide additional support and expertise in overcoming identified difficulties.

³ Funding for the project was secured under the Instrument of Pre-Accession 2013 National Programme for Albania.

The CoE will continue to engage with Albanian authorities to address discrimination and social exclusion of Roma in line with the objectives of the national *Strategy on Improving the Living Conditions of Roma of the Roma Minority* and the *Action Plan on Roma Decade*. A training programme on anti-discrimination/anti-Gypsyism in the field of housing, education and police conduct on the basis of the findings of the thematic reports of the CoE *ad hoc* Committee of Experts on Roma issues (CAHROM) and the ECtHR judgments on Roma, is being developed and will soon become operational.

The CoE is in a unique position to support the effective implementation of human rights at the national level, in line with the Brighton Declaration, through adequate education and training on ECHR standards for legal professionals, as well as domestic dissemination of the ECtHR case-law. The authorities have shown a strong interest in the HELP Programme and have requested expansion of the project to include among the beneficiaries the Government Agent to the ECtHR, taking into consideration that this institution is in charge of coordinating the execution of ECtHR decisions. The HELP programme has also proven an effective tool to facilitate the implementation of other CoE projects in Albania.⁴

⁴ The *LGBTi project* relied on the HELP distant-learning course on anti-discrimination for training of lawyers on LGBTi issues.

2. PILLAR II – Rule of Law

Co-operation Document commitments

- To improve the day-to-day functioning of the public service of justice rendered by the courts to the citizens;
- To contribute to democracy and the rule of law through the prevention and control of corruption;
- To support effective measures against cybercrime based on existing tools and instruments, in particular the Budapest Convention on Cybercrime;
- To develop legal and institutional guarantees for freedom of expression, higher quality journalism and a pluralistic media landscape in line with CoE standards.

Sector Impact

The Co-operation Document actions have led to visible and positive change, contributing to important reforms in the areas of the fight against corruption and organised crime, including the fight against cybercrime. It is impossible at this stage to evaluate the impact of the Co-operation Document in the judiciary and media sectors, as the planned actions started only recently.

A landmark achievement in the fight against corruption was the amendment to the Albanian Constitution lifting the immunities of elected officials and bringing this provision into line with CoE standards. Key legal reforms have also been implemented in the areas of political party financing and anti-money laundering. Recent amendments to the criminal code (“anti-mafia package”) adopted by the Albanian Parliament in March 2014, reflected CoE expert recommendations. These measures have translated into progress in the fulfilment of GRECO and MONEYVAL recommendations.

Overall improvements have resulted from the CoE engagement in respect of the anti-corruption regulatory framework and policy, enhancement of administrative set-up, institutional co-ordination and inter-agency information exchange. Examples include the adoption of an Anti-Corruption Action Plan for 2011 – 2013 and the establishment of a Technical Secretariat responsible for supporting its implementation. A noteworthy achievement was the signing of memoranda of understanding between the High Inspectorate of Declaration and Audit of Assets (HIDAA) and other key agencies to ensure exchange of information on the assets of public officials.

The legal and policy reforms coupled with CoE extensive training to the police, prosecution and law enforcement may ultimately be expected to positively affect the investigation and prosecution of corruption cases.⁵ A positive trend has been noticeable in the area of detection and reporting of money-laundering cases.⁶

⁵ The EC 2013 Progress Report notes that during the first six months of 2013, convictions at district courts increased by 21% to reach 94 cases, compared to the same period in 2012, and convictions at the appeal court more than doubled to reach 56 cases. A variety of sectors were covered, such as health and education. Four defendants were convicted during the first 6 months of 2013 on charges of high-level corruption.

⁶ PACA – Final Project Report, 30 June 2013

Steps were made with respect to the prevention of corruption in the education sector. The Ministry of Education and Science⁷ was provided with a basis for a new policy framework for prevention of corruption and a considerable source of knowledge based on international expertise. This could serve to implement further reform policies both in the area of public education and also in the regulation and oversight of private education.

The absorption of CoE assistance has, however, been uneven in some respects. Notwithstanding extensive CoE support, concerns remain on the overall co-ordination and monitoring of anti-corruption policy, as well as the limited extent of translating expert recommendations for specific sectors into actual policies, by the time of the completion of the project. These include, in particular, the healthcare and education sectors and the practical implementation of information exchange between responsible agencies.⁸

Important progress has been made in bringing Albania's legal framework, institutions and practice in the area of the fight against cybercrime further into line with European and international instruments and practices, including the *Budapest Convention on Cybercrime*. Stronger engagement by Albanian decision-makers in the fight against cybercrime has helped to move the issue higher on the agenda of the government.

As a result, Albanian legislation, notably criminal law and criminal procedural law provision on cybercrime, is more harmonised with the *Budapest Convention on Cybercrime*, and, importantly, further reforms are underway. Specialised cybercrime units and teams have been created and strengthened. Capacities of financial investigators, Financial Intelligence Units (FIU), and/or relevant law enforcement units in charge of fighting against cyber criminals in following crime proceeds on the internet have improved and their co-operation with the financial sector has strengthened. Cybercrime response teams have been created to assist first responders in the handling of electronic evidence. Albania has also reviewed mutual legal assistance procedures with a view to accelerate the handling of requests in cases where digital evidence is concerned. Ultimately, Albania's co-operation against cybercrime at the regional and international level has increased.⁹

Actions and Results

i) The Fight against Corruption

In the framework of the project against corruption in Albania (*PACA*), the CoE provided a significant number of recommendations for changes to existing legislation, most notably on the reform of immunities, political party financing, the criminal code, conflicts of interest and asset declaration laws, as well as civil service law. The assessment of draft AML/CFT amendments led to important changes in the Law on Anti-Money Laundering reflecting CoE recommendations. The project contributed substantially to the preparation of the Anti-corruption Action Plan for 2011 – 2013 and improved the framework for its implementation, leading specifically to the establishment of a Technical Secretariat to carry out practical coordination tasks, complemented with institutional capacity-building. In terms of strategic assistance to policy research and coordination, Albanian authorities were provided with extensive policy documents, and tools/mechanisms to improve prevention and suppression of corruption, made available based on targeted corruption risk assessments carried out in six different sectors.

