

National Contribution to the Fundamental Rights Report 2022

ALBANIA

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Policy and legal highlights 2021

Franet country study: policy and legal highlights 2021	
Issues in the fundamental rights institutional landscape	No developments in 2021.
EU Charter of Fundamental Rights	No developments in 2021.
Equality and non-discrimination	<p>Evaluation process for the first Action Plan for LGBTI 2016-2020:</p> <p>In May 2021, an Evaluation report was published for the assessment of the implementation of the National Action Plan for LGBTI persons in Albania, which reports on the progress of the implementation of the Action Plan 2016-2020.</p> <p>Hate speech in electoral campaigns:</p> <p>In January 2021, the Commissioner for the Protection against Discrimination and the Central Electoral Commission have issued a joint Recommendation on the prevention of the use of hate speech during the election campaign.</p>
Racism, xenophobia & Roma integration	<p>Roma and Egyptians non-discrimination and inclusion:</p> <p>National Action Plan for the equality, inclusion and participation of Roma and Egyptians is published.</p> <p>On 5 May 2021 the government of Albania has submitted 5th Report pursuant article 25th of the Framework Convention of the Council of Europe 'For the Protection of National Minorities'.</p>
Asylum & migration	<p>New policies and laws on asylum and migration:</p> <p>On 16 December 2020, the Government of Albania adopted the Cross-Sectoral Strategy of Integrated Border Management 2021-2027 and the action plan 2021-2023. The strategy aims to develop of an integrated border management system in line with the European border surveillance system.</p> <p>On 1 February 2021, The Parliament of Albania adopted the new law no.10/2021 "On Asylum in the Republic of Albania" aiming to lay down the conditions and procedures related to granting of refugee status, international, subsidiary and temporary protection in the Republic of Albania.</p> <p>On 24 June 2021, The Parliament of Albania adopted the new law no 79/2021 "On aliens" aiming to regulate the regime of entry, stay, employment and exit of aliens into and from the Republic of Albania.</p>

Data protection and digital society	<p>Cyber security policy:</p> <p>The National Strategy on Cyber Security and the Plan of Action 2020-2025 was adopted by the Government of Albania to address the issue of online radicalisation and online hate speech.</p>
Rights of the child	<p>Measures and Agenda on the Rights of Children</p> <p>On 3 November 2021, the Council of Ministers adopted the National Agenda on the Rights of Children 2021-2026 as a cross-cutting strategic document that expresses the priorities of state institutions in the field of children's rights.</p> <p>On 11 June 2021, the Minister of Justice adopted Order no. 372 /2021 "On the implementation of measures to prevent the spread of the infection caused by Covid-19, in the institutions executing criminal decisions." The order sets up the measures in regard to the protection of minors in institutions which executed criminal decisions during Covid-19.</p>
Access to justice, including victims of crime	<p>Strategic policies on access to justice and protection against gender based violence</p> <p>On 2 June 2021, the Council of Ministers adopted the Decision no 327 /2021 "On the mechanism of coordination of work between the responsible authorities for the referral of cases of domestic violence and its functioning, for supporting and rehabilitating victims of violence". The decision aims to improve the effectiveness and the overall functioning of the Coordinated Referral Mechanism.</p> <p>On 30 June 2021, the Council of Ministers adopted The National Strategy on Gender Equality (NSGE) 2021-2031. The strategy aims to reinforce the commitment of the Albanian government in strengthening gender equality and minimizing gender-based discrimination and gender-based violence.</p> <p>On 24 December 2021, the Council of Ministers adopted the "Crosscutting Justice Strategy 2021-2025". The strategy aims to consolidate reforms initiated in regard to the previous strategy (2016-20) and approaching the justice system in Albania with the best European standards.</p>
Convention on the Rights of Persons with Disability	<p>The National Action Plan for Persons with Disabilities 2021-2025 https://platforma-pak.al/wp-content/uploads/2021/09/Plani-i-Veprimit.pdf was adopted by the Government of Albania in May 2021.</p>

Chapter 1. Equality and non-discrimination

1.1 Legal and policy developments or measures relevant to fostering equality and combating discrimination against EU citizens based on their nationality and against LGBTI people

To prepare the submission below the expert has consulted the following sources. First of all, the Office of the Ombudsperson in Albania has prepared relevant requests for information related to the preparation of this Report. The responses relevant for this chapter have been received from the Ministry of Health and Social Protection. The office of the ombudswoman itself has prepared a response containing the most recent developments in fostering equality and combating discrimination. The expert has also consulted the relevant LGBTI media outlets and civil society institutions to obtain the most recent information.

Under the scope of the governmental LGBTI policies framework in Albania, in May 2021 the Ministry of Health and Social Protection published the evaluation report on the implementation of the National Action Plan for LGBTI Persons in the Republic of Albania (2016-2020).¹ The findings and conclusions of this evaluation report pave the way towards adopting the renewed National Action Plan (NAP) 2021-2027 (currently pending before the Council of Ministers). The Report was conducted by independent experts who used various research methods, including collection and analysis of qualitative and quantitative data. Whereas the Report observed 'general improvement achieved in the period of 2016-2020' for the LGBTI community, it was admitted that this improvement was limited to the central geographic areas, particularly, to the capital of Albania, Tirana. At the same time, LGBTI persons residing outside of Tirana, especially transgender and intersex persons, have seen little progress. For this reason, the new draft of the new National Action Plan for LGBTI Persons for 2021-2027, prepared by the Ministry of Health and Social Protection,² focuses on delivering the adopted measures for the most vulnerable groups, including those who reside in remote areas. The 2021-2027 Action Plan draft has been prepared with a view to delivering on the protection of rights and the provision of quality services, and it will address the importance of awareness-raising measures towards reducing intolerance in society against LGBTI persons in Albania. The draft will contribute to the efficient development of the country, the fight against corruption, inequality, discrimination, and the general level of impunity.

¹ Albania, Ministry of Health and Social Protection (*Ministria e Shëndetësisë dhe Mbrojtjes Sociale*), (2021), Raport Vlerësimi i Planit Kombëtar të Veprimit për Personat LGBTI në Republikën e Shqipërisë 2016-2021, Evaluation Report, May 2021.

² The draft of the new NAP LGBTI 2021-2027 is currently pending approval before the Albanian Council of Ministers.

Despite the promising situation regarding the policy framework the Government actions for the LGBTI community, the appropriate funding of the new Action Plan will remain a real challenge, as the financial gap of action plans funding is a systemic problem in Albania. The Action Plan has not been supported with a relevant budget; therefore, the plan remains ineffective while most of the actions remain donor oriented.

1.2 Findings and methodology of research, studies, or surveys on the experiences of discrimination against EU citizens on the grounds of nationality and against LGBTI people

To collect the information below, the contractor has used a combination of research methods. First of all, desk research was applied which secured information publicly available on the internet websites of the CSOs working in the field of LGBTI rights protection. Secondly, local and state governmental bodies and organizations were contacted with the requests to provide the necessary information. Specifically, the Ministry of Health and Social Protection contributed the information on the current status of the renewed National Action Plan 2021-2027 and the Evaluation Report on the National Action Plan 2016-2020. The findings and reports of the biggest national CSOs dealing with LGBTI rights have been consulted and considered in the preparation of this piece: Aleanca LGBT, Pink Embassy, ProLGBT, and Streha LGBT. The reports and data published on the website of the Commissioner for the Protection Against Discrimination were consulted as well.

In February 2021, ILGA-Europe in cooperation with the LGBTI Equal Rights Association for the Western Balkans and Turkey (ERA) prepared a Country submission for Albania under the scope of the LGBTI Enlargement Review.³ The submission outlined key developments and gaps, or challenges, concerning the effective implementation of policy on the equality of LGBTI people in 2020. Key points included policy and legislative developments concerning progress on adoption and budgeting of the renewed National Action Plan for 2021-2027, amendments to the Law on Protection from Discrimination, which added sex characteristics and HIV status to protected grounds.⁴ The Submission also included references to specific areas of LGBTI discrimination such as that LGBTI people

³ Lesbian, gay, Bisexual, Trans&Intersex Association (ILGA) Europe, [LGBTI Enlargement Review 2020](#).

⁴ Albania, The Law On some additions and amendments to Law no. 10221 of 04.02.2010 'On Protection from Discrimination' (Ligji 'Për disa shtesa dhe ndryshime në Ligjin nr. 10221 datë 04.02.2010 'Për mbrojtjen nga diskriminimi'), Article 1, 15 October 2020.

were the third most targeted group for online hate speech,⁵ mentioned consequences of COVID-19 pandemic for the LGBTI community which included an increase in unemployment, violence, and discrimination,⁶ hampered access to justice, and school bullying.⁷

Chapter 2. Racism, xenophobia, and related intolerance

2.1 Findings and methodology of research, studies, or surveys on experiences of ethnic discrimination, racism, and hate crime

Regarding the prohibition of hate speech, xenophobia, or discrimination in the framework of Albanian legislation, this phenomenon is regulated in the following legislative framework. The Albanian Constitution guarantees in its article 18 protection from discrimination on different grounds, including racial and ethnic discrimination.⁸ Also, the Criminal Code of the Republic of Albania provides punishment for incitement to hatred or strife on the grounds of race, ethnicity, religion, or sexual orientation, as well as preparation, dissemination, or preservation for purposes of distributing writings with such content.⁹ As long as special legislation is concerned, the Law "On the Protection against Discrimination" provides the legal basis for the protection from discrimination.¹⁰ The Law was amended in 2020 to better reflect the definition of discrimination and new protected grounds and started to give results in 2021.¹¹ Article 1 of the law lists, among others, race and ethnicity as protected grounds.¹² In Albania, two authorities have been given powers to fight discrimination (the Ombudsperson and the Commissioner for the Protection against Discrimination [CPD or the Commissioner]). The Ombudsperson has placed the fight against hate speech at

⁵ Lesbian, gay, Bisexual, Trans&Intersex Association (ILGA) Europe, [LGBTI Enlargement Review 2020](#), p.8.

⁶ Karaj X., Zotrija L., Ibrahimllari A., Ismaili I., Çipi V., Aleanca LGBTI, '[Situation of the LGBTI+ Community during the Covid-19 Pandemic](#)', Report.

⁷ Lesbian, gay, Bisexual, Trans&Intersex Association (ILGA) Europe, [LGBTI Enlargement Review 2020](#), p. 8.

⁸ Albania, Constitution (Kushtetuta), Article 18(2), 21 October 1998

⁹ Albania, Criminal Code (Kodi Penal i Republikës së Shqipërisë), Article 265, 27 January 1995

¹⁰ Albania, The Law on the Protection against discrimination (Ligji Per Mbrojtjen nga diskriminimi), 4 February 2010.

¹¹ Albania, Commissioner for the Protection against Discrimination (*Komisioneri për Mbrojtjen nga Diskriminimi*), (2021), Reply to the request for information of the Ombudsman in the framework of the FRA human rights report për vitin 2022 no 1336/1, 27 September 2021.

¹² Albania, The Law on the Protection against discrimination (Ligji Per Mbrojtjen nga diskriminimi), Article 1, 4 February 2010

a prominent place in her annual reports.¹³ Both authorities, the Ombudsperson and the Commissioner have established an effective collegial relationship with a strong focus on hate speech and hate-motivated violence.¹⁴ The collaboration of the Ombudsperson and the CPD by way of establishing regional offices¹⁵ has increased the rate of population reached and response to interrelated cases, as well as contributed to avoiding overlap in cases processed.¹⁶

At the end of 2021 the Commissioner announced the launch of the process of evaluation of the implementation and fulfilment of strategic objectives of the Strategic Plan 2018-2021 with a focus to give path to drafting of the New Strategic Plan 2022-2026.¹⁷

Under article 26 of the law, the CPD has published its report covering the first 6 months (January-June) of 2021. The number of complaints related to discrimination in this period was 200: 180 complaints and 20 ex-officio¹⁸. Fourteen complaints were related to racial discrimination, four were related to ethnicity and nine were related to hate speech against the LGBTI community¹⁹. According to the Commissioner, out of 14 cases in connection to racial discrimination proceeded ex-officio or by an applicant's request by the CPD within the period of the first 6 months of 2021, 3 decisions confirmed cases of discriminatory treatment. Whereas the CPD does not specify the circumstances of these particular three cases, the Report observes the grounds of discrimination raised in all the cases proceeded ex-officio, including the one mentioned above. Concerning cases of racial discrimination, the report observed that cases included discriminative treatment at registration for primary school education, discriminative statements against a person belonging to Roma and Egyptians community being used in the media, the legalization of illegal housing, and discrimination in the provision of social services by local governmental bodies.²⁰

In his response to the Ombudsperson's request within the framework of the FRA Report, the CPD underlined that in the first half of 2021, 39 applications were

¹³ Council of Europe, European Commission against Racism, and Intolerance (ECRI) (2020) ECRI Report on Albania (sixth monitoring cycle), Strasbourg, Council of Europe, p. 14, para 17, April 2020.

¹⁴ Council of Europe, European Commission against Racism, and Intolerance (ECRI) (2020) ECRI Report on Albania (sixth monitoring cycle), Strasbourg, Council of Europe, p 6, para 1, 7 April 2020

¹⁵ Under this collaboration are established 10 regional offices in Albania.

¹⁶ Albania, Ombudsperson (Avokati I Popullit) (2020), '[Per veprimtarinë e institucionit të Avokatit të Popullit – viti 2020](#)', Annual Report, p 12, para 2.3.4, 7 July 2021.

