

European Commission
against Racism and Intolerance



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

CRI(2022)29

**ECRI CONCLUSIONS
ON THE IMPLEMENTATION OF THE RECOMMENDATIONS
IN RESPECT OF ALBANIA
SUBJECT TO INTERIM FOLLOW-UP**

Adopted on 29 June 2022¹

Published on 20 September 2022

¹ Unless otherwise indicated, this analysis does not take into account any developments that occurred after 14 March 2022, the date on which the response of the authorities of Albania to ECRI's request for information on measures taken to implement the recommendations chosen for interim follow-up was received.

ECRI Secretariat
Directorate General II - Democracy
Council of Europe
F - 67075 STRASBOURG Cedex
Tel.: +33 (0) 390 21 46 62
E-mail: ecri@coe.int

www.coe.int/ecri

 @ECRI_CoE

FOREWORD

As part of its sixth round of monitoring work, ECRI has renewed its process of interim follow-up with respect to two specific recommendations made in each of its country reports.

In line with the Information Document on ECRI's sixth monitoring cycle brought to the attention of the Ministers' Deputies on 9 May 2018², not later than two years following the publication of each report, ECRI addresses a communication to the Government concerned asking what has been done in respect of the specific recommendations for which priority follow-up was requested.

At the same time, ECRI gathers relevant information itself. On the basis of this information and the response from the Government, ECRI draws up its conclusions on the way in which its recommendations have been followed up.

It should be noted that these conclusions concern only the specific interim follow-up recommendations and do not aim at providing a comprehensive analysis of all developments in the fight against racism and intolerance in the State concerned.

² [CM/Del/Dec\(2018\)1316/4.1](#); [CM\(2018\)62-add10](#).

1) *In its report on Albania (sixth monitoring cycle) published on 2 June 2020, ECRI recommended that the authorities find a speedy solution to the long-running housing crises affecting the Roma and Egyptian communities in the Kabash and Guri i Kuq areas of the Pogradec municipality.*

Since ECRI made its recommendation in 2020 the authorities have taken some steps towards implementing the recommendation. In the case of Kabash, the local authorities of Pogradec have completed the field measurements and updated the assessment of the condition of the building. In spite of some initial technical problems regarding the cadastral registration, the property registration process with the State Cadastral Agency in Pogradec is underway. Furthermore, all residents and the respective areas of the building they use have been identified.

As a final phase of the registration process, the municipality has submitted to the Council of Ministers the necessary documentation to carry out the legal transfer of ownership of the building. Once this process is completed, the Municipal Council intends to formally approve the residency rights.

Concerning the "Guri i Kuq" building, which was previously the property of the State-owned "Albminiera" company, the local authorities of Pogradec applied for ownership indicating that it will be used for social housing and the Ministry of Infrastructure and Energy agreed to this transfer. The decision was approved by the Municipal Council and was confirmed by the Prefecture. The process of field measurements and relevant survey plans, as well as the identification of families living there has been completed. The local authorities are currently waiting for the completion of the procedure with the State Cadastral Agency to submit to the Council of Ministers the necessary documentation for the transfer of ownership of this building to the Municipality of Pogradec in order to proceed further.

However, ECRI was also informed that, regarding the ownership of this building, nine Roma citizens residing in this building have filed a lawsuit to be recognized as owners. Their claim was accepted by the Court of First Instance of Pogradec and the case is currently under consideration by the Court of Appeals of Korça.

ECRI concludes that this recommendation has been partially implemented and recognises the significant efforts and positive steps taken.

2) *In its report on Albania (sixth monitoring cycle), ECRI recommended that the Albanian authorities finalise the necessary bylaws (secondary legislation) for the Law on Legal Aid and the Law on Social Housing.*

The Albanian authorities informed ECRI that all 13 planned bylaws for the Law on Legal Aid have in the meantime been finalised and approved, and that the legal aid structures at central and local level have been established and are operational.

Regarding the bylaws for the Law on Social Housing, 24 of them have so far been finalised and adopted out of an envisaged 27.³ Three more have been prepared and are currently being reviewed in a consultation process with various experts due to their technical complexity. At this point in time, therefore, while acknowledging the good progress that has been made by the Albanian authorities in this respect, ECRI cannot consider that this recommendation has been implemented in full. ECRI trusts that the authorities will complete and adopt these remaining bylaws as soon as possible.

ECRI concludes that the recommendation has been partially implemented and recognises the significant efforts and positive steps taken.

³ ECRI understands that there are ongoing discussions as to whether an additional bylaw might be necessary, potentially bringing the total number to 28, or if one of the already envisaged bylaws might no longer be necessary, possibly reducing the total number to 26.