⁷ Now Ministry of Education and Sport

⁸ The Inter-ministerial Working Group, formally in charge of coordinating the implementation of the Anti-corruption Action Plan 2011-2013 did not have sufficient resources to perform its tasks. Regardless of the establishment of a Technical Secretariat, the latter met only *ad hoc*, *PACA* – Final Project Report, 30 June 2013.

⁹ Albania sent/received 13 MLA requests in 2012 (compared to 6 in 2010) regarding cybercrime.

The CoE provided assistance to building the capacity of institutions responsible for the detection, investigation, prosecution and adjudication of corruption and economic crime cases, both through written guidelines and intensive training. An extensive number of Albanian prosecutors, police, tax and customs officers and other government agencies' officials were trained and exchanged experiences with their foreign counterparts. National training resources were reinforced through the development of a training of trainers programme for law enforcement agents and judges on the investigation of corruption and money laundering and on tracking the proceeds of crime.

The project assisted with the incorporation of corruption issues in school curricula and provided important input on anti-corruption measures to new education legislation. The impact of the assistance has been reflected through the approval of a Teachers' Code of Ethics, and improvements in provisions regarding the recruitment of teachers in a new Law on Pre-University Education.

ii) Combatting Cybercrime

Albania is among the states that adopted the declaration and a set of "*Strategic Priorities in the Cooperation against Cybercrime*" at a conference organised by the regional CyberCrime@IPA project in Dubrovnik, Croatia, on 15 February 2013.

In the framework of the project, the CoE assisted with identification of strategic priorities, provided observations and recommendations for action, which were included in the country report. A number of recommendations, in particular those concerning legal concept of seizure of computer data and the possible need for expedited execution of investigative powers, were heeded by the Albanian authorities when amending the legal framework.

Expertise and capacity-building of units and law enforcement officials involved in the fight against cybercrime has been provided. A number of practical tools have been made available (in English and Albanian) ranging from a good practice study on specialised cybercrime units, to a blueprint for law enforcement training strategies, a study on practices of law enforcement co-operation with ISPs or the electronic evidence guide.

In addition, judicial training modules on cybercrime and electronic evidence, have been developed, translated into Albanian and integrated into the training curricula for judges and prosecutors. With the support of the project, 60 judges have undergone basic training and 10 judges have undergone advanced training in the fight against cybercrime. Co-operation with training academies of other countries participating in the project has also been strengthened through a Memorandum of Understanding.

iii) Freedom and Professionalism of the Media

In the field of freedom and pluralism of the media the CoE has contributed to the dissemination of contemporary-case law, good practices and standards in the field of defamation in Albania and shaped discussion on further reforms. In February 2014, the project organised a roundtable to evaluate the Albanian legal framework and practice on defamation. Independence and efficiency of audio-visual media regulatory bodies is a second area where project work has started. In March 2014, a regional conference on "*Indicators for Independence of Media Regulatory Bodies*" facilitated an exchange of views and practices among stakeholders from different beneficiary countries¹⁰. An evaluation of the Albanian Audio-visual Media Authority based on independence and efficiency indicators was subsequently requested by the Albanian Parliament.

¹⁰ Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo*, Montenegro and Serbia

iv) Independence and Efficiency of the Judiciary

The project on strengthening the efficiency and quality of the justice system started in January 2014 and is currently in inception period. Preparations are underway for the launch of the operational phase of the project.

Programming Outlook

The new Albanian authorities have demonstrated a strong commitment in the fight against corruption in the framework of the new Anti-Corruption Strategy and Action Plan 2014 – 2017. This positive impetus opens up new opportunities for CoE re-engagement, drawing on the PACA legacy and the findings of the expert mapping exercise conducted by the CoE in November 2013. Specific needs in risk sectors identified by PACA include combatting corruption practices in the healthcare sector, designing and implementing an anti-corruption curricula for high schools, development of integrity testing systems, improving ethics and conflict of interest frameworks as well as asset declarations frameworks.

Justice sector reform will be sustained with a particular emphasis on the justice system reform objectives in respect of the efficiency and quality of justice. The application of CEPEJ tools in all Albanian courts to increase their efficiency, strengthening the capacity of the HCJ and the judicial inspectorate on matters related to efficiency and quality evaluation and capacity-building of the School of Magistrates with regards to training on judicial quality and efficiency will be among the immediate challenges to address. An equally important priority remains the development of statistical systems which can be used as a monitoring tool for preventing further violations of the ECHR. These efforts will complement Venice Commission support to reform of the justice system legal framework. CoE action will take into account new developments such as the upcoming adoption of a new justice sector reform strategy for 2014-2020.

A number of recommendations have been issued to relevant Albanian authorities with a view to addressing remaining challenges in *combatting cybercrime*, notably: to maintain statistics in order to assess the effectiveness of the criminal justice process; to review existing human resources strategies; to continue to develop the training strategy for judges and prosecutors and to include continuous career development opportunities; to ensure continuous training and capacity-development by specialist cybercrime investigators based upon identified capability gaps; to conclude a Memorandum of Understanding with the Electronic and Postal Communications Authority (AKEP) in order to establish a forum and processes for dealing with ISP problems and issues.¹¹

The CoE action in the media sector will continue to focus in the areas of broadcasting regulation, including the efficiency of the Audio-visual Media Authority, media transparency and ownership, journalism education and training. Building on the work of the regional project, country-specific action may be developed as a follow-up with a view to consolidating the outcomes and impact.

¹¹ CyberCrime@IPA – Final project report, 23 January 2014

3. PILLAR III – Democracy

Co-operation Document commitments

- 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;
- To strengthen the local and regional government structures and to reinforce co-operation among local elected representatives in order to ensure effective decentralisation and local self-government, in line with the principles enshrined in the European Charter of Local Self-Government;
- To promote the concept and practices of inclusive education in the formal pre-university education system;
- To oversee the economic and social benefits that rehabilitation of the cultural heritage can bring to local communities, and attract increased public and private investment to support the enhancement of the region's cultural heritage.