¹⁷ For more information see the website of the Commissioner for the Protection against Discrimination on [consultations meeting](#).

¹⁸ Albania, Commissioner for the Protection from Discrimination, Report of the first half of 2021, [*Komisioneri për Mbrojtjen nga Diskriminimi, Raporti i gjashtë mujorit të I-rë të vitit 2021*], p. 7

¹⁹ Albania, Commissioner for the Protection from Discrimination, Report of the first half of 2021, [*Komisioneri për Mbrojtjen nga Diskriminimi, Raporti i gjashtë mujorit të I-rë të vitit 2021*], p 9

²⁰ Albania, Commissioner for the Protection from Discrimination, Report of the first half of 2021, [*Komisioneri për Mbrojtjen nga Diskriminimi, Raporti i gjashtë mujorit të I-rë të vitit 2021*], p 14

declared as well-founded in terms of a discrimination claim²¹, among which 3 decisions were related to racial discrimination, none of them was related to ethnic discrimination,²² and 7 were related to hate speech against the LGBTI community.²³

The role of the CPD expanded in judicial cases during 2021.²⁴ Concerning judicial proceedings, the Commissioner reported,²⁵ that during the reporting period it was represented in 71 cases of judicial proceedings, including proceedings initiated as appeal proceedings of the CPD decisions (27 cases), in 34 cases as a third-party intervention, and in 9 cases concerning implementation of a decision of the Commissioner upon the imposition of a fine. During the same period, domestic courts have issued 81 judgments for the cases where the Commissioner appeared, and an increasing trend can be observed.²⁶ Out of this number, 39 included cases where the decision of the Commissioner was challenged before the court. Among the latest, in 19 cases a court of law upheld the decisions of the CPD.

During the reporting period, the CPD participated in a proceeding before the Constitutional Court. This case concerned the verification of constitutionality of the Electoral Code with the Constitution regarding the prohibition of discrimination. In these proceedings, the Commissioner observed that electoral procedure should take place in a manner that ensures equality of all election participants. The Court found the request only partly admissible and declared the second sentence of Article 162 § 1 of the Albanian Electoral Code as unconstitutional. The Court noted that candidates proposed by citizens shall not be subject to the same treatment as candidates proposed by political parties or coalitions, as regards the electoral threshold of votes.²⁷

On 11 November 2021, the Commissioner for Protection from Discrimination, with the support of the EU and the Council of Europe joint Action on Promoting Diversity and Equality in Albania,²⁸ presented a study that was based on statistical data presenting an overview of hate speech perceptions in Albania.²⁹ A sampling of the

²¹ Albania, The Commissioner for the Protection from Discrimination (*Komisioneri për Mbrojtjen nga Diskriminimi*), Written submission- Information letter 1336/1 of 27.09.2001, p.2, para 2.

²² Albania, Commissioner for the Protection from Discrimination, Report of the first half of 2021, [*Komisioneri për Mbrojtjen nga Diskriminimi, Raporti i gjashtë mujorit të I-rë të vitit 2021*], p. 14

²³ Albania, Commissioner for the Protection from Discrimination, Report of the first half of 2021, [*Komisioneri për Mbrojtjen nga Diskriminimi, Raporti i gjashtë mujorit të I-rë të vitit 2021*, page 22

²⁴ Albania, The Commissioner for the Protection from Discrimination (*Komisioneri për Mbrojtjen nga Diskriminimi*), Written submission- Information letter 1336/1 of 27.09.2001, p.2, para 2.

²⁵ Albania, The Commissioner for the Protection from Discrimination (*Komisioneri për Mbrojtjen nga Diskriminimi*), Written submission- Information letter 1336/1 of 27.09.2001, p.2

²⁶ Albania, The Commissioner for the Protection from Discrimination (*Komisioneri për Mbrojtjen nga Diskriminimi*), Written submission- Information letter 1336/1 of 27.09.2001, page 6. The courts have issued 81 cases for January-September 2021, 87 cases for 2020, 54 cases for 2019.

²⁷ Albania, Constitutional Court (Gjykata Kushtetuese), judgment no. 31, dated 4 October 2021.

²⁸ For more information see the webpage of the Council of Europe in Albania: <https://www.coe.int/en/web/tirana/promotion-of-diversity-and-equality-in-albania>

²⁹ Bogdani M., Faloppa F., Karaj X., (2021), '*Beyond definitions. A call for action against hate speech*,' the European Union and the Council of Europe, Tirana.

study was done on the basis of official data of the population estimates for the eligible target group (18-64 yo). Based on the population estimates, the number of interviews was projected for each region of Albania (12 regions and 1500 interviews in total). Pre-interview screening was applied to ensure the randomness of selected respondents. The study demonstrated that most of the respondents (around 58%) believe that hate speech has increased to a great or very great extent in the country. Most of those respondents (seven out of ten) who believe that hate speech is has increased a lot think that political talk shows and reality shows contribute to such spread.

The Ombudsperson has made hate speech a prominent topic in her annual reports.³⁰ The two equality bodies, the Ombudsperson and the CPD have established a very effective and collegial relationship in tackling one of the main fields that is hate speech.

The policy framework on violent extremism has not yet been completed and the National Strategy for Countering Violent Extremism and the Action Plan 2015-2020 has expired, however, a new strategy and plan of action have not been adopted yet.³¹ Policy development in connection with the National Strategy and the Action Plan is led by the Coordination Center for Countering Violent Extremism founded in 2017. On 22 October 2018, the Ministry of Justice has sent its approval to the renewed National Plan against Violent Extremism. In November 2018, the Coordination Centre drafted the Evaluation Report. With the support and expertise of the Albanian Helsinki Committee, the Centre has adopted an administrative Instruction for the 'Identification and management of cases of violent extremism in the Prison System.' In 2019, the training on the application of this Administrative Instruction has become available to entry and intermediate level employees of detention centres/prisons.³² There are very few studies on the situation of racism, xenophobia, and related intolerance in Albania published in 2021. The Centre for Studying Governance and Democracy in February found in a survey³³ that 68.8% of respondents living in Tirana Municipality perceived that violent extremism, especially regarding race and religion, was on the rise.³⁴ The sample size of this study was 800 citizens of the Municipality of Tirana, stratified according to 24 administrative units, age, and gender. No other variable related

³⁰ [The European Commission against Racism and Intolerance \(ECRI\), Report on Albania](#), page 14, para 1 adopted in April 2020.

³¹ Albania, Prime Minister (Kryeministri) (2015), '[Strategjisë kombëtare për luftën kundër ekstremizmit të dhunshëm dhe planit të veprimit](#)', 18 November 2015.

³² For more information see the webpage of the Coordination Centre for Countering Violent Extremism: http://www.qag-al.org/WEB/aktivitete/forum_mne/ppt8.pdf.

³³ Centre for Studying Governance and Democracy (CSGD), '[On exploration of a Communication Strategy about the Fight against Violent Extremism](#)', The survey included 800 respondents from Tirana Municipality inhabitants, 26 high public officials and 95 teachers and religions, February 2021

³⁴ Centre for Studying Governance and Democracy (CSGD) '[On exploration of a Communication Strategy about the Fight against Violent Extremism](#)', page 10, February 2021.

to race or ethnicity was used.³⁵ The researchers used the face-to-face questionnaire, so the response rate was 100%.³⁶

A policy paper³⁷ developed from an Albanian NGO³⁸ in the framework of a research project on violent extremism and radicalisation (Prevex³⁹) noted that, based on the information it has received from several sources, including research reports on Violent extremism and radicalisation that leads to terrorism and experts in the field, there are signs of non-religious violent extremism present in Albania, which would include ethnically motivated extremism⁴⁰.

The Government of Albania issued a CoM Decision⁴¹, aiming to alleviate the effects of COVID-19 on families and individuals living in poverty, through which the amount of Economic Aid (Cash Assistance) was doubled for the period of January-June 2021, extending the period of application of this measure taken in 2020.⁴² The implementation of this measure for the individuals in the Economic Aid was problematic according to the Ombudsperson for 2020.⁴³ However, the amount of Cash Assistance⁴⁴ is evaluated by numerous reports as non-sufficient for a life with dignity, and the Minimum Living Standard is requested to be declared by the government⁴⁵. There were no government measures related to the COVID-19 pandemic targeting discrimination in access to healthcare, social protection, education, or employment.

The formal registration of the Roma Community is still a problem in Albania and as a result, they also cannot access the National Health Card which results de

³⁵ Centre for Studying Governance and Democracy (CSGD), '[On exploration of a Communication Strategy about the Fight against Violent Extremism](#)', page 151, February 2021.

³⁶ Centre for Studying Governance and Democracy (CSGD), '[On exploration of a Communication Strategy about the Fight against Violent Extremism](#)', page 25, February 2021

³⁷ Vrutgman, L. [Institute for Democracy and Mediation \(IDM\) The EU and other stakeholders' prevention strategies towards Violent Extremism in Albania](#), 2021.

³⁸ Institute for Democracy and Mediation

³⁹ Project funded by European Union Horizon 2020 Program

⁴⁰ Vrutgman, L. [Institute for Democracy and Mediation \(IDM\) The EU and other stakeholders' prevention strategies towards Violent Extremism in Albania](#), page 10, para 2, 2021

⁴¹ Albania, Council of Ministers, Decision No. 85 date 10.02.2021 amended the Decision of Council of Ministers No.254, "[On the establishment of procedures, documentations and the amount of cash assistance of the employees in small enterprises with annual revenue under 14 million ALL, Economic Aid and the payment about unemployment during the period of natural catastrophe due to COVID-19](#)" (*Vendim i Këshillit të Ministrave "Për përcaktimin e procedurave, të dokumentacionit dhe të masës së përfitimit të ndihmës financiare për të punësuarit në subjektet e biznesit me të ardhura vjetore deri 14 milionë lekë, ndihmës ekonomike e të pagesës të së ardhurës nga papunësia gjatë periudhës së fatkeqësisë natyrore të shpallur si pasojë e COVID-19"*). 27 March 2020

⁴² The period of application for 2020 was June-December.

⁴³ Albania, [Ombudsperson Annual Report for 2020](#), p 95, para 8, published in 2021. Retrieved in:

⁴⁴ The average monthly economic aid per family is ALL 9,826, according to INSTAT, data for secondly semester of 2021, Retrieved in: <http://www.instat.gov.al/al/temat/kushtet-sociale/mbrojtja-sociale/#tab2>

⁴⁵ Albania, [Ombudsperson Annual Report for 2020](#), p 97, para 4, published in 2021. Albania, Minimum Living Standard Report, 2021, in the process of publication.

facto in limited access to healthcare services and medicines.⁴⁶ Although the Government of Albania has issued an order (2016) "On visits to family doctors of people without health insurance" which regulates the visits free of charge at the family doctor, this order has had no effect on the Roma Community's access to this service.

The access of the Roma and Egyptian Community to healthcare during the pandemic was very limited.⁴⁷ The Ministry of Health and Social Protection failed to provide information about the number of patients with Covid-19 belonging to Roma and Egyptian minorities. In May 2021 the Ombudsperson recommended to the Health Care Operator and Institute of Public Health to take prompt action aimed at the necessary improvements in access to health care services and healthcare education activities for the Roma and Egyptian communities, and also keep data related to ethnicity to have official data about healthcare access.⁴⁸

A report about the situation of children and adolescents in Albania⁴⁹ noted that "*although the precautionary measures introduced by the government in response to the Covid-19 pandemic succeeded in keeping the parameters of the pandemic at relatively low levels, they have had a heavy toll on the population, particularly upon the most vulnerable households*". The methodology of this report included: a) a desk review of studies, surveys, statistics, and data on legislation, policies, and programmes produced by the Government of Albania, the Committee on the Rights of the Child (CRC), the OECD, the Organisation for Security and Co-operation in Europe (OSCE), EU bodies, UN agencies, academic institutions, NGOs, and other sources. The report incorporated official government data and analysis, supplemented by documented evidence from independent sources and b) Semi-structured interviews with key informants from government, civil society, and academia, and consultations with key UNICEF Albania staff. Input from key informants was triangulated with data from other sources.

The same report concluded that "*without a commitment from public employment agencies to tackle employer discrimination, there is a risk that Roma and other vulnerable population groups will continue to fail to obtain regular employment and end up trapped in a series of public work schemes.*"⁵⁰

⁴⁶ Albania, Written submission by the Ombudsperson General Section in regard to recommendations issued during 2021 related to minority rights-case of Durres Municipality- access of Roma community to healthcare, page 2

⁴⁷ Albania, Written submission by the Ombudsperson General Section in regard to recommendations issued during 2021 related to minority rights-case of Durres Municipality- access of Roma community to healthcare, page 3

⁴⁸ Albania, Ombudsperson (Avokati I Popullit) (2021) 'Rekomandim to the Health Care Operator and Institute of Public Health', 4 May 2021.

⁴⁹ Byrne K., Kulluri E., Gedeshi I., 2021. [Situation Analysis of Children and Adolescents in Albania](#). UNICEF Albania, Tirana, page 32.

⁵⁰ Byrne K., Kulluri E., Gedeshi I., 2021. [Situation Analysis of Children and Adolescents in Albania](#). UNICEF Albania, Tirana, page 34.

An evaluation of Human Rights and Rule of Law in Albania made by 6 Albanian NGOs⁵¹ noted that due to the restrictions during the Covid-19 pandemic and the online activity of state institutions, the right of information was heavily affected, especially for the marginalised groups including people with disabilities, people living in poverty, and those with no internet access⁵². The methodology of the evaluation was mainly a systematic literature review of reports published during 2020.