Sector Impact

A *pre-electoral assistance programme* for Albania was put in place ahead of the 2013 general elections to support free and fair elections in the country. The capacities of the Central Election Commission (CEC) were enhanced allowing the electoral administration to better comply with European electoral standards in respect of electoral procedures as well as training. An awareness-raising programme for first time voters helped the CEC to reach out not only to first-time voters but also to their peers and families, and may have contributed to the high election turnout.¹² The programme consolidated the experience and practice already established in 400 high schools in the country, adding to the expectation that civil education on elections becomes a permanent feature of secondary and higher education programmes.

A number of factors interfered with the impact of the CoE assistance. For instance, the highly politicised CEC environment hindered the chances of adoption for the CEC rules of procedure on which the Venice Commission provided assistance. The training of electoral judges was not carried out due to the delays by the Electoral College in providing details on their specific needs and on other organisational issues. The findings of the OSCE/ODIHR Election Observation Mission highlighted a number of shortcomings related to the electoral administration. Thus, although OSCE/ODIHR positively assessed the training for election officials provided by the CEC, it also observed that its effectiveness could be limited due to two main reasons: a) late replacements at the lower-level commissions; and b) a low participation rate.

In the field of *local democracy and decentralisation*, steps have been taken to improve the overall framework and practice relevant to the Inter-Municipal Co-operation (IMC) and Human Resource Management. The CoE has, however, given higher priority, at this stage, to the new needs of the Territorial Administrative Reform (TAR), the decentralisation strategy and the future of regions, as well as the capacity-building on HRM. The legislation on TAR and the Civil Servant secondary legislation provisions concerning local authorities have been prepared in consultation with the CoE.

¹² According to the CEC official statistics, the 54% turnout is a leap forward since the first pluralist voting process in 1992 in Albania. Indirect data and media reports indicate that an increase in the turnout of young voters is presumably influenced by the first time voters' programme *DGII/Inf(2013)09 Albania: Final report of the activities of assistance to the 2013 parliamentary elections, 2 September 2013*

A key achievement during the first year of implementation has been the establishment of a pluralistic, representative and politically balanced structure (Common Platform) composed of 10 local elected representatives. The Common Platform has taken a number of joint decisions on local governance and decentralisation issues as a starting point for dialogue with the central government. These decisions constitute significant political progress after a protracted antagonistic split between majority and opposition municipal representatives. Ensuring ownership and legitimacy of the structure by all local government associations has been a major breakthrough of the CoE.

Actions and Results

j) Pre-electoral assistance

In the framework of the *CoE pre-electoral assistance programme*, the Venice Commission organised thematic events and provided long-term assistance to the CEC on the standardisation and simplification of elections procedures and documents. The VC assistance to the CEC training unit enabled it to increase its capacities in designing modern training programmes, as well as in supplying them with user-friendly and practical manuals. The CEC training manuals for election commissioners and the assistance to the CEC training unit with regards to the Training of Trainers (ToT) programme comprised key aspects of the VC expertise. The CEC used these materials in its training programme, reaching out to approximately 45,000 commissioners.

The awareness-raising programme for first-time voters was a successful follow-up to the previous initiative launched by the CoE in the 2011 local elections in Albania. Implemented in partnership with the Albanian School of Political Studies with the co-operation of the Ministry of Education and Science and the full support of the CEC, it contributed to the CEC's strategy on voter's education. The programme reached out to over high school 35,000 students in different regions, and, in co-ordination with other CoE awareness measures, to more than 200,000 young voters. The CoE also organised activities aimed at increasing the awareness of Albanian media professionals of the legal framework governing media conduct during elections, and at improving their ethical standards in the electoral context.

ii) Local democracy

The project on *strengthening local and regional government structures and co-operation of local elected representatives* has been adjusted to accommodate the needs of the new reforms announced by the new government. The CoE Centre of Expertise has provided expertise and practical support in designing the process of TAR, in particular its criteria and methodology, as well as enabled concrete exchange of experience on TAR process through a peer review exercise in November 2013. Some of the key recommendations proposed by the CoE experts and the peer review report were already included in the draft law on TAR. Expertise is also being provided in preparation of the secondary legislation on the Civil Servant with regard to issues of relevance to the local self-government. Legal, institutional and financial obstacles for creation and functioning of the inter-municipal co-operation have been examined and initial proposals for legal improvements are in the process of submission to the authorities.

A process of dialogue among all local authorities was initiated and mediated by the Congress through various initiatives: meetings with the main stakeholders and high-level representatives of local government associations, consultation events and direct negotiations with the main political stakeholders in the field of local government. Within this framework, three regional seminars were organised and attended by representatives from one third of all Albanian local authorities.

iii) Inclusive Education Policies

Steps have been taken to promote the concept of *inclusive education* as a reform principle in Albania. A network of 7 pilot schools has been established and is supported to enhance inclusive practices, culture and policies. A policy team on inclusive education was created at national level in consultation with the Ministry of Education and Sports in order to identify the gaps, define good policies, present them to the regional *PolicyNet* network and on this basis prepare an implementation plan to address key challenges in Albania. Exchange of education experiences has been promoted through study visits for pilot school team and policy teams, participation in the regional teacher network (*Inclusive TeacherNet*) with the involvement of 35 Albanian teachers.

iv) Cultural Heritage

In the area of cultural heritage the CoE has contributed to the inclusion of national heritage rehabilitation processes into national policies in Albania and to increase the number of heritage development projects for local communities. A Heritage Assessment Report on the situation of the heritage policy and related issues at stake was prepared with CoE assistance and linked with other sectorial policies. An Action Plan has been developed on the basis of Heritage Assessment Report and has contributed to establish priorities such as legal reforms, institutional capacity building, professional training as well as tools for project and sites management

Programming Outlook

The Albanian authorities are committed to continuing co-operation in the area of electoral reform and have requested that CoE assistance is extended beyond the timeframes of electoral period. The functioning of an independent and professional electoral administration is an immediate challenge, also in view of the local elections in 2015, and the establishment of a training centre for election commissioners is a priority area where co-operation with the CoE has already started. Reaching out at Roma/Egyptian population in the framework of education campaigns for first-time voters deserves particular attention.

The CoE will continue to prioritise assistance to the territorial administrative reform. Consultations with the project beneficiaries on improvement of the IMC framework are currently postponed until spring 2014 to ensure the proposed changes are in line with other potential legal changes and new TAR framework. Once the territorial administrative reform is at a more advanced stage, the identification/selection of IMC initiatives would continue its foreseen path taking into account the newest trends and updated legislation. This approach will avoid the risk of unsustainable investment to IMC initiatives and will allow for better planning. The Congress will also assist in the creation of an institutionalised mechanism for the dialogue between central and local levels – the Consultative Council – and contribute to the development of the National Decentralisation Strategy, as requested by the Government of Albania.

The CoE will continue to support pilot schools in designing and implementing school-based projects to enhance inclusiveness of the most vulnerable children, in full synergy with the Ministry of Education and Sport's programme "Schools as Community Centres". Inclusive education is key priority of the Ministry of Education and Sport, and an extension of the project to include other schools, mainly in the areas inhabited by families with socio – economic problems, has been suggested.

Different types of assistance could be organised related to reforms in the area of cultural heritage, including legislative assistance. Cross-border co-operation between municipalities from Albania and "the former Yugoslav Republic of Macedonia" could be developed, creating operational frameworks for heritage rehabilitation projects and local revitalisation. Priority,

institutional and professional activities mentioned under the Heritage Assessment Report can be further supported.

ADDENDUM I – FINANCIAL TABLES

1. Table 1. State of funding by pillars

Pillars	Budget approved by CM	Revised budget	Total funds secured
1. Human rights	€ 1 887 000	€ 2 446 000	€ 2 446 000
2. Rule of law	€ 3 780 000	€ 3 745 000	€ 3 745 000
3. Democracy	€ 3 254 000	€ 2 615 000	€ 2 615 000
TOTAL	€ 8 921 000	€ 8 806 000	€ 8 806 000

2. Table 2. State of funding by type of project and type of donor

	Funding secured			
Type of project	Ordinary Budget	EU/CoE Joint Programmes	Voluntary Contributions	Total funds secured
National	€ 310 000	€ 4 945 000	€ 1 480 000	€ 6 735 000
Regional/ Multilateral	€ 120 000	€ 1 700 000	€ 251 000	€ 2 071 000
TOTAL	€ 420 000	€ 6 645 000	€ 1 731 000	€ 8 806 000

APPENDIX I PROJECT REVIEW

1. HUMAN RIGHTS

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

Duration: 2014 – 2015

Implementation status: not active

Funding status: Funding secured: € 1,650,000 (pipeline EU/CoE JP)

Overall objective:

To contribute to the respect of human rights and the fight against discrimination and overall social development in Albania

Results:

Preparation of the project's Description of Action is currently underway. Funding for the project has been earmarked under the IPA 2013 national programme for Albania.

Project Outlook

The project is expected to start end of 2014/early 2015

1.2. Promoting Human Rights and Minority Protection in South East Europe

Duration: 30/11/2011 – 29/11/2015

Implementation status: ongoing

Funding status: Funding secured – € 515,000 is the approximate budgetary allocation to Albania from an overall € 3,600,000 budget of the regional EU/CoE JP.

Overall Objective:

To improve respect for human rights, particularly minority protection in practice, by enhancing the capacities of the various national bodies involved and regional co-operation.

Implementation Progress:

The project has facilitated the exchange of experiences between independent institutions with similar mandates in relation to protection and promotion of minority rights, as well as promoting good practices to improve the situation of minorities in the countries concerned. The meeting of the region's Ombudsmen in Tirana in September 2012, hosted by Albanian Ombudsman, helped strengthen the ownership of the project by the Albanian beneficiaries while further promoting Albania's co-operation in the field of protection of minority rights with other countries in the region.

The project has conducted a mapping of the institutional landscape identifying existing governmental and non-governmental bodies at national and local level concerned with minority protection. In addition a comprehensive document entitled "*Barriers to the full enjoyment of minority rights in South East Europe*" was developed drawn from the relevant reports of the major monitoring bodies of the Council of Europe, as well as of additional external sources, including the European Commission and the OSCE High Commissioner on National Minorities.

An internal Council of Europe Advisory Board has been established, consisting of members of the secretariats of the most relevant minority rights' monitoring bodies including FCNM, ECRML, ECRI, the Congress, Office of the CHR and the DPA. The main role of the Advisory Committee will be to advise on project implementation with due consideration of the findings and recommendations of the Council of Europe monitoring mechanisms for the countries concerned.

The project was suspended during the second semester of 2013 and is currently in transition phase. On 24 April 2014, the project assisted in the organisation of the first round table by the Ministry of Foreign Affairs of Albania on the subject of "*European Charter on Regional or Minority Languages – ways forward*". This round table is intended to provide guidance to Albanian stakeholders on how to initiate the process of ratification of the ECRML in Albania.

Project outlook:

The project will issue "The call for expression of interest for project grants" to all multi-ethnic municipalities in Albania in August 2014. There will be 5 pilot projects funded (€ 20 000 each) that will aim to raise capacity of the local authorities to tackle and solve issues important to the minority population at the grassroots level. Assisted by international and national experts, the municipal authorities will be implementing the projects for 16 months and will exchange experiences on the national and regional level in 2016. The experiences from the pilot phase will be useful as a basis for the creation of national/regional policies in this field. The secretariat will also offer legal advice upon request to support minorities in the assertion of their rights.

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

Duration: 6/07/2011 – 2013

Implementation status: completed

Funding status: Funding secured: close to € 50,000 (from the budgetary allocation in 2013 to Albania, from a total of € 3 million of the regional EU/Council of Europe programme).

Overall objective:

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/healthcare providers/employment office)

Activities and Results:

The project has trained 30 Roma and Egyptian mediators through ROMED training sessions in September 2012 and March 2013. Almost all the mediators work (five in a paid capacity in local state institutions/NGOs and the remainder being volunteers) on the rights, social inclusion and integration of the Roma community including issues such as civil registration, healthcare, education, and employment. Mediators come from different regions, including Tirana (7), Durrës (1), Elbasan (12), Fier (5), Korça (4) and Berat (1).

Albanian Roma and Egyptian mediators are part of the European mediators network which enables professional exchanges between mediators and their peers in other regions or countries. They are represented in the European Congress of Mediators through a delegation of 5 mediators, 2 trainers and 1 trainer/NFP. Mediators have access to the European Database on Mediators, a valuable resource with up-to-date information on various aspects of Roma mediation in a number of countries.