This report concluded that the number of complaints presented from civil society organisations to the Commissioner for Protection from Discrimination during the pandemic regarding gender discrimination and minority discrimination have decreased, but on the other hand, the complaints from LGBTI groups have increased.⁵³

On 25 April 2021, Albania held the general elections in which it is reported that many citizens belonging to the Roma community didn't exercise the right to vote due to the lack of an Identity Card.⁵⁴ The persons that were deprived of their right to vote were also: persons who, due to their sickness, couldn't go to Voting Centres, COVID-19 positive persons, and Albanian emigrants entering Albania through North Macedonia and Greece, according to Ombudsperson Monitoring Report on Elections 2021.⁵⁵

2.2 Legal and policy developments or measures relating to the application of the Framework Decision on Racism and Xenophobia and the Racial Equality Directive

At the end of 2020, the government of Albania approved two main policy documents in the field of cyber security including the "National Strategy on Cyber Security and the Plan of Action 2020-2025" to address the issue of online radicalisation and hate speech.⁵⁶

⁵¹ The NGOs were: Albanian Helsinki Committee, Civil Rights Defenders, Institute for Political Studies, Balkan Network for Investigative Journalism-Albania, Centre for Legal Civic Initiatives, Legal Assistance Service.

⁵² [Evaluation of Human Rights and Rule of Law in Albania during the leading period of OSCE by Albania](#), AHC, page 76-77, January 2021.

⁵³ [Evaluation of Human Rights and Rule of Law in Albania during the leading period of OSCE by Albania](#), AHC, page 102. January 2021.

⁵⁴ [Office for Democratic Institutions and Human Rights /Organization for Security and Co-operation in Europe \(ODHIR/OSCE\) Report for Elections 2021](#), Albania, page 18, 25 April, 2021.

⁵⁵ Albania, Ombudsperson (*Avokati i Popullit*). [Monitoring Report on Elections of April 2021](#). May 2021.

⁵⁶ Albania, [National Strategy on Cyber Security and Plan of Action 2020-2025](#), 24 December 2020

The Criminal Code was amended by the Albanian Parliament in 2008⁵⁷ and 2013,⁵⁸ and specific criminal offences were introduced related to hate crime and hate speech⁵⁹ to be in line with the EU Legal Framework. There are specific provisions in the Criminal Code about the spread of racist or xenophobic declarations (article 119/a), insults in public based on race or ethnicity (article 119/b), encouragement of hate based on race or ethnicity (article 265), calls for racial or ethnic hatred (article 266). In Albanian Criminal legislation, a sexual motive, and ethnic or racial motives as the basis to any criminal offence, are foreseen as aggregating circumstances by criminal legislation (article 50).

The law "On Protection from Discrimination", No. 10 221/2010, as amended in line with the Directive 2018/1808, covers discrimination based on race or ethnicity among various protected grounds as specified in article 1, as well as "any other cause", so the law itself applies the "open list policy" about possible discrimination causes. Article 3 was amended including the definition for hate speech and recognizing hate speech as discrimination.

For the school year 2021-2022, the Ministry of Education and Sports in cooperation with the Ministry of Finance and Economy adopted a joint Directive,⁶⁰ which set the modalities of the academic year and the model of teaching. The new school year started on 27 September 2021, implementing the in-person model, which will help the children from disadvantaged groups to attend school. This directive provides measures to address the continuation of obligatory school education given the implementation of anti-COVID-19 measures, facilitating education for children with special needs, and including children from Roma and Egyptian communities, based on the in-person model.⁶¹

Implementing the measures combating the COVID-19 pandemic, school pupils belonging to local minorities (Greek or Macedonian) and residing in the areas of Korçë-Pusteq, Sarandë-Delvinë-Konispol, and Finiq-Dropull had been able to

⁵⁷ Albania, Law No. 7895/1995 "Criminal Code of Republic of Albania" (*Ligji "Per Kodin Penal ne Republiken e Shqiperise"*) amended by the Law No. 10 023/2008.

⁵⁸ Albania, Law No. 7895/1995 "Criminal Code of Republic of Albania" (*Per Kodin Penal ne Republiken e Shqiperise"*) amended by the Law No. 144/2013.

⁵⁹ Bushati, A. Council of Europe (CoE) [A comparative study on Empowerment of Equality Bodies in Western Balkan countries in regard to hate speech](#) (*Studim krahasues për Forcimin e Organeve të Barazisë në Ballkanin Perëndimor në fushën e gjuhës së urrejtjes*) Country Report Albania, 2020.

⁶⁰ Albania, Ministry of Education and Sports and Ministry of Finance and Economy, Order No.300, date 25.08.2021, ["On the approval of the structure of academic year 2021-2022 for pre-university education"](#) (*Për miratimin e strukture së vitit shkollor 2021-2022 për sistemin arsimor parauniversitar*). 25 August 2021.

⁶¹ Albania, Ministry of Education and Sports (*Ministria e Arsimit dhe Sportit*), Written submission - Information in return to the request of the Ombudsperson, 5046/1, para 9, 29 September 2021.

⁶¹ Albania, Ministry of Education and Sports (*Ministria e Arsimit dhe Sportit*), Written submission - Information in return to the request of the Ombudsperson 5046/1, 29 September 2021.

obtain registration for online education in local schools either via the local e-portal (e-albania) or manually reported Ministry of Education and Sports.⁶²

During the 2021-2022 school year, the Ministry of Education and Sports has continued⁶³ implementing anti-bullying mechanisms to realise the National Strategy and the Action Plan against Extremism and violent Radicalism.⁶⁴

The Audio-visual Media Authority announced that it has submitted a report with proposed amendments of the Law "On the Audio-Visual Media in the Republic of Albania" to be in line with the Directive 2018/1808, dated 14.11.2018⁶⁵, to the Parliament of Albania during 2021. These proposed amendments aim to offer more protection to the public and minors, in particular, from violence and hate, inappropriate content, and to increase the access of people with special sensory needs.⁶⁶

In 2021, the Alliance Against Hate Speech (the Alliance)⁶⁷ continued actions targeting hate speech through public statements and other activities⁶⁸. The most important activity was the adoption of a Code of Conduct of Political Parties by all political parties participating in the general election held on 25 April 2021.⁶⁹ The Code was proposed by the Alliance and aims to regulate electoral campaigns to promote human dignity, tolerance, anti-discrimination, and to combat hate speech. The monitoring body of the Code of Conduct will be the Central Electoral Commission and Alliance.

In January 2021 in the CPD and the Central Electoral Commission have issued a joint Recommendation devoted to the prevention of the use of hate speech during

⁶² Albania, Ministry of Education and Sports (*Ministria e Arsimit dhe Sportit*), Written submission - Information in return to the request of the Ombudsperson, 5046/1, para 929 September 2021.

⁶³ Albania, Ministry of Education and Sports (*Ministria e Arsimit dhe Sportit*), Written submission - Information in return to the request of the Ombudsperson, 5046/1, para 8 29 September 2021.

⁶⁴ Albania, Council of Ministers Decision no. 930 of 18.11.2015 '[On Approval of the National Strategy and the Action Plan against Extremism and violent Radicalism](#)' [Vendim i Këshillit të Ministrave No. 930 datë 18.11.2015 ('*Për Miratimin e Strategjisë Kombëtare për Luftën kundër Ekstremizmit të Dhunshëm dhe Planit të Veprimit*)], 18 November 2015.

⁶⁵ [Directive \(EU\) 2018/1808](#) of the European Parliament and of the Council of Europe, amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audio-visual media services (Audio-visual Media Services Directive) in view of changing market realities. Retrieved 14 November 2018.

⁶⁶ Albania, Audio-visual Media Authority (Autoriteti i Medias Audio-Vizive), Written Submission-Information in return to the request of Ombudsperson, 3065/1, p 5, para 2. 22 September 2021.

⁶⁷ The Alliance against hate speech was established in December 2019 founded by the People's Advocate, the Commissioner for the Protection from Discrimination, the Audio-visual Media Authority and the Albanian Media Council.

⁶⁸ Alliance against hate speech, [Statement against hate speech against LGBTI activists](#), 2021, Albania, 19 June 2021.

⁶⁹ Alliance against hate speech (2021), [Code of conduct for political parties](#), Albania, Office of the Council of Europe in Tirana.

the election campaign.⁷⁰ This Recommendation was made to raise awareness of the subjects of the political campaign as well as the politicians and the election administration on the necessity to respect the principle of equality, prohibit discrimination and hate speech, observe principles of gender equality and other fundamental standards of the election process as provided in the instruments of international law regulating human rights and fundamental freedoms, including the UN, the Council of Europe, the EU and the recommendations of the OSCE, as well as domestic principles and standards as provided in the Constitution and relevant legislative acts.

On the International Day against Homophobia and Transphobia on 17 May 2021, the Dutch Helsinki Committee, in collaboration with Albanian NGOs LGBTI Alliance and ProLGBT, published an informative booklet about hate crimes.⁷¹

Chapter 3. Roma equality and inclusion

3.1 Policy developments regarding the application of the EU Roma strategic Framework for equality, inclusion, and participation for 2020-2030

Please put down the name of the national Roma framework/Roma strategy/integrated set of policy measures and the link	National Action Plan for the Equality, Inclusion, and Participation of Roma and Egyptians (<i>Plani Kombëtar i Veprimit për Barazi, Përfshirje dhe Pjesëmarrjen e Romëve dhe Egjiptianëve 2021-2025</i>)
Please add a hyperlink if the strategy is publicly available.	Hyperlink http://www.konsultimipublik.gov.al/Konsultime/Detaje/359
Did an evaluation of the previous Roma inclusion strategy take place? If yes, please provide a reference	Monitoring Report for the implementation of the National Action Plan for the Integration of Roma and Egyptians (Raporti i monitorimit për Planin Kombëtar të veprimit për integrimin e Romëve dhe Egjiptianeve 2016-2020).
Does the strategy use the (headline) indicators as	Yes, The Action Plan includes indicators, and it will be monitored following the Integrated Planning System (IPS), which will inform the Policy Integrated Managerial Group of the Employment and

⁷⁰ Albania, Commissioner for the Protection From Discrimination (Komisioneri për Mbrojtjen nga Diskriminimi) and Central Electoral Commission (Komisioni Qendror i Zgedheve) (2021), '[Rekomandime për parandalimin e perdorimit të gjuhës së urrejtje gjatë fushatës zgjedhore](#)', Joint recommendation, January 2021.

⁷¹ LGBTI Alliance and ProLGBT, [Booklet on hate crimes](#), Albania, 2021.

suggested in the new portfolio of indicators?	Social sector, constituted with the Prime Minister Order no. 129 of 21.09.201572. Progress monitoring of the Action Plan implementation will be presented periodically.
Was Roma civil society involved in the development of the strategy? Please provide examples?	Yes. Within the ROMACTED programme, a joint initiative of the EU and the Council of Europe in Albania, ROMA CSOs were joined by the Council of Europe and the EU Delegation in Albania for the promotion of Roma integration and combatting exclusion and intolerance. ⁷³ Part of the ROMACTED programme was devoted to the assistance of the Ministry of Health and Social Protection in developing specific chapters on "Combatting Antigypsyism" under the National Action Plan on Integration of Roma and Egyptians 2021-2025 aligned with European Union and Council of Europe international standards. The ROMACTED Programme 'Promoting Good Governance and Roma Empowerment at the local level' is operated based on the Handbook. ⁷⁴ Currently, the members are implementing the second phase of the Programme which lasts from 1 January 2021 till 31 December 2024. The first phase was implemented within the period of 1 May 2017 till 31 December 2020. The Handbook defines the thematic areas (demography, education, employment, housing and utilities, health, and others).
Were NHRIs and/or equality bodies involved in the strategy development? Please provide an example.	Yes. In its Recommendation regarding the Draft of the National Action Plan for the equality, inclusion, and participation of Roma and Egyptians, the Commissioner for the Protection against Discrimination highlighted important aspects and areas of non-discriminative treatment towards persons from Roma and Egyptian communities. It concerned enrolment of children for compulsory school education, measures of financial assistance to such families to ensure their fulfilment of anti-COVID measures (provisions of children with hygienic materials, masks, disinfectants), as well as financial compensation for payment of electricity to ensure the possibility for children to participate in online education programs. ⁷⁵ Recommendations of the Commissioner also included regular (annual) reporting on the implementation of the plan, provision of budgeting support, and

⁷² Albania, Prime Minister (Kryeministri), 'Për marrjen e masave institucionale dhe operacionale për zbatimin e qasjes sektoriale dhe krijimin e Grupeve të Menaxhimit të Integruar të Politikave (GMIP) të cilat monitorojnë reformat sektoriale në Shqipëri në përputhje me Prioritetet e Qeverisë, Strategjinë Kombëtare për Zhvillim dhe Integrim (SKZHI), procesin e Programit Buxhetor Afatmesëm (PBA), procesin e anëtarësimit në BE dhe detyrimet ndërkombëtare të Shqipërisë "For the adoption of institutional and operational measures in the frame of sectorial approach, and constitution of Policy Integrated Management Groups (PIMG), which will monitor sectoral reforms in Albania in line with Government Priorities, National Strategy for Development and Integration (NSDI), Medium Term Budgetary Programme (MTBP), EU integration process, and international obligations".), Order 21 September 2015.

⁷³ For more information see the webpage of the Council of Europe in Albania: <https://pjp-eu.coe.int/en/web/roma-local-governance>.

⁷⁴Fondacija 'Infohouse' Romacted Programme (2019), '[Manual for development of local resources, joint action and empowerment of Roma Communities](#)', Bosnia and Herzegovina, European Union and Council of Europe Joint Programme.

⁷⁵ Albania, Commissioner for the Protection From Discrimination (Komisioneri për Mbrojtjen nga Diskriminimi) (2021), [Raporti i gjashtë mujorit të I-rë të vitit 2021](#), Report, p. 31.

	the adoption of necessary bylaws to ensure full implementation of the plan. ⁷⁶
Does the new strategy link to the operational programmes for the new EU funding period 2021-2027?	Pre-accession assistance instrument (IPA III) provides as a specific objective 4 'strengthening regional integration and territorial cooperation involving the beneficiary countries, Member States, and, where appropriate non-EU countries'. Under this SO4 such projects as Romacted, Roma Integration and Roma Education provide support to vulnerable Roma. The draft of the new Action plan on Roma and Egyptians includes a specific budget for the implementation of each activity. Depending on the type of activity, the Action Plan specifies a) government funding, b) donor funding, c) a combination of government funding and donor funding. The budget analysis that accompanies this Plan shows that the sources for financing the implementation of the Plan will be covered 55% of the state budget funds and 45% of the donor funds.

3.2 Legal and policy developments or measures directly or indirectly addressing Roma/Travellers inclusion

Government authorities reported that members of the Roma and Egyptian community have had equal access to anti-COVID vaccination (providing they possess an ID card).⁷⁷ To facilitate access to vaccination for Roma and Egyptian communities the vaccination has gained pace using mobile units placed near the communities (mainly in the outskirts of Tirana, Durrës, and other cities). This measure addresses the necessity to increase the number of vaccinated persons and to raise awareness of the importance of vaccination.⁷⁸ However, according to the information provided by the Ombudsperson, dependence on access to medical help in the presence of an ID card creates difficulties for the Roma community in realizing their rights to medical help.⁷⁹

The Ombudsperson has initiated an investigation to control the access of the Roma community in Durrës to the anti-Covid19 measures, since, according to the information obtained through media, the Roma community has been severely impacted by the COVID-19 pandemic. Simultaneously, the local medical care unit in Durrës reported that during the pandemic, not a single representative of the Roma Community has applied to PCR-test or called for assistance to the hotline

⁷⁶ Albania, Commissioner for the Protection From Discrimination (Komisioneri për Mbrojtjen nga Diskriminimi) (2021), [Raporti i gjashtë mujorit të I-rë të vitit 2021](#), Report, p.33.

⁷⁷ Albania, Ministry of Health and Social Protection (*Ministria e Shëndetësisë dhe Mbrojtjes Sociale*) (2021), Reply to the request for information of the Ombudsman in the framework of the FRA human rights report , 27 September 2021, para 13.

⁷⁸Albania, Ministry of Health and Social Protection (*Ministria e Shëndetësisë dhe Mbrojtjes Sociale*) (2021), Reply to the request for information of the Ombudsman in the framework of the FRA human rights report , 27 September 2021, para 13.

⁷⁹ Albania, The Ombudsperson, (*Avokati i Popullit*), (2021), Reply to the request for information of the Ombudsman in the framework of the FRA human rights report , para 13, 27 September 2021.

(127-line).⁸⁰ The Ombudsperson recommended that health institutions need to undertake appropriate measures to facilitate access to healthcare in the Roman and Egyptian communities.⁸¹

Measures of social care reported by the MHSP, with a reference to the Monitoring Report for the implementation of the National Action Plan for the integration of Roma and Egyptians (2020), published in May 2021, reported that 7,685 persons belonging to the Roma and Egyptian community profited from various schemes of economic support, including assistance with transportation, relevant employment training, and of 1,110 persons who participated in re-integration programs, nearly 1,000 persons profited from the services of state-owned and private residential centres, etc.⁸² In 2021, in accordance with the Council of Ministers Decision Nr 85 of 10.02.2021,⁸³ the amounts of economic aid were doubled during the months of January-June 2021.

On 5 November 2021 the heads of ten Albanian municipalities, Elbasan, Pogradec, Korça, Fier, Roskovec, Vlora, Përmet, Gjirokastra, Lushnje, and Cërrik signed Memoranda of Understanding as part of phase II of the Romacted Programme to continue implementation of the programme in said municipalities.⁸⁴

On 5 May 2021, the government of Albania submitted the 5th Report under article 25 of the Framework Convention of the Council of Europe 'For the Protection of National Minorities'.⁸⁵ In this Report, Albania has observed measures undertaken to ensure full implementation of the Convention. The measures reflected in the report were implemented before the period of interest of this research (before 1 January 2021). The Report observes current developments concerning the drafting process of a New Plan for the Inclusion of Roma and Egyptians and reflects on the internal processes, such as working group communication and activities.⁸⁶ Specifically, Albania reports that in regards to general measures for the implementation of the Framework Convention and in continuation of the

⁸⁰ Albania, The Ombudsperson (*Avokati i Popullit* (2021), 'Reply to the request for information of the Ombudsman in the framework of the FRA human rights report ', 27 September 2021.

⁸¹ Albania, The Ombudsperson (*Avokati i Popullit* (2021), 'Reply to the request for information of the Ombudsman in the framework of the FRA human rights report ', 27 September 2021.

⁸² Albania, The Ombudsperson (*Avokati i Popullit* (2021), 'Reply to the request for information of the Ombudsman in the framework of the FRA human rights report ', 27 September 2021.

⁸³ Albania, Council of Ministers (Keshilli i Ministrave) (2021), "[Për përcaktimin e procedurave, dokumentacionit dhe masës mujore të përfitimt të ndihmës ekonomike dhe përdorimit të fondit shtesë mbi fondin e kushtëzuar për ndihmën ekonomike](#)" ("On determining procedures, documentation and monthly measure for economic assistance and use of the additional fund on the conditional fund for economic assistance"), 10 February 2021.

⁸⁴ For more information see the webpage of the Council of Europe in Albania: <https://pjp-eu.coe.int/en/web/roma-local-governance>.

⁸⁵ Albania, Ministry of Europe and Foreign Affairs (Ministria për Evropën dhe Punët e Jashtme) (2021), 5th Report pursuant article 25th of the Framework Convention of the Council of Europe 'For the Protection of National Minorities (2021), 5 May 2021.

⁸⁶ Albania, Ministry of European and Foreign Affairs (Ministria për Evropën dhe Punët e Jashtme) (2021), 5th Report pursuant article 25th of the Framework Convention of the Council of Europe 'For the Protection of National Minorities (2021), p. 12, 5 May 2021.

dialigue with the Advisory Committee, Albania continues its efforts to ensure the respect and protection of minority rights as an integral part of human rights and prioritise fulfilling its int'l obligations arising from human rights conventions. The Ministry of Foreign Affairs coordinates the process of preparing national reports on implementation of human rights conventions in cooperation with central governmental institutions. In regards to specific measures taken to address actions identified in the previous, 4th monitoring cycle the package of bylaws (8 out of 12) was adopted in realisation of the provisions of the Law No 96/2017 'On the protection of national minorities'.⁸⁷ The changes in the procedures regulating census of the population and housing has been introduced with the adoption of the Law no 140/2020 'On the census of population and housing'.⁸⁸ The Law transferred powers of conducting census to the Albanian Institute of Statistics under the supervision of the Central Commission and the support of the Census commissions set up in each municipality. In regards to the drafting of the new Action Plan the Report observes that anti-racism against Roma and Egyptians has been included as a strategic area to address anti-racism in public policies and that the drafting process takes into account the Poznan Declaration signed by the prime-ministers of Western Balkans countries⁸⁹, EU Strategic framework 2020-2030 for equality, inclusion and participation⁹⁰ and the Recommendations of the Fourth Albania-EU Seminar. In fulfilment of separate measures addressing implementation of separate articles of the Framework Convention and further recommendations of the Advisory Committee, Albania adopted bylaws related to recognition of new minorities, data collection, verification, education, use of language in relations with administrative authorities. Further on, Albania continues its efforts for the development of Communication process at central and local level, as well as communication with the general public.

⁸⁷ Albania, Law no 96/2017 'On the protection of national minorities' (Ligji 'Për mbrojtjen e pakicave kombëtare në Republikën e Shqipërisë'), 13 October 2017.

⁸⁸ Albania, Law no 140/2020 'On the census of population and housing' (Ligji 'Për censin e popullsisë dhe të banesave'), 26 November 2020.

⁸⁹ Regional Cooperation Council (2019), [Declaration of Western Balkans Partners on Roma Integration within the EU Enlargement Process](#), Poznan, the European Union.

⁹⁰ European Commission (2020), *EU Strategic framework 2020-2030 for equality, inclusion and participation*, COM (2020)620 final, 7 October 2020.

Chapter 4. Asylum, visas, migration, borders, and integration

4.1 Number of beneficiaries of international protection whose protection status was revoked in 2021

Country	Cessation of refugee status		Cessation of subsidiary protection	
	Number of refugee status revoked	Main reasons	Number of subsidiary protection status revoked	Main reasons
Albania	1 (One) ⁹¹	The revocation of the refugee status was based on <u>Art 45 letter "ë"</u> of the <i>Law on Asylum in the Republic of Albania</i> ⁹² , No. 121/2014 according to which the authority responsible for the asylum and refugees may	0 ⁹³	

⁹¹ Albania, Ministry of Interior (Ministria e Brendshme) (2021), Written information to Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021), prot.no 6036/4, 29 September 2021.

⁹² Albania, Assembly of the Republic of Albania (Kuvendi i Republikës së Shqipërisë) (2021), Law no 10/2021 "On Asylum in the Republic of Albania" (Ligj nr.10/2021 "Mbi azilin në Republikën e Shqipërisë") Official Gazzete no 28/2021, Fletore Zyrtare nr.28/2021.

⁹³ Albania, Ministry of Interior (Ministria e Brendshme) (2021), Written information to Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021), prot.no 6036/4, 29 September 2021

		revoke, end, or refuse to renew the refugee status if <i>he has left the territory of the Republic of Albania after leaving a written declaration or when he leaves the Republic of Albania for more than 90 days without notifying the authority responsible for the asylum and refugees.</i>		
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4.2 National border monitoring mechanisms

Country	Legal source providing for border monitoring	Organisation(s) responsible for monitoring	Is the monitoring body at the same time the National Preventative Mechanism? (Y/N)	Are reports publicly available? [if yes, please add hyperlink]	Number of monitoring operations in 2021	Is monitoring (at least partially) funded by the EU? If so, under which modalities?
Albania	Law no.71/2016 "On border control" as amended by Law no 20/2020 date 5.03.2020 "For some additions to the law no. 71/2016 "On border control" (Official Gazette no 31/2020)	There are two types of national institutions which have the mandate to monitor the implementation of the law at the border (governmental institution) and the fundamental rights compliance at	YES National Preventive Mechanism is "The Ombudsperson" Law no.8454 dated 4.2.1999 "On People's Advocate"	YES Reports of National Preventive Mechanism are part of the Annual Report of the Ombudsperson, published each year on April. The findings, activities, data and	378 monitoring operations from The Ombudsperson.	NO

	<p>Decision of the Council of Ministers No.1117 date 16.12.2020 "On the approval of the cross-sectoral strategy of integrated border management 2021-2027 and the action plan 2021-2023" (Official Gazette no 7/2021)</p> <p>Law no.8454 dated 4.2.1999 "On the People's Advocate"</p> <p>Law no 10/2021 "On Asylum in the Republic of Albania" (Official</p>	<p>borders (independent institution). At the governmental level, the authorities with the mandate to monitor the law compliance at borders are: Border and Migration Department in the General Directorate of State Police and 7 (seven) Regional Directorate of Border and Migration Police, responsible for border monitoring at the local level. On the other hand, the institution</p>		<p>recommendations of Preventive Mechanism for the period January-December 2021 will be published on April 2022 as part of Ombudsperson's 2021 report. The latest report is that of 2020. https://www.avokatipollit.gov.al/media/manager/website/reports/Raporti%20Vjetor%20i%20veprimtarise%20se%20institutionit%20te%20Avokate</p>		
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	<p>Gazzete no 28/2021); Law 79/ 2021 "On foreigners" (Official Gazzete no 162/2021); Cooperation Agreement between Ombudsperson and UNHCR within the joint project "Refugees and Asylum Seekers in Southeast European Countries", for the control of the border and refugee protection in Albania, in the</p>	<p>which has the mandate to monitor fundamental rights compliance at borders is the Ombudsperson . The Ombudsperson is an independent institution in Albania with a constitutional mandate.⁹⁴ The Ombudsperson acts as the National Preventive Mechanism against torture and other cruel, Inhuman, or degrading treatments and</p>		<p>tit%20te%20Popullit%20- %20viti%202020.pdf) The reports and recommendations of the periodic inspection and monitoring activities of the Preventive Mechanism are not published. They are officially communicated only to the People's Advocate and the institutions</p>		
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⁹⁴ Albania, Assembly of the Republic of Albania (Kuvendi i Republikës së Shqipërisë) (1998), Law no 8417 "Constitution of Republic of Albania (*Ligj nr.8417 datë 21.10.1998 "Kushtetuta e Republikës së Shqipërisë"*) Official Gazzete no 28/1998, Fletore Zyrtare nr.28/1998, 21 October 1998.

	southern area of Albania (Gjirokastra, Saranda, Përmet) and in the south-eastern area (Korça, Devoll, Bilisht).	punishments (NPM). ⁹⁵ Within responsibilities as NPM, the Ombudsperson is obliged to undertake regular and unannounced visits to border crossing points and every other place when it is suspected that there are violations of human rights and freedoms.		responsible for guaranteeing human rights at the border.		
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⁹⁵Albania, Assembly of the Republic of Albania (Kuvendi i Republikës së Shqipërisë) (1999), Law no 8454 dated 4.2.1999 "On People's Advocate" (*Ligj nr.8454 datë 4.2.1999 "Për Avokatin e Popullit"*) Official Gazzete no 5/1999, Fletore Zyrtare nr.5/1999.