Project outlook:

ROMED2 Programme – Democratic Governance and Roma Community Participation through Mediation started on 1 April 2013. The new phase of the Programme aims to include the responses to the specific needs of the Roma in the mainstream strategies and activity plans and to empower Roma to contribute as active citizens to the definition and implementation of local public policies and civil society actions. At this stage it is not foreseen to start with the ROMED2 phase in Albania in 2014. In that sense, no major activity in the framework of the Programme will be organised in Albania this year. Contacts with the partners from Albania will be maintained, involving them in actions such as the participation in the EU Roma Summit in April 2014 and other punctual activities.

1.4 Combating discrimination on grounds of sexual orientation or gender identity

Duration: 1/09/2011 – 31/12/2013

Implementation status: completed

Funding status: Funding secured (multilateral programme funded by voluntary contributions from Belgium, Finland, Germany, The Netherlands, Norway, Sweden, Switzerland and the United Kingdom).

Overall objective:

To assist member states in efforts to bring their policies and national legislation in line with the standards of the Council of Europe, as laid down in the Recommendation of the Committee of Ministers to member states on on measures to combat discrimination on grounds of sexual orientation and gender identity (*CM/Rec(2010)5*).

Activities and Results:

The project encouraged a needs-assessment on the situation for the LGBTi-community and the development of an Action Plan, "*On Measures for non-discrimination on the basis of sexual orientation and gender identity*". It helped in transforming the Action Plan into tangible and concrete activities contributing to its implementation.

Assistance was provided in identifying the legal challenges that Albania faces to implement the Recommendation *CM/Rec(2010)5*. Specific emphasis has been put on the current legal provisions on anti-discrimination in the Criminal Code, Family Code, Labour Code, and Asylum Law, and on the procedures for legal gender recognition for transgender persons.

Albanian legal professionals have been provided with access to an online training session on discrimination on grounds of sexual orientation or gender identity which takes into account the specificities of Albanian national legislation. This training has been developed as a component of the distance-learning course on anti-discrimination within the framework of the HELP-programme of the Council of Europe. Albanian NGOs working on LGBTi issues have been assisted in developing proper legal strategies in order to improve the legal position of LGBTi persons. The capacities of Albanian NGOs to train teachers in handling LGBTi issues at school were increased, through training of trainers (40 high school teachers) and development of a training manual. To this effect the project facilitated co-operation between NGOs working on LGBTi issues, such as Aleanca LGBT and Albanian institutions including the Commissioner for the Protection from Discrimination and the Ministry of Education and Science.

Co-operation between Ministry of Tourism, Chamber of Commerce and LGBTi organisations increased, creating opportunities for improved social inclusion of LGBTi persons. The Albanian Ombudsman institution and LGBTi organisations have been provided with expertise on the

monitoring of healthcare service providers compliance with human rights requirements, notably those of LGBTi persons. Recommendations have been made available to four healthcare institutions and can serve as a basis for further improvements in the healthcare sector. Members of the Albanian police have improved their knowledge of the LGBTi issues in Albania, through exchange of good practices, knowledge and experiences with their counterparts from other countries. A working partnership has been established between the Dutch police (Pink in Blue) and the Albanian police.

Overall, the project contributed to better awareness on sexual orientation and gender identity in different settings. Dissemination of the *CM/Rec(2010)5* was facilitated through official translations and publications.

Project outlook:

The project was completed in December 2013. A new assessment of the situation of the LGBT community is planned followed by consultations with relevant authorities to identify future action. Additionally, the CoE will continue to make available awareness raising materials (toolkit against homophobia/transphobia) and the online database on good practices and policies in Albania.

1.5 Strengthening implementation of the ECHR by raising the level of knowledge of ECHR standards and the case-law of the ECtHR

1.5.1. European Programme for human rights education for legal professionals (HELP Programme)

Duration: 1 January 2010 – 31 December 2015

Implementation status: ongoing

Funding status: Funding secured – € 40,000 (the budgetary allocation to Albania from a total € 2,700,000 of the consecutive phases of HELP programme which started in 2010).

Overall objective:

To support member states of the CoE in implementing the European Convention on Human Rights (ECHR) at national level, by coordinating and improving national and international training activities for legal professionals, enhancing judges, prosecutors and lawyers' capacity to apply the ECHR in their daily work.

Implementation progress:

Albanian legal professionals have access to self-training resources on the HELP website and also to general information on ECHR training on the national HELP [webpage](#) (online since November 2012). National experts have been established as HELP Focal and Info Points to organise national events focused on disseminating the use of the HELP resources among national legal professionals. A HELP hot-line on admissibility criteria is available on the Albanian national page, providing information and answering questions raised by lawyers and potential applicants on admissibility criteria of applications submitted to the ECtHR.

Three distance-learning courses were launched in Albania in 2013 and are now available. All courses have been tailored to the specificities and recent evolutions of the Albanian legal order and have been translated into Albanian.

- A course for judges on *community sanctions and alternative measures to detention* (the kick-off event took place at the School of Magistrates in Tirana on 11 March 2013). The course was adapted to take fully into account the new legislation on alternative measures to detention.
- A course for lawyers on *admissibility criteria before the ECtHR* was launched on 9 April 2013, in cooperation with the Albanian Advocacy Chamber.
- A course on *anti-discrimination* issues was launched on 12 December 2013, for another group of Albanian lawyers, in cooperation with the Advocacy Chamber, given the need to fully harmonise the interpretation and application of the 2010 Law on Anti-discrimination.

Project outlook:

Activities planned under the HELP Program for 2014 that have been considered of interest by Albanian School of Magistrates and the Chamber of Advocates, include new distance-learning courses on business and human rights; hate speech and hate crime; asylum and refugees; digital due process, freedom of expression and internet governance; international cooperation on criminal matters.

1.5.2 Bringing Convention standards closer to home: case-law translations project

Duration: 01/03/2012 – 28/02/2015

Implementation status: ongoing

Funding status: funding secured - € 1 440 000 (the total project envelope for 11 beneficiary countries financed through voluntary contributions of HRTF and the ordinary budget)

Overall objective:

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

Implementation progress:

The project has so far commissioned the translation of 109 ECtHR judgments together with 61 legal summaries into Albanian language.¹³ All translations are uploaded into the enhanced HUDOC search portal (which enables users to perform language-specific searches) and further disseminated by national partners.