Chapter 5. Information society, privacy, and data protection

5.1 Legal and policy developments or measures that have been implemented related to data protection and private life with regards to security issues

Within the framework of the Twinning Project 'Institution-building for alignment of the legislation on personal data protection with the EU *acquis*', the Information and Data Protection Commissioner is implementing several activities to align national data protection legislation per the EU *acquis* [*General Data Protection Regulation*⁹⁶], to strengthen the capacities for the enforcement of the new Data Protection Framework and to raise awareness of the data controllers and processors. The Project was launched on 16 February 2021 with a presentation of the consolidated draft of the new Law 'On data protection'. The Office of the Commissioner has implemented several capacity-building activities.⁹⁷ In the framework of the measures adopted to prevent the spread of COVID-19 infection, the Information and Data Protection Commissioner has issued several Directives to regulate the processing of personal data within the circumstances of the pandemic,⁹⁸ regulation

⁹⁶ Regulation (EU) No. 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC, OJ L 119 (*General Data Protection Regulation*) 27 April 2016.

⁹⁷ Albania, the Information, and the Data Protection Commissioner (Komisioneri për të Drejtën e Informimit dhe Mbrojtjen e të Dhënave Personale) (2021), Written submission-information to the request for information of the Ombudsman in the framework of the FRA human rights report për vitin 2021, 24 September 2021.

⁹⁸ Albania, the Information and the Data Protection Commissioner (Komisioneri për të Drejtën e Informimit dhe Mbrojtjen e të Dhënave Personale) (2021), '[Për mbrojtjen e të dhënave personale në kuadër të masave kundër Covid-19](#)', Directive, 20 March 2020.

of processing of personal data by employers and educational institutions,⁹⁹ by the processing of personal data following Hygienic-Sanitary Protocols,¹⁰⁰ and the processing of personal data during online work data exchange.¹⁰¹ The new Albanian Strategy on the Right to Information and Personal Data Protection 2021-2023 is currently under development.¹⁰²

On 11 April 2021, in anticipation of the parliamentary elections in Albania (which took place on 25 April 2021) an online news outlet in Albania "*lapsi.al*" published material (exclusive/how we monitor confidential data for 910 thousand voters in Tirana), revealing a cyber leak of over 900,000 records of the personal data of residents of Tirana processed by a governmental electronic personal data portal "*e-albania*".¹⁰³ Regarding this issue, the Information and Data Protection Commissioner has initiated an investigation in the framework of which he has submitted several requests to the relevant governmental bodies in charge of personal data protection. On 19 August 2021, the Commissioner has issued its own recommendation where it observed that the controller of the personal data, in this case, was acting in violation of the principles of data protection and processing of the personal data of voters.¹⁰⁴ However, state institutions should ensure the security of citizens' personal data. Relevant institutions should thoroughly investigate and sanction any breach which impacts public confidence in the electoral process.¹⁰⁵

The Council of Ministers has approved the National Strategy and the Action plan for cyber security for the period of 2020-2025 where it established the goals and objectives of the cyber protection policy for this period. The fundamental policy goal is to guarantee cyber security at the national level, including protection of informational infrastructure, while increasing

⁹⁹ Albania, the Information and the Data Protection Commissioner (Komisioneri për të Drejtën e Informimit dhe Mbrojtjen e të Dhënave Personale)(2021), '[Për perpunimin e të dhënave personale në sektore specifike në kuadër të masave kundër Covid-19](#)', Directive, 6 April 2020

¹⁰⁰ Albania, the Information and the Data Protection Commissioner (Komisioneri për të Drejtën e Informimit dhe Mbrojtjen e të Dhënave Personale)(2021), '[Për perpunimin e të dhënave personale sipas protokolleve të masave Hygjeno-Sanitare Covid-19](#)', Directive, 4 May 2020.

¹⁰¹ Albania, the Information and the Data Protection Commissioner (Komisioneri për të Drejtën e Informimit dhe Mbrojtjen e të Dhënave Personale)(2021), '[Për perpunimin e të dhënave personale gjate telepunës](#)', Directive, 1 March 2021

¹⁰²For more information see the webpage of the [Information and the data Protection Commissioner](#).

¹⁰³ For more information see the webpage of the news outlet [Lapsi.al](#).

¹⁰⁴ Albania, the Information and the Data Protection Commissioner (Komisioneri për të drejtën e Informimit dhe mbrojtjen e të dhënave personale) (2021), '[Rekomandim për kontrolluesin 'Partia Socialiste e Shqipërisë'](#)', Recommendation, 19 August 2021

¹⁰⁵ Organization for Security and Co-operation in Europe (OSCE), Office for Democratic Institutions and Human Rights (ODIHR) (2021), [Limited election observation mission final report parliamentary elections](#), Tirana, 25 April 2021, p.26.

technological capacities and empowering legal mechanisms.¹⁰⁶ The Ministry of Defence has issued a National Strategy on cyber security for 2021-2023, where it formulated the challenges and goals of the protection of cyberspace of the Ministry of Defence and the Armed Forces.¹⁰⁷

On 11th November the Commissioner for Protection from Discrimination introduced mobile app 'KMD app' available at the Google Play Store and the App Store, which have been designed within the framework of the EU and Council of Europe joint action on 'Promoting diversity and equality in Albania' under the framework of the Horizontal Facility for the Western Balkans and Turkey 2019-2022, to provide the public with necessary information on cases, a reporting mechanism, and offices for reporting discrimination and hate speech in Albania.¹⁰⁸

In 2021 an Albanian non-profit organization - the Albanian Institute for Artificial Intelligence was founded with a mission to promote projects and ideas based on the application of AI and big data in such areas as wildlife conservation, crisis response, advancing education, healthcare, economic empowerment, and domestic violence, etc.¹⁰⁹

¹⁰⁶ Albania, Council of Ministers (Keshilli I Ministrave) (2020), '[Miratimin e strategjisë kombëtare për sigurinë kibernetike dhe planit të veprimit 2020-2025](#)', Decision, 24 December 2020.

¹⁰⁷ Albania, Ministry of Defence (Ministria e Mbrojtjes) (2021), '[Strategjia Kombëtare për Mbrojtjen kibernetike 2021-2023](#)'

¹⁰⁸ For more information see the available KMD App at [Google play](#) and App store.

¹⁰⁹ For more information see information available at the website of [Albanian Institute for Artificial Intelligence](#).

5.2 Artificial intelligence and big data

Actor*	Type**	Description	Are Human Rights issues mentioned? (yes/no)	Reference
European Court of Human Rights	Decision on an interim measure (Rule 39)	On 21 April 2021 the European Court of Human Rights indicated an interim measure (pursuant Rule 39 of the Rules of the Court) where it indicated to the state party (Albania) that authorities should refrain from seizing any data storage devices and computer/electronic data belonging to the applicants and thus stay the enforcement of the decision of the Specialised Anti-Corruption and Organised Crime Court by which it ordered the journalists to hand in the sources of their journalist investigation.	Article 10 of the ECHR Freedom of speech	European Court of Human Rights (ECtHR), Shkullaku and others v Albania , No. 20204/21, 22 April 2021

Chapter 6. Rights of the child

6.1 Measures taken during the COVID-19 Pandemic to ensure the well-being of children living in poverty and the protection of children from violence

<p>Measures to address the specific vulnerabilities of children living in poverty</p>	<p>More than 8076 children have tested positive to Covid-19 by September 2021.¹¹⁰ (Albanian Institute of Public Health)</p> <p>The focus of central and local government policies to address the challenges faced by children living in poverty during the ongoing COVID-19 pandemic was on minimising risks to children's health and psychological well-being; ensuring access to good food and nutrition, and educational supports; and providing assistance and protection to reduce the risk of children being subject of violence or maltreatment. Most of these policies were adopted during 2020, but their implementation continues to produce effects even during 2021.</p> <p>Even so, no particular attention has been paid to providing concrete child-sensitive policies targeting particularly the most vulnerable groups of children in need. The Albanian Ombudsperson has monitored and investigated the implementation of governmental policies towards children and has highlighted the lack of and the necessity for adequate measures for the situation, including a needs assessment of children and individually tailored plans in accordance with childrens' needs.¹¹¹</p> <p>The only legal act adopted towards children's case management during Covid-19 was Instruction No. 253 of the Minister of Health and Social Protection, "On the management of cases of children in need of protection, during the period of natural disaster due to the epidemic caused by Covid-19"¹¹². The purpose of this instruction was to determine the concrete procedures and actions of child protection structures, for the management of cases of children in need of protection, during the period of natural disaster due to the epidemic caused by COVID-19.</p> <p>Based on the above instruction, several protocols and guidelines were prepared and adopted by the Ministry of Health and Social Protection and</p>
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¹¹⁰ Albania, Ministry of Health and Social Protection (Ministria e Shëndetësisë dhe Mbrojtjes Sociale" (2021), Written information addressed to the Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" (Information mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021"), prot.no 3867/1, 27 September 2021

¹¹¹ Albania, The Ombudsperson (Avokati i Popullit) (2021), "Recommendation for taking measures to guarantee the right for education and development programs for children S. and H. Hoxha, with disability, in their highest interest" (Rekomandim për marrjen e masave, për garantimin e të drejtës për arsim dhe programe zhvillimi për fëmijët S. dhe H. Hoxha, me aftësi të kufizuara, në interesin më të lartë të tyre," No doc 202002327/7.

¹¹² Albania, Ministry of Health and Social Protection "Ministria e Shëndetësisë dhe Mbrojtjes Sociale", The Minister (Ministri) (2020), Instruction no. 253 " On the management of cases of children in need of protection, during the period of natural disaster due to the epidemic caused by Covid-19" (Udhëzimi nr.253 datë 10.04.2020 " Për menaxhimin e rasteve të fëmijëve në nevojë për mbrojtje, gjatë periudhës së fakteqësisë natyrore për arsye të epidemisë së shkaktuar nga COVID-19" <https://shendetesia.gov.al/masat-e-reja-per-te-parandaluar-perhapjen-e-covid-19/> 10 April 2020

	<p>the Ministry of Education and Sports for child services structures/institutions to provide professional protection, support, and treatment for cases occurring during COVID emergencies.</p> <p>In this regard, the Child Protection Workers (CPWs) at 61 municipalities were trained and instructed by the State Agency on Child Rights and Protection (SACRP) on procedures for case management in emergencies.¹¹³ Following the same approach, 61 Child Protection Units were trained by the Agency on the implementation of new protection measures that CPWs should apply during Covid-19 emergencies. Apart from on-the-job training, 240 CPWs from all municipalities received online training on “<i>Children's mental health and psychological support in times of emergency</i>”. The training was delivered by the SACRP in cooperation with UNICEF.¹¹⁴</p> <p>Child Protection Structures supported, raised awareness, informed children and their families about the situation created by the COVID-19 epidemic, preventive measures, signs, and symptoms to identify the disease, referral routes to health facilities, numbers of emergency services, and how to access the services provided in the territory where they live.</p> <p>During 2021, under the “Social Fund for financing social services”, MoHSP financed:¹¹⁵</p> <p>The establishment of new services for children with disabilities or in risk situation in the municipalities of Kavaja, Rogozhina, and Maliq;</p> <p>Two new preventive services of institutionalization and deinstitutionalization of children from social care institutions in the municipalities of Vlora and Korca;</p> <p>The functioning of National Children's Counselling Line ALO 116 111;</p> <p>Specialized services for children with autism spectrum disorders in municipalities of Elbasan and Gjirokaster;</p> <p>Specialized mobile social services have been provided to children with disabilities in four municipalities. These services are provided in cooperation with World Vision Albania.</p> <p>Municipalities, in cooperation with the State Social Service, identified emergency services for the protection of children, as well as any other services for the protection of children during the situation of the epidemic caused by COVID-19. However, the services were operational only in a</p>
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¹¹³ Albania, State Agency on Child Rights and Protection (Agjencia Shtetërore për Mbrojtjen e të Drejtave të Fëmijëve” (2021), Written information addressed to Ombudperson with subject line “Response to the request of information regarding the report of FRA 2021” (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021), prot.no 178/1, 24 September 2021

¹¹⁴ Albania, State Agency on Child Rights and Protection (Agjencia Shtetërore për Mbrojtjen e të Drejtave të Fëmijëve” (2021), Written information addressed to Ombudperson with subject line “Response to the request of information regarding the report of FRA 2021” (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021), prot.no 178/1, 24 September 2021

¹¹⁵ Albania, Ministry of Health and Social Protection (Ministria e Shëndetësisë dhe Mbrojtjes Sociale” (2021), Written information to Ombudsperson with subject line “Response to the request of information regarding the report of FRA 2021” (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021) prot.no 3867/1., 27 September 2021

	<p>small number of municipalities, making it difficult for children living in remote/rural areas to have access to them.¹¹⁶</p> <p>Switching from providing in-person services to online ones was a solution for the local government to continue supporting children in need. Child Protection Workers in municipalities or administrative units referred the cases of the children in need of psychological support at services that provide psychological support at distance such as:</p> <p>Green line 0884040 every day from 8.00-22 free, published by the Ministry of Health and Social Protection as a new free psychological service for all citizens, children, and anyone who needs support in a pandemic situation.</p> <p>National Children's Counselling Line ALO 116 111</p> <p>Online consultation on the platform www.nukjvetem.al. The platform offers counselling via messaging, or offers individual therapy via chat service;</p> <p>Psychologists of the respective children's schools for online counselling¹¹⁷</p> <p>In November 2021, the Council of Ministers adopted the National Agenda on the Rights of Children 2021-2026 (NACR)¹¹⁸, which has been consulted during August 2021 with different groups of interest, including children. NACR represents a cross-cutting strategic document that expresses the priorities of state institutions in the field of children's rights, and at the same time, a unified framework for monitoring and evaluating the progress of the Albanian Government towards the realization of children's rights in all relevant sectors. The vision of the National Agenda for Children's Rights is the creation of a favourable environment for safe and healthy growth of girls and boys, development of maximum physical potential and their psychosocial skills, social inclusion, and active participation in all areas that affect children's lives.</p> <p>NACR is guided by the 4 general principles of the Convention on the Rights of the Child (CRC),</p> <p>respectively: non-discrimination; the best interests of the child; the right to survival and development, and the views of the child. It contains 4 strategic goals: i) Good governance in the function of respect, protection, and fulfilment of children's rights; ii) Elimination of all forms of violence and protection of children; iii) Child and adolescent-friendly systems and services; iv) Promoting children's rights in the digital world.</p>
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¹¹⁶ Albania, ESSA Consulting, UNICEF (2021), "Qualitative assessment Report: access, relevance and adequacy of the social protection system and response during the pandemic". (unpublished) The report is in the process of publishing.

¹¹⁷ Albania, Ministry of Health and Social Protection (Ministria e Shëndetësië dhe Mbrojtjes Sociale) (2021) [Albania's Institutions response to specific questions by the Bureau of the Lanzarote Committee on the impact of the Covid-19 pandemic on the protection of children from sexual exploitation and sexual abuse](#). The same information was provided by MoHSP through an Official letter of Ministry of Health and Social Protection, prot.no 3867/1 addressed to the Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" 27 September 2021.

¹¹⁸ Albania, Council of Ministers (Këshilli i Ministrave), Decision no.659 "For the adoption of the National Agenda on the Rights of Children 2021-2026" (Vendim nr.659 datë 3.11.2021 "Për miratimin e Agjendës Kombëtare për të drejtat e fëmijëve 2021-2026), Official Gazette no 178/2021, 3 November 2021.

	<p>NACR expresses the spirit and essence of the UN Convention on the Rights of the Child, the EU strategy on the Rights of the Child (2021-2024), and the CoE Strategy for the Rights of the Child 2016-2021.</p> <p>The implementation of NACR will be monitored by the Ministry of Health and Social Protection in coordination with the State Agency for the Rights and Protection of the Child.</p> <p>At the same time, the agenda envisages measures on the priority that welfare and mental health of children should take in the conditions of Covid-19.</p> <p>Moreover, the Ministry of Education, Sport and Youth (MoESY) in collaboration with government agencies and non-governmental organisations took several measures to support children from low-income families, Roma and Egyptian children, and children living in poverty as follows¹¹⁹:</p> <p>Providing the delivery of one essential food ration for children in low-income households;</p> <p>After School Program for children from vulnerable groups</p> <p>Equipping children in low-income households with free tablets and laptops to secure their access to online education. Different donors, especially "Vodafone Albania" offered free tablets for 15.931 children from this category, from which about 1250 were Roma and Egyptian children.</p> <p>Based on the Decision of the Council of Minister no 486 dated 17.06.2020 "<i>For printing, publishing, distributing and selling of the textbooks for pre-university education</i>" the children living in poverty were part of the categories of children who benefited from free textbooks for the scholar year 2021 (article 6).¹²⁰ According to the Order no.46 dated 16.03.2021 of the Ministry of Education and Sport "<i>For selecting, distributing and selling of the textbooks of classes 1,2,3,4,8,9,10,11,12 of pre-university education</i>", the category of children in low-income households and vulnerable groups were subject of profiting free textbooks for the school year 2021-2022.¹²¹</p> <p>Concerning access to education, the Agency for Quality Assurance in Pre-University Education prepared the online learning plan for all curriculums and classes. In this regard, MES signed the cooperation agreement with the platform "<i>akademi.al</i>" and the Albanian Public Radio and Television to provide free online learning lessons for each category. Akademi.al is part of a UNICEF initiative in cooperation with the Ministry</p>
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¹¹⁹ Albania, Ministry of Education and Sports (Ministria e Arsimit dhe Sportit), (2021), Written information to Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021), 29 September 2021.

¹²⁰ Albania, Council of Ministers (Këshilli i Ministrave) (2020), Decision no. 486 "For printing, publishing, distributing and selling textbooks for pre-university education" (Vendim i Këshillit të Ministrave Nr.486 datë 17.06.2020 "Për printimin, botimin, shpërndarjen dhe shitjen e teksteve shkollore për arsimin para- universitar), Official Gazette no 117/2020 (Gazeta Zyrtare nr.117/2020) 17 June 2020

¹²¹ Albania, Ministry of Education and Sports (Ministria e Arsimit dhe Sportit) (2021) , Order no.46 dated 16.03.2021 "For selecting, distributing and selling of the textbooks of classes 1,2,3,4,8,9,10,11,12 of pre-university education", (Urdhër nr.46 datë 16.03.2021 "Për përzgjedhjen, shpërndarjen dhe shitjen e teksteve shkollore për klasat 1,2,3,4,8,9,10,11,12 të arsimit para-universitar)

	<p>of Education, Sports and Youth. (https://www.unicef.org/albania/stories/unicef-enables-children-albania-learn-online-through-akademial) Through this cooperation each video prepared from "Akademi.al" was broadcast on a specific channel of Albanian Public broadcaster named "School channel".¹²² However, a lot of children were faced with lack access to the Internet and to equipment (phones, tablets), especially children of families with limited financial resources to provide for digital infrastructure (internet and supplies), - in particular, Roma and Egyptian children, some of which have not attended online learning at all during the lockdown.¹²³</p>
<p>Measures to protect children from violence</p>	<p>During the Covid-19 pandemic, the government of Albania undertook some measures to protect children from violence and support children referred to as victims of violence.</p> <p>Until September 2021, the Child Protection Units across the country managed¹²⁴:</p> <ul style="list-style-type: none"> 81 cases of abused, neglected, and violated children; 44 cases of child sexual abuse; 193 cases of child psychological abuse; 14 cases of child victims of trafficking; 166 cases of children living on the street. <p>At the national level, two emergency centres continued to provide services to children who have been left without parental care due to COVID-19 and children victims of violence and subject to abuse.¹²⁵ However, children from rural and remote areas had no access to them due to the large distance it would take to travel.</p> <p>The State Agency on Child Rights and Protection instructed Children Protection Units to treat with priority, and to report without any delay, the cases of abused, neglected and violated children, and measures taken in each individual case.</p> <p>The Ministry of Health and Social Protection and UNICEF trained Child Protection Workers on the "<i>Identification and management of children</i></p>

¹²² Albania, Ministry of Education and Sports (Ministria e Arsimit dhe Sportit) (2020), Order No.364 "For the establishment of the working group for the follow-up and implementation of the cooperation agreement with the object "For the creation of the school curriculum "RTSH school" and other curricula in the field of pre-university education and their transmission to the public" (Urdhër nr.364 datë 26.11.2020 "Për krijimin e grupit të punës për ndjekjen dhe zbatimin e marrëveshjes së bashkëpunimit me objekt "Për krijimin e programit shkollor "RTSH Shkollë" dhe programeve të tjera para-universitare dhe trasmetimine tyre publik", 26 November 2020

¹²³ Albania, ESSA Consulting, UNICEF (2021), "Qualitative assessment Report: access, relevance and adequacy of the social protection system and response during the pandemic". (unpublished) The report is in the process of publishing.

¹²⁴ Albania, State Agency on Child Rights and Protection (Agjencia Shtetërore për Mbrojtjen dhe të Drejtat e Fëmijëve) (2021), Written information addressed to Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021) prot.no 178/1, 24 September 2021.

¹²⁵ Albania, Ministry of Health and Social Protection (Ministria e Shëndetësisë dhe Mbrojtjes Sociale" (2021), Written information to Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021), prot.no 3867/1, 27 September 2021

	<p><i>victims of trafficking/ potential victims of trafficking</i>", aiming to equip first-line professionals with the knowledge and skills to identify and support the health and psychosocial well-being of child victims, especially in an emergency situation.¹²⁶</p> <p>Moreover, the Ministry of Education and Sport implemented several awareness-raising activities focusing on forms of child violence and especially measures for protecting children from cyberbullying. On 26 August 2021, both the Minister of Education and Sport and the Minister of Finance and Economy adopted the Joint Instruction no.17 "For the school year 2021-2022"¹²⁷, according to which the directors of educational institutions were in charge of planning awareness-raising activities focusing on child protection from violence in social life, especially at schools.</p> <p>"<i>Stop Violence in Schools</i>" and "<i>Fighting bullying and violent extremism in Albanian educational institutions</i>" were two valuable initiatives/policies that pre-university institutions implemented during 2021.¹²⁸ Regarding both initiatives, pre-university institutions drafted their action plans and proposed measures to raise awareness and protect children from violence.</p> <p>Regarding the General Directory of the State Police, during 2021 the Albanian State Police continued the implementation of the Action Plan No.1737 dated 04.03.2020 "For the implementation of the measures and fulfilment of obligations arising from "<i>The National Action Plan on Protection of Children from Economic Exploitation, including Street Children 2019-2021</i>", which provided specific measures for state police at both the central and the local levels.</p> <p>During the Covid-19 pandemic, the General Directory of the State Police adopted several documents directed to state police concerning the protection of children from violence including:¹²⁹</p> <p>"Drawing Attention to the control, treatment, and investigation of cases of unaccompanied children", 2021</p>
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¹²⁶ Albania, State Agency on Child Rights and Protection (Agjencia Shtetërore për Mbrojtjen dhe të Drejtat e Fëmijëve) (2021), Written information addressed to Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021) prot.no 178/1, 24 September 2021

¹²⁷ Albania, Minister of Education and Sports and Minister of Finance and Economy (Ministri i Arsimit dhe Sportit dhe Ministri i Ekonomisë dhe Financave) (2021) [Instruction no.17, dated "For scholar year 2021-2022" of the Minister of Education and Sport and Minister of Finance and Economy](#) (Udhëzim i përbashkët i Ministrisë të Arsimit dhe Sportit dhe Ministrisë të Ekonomisë dhe Financave nr.17 datë 26.08.2021 "Për vitin shkollor 2021-2022") 26 September 2021

¹²⁸ Albania, Minister of Education and Sports and Minister of Finance and Economy (Ministri i Arsimit dhe Sportit dhe Ministri i Ekonomisë dhe Financave) (2021) [Instruction no.17, dated "For scholar year 2021-2022" of the Minister of Education and Sport and Minister of Finance and Economy](#) (Udhëzim i përbashkët i Ministrisë të Arsimit dhe Sportit dhe Ministrisë të Ekonomisë dhe Financave nr.17 datë 26.08.2021 "Për vitin shkollor 2021-2022") 26 September 2021

¹²⁹ Albania, General Directory of State Police (Drejtoria e Përgjithshme e Policisë së Shtetit) (2021), Written information addressed to the Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021, (Informacion mbi kërkesën e Avokatit të Popullit mbi raportin e FRA për vitin 2021), prot.no 6507/1, 30 September 2021

	<p>"Drawing Attention to taking measures for prevention, detection, and documentation of sexual crimes against minors", no 3790, dated 25.05.2021.</p> <p>However, these documents were adopted after 3 (three) recommendations of the Ombudsperson towards State Police to take measures to protect the rights of children in institutions of execution of criminal sentences during the Covid- 19 pandemic.¹³⁰</p> <p>In this regard, based on the memoranda of understanding with UNICEF (no.338 dated 28.09.2020), the Section for the Protection and Promotion of Children Rights at Albania's Ombudsperson conducted several monitoring visits at Police Stations throughout Albania. The object of the monitoring/ inspection visits was the evaluation of the implementation of the Ombudsperson's recommendations and Council of Ministers legal acts regarding the protection of procedural rights of minors in conflict with the law and the protection of the rights of minors in conflict with the law, whether convicted or detained during the Covid-19 pandemic.¹³¹</p> <p>According to the Ombudsperson, in response to measures to prevent the spread of Covid-19, the Albanian penitentiary system reacted, implementing several regulatory acts, orders, and instructions of an organizational nature, which consisted in the suspension of visits and other activities of persons deprived of liberty, to restrict contacts with other people from outside.¹³² The Minister of Justice approved the Order no.91, dated 9.3.2020 "On taking measures in the institutions of</p>
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¹³⁰ Albania, The Ombudsperson, Section for Protection and Promoting of Children Rights (Avokati i Popullit, Seksioni për Mbrojtjen dhe Promovimin e të Drejtave të Fëmijëve) (2021) "Recommendation on guaranteeing the rights of minors in conflict with law, whether convicted or detained" (Rekomandim për garantimin e të drejtave të miturit në konflikt me ligjin, qoftë i dënuar apo i paraburgosur), No. Doc. 202100450/4;