Project outlook:

The case-law translations which the ECtHR has been commissioning over the last years fill a significant gap. Bearing in mind that the HRTF-supported project will come to an end in April 2015, the ECtHR Registrar proposed in September 2013 that member States put in place, by early 2015, appropriate arrangements for translating the leading cases selected by the Bureau.

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

Duration: 01/03/2012 – 28/02/2015

¹³ A list of translated judgements can be found at:

http://www.echr.coe.int/Documents/HRTF_Cases_list_Albania_ENG.pdf

Implementation status: ongoing

Funding status: funding secured – € 39 000 (budget allocation to Albania from the total project envelope of € 200 000 per year for all the beneficiaries, financed through voluntary contributions of HRTF)

Overall objective

To contribute to the dissemination of the ECtHR's case-law and to its effective accessibility for legal professionals through high-quality training on ECHR law

Implementation Progress:

17 Albanian lawyers were selected with the assistance of the national judge and participated in a training on 27/28 November 2012. The participants received the following documents in their own language: copies of the European Convention on Human Rights, the ECHR in 50 questions. They also received their national country profile and fact sheets on the case-law of the ECtHR.

Project outlook:

No additional trainings for Albanian lawyers are planned in the framework of the existing project. Future trainings could be envisaged depending on the continuation of the project and the availability of financial resources.

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

Duration: 01/01/2012 – 31/12/2015

Implementation status: ongoing

Funding status: funding secured – € 80 000 (approximate budget allocation to Albania from the total project envelope of € 600 000, financed through the ordinary budget)

Overall objective:

To develop specific learning activities on the case law of the ECtHR and to identify ways of integrating them in their study programmes.

Implementation Progress:

Development of learning activities on the case-law of the ECtHR is underway in co-operation with the University of Tirana under the supervision of the National Institute for the Development of Education. The learning activities in Albania are being tested with selected schools and on the basis of the feedback from teachers an Albanian version of the Handbook of learning activities will be published. The handbook aims to introduce Albanian high school students with the key principles of European law relating to human rights, the ECtHR and other important CoE monitoring bodies, as well as to foster the teachers' role and responsibilities as key actors in ensuring an effective implementation of the principles of the European human rights system.

Project outlook:

The publication of the Albanian version of the handbook is foreseen for 2015 as well as the organisation of promotional activities with secondary school teachers and law faculty students. Based on the feedback from the piloting phase, training modules for teachers for secondary schools will be further developed.

2. RULE OF LAW

2.1 Strengthening the efficiency and quality of the justice system

Duration: 1 January 2014 – 31 December 2015

Implementation status: ongoing

Funding status: funding secured – € 1 165 000 (EU/COE JP)

Overall objective

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

Implementation progress

The project started in January 2014 and is currently in inception period. Since then, the project and the experts' teams have been established. In January 2013, the CEPEJ experts conducted the first visit to Albania, with a view to establishing contacts with the national counterparts, informing them on the project, its activities and methodology. The visit also served to identify possible co-operation and establish links with other international partners' assistance programmes on justice. Currently the project team is preparing a detailed workplan for the year 2014.

Project outlook

Preparations are underway to launch the operational phase starting with the implementation of the CEPEJ tools in the Albanian courts.

2.2 Project against corruption in Albania – PACA

Duration: 01/09/2009 – 31/12/2012

Implementation status: completed

Funding status: € 2 130 000 (EU/CoE Joint Programme)

Overall objective:

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

Activities and Results:

Albanian authorities were enabled to ensure more effectively the implementation of the Anti-corruption Strategy and Action Plan for 2011 – 2013. The project contributed substantially to the preparation of the Anti-corruption Action Plan and improvements to the framework for its implementation, leading specifically to the establishment of a Technical Secretariat to carry out practical coordination tasks, complemented with institutional capacity building.

Five risk-assessments were completed in the framework of the project: on the Immovable Property Registration System, the healthcare system, complaints against judges, allocation of social housing, and the Albanian Competition Authority. The assessments are a major contribution to better implementation of Recommendation iii of the 2002 GRECO First Round

Evaluation to “systematically collect and process in a coherent way data concerning corruption...”

A significant number of recommendations for changes to existing legislation, most notably on the reform of immunities through constitutional changes, political party financing, the Criminal Code, conflict of interest and asset declaration laws and civil service law were provided. The project had demonstrable concrete impact in the form of alterations to amendments to the Anti-money Laundering Law and the official endorsement of a manual for prosecutors by the General Prosecutor’s Office, and the endorsement/approval of various guidelines by the General Directorate for Prevention of Money Laundering (GDPML). The PACA assessment of draft AML/CFT amendments led to important changes in the law reflecting PACA recommendations. The revised versions were submitted by the Government to Parliament and passed in February 2011.

National training resources were reinforced through the development of an important training of trainers programme for law enforcement agents and judges on the investigation of corruption and money laundering and on tracking the proceeds of crime. In terms of concrete impact, these activities led directly to the endorsement by the School of Magistrates, police and General Prosecutors’ Office of the PACA investigation manual that emerged from the training programme. A *Manual on International Cooperation in Cross-Border Confiscation of Crime Proceeds*, developed in the framework of the projects, was endorsed by the General Prosecutor’s Office. As a result, a significant number of Albanian prosecutors, police, tax and customs officers and other government agencies’ officials were trained and exchanged experiences with their foreign counterparts on subjects related to the fight against corruption and money laundering notably the Anti-mafia Law and AML/CFT Law, investigation of economic crime, management of politically exposed persons, detection of money laundering, detection and reporting of suspicious transactions, cross-border confiscation.