Albania, The Ombudsperson, Section for Protection and Promoting of Children Rights (Avokati i Popullit, Seksioni për Mbrojtjen dhe Promovimin e të Drejtave të Fëmijëve) (2021) "Recommendation on guaranteeing the rights of minors in conflict with law, victims and / or witnesses at the Police Station Shkoder" (Rekomandim për garantimin e të drejtave të miturit në konflikt me ligjin, viktima dhe/apo dëshmitarë në komisariatit e Policisë Shkodër), No. Doc. 202100324/2;

Albania, The Ombudsperson, Section for Protection and Promoting of Children Rights (Avokati i Popullit, Seksioni për Mbrojtjen dhe Promovimin e të Drejtave të Fëmijëve) (2021) "Recommendation on guaranteeing the rights of minors in conflict with law, victims and / or witnesses at the Police Station Durrës" (Rekomandim për garantimin e të drejtave të miturit në konflikt me ligjin, viktima dhe/apo dëshmitarë në komisariatit e Policisë Durrës), No. Doc. 202100324/2;

¹³¹ Albania, The Ombudsperson, Section for Protection and Promoting of Children Rights (Avokati i Popullit, Seksioni për Mbrojtjen dhe Promovimin e të Drejtave të Fëmijëve) (2021) "Recommendation on guaranteeing the rights of minors in conflict with law, whether convicted or detained" (Rekomandim për garantimin e të drejtave të miturit në konflikt me ligjin, qoftë i dënuar apo i paraburgosur), No. Doc. 202100450/4;

¹³² Albania, The Ombudsperson, Section for Protection and Promoting of Children Rights (Avokati i Popullit, Seksioni për Mbrojtjen dhe Promovimin e të Drejtave të Fëmijëve) (2021) "Recommendation on guaranteeing the rights of minors in conflict with law, whether convicted or detained" (Rekomandim për garantimin e të drejtave të miturit në konflikt me ligjin, qoftë i dënuar apo i paraburgosur), No. Doc. 202100450/4;

	<p>execution of criminal decisions to prevent the spread of Covid-19"¹³³ which stipulated that persons deprived of their liberty, including children, were deprived of the right to short-term visits with their family members during quarantine, except in those cases when meetings could take place in special environments, which did not require direct physical contact. For the implementation of this measure, the Minister of Justice approved a new order no.91 dated 9.3.2020 "For the realization of the meetings in special environments, which do not require direct physical contact". Due to the lack of adequate funds, this order was not implemented by the institutions of minors in Kavaja and Police Stations in other cities.</p> <p>Moreover, from the interviews conducted by Ombudsperson with the minors, it was stated that the pandemic situation had negatively affected their emotional state and development, causing stress and suffering, precisely because of the lack of meetings with family members.¹³⁴ Although children deprived of their liberty in closed institutions faced an increased risk of becoming infected or spreading the disease, measures taken to control the spread of the virus have adversely affected their well-being and development.</p> <p>For this reason, the institution of the People's Advocate, through the Section for the Protection and Promotion of Children's Rights addressed a recommendation to the responsible state institutions, in terms of allowing for short-term visits with family members.</p> <p>In response to the recommendation of the Ombudsperson institution, the Minister of Justice, through order 7 no. 372, dated 11.6.2021, made possible the visits with family members, 4 times a month for juveniles deprived of liberty, respecting the protocols of Covid-19.¹³⁵</p> <p>Intending to reduce overcrowding in prisons, the Minister of Justice adopted a normative act foreseeing the three-month parole of imprisoned individuals who posed a low risk to society.¹³⁶ Despite this, the Ombudsperson ascertained during its inspecting visits that children</p>
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¹³³ Albania, Minister of Justice (Ministri i Drejtësisë) (2020) Order no.91, "On taking measures in the institutions of execution of criminal decisions to prevent the spread of Covid-19" (Urdhri nr.91, datë 9.3.2020, i ministrit të Drejtësisë "Për marrjen e masave në institucionet e ekzekutimit të vendimeve penale për parandalimin e përhapjes së Covid-19".) 9 March 2020

¹³⁴ Albania, The Ombudsperson, Section for Protection and Promoting of Children Rights (Avokati i Popullit, Seksioni për Mbrojtjen dhe Promovimin e të Drejtave të Fëmijëve) (2021) "Recommendation on guaranteeing the rights of minors in conflict with the law, whether convicted or detained" (Rekomandim për garantimin e të drejtave të të miturit në konflikt me ligjin, qoftë i dënuar apo i paraburgosur), No. Doc. 202100450/4;

¹³⁵ Albania, Minister of Justice (Ministri i Drejtësisë)(2021) Order no.372 dated "For the implementation of measures to prevent the spread of infection caused by covid-19 in institutions of execution of criminal decisions." (Urdhri nr.372, datë 11.6.2021, i Ministrit të Drejtësisë "Për zbatimin e masave për parandalimin e përhapjes së infeksionit të shkaktuar nga covid-19 në institucionet e ekzekutimit të vendimeve penale.) 11 June 2021

¹³⁶ Albania, Minister of Justice (Ministri i Drejtësisë) Normative Act No. 7/2020 "On granting temporary leave to convicted prisoners, who are allowed to stay at home for a period of three months". "(Akti Normativ Nr. 7/2020 "Për dhënien e lejes së përkohshme për të burgosurit e dënuar, të cilët lejohen të qëndrojnë në shtëpi për një periudhë tre mujore".)

	<p>deprived of their liberty did not receive special permission for a temporary stay at home, during the duration of the epidemic caused by COVID-19.¹³⁷</p> <p>Regarding the provision of psychological assistance to juveniles during the preliminary investigation phase as well as emergency services for juveniles in need of immediate protection, the signature of the memorandum of Understanding between the Albanian General State Police Directory and the organisation "Nisma ARSIS" on 12.04.2021 was a step forward.¹³⁸ Based on this agreement, during 2021, Nisma ARSIS worked actively to protect children in conflict with the law, providing psycho-social services for children and youth in contact/conflict with the law in police stations of Tirana, Lezha, and Kurbin 24/7. The aim of this initiative was to ensure children/youth rights and fair treatment of law enforcement agencies during the interview process of children in contact/conflict with the law in the Police Station.¹³⁹</p>
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6.2 Legal and policy developments or measures relating to criminal proceedings

Legislative changes	<p>The adoption of the Juvenile Criminal Justice Code was one of the most important legal initiatives towards the fulfilment of the rights of juveniles related to criminal proceedings from 2018.¹⁴⁰ The Code established a criminal justice framework for children that is in compliance with the UN Convention on the Rights of the Child (UNCRC) and other international standards. It aims to adapt the</p>
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¹³⁷ Albania, The Ombudsperson, Section for Protection and Promoting of Children Rights (Avokati i Popullit, Seksioni për Mbrojtjen dhe Promovimin e të Drejtave të Fëmijëve) (2021) "Recommendation on guaranteeing the rights of minors in conflict with the law, whether convicted or detained" (Rekomandim për garantimin e të drejtave të miturit në konflikt me ligjin, qoftë i dënuar apo i paraburgosur), No. Doc. 202100450/4;

¹³⁸ Albania, Albanian General State Police Directory and ARSIS initiative (Drejtoria e Përgjithshme e Policisë së Shtetit dhe Nisma ARSIS) (2021) "Memorandum of Understanding", no 2283/2 "For the provision of psychological assistance to juveniles during the preliminary investigation phase as well as the emergency service for juveniles in need of immediate protection evidenced by the local structures of the state police" (Memorandum bashkëpunimi nr 2283/2 datë 12.04.2021 "Për ofrimin e mbështetjes psikologjike për të miturit gjatë fazës së hetimeve paraprake si edhe shërbimet emergjente për të miturit në nevojë për mbrojtje të menjëhershme evidentuar nga strukturat vendore të policisë së shtetit") 12 April 2021

Albania, General Directory of State Police (Drejtoria e Përgjithshme e Policisë së Shtetit) (2021), Written information addressed to the Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021, (Informacion mbi kërkesën e Avokatit të Popullit mbi raportin e FRA për vitin 2021), prot.no 6507/1, 30 September 2021

¹³⁹ Albania, ARSIS Initiative (Nisma ARSIS) (2021) [Child Friendly Juvenile Justice in the Police Station](#) (Drejtësia miqësore për të mitur në stacionin e policisë) Official Webpage of ARSIS Initiative in Albania

¹⁴⁰ Albania, Assembly of the Republic of Albania (Kuvendi i Republikës së Shqipërisë) (2017) Law no.37/2017 "Juvenile Criminal Justice Code" (Ligj nr.37/2017 datë 30.3.2017 "Kodi i Drejtësisë Penale për të Mitur" Official Gazzete no.92/2017 (Fletore Zyrtare nr.92/2017) 30 March 2017

	<p>criminal justice system to the needs of the child for access to justice and legal remedies, protection, education, and rehabilitation of those in contact with the law. However, sub-legal acts (<i>unjustifiably</i>) delayed approval (up to 2021), and institutional mechanisms setting unreasonable deadlines hindered the factual guarantee of juvenile-friendly justice, thus jeopardizing the efficiency of the justice system for many of them. There was an insufficient allocation of state funds to guarantee the implementation of new policies foreseen in the Code.¹⁴¹</p> <p>Among others, the Code introduced the concept of diverting the child from the traumatic court process and provided for the mandatory presence of a psychologist; for free legal and psychological assistance for children, including child victims/witnesses; for courthouse and session adaptation so that these become safer and less intimidating to children and more conducive to giving testimony.</p> <p>From the time this Code entered into force, the detention of a child has had to be seen as a measure of last resort and for the shortest possible time. After 3 (three) years of this Code entering into force, only on 8 July 2021, did the Council of Ministers adopt the CoM Decision No. 421 “<i>On General Probation Service Regulation</i>”.¹⁴² Among others, this decision defines in detail the rules and procedures of the supervision of juveniles in conflict with the law, the types of alternative measures to avoid the prosecution of minors, or alternative sentences overseen by the Probation Service. As of August 2021, there were 91 juveniles under the supervision of the Probation Service.¹⁴³</p> <p>At the same time, the 2017 amendments to the Criminal Procedure Code, improved the position of children subject/victims to/in criminal proceedings, including special procedural rights for the minor victim who has been sexually abused or the minor who is a victim of trafficking in human beings.</p> <p>Another legal initiative aiming at guaranteeing free legal aid to vulnerable groups of people in Albania was the adoption of Law</p>
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¹⁴¹ Albania, The Ombudsperson, Section for Protection and Promoting of Children Rights (Avokati i Popullit, Seksioni për Mbrojtjen dhe Promovimin e të Drejtave të Fëmijëve) “Recommendation on guaranteeing the rights of minors in conflict with law, whether convicted or detained” (Rekomandim për garantimin e të drejtave të të miturit në konflikt me ligjin, qoftë i dënuar apo i paraburgosur), No. Doc. 202100450/4 (2021)

¹⁴² Albania, Council of Ministers (Këshilli i Ministrave) (2021), CoM Decision No.421 “On General Probation Service Regulation” (Vendim i Këshillit të Ministrave nr.421 datë 8.07.2021 “Mbi rregulloren e Shërbimit të Provës”, Official Gazzete no 110/ 2021 (Fletore Zyrtare nr 110/2021) dated 8 July 2021.

¹⁴³ Albania, General Directory of Probation Service (Drejtoria e Përgjithshme e Shërbimit të Provës) addressed to the Ombudsperson with subject line “Response to the request of information regarding the report of FRA 2021” (Informacion mbi kërkesën e Avokatit të Popullit mbi raportin e FRA për vitin 2021), prot.no 1000, 21 September 2021.