The project assisted with the incorporation of corruption issues in school curricula and provided important input on anti-corruption measures to new education legislation. Two risk assessments were carried out in the education sector – one of them on corruption risks and human resources policy in the public education system, and one of them on licensing, regulation and control in the private education system with detailed recommendations for reforms. The impact of the assistance has been reflected in the Teachers’ Code of Ethics, approved through an inclusive consultation process with teachers, students and parents, and improvements in provisions regarding the recruitment of teachers in a new Law on Pre-University Education. Anti-corruption education modules were developed through an extensive and inclusive process of drafting and completing a Curriculum Manual on “Education Against Corruption” distributed to all primary and secondary schools for use in the 2012 – 2013 school year..

2.3 Regional Co-operation in Criminal Justice – Strengthening capacities in the fight against cybercrime

Duration: 01/11/2010 – 30/04/2013

Implementation status: completed

Funding status: Funding secured – € 350 000 (approximate budget allocation to Albania from the total envelope of € 2 777 778 of the regional EU/COE JP)

Overall objective:

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

Activities and Results:

Decision-makers in Albania are now more aware of and more engaged in measures against cybercrime. Albania has reviewed national criminal law and criminal procedural law in the domain of cybercrime taking into account the observations made in the country report prepared in the framework of the project, in particular those related the legal concept of seizure of computer data and the possible need for expedited execution of investigative powers. It has also reviewed MLA-procedures with a view to accelerate the handling of requests in cases where digital evidence is concerned.

Law enforcement training on the fight against cybercrime has become a priority in Albania. The project contributed to the strengthening of skills of and helped Albanian officials access training materials, including through developing a blue-print for law enforcement training strategies. In addition, judicial training modules on cybercrime and electronic evidence, have been developed in co-operation with the relevant training institutions, translated into Albanian and integrated into the training curricula for judges and prosecutors. Co-operation with training academies of other countries participating in the project has also been strengthened.

Four specialised prosecutors are handling cybercrime cases and 20 prosecutors are part of joint investigation units in six regional offices handling cybercrime investigations. The Sector against Cybercrime within the police comprises investigators and forensic analysts. Cybercrime response teams have been created to assist first responders in the handling of electronic evidence. 24/7 points of contact for urgent cooperation to secure electronic evidence have been established in line with Article 35 of the Convention on Cybercrime. The contact points are now involved in actual cases of international cooperation. In almost all cases, the specialised police or prosecution services also function as 24/7 points of contact.

2.4. Promoting freedom of expression and information and freedom of the media in SEE

Duration: 1 September 2013 – 28 February 2015

Implementation status: ongoing

Funding status: Funding secured – € 100.000 (approximate budget allocation to Albania from the total envelope of € 1 000 000 of the regional project funded through the Norway Framework Agreement)

Overall objective:

To develop legal and institutional guarantees for freedom of expression, higher quality journalism and a pluralistic media landscape in line with CoE standards in SEE countries

Implementation Progress:

In Albania, the main focus of the project work is: 1) alignment of the laws, regulations and practice with the Council of Europe standards in the field of freedom of expression; 2) strengthening independence and effectiveness of the bodies responsible for broadcasting regulation; 3) development of a professional approach to, responsibility and respect for ethical rules among journalists.

In February 2014, the project organised a roundtable with Albanian media editors, opinion-makers, judges, advocates, civil society representatives and academia with a view to evaluate the Albanian legal framework and practice on defamation. While acknowledging the progress made so far, the round table pointed out at the need for full decriminalisation of defamation provisions in Albanian legislation as well as further training of judges and journalists especially on case-law and ethical investigative methods and a prudent and widely discussed approach to regulating defamation on the internet. In March 2014, a regional conference on "Indicators for Independence of Media Regulatory Bodies" facilitated an exchange of views and practices among stakeholders from different beneficiary countries on audio-visual media regulators' status and powers, financial autonomy, decision-making autonomy, knowledge and competency levels, transparency and accountability.

Project outlook:

In 2014, the project will focus in areas such as journalism education and training, broadcasting regulation, media transparency and ownership. Planned follow-up activities on identified needs include analytical studies, training and legal expertise. The project envisages joint activities on the development of professional approach, responsibility and respect of ethical rules among journalists with the Albanian Media Club which is part of the recently established self-regulatory media associations' network.

3. DEMOCRACY

3.1 Electoral assistance

Duration: January 2013 – July 2013

Implementation status: completed

Funding status: Total funding secured: €220 000 under ordinary budget. Total spending equals €180 875.

Overall objective:

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

Activities and Results:

From 11 February to 6 July 2013, VC experts provided long-term assistance to the CEC administration. In particular, they advised the Central Election Commission on the standardisation and simplification of elections procedures and documents, notably on the documentation of the Commission of Election Administrative Zones (CEAZ) and Voting Centre Commissioners (VCC).

The VC assistance to the CEC training unit enabled it to increase its capacities in designing modern training programmes as well as in supplying them with user-friendly and practical manuals. The Training of Trainers for Election Commissioners at CEAZ and VCC levels was facilitated both in terms of the modules as well as logistics. For the first time, the training modules included training on presentation skills, which represented a significant step forward in increasing the performance of CEC training programme.

The Awareness Raising Programme for First Time Voters was carried out in two phases from November 2012 to May 2013, in partnership with the Academy of Political Studies. The programme comprised three classes including a mock-election exercise targeting around 188 secondary schools and a total of 15.594 students. Approximately 200 high school teachers were selected and trained on democratic citizenship and the conduct of elections. Up to 3.000 posters and 33.000 brochures (produced during the first phase) aimed at raising awareness and educating first time voters were placed in high schools premises.

Two training seminars on media and elections were organised in May 2013, with the participation of 47 media professionals from printed media as well mainstream radio and TV stations. The seminars focused on the new Albanian Electoral Code and relevant legislation as well as on reporting methods based on CoE standards of fairness, balance and objectivity.

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

Duration: October 2012 – December 2015

Implementation status: ongoing

Funding status: Funding secured – € 1 480 000 through Swiss government's voluntary contribution and € 129 000 under ordinary budget

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

Implementation Progress:

The project provided expertise and practical support in designing the process of Territorial Administrative Reform, in particular its criteria and methodology, as well as enabled concrete exchange of experience on TAR process through a peer review exercise in November 2013.

Legal, institutional and financial obstacles for creation and functioning of the IMC have been examined and initial proposals for legal improvements are in the process of submission to the authorities. A team of trainers/experts has been trained and now possesses the necessary knowledge and skills to deliver training sessions and coaching for LGUs' representatives on the main IMC-relevant issues. Expertise is also being provided in preparation of the secondary legislation on the Civil Servant with regard to issues of relevance to the local self-government. The project is supporting the implementation of the law on Civil Servant with concrete capacity-building activities.

A process of dialogue among all local authorities was initiated and mediated by the Congress through various initiatives: meetings with the main stakeholders and high-level representatives of local government associations, consultation events and direct negotiations with the main political stakeholders in the field of local government. Within this framework, three regional seminars were organised and attended by representatives comprised of one third of all Albanian local authorities.

The need for a common platform of dialogue has been endorsed by all local authorities, together with the need for a structured and institutionalised dialogue with the central government on issues of common concern. The Common Platform, an umbrella structure that encompasses the four Albanian associations of local authorities and which met for the first time in December 2013, is the result of this mediation process.

Project outlook:

By the end of 2014, the project may review the opportunities for pursuing with the IMC objectives assuming the TAR process will be more indicative as regards the trends and formula of the merging of LGUs.

The National Assessment Report on LGUs' capacities of HRM, revealed a need for assistance at both central and local level. At the central level there are specific needs for institutional capacity-building and improved horizontal communication and coordination among the Department of Public Administration, Civil Service Commission, Albanian School of Public Administration and Minister of State for Local Issues, in order to enhance implementation of the law on civil servants by LGUs and improve their performance in local governance service delivery. At the local level the report identified a lack of capacities to implement the Civil Servant law in a considerable part of LGUs. Combined with the upcoming TAR, these conclusions required readjusting the project approach to be followed as of 2014 in order to meet the reform needs in the most efficient manner. The new focus will be on those LGUs most likely to continue their existence after TAR. However, the current LGUs will receive assistance in different levels.

Further steps to be undertaken in 2014 will include the institutionalisation and the legitimisation of the common platform as well as the organisation of joint lobbying/negotiating actions with central authorities. The Congress will also assist in the creation of an institutionalised mechanism for the dialogue between central and local levels (the Consultative Council) and in developing of the National Decentralisation Strategy. These activities will complement and synergise with the Common Platform in an effort to fully deliver the project outcome.

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

Duration: 36 months

Implementation status: ongoing

Funding status: Funding secured – € 40 000 under CoE ordinary budget for the 2013 and 2014 programmes

Overall objective:

To promote and strengthen a generation of young political and civic leaders capable to manage the process of democratic transformation in the country

Implementation Progress:

The main achievements during the reporting period include:

- Training and promotion of 20 new civic and political leaders, contributing in the democratic processes in the country;
- Education and awareness raising of about 30,000 first time voters on democracy and elections (see also p. 29);
- Increased participation and contribution of APS alumni in its initiatives and programmes;
- Organisation of the enlarged assembly of the APS alumni network and issuing the first alumni bulletin;
- Extended network of partner institutions including the CEC, the Ministry of Education, Ministry on Local Issues, Albanian School of Public Administration (ASPA), Ministry of Foreign Affairs and its Academy of Diplomacy, etc.

3.4 Regional Support for Inclusive Education

Duration: 01/01/2013 – 30/11/2015

Implementation status: ongoing

Funding status: Funding secured – € 730 000 (approximate budget allocation to Albania from the total envelope of € 5 110 215 of the regional EU/COE JP)

Overall objective:

To promote the concept and practices of inclusive education in the formal pre-university education systems in the SEE region

Implementation Progress:

A network of 7 pilot schools has been created in Albania (3 primary, 2 general secondary and 2 VET schools) which will be supported to enhance inclusive practices, culture and policies. Pilot schools have appointed teams of five members, composed of school principal, parent representative, local authorities, psychologist and teachers. A regional platform of organisations was selected to provide day-to-day support and capacity building to the school teams for implementing school-based project. In Albania the organisation engaged for this purpose is

Children are the Future. The first stage of support includes implementation of a participatory action research with participation of school staff, parents and students.

A baseline research study was carried out to measure the inclusiveness in the pilot schools and to investigate the awareness of exclusion experienced by young people both within and outside the education system. The targeted sample in each school included 50 students in primary school, 100 students from secondary school and 150 students from VET school, up to 50 teachers and at least 50 parents.

As with all seven beneficiaries of the project, a policy team was created in consultation with the Ministry of Education and Sports. The policy team is composed of 10 members and its role is to identify the policy gaps at the beneficiary level, define good policies with the *SchoolNet* and *TeacherNet*, to present them to the regional *PolicyNet network* and finally, to prepare an implementation plan at beneficiary level. Exchange of education experiences has been promoted through study visits for pilot school team and policy teams.

Albania participates in the regional teacher network (*Inclusive TeacherNet*) with involvement of 35 teachers per beneficiary. The key role of the network is mutual learning and exchange of experience. Teachers from the 49 pilot schools of the region met for the first time during the regional conference, "*Embracing diversity through education*", held in Tirana on 6 – 7 November 2013, as part of the "*Teacher and Diversity*" workshop designed for the teachers' needs.

Project outlook:

At the policy level, Albania policy team members will participate in the work of the three working groups. Each of the working groups will further elaborate inclusive education policy priorities identified at the Regional PolicyNet meeting in Sarajevo (6 March 2014) and develop policy recommendations for each of the identified priorities. A regional mapping of existing teacher training modules and programmes will be carried out and will set the ground for developing innovative teacher training/support in the pilot schools.

3.5 Support to Ljubljana Process II - Rehabilitating our Common Heritage

Duration: May 2011 – July 2014

Implementation status: ongoing

Funding status: Funding secured – € 55 000 (approximate budget allocation to Albania from the total envelope of € 500 042 of the regional EU/COE JP)

Overall objective:

To oversee the economic and social benefits that rehabilitation of cultural heritage can bring to local communities, and attract increased public and private investment to support the enhancement of the region's cultural heritage.

Activities and Results:

A Heritage Assessment Report was issued on the situation of the heritage policy and related issues at stake connected to other sectorial policies. An Action Plan has been developed on the basis of a Heritage Assessment Report and contributed to fix priorities to be addressed in Albania in terms of legal reforms, institutional capacity-building, professional trainings, tools for project and sites management.