	<p>no.111 / 2017 "On granting state aid guaranteed by the state". According to this law, minor victims, and minors in conflict with the law receive free legal aid at any stage of the criminal proceedings.¹⁴⁴</p> <p>Based on the Law No.18/2017 "On the Rights and Protection of Child", the State Agency for the Rights and Protection of Child (SARPC) adopted Instruction no.262 dated 26.05.2021 "For adopting of the working methodology for managing cases of children in conflict with the law by Child Protection Worker". Following the implementation of this instruction, during 2021, SARPC coordinated the organisation of trainings with a focus on "Management of cases of children in conflict with law" in 57 municipalities and administrative units. Until June 2021, the Children Protection Units have managed 77 cases of children in conflict with the law.¹⁴⁵</p> <p>In addition, the General Prosecutor, adopted on 28.07.2021 the Order no. 87 "On adoption of the rules for the use of the integrated juvenile criminal justice data system". According to this Order, in all Prosecutor's Offices of general jurisdiction are assigned the responsible persons who will have access and enter data in the system. The system is now fully operational and responsible officials have started entering data after being trained by UNICEF.¹⁴⁶</p> <p>Regarding the protection of minors in institutions of execution of criminal decisions during Covid-19, the Minister of Justice adopted the Order no.372 dated 11.06.2021 "On the implementation of measures to prevent the spread of the infection caused by covid-19, in the institutions of execution of criminal decisions".¹⁴⁷</p>
Policy developments	Since 2018, the Albanian – Swedish Joint Program SIDA has implemented the "Enhanced capacity of Albanian law

¹⁴⁴ Albania, Assembly of the Republic of Albania (Kuvendi i Republikës së Shqipërisë) Law no 111/2017 "On legal aid guaranteed by the state" (Ligj nr.111/2017 "Mbi ndihmën juridike të garantuar nga shteti"), article 11. Official Gazzete no 241/2017 (Fletore Zyrtare nr.241/2017)

¹⁴⁵ Albania, Albanian State Agency on the Rights and Protection of Child (Agjencia Shtetëore mbi të Drejtat dhe mbrojtjen e fëmijëve) (2021), "Written Information addressed to the Ombudsperson in response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit mbi raportin e FRA për 2021) prot.no 178/1, 24 September 2021

¹⁴⁶ Albania, General Prosecution Office of Albania (Prokuroria e Përgjithshme) (2021) "Written information addressed to the Ombudsperson in response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit për raportin e FRA 2021) prot.no 1340/2, 1 October 2021

¹⁴⁷ Albania, Minister of Justice (Ministri i Drejtësisë) (2021) Order no 372 "On the implementation of measures to prevent the spread of the infection caused by Covid-19, in the institutions of execution of criminal decisions", (Urdhër nr.372 datë 11.06.2021 "Mbi zbatimin e masave për të parandaluar përhapjen e infeksionit të shkaktuar nga Covid-19 në institucionet e ekzekutimit të vendimeve penale), Official Gazzete no 92/2021 (Fletore Zyrtare nr.92/2021) 11 June 2021

enforcement agencies and courts to meet human rights standards in juvenile justice – a comprehensive justice chain approach”. The key focus areas of the project are support to the development of regulations/legislation, support to coordination amongst Albanian criminal justice institutions, capacity building of staff, and development of tools/guidance to guide implementation.¹⁴⁸

Under this programme the Albanian prosecution Office in cooperation with Swedish representatives of the program undertook several measures and held some activities focusing on:

Improvement and implementation of the legal framework in the field of criminal justice for minors;

Establishment and organisation of structures necessary for the implementation of criminal justice for minors;

Increase capacities and continuous training of prosecutors and judicial police officers who manage and treat cases with minors.

In 2019, the General Prosecutor has finally set up “The Juvenile Justice Development Centre”. The main focus of the Centre’s activity is the preparation of documents, policies, guidelines, and manuals in the field of juvenile criminal justice. In 2021, The Centre in collaboration with the Swedish program prepared the models of acts that the prosecutor drafts during the investigation of criminal proceedings with minors and acts on the rights of minors in conflict with the law. These acts are provided to the juveniles involved in the criminal proceedings.

The School of Magistrates, as one of the main institutions for conducting continuous trainings for judges and prosecutors, conducted 10 training activities of prosecutors and judges related to substantive and procedural rights of minors in all phases of criminal proceedings.¹⁴⁹ During October and November 2021, more than 40 Albanian candidate judges and prosecutors benefited from the online course on Child-

¹⁴⁸ Albania, General Prosecution Office of Albania (Prokuroria e Përgjithshme) (2021) “Written information addressed to the Ombudsperson in response to the request of information regarding the report of FRA 2021” (Informacion mbi kërkesën e Avokatit të Popullit për raportin e FRA 2021) prot.no 1340/2 1 October 2021

¹⁴⁹ Albania, High Council of Prosecution (Këshilli i Lartë i Prokurorisë) (2021), “Written information addressed to the Ombudsperson in response to the request of information regarding the report of FRA 2021” (Informacion mbi kërkesën e Avokatit të Popullit për raportin e FRA 2021) prot.no 2124/1, 24 September 2021

friendly justice, part of the Council of Europe HELP program (Human Rights Education for Legal Professionals) implemented in cooperation with the Albanian School of Magistrates. The Course was organised within the scope of the regional action "HELP in the Western Balkans", which is a part of the joint European Union/ Council of Europe programme "Horizontal Facility for the Western Balkans and Turkey 2019-2022" and aimed to strengthen and harmonise the knowledge of the relevant European standards on child-friendly justice across Europe.¹⁵⁰

At strategic level, on December 2021, the Albanian government came up with the adoption of the new Intersectoral Justice Strategy 2021-2025 (SND 2021-2025), with the aim of consolidating reforms initiated in regard to the previous strategy (2016-20) and approaching the justice system in Albania with the best European standards.¹⁵¹ The strategy reflects the goals and objectives drawn up within the Sustainable Development Goals no 16 "Promoting peaceful and comprehensive societies for sustainable development by providing justice for all, through the establishment of effective, accounting and comprehensive institutions, at all levels. The vision of the Intersectoral Justice Strategy is: *"An independent, responsible, accessible, transparent and effective justice system that protects human rights and serves society according to standards of good governance in accordance with European standards"*.¹⁵²

Regarding the protection of the rights of children in conflict with law, there is a specific objective numbered 3.3 in the Strategy titled "Improving justice for minors, guaranteeing a justice friendly to minors, which protects their

¹⁵⁰ Council of Europe, HELP course on Child-friendly justice retrieved November 2021.

¹⁵¹ Albania, Council of Ministers (Këshilli i Ministrave), Decision no 823 dated 24.12.2021 "For the adoption of the Intersectoral Justice Strategy 2021-2025" (Vendim nr.823 datë 24.12.2021 "Për miratimin e Strategjisë Ndërsektorale të Drejtësisë 2021-2025), Official Gazette no 205/2021 (Gazeta Zyrtare nr.205/2021).

¹⁵² Albania, Council of Ministers (Këshilli i Ministrave), Decision no 823 dated 24.12.2021 "For the adoption of the Intersectoral Justice Strategy 2021-2025" (Vendim nr.823 datë 24.12.2021 "Për miratimin e Strategjisë Ndërsektorale të Drejtësisë 2021-2025), Official Gazette no 205/2021 (Gazeta Zyrtare nr.205/2021).

	<p>highest interest". Within this specific objective the following results are expected to be achieved:¹⁵³</p> <ul style="list-style-type: none"> • Ensuring the access of minors to justice. • Guaranteeing fair and fast judgment and respecting human rights for minors. • Preventing the retention of minors in detention, lowering the number of minors, maximizing the risk of re-engaging minors in crimes. • Resocialization, reintegration and rehabilitation of minors in conflict with the law. • Empowerment of co-operation between authorities (institutions) of the minor justice system. <p>For the achievement of the above results, a detailed Action Plan (2021-2025), containing the necessary measures and activities to achieve the strategic objectives and the fulfilment of the policy goals, has been approved as Annex of the strategy.</p>
<p>Other measures or initiatives</p>	<p>New measures in the reform of juvenile criminal justice include the establishment of two new institutes: the Centre for the Prevention of Juvenile and Youth Delinquency (CPJYD) and the Multidisciplinary Institute for Juvenile Rehabilitation (MIYR).¹⁵⁴ According to the Juvenile Criminal Justice Code, both institutes should have been set up 3(three) years before this.</p> <p>In fact, the CPJYD has only been operational from March 2021 and aims at supervising and protecting juveniles after they serve their sentence. The Centre cooperates with the Institution for the Execution of Criminal Decisions, the General Directorate of Probation Service, the Unit for the Rights and Protection of Children, as well as with other structures at the local level in drafting, following, and implementing the rehabilitation plan for juveniles aiming to avoid their recidivism.</p>

¹⁵³ Albania, Council of Ministers (Këshilli i Ministrave), Decision no 823 dated 24.12.2021 "For the adoption of the Intersectorial Justice Strategy 2021-2025" (Vendim nr.823 datë 24.12.2021 "Për miratimin e Strategjisë Ndërsektoriale të Drejtësisë 2021-2025), Official Gazette no 205/2021 (Gazeta Zyrtare nr.205/2021).

¹⁵⁴ Albania, Ministry of Justice (Ministria e Drejtësisë) (2021) Written information addressed to the Ombudsperson in response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit për raportin e FRA 2021), prot.no 1000. 27 September 2021

In relation to MIYR, during 2021, the MoJ finally set up the working group for the finalisation of the project on establishing the Juvenile Institute. After being set up, the Institute will function as a semi-open institution, where juveniles will be restricted in their freedom of movement to the extent that they are prevented from committing criminal offences. In particular, the Institute aims the reintegration and re-socialization of juveniles in the community.

Another positive initiative in the promotion and protection of children's rights is the establishment, in collaboration with UNICEF in Albania, of the Parliamentary Group "Friends of Children" (PGFG), as "a voluntary union of deputies of the Assembly, without distinction of conviction and political affiliation, and with the mission to promote initiatives and state actions in support and protection of children's rights in Albania".¹⁵⁵ This group had a notable role in the undertaking of the legal measures and in the drafting of policies and programs on the rights of the children, as well as in the strengthening of parliamentary control over the state and independent institutions for the implementation of these rights. During 2020-21, PGFG continued the implementation of its Strategic Plan and Action Plan 2018–2021(<https://www.unicef.org/albania/media/1646/file/Plani%20Strategjik.pdf>), in order to fulfil the National Agenda for the Rights of the Child and the Convention of the United Nations on the Rights of the Child.¹⁵⁶

This Parliamentary Group has contributed to the improvement of the Albanian legal framework from the viewpoint of protecting the best interests of the child. As a result, the Civil Registry Law¹⁵⁷ was amended to provide legal instruments for the registration of any unregistered child, through court authorization or through administrative solutions.¹⁵⁸ The government legislative calendar is reviewed

¹⁵⁵ Albania, Assembly of Albania (Kuvendi i Shqipërisë) (2021) Written Information from Parliamentary Group "Friends of Children". (Informacion me shkrim nga grupi parlamentar "Miqtë e fëmijëve)

¹⁵⁶ Albania, Assembly of Albania/ Parliamentary Group "Friends of Children" (Kuvendi i Shqipërisë/ Grupi Parlamentar "Miqtë e fëmijëve) (2021) Written Information from Parliamentary Group "Friends of Children" (Informacion me shkrim nga grupi parlamentar "Miqtë e fëmijëve)

¹⁵⁷ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) Law "On some additions and amendments to Law no. 10129, dated 11.5.2009," On Civil Status " (Ligj "Për disa shtesa dhe ndryshime në ligjin nr.10129 datë "Për gjendjen Civile") 5 November 2009

¹⁵⁸ Albania, Assembly of Albania/ Parliamentary Group "Friends of Children" (Kuvendi i Shqipërisë/ Grupi Parlamentar "Miqtë e fëmijëve) (2021) Written Information from Parliamentary Group "Friends of Children" (Informacion me shkrim nga grupi parlamentar "Miqtë e fëmijëve)

annually to identify legal initiatives that have the greatest impact on children. In 2019 the Law on Economic Assistance¹⁵⁹ was revised to make the protection scheme more flexible and to provide protection and access to those families with children and to help them integrate into services.¹⁶⁰ In 2020 the Law on Universal Salt Iodization¹⁶¹ underwent changes to ensure the banning of all non-iodized salt in the industry or the food market. In the same year, the Law on Domestic Violence¹⁶² was revised to strengthen the protection and prevention of domestic violence for women in environments with domestic violence during the pandemic. In 2021, PGFG participated in the discussion of the Budget Law to recommend more funding for direct services that affect the well-being and health of children.¹⁶³ On 9 September 2021, the Albanian Parliament began the new legislature, where 81 out of 140 are new members of the Parliament. More than 41 members of the new legislature have expressed their interest to be part of this Parliamentary Group during 2021.¹⁶⁴ The first meeting of the PGFG for 2021 was held on November 19th, in a special session of the Parliament in the framework of the International Day of Children's rights. For the first time the Group consists of 50 MPs, committed to the advancement of children's rights. It is led by the speaker of the Albanian Parliament and is organized into six committees as follows:

- Juvenile Justice Commission
- Commission for cooperation with NGOs

¹⁵⁹ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) Law No. 57/2019 "On Social Assistance in the Republic of Albania (LIGJ Nr. 57/2019 PËR ASISTENCËN SOCIALE NË REPUBLIKËN E SHQIPËRISË) 17 July 2019

¹⁶⁰ Albania, Assembly of Albania/ Parliamentary Group "Friends of Children" (Kuvendi i Shqipërisë/ Grupi Parlamentar "Miqtë e fëmijëve) (2021) Written Information from Parliamentary Group "Friends of Children" (Informacion me shkrim nga grupi parlamentar "Miqtë e fëmijëve)

¹⁶¹ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) Law nr. 12/2020 For some amendments and additions to law no. 9942, dated "For the prevention of disorders caused by the insufficiency of iodine in the human body" (Ligj nr. 12/2020 Për disa ndryshime dhe shtesa në ligjin nr. 9942, , "Për parandalimin e çrregullimeve të shkaktuara nga pamjaftueshmëria e jodit në organizmin e njeriut") 26 June 2008

¹⁶² Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) Law no. 125/2020 For some additions and amendments to "On Measures Against Domestic Violence" (Ligj nr. 125/2020 Për disa shtesa dhe ndryshime në ligjin nr. 9669 "Për masa ndaj dhunës në marrëdhëniet familjare") 18 December 2006

¹⁶³ Albania, Assembly of Albania/ Parliamentary Group "Friends of Children" (Kuvendi i Shqipërisë/ Grupi Parlamentar "Miqtë e fëmijëve) (2021) Written Information from Parliamentary Group "Friends of Children" (Informacion me shkrim nga grupi parlamentar "Miqtë e fëmijëve)

¹⁶⁴ Albania, Assembly of Albania/ Parliamentary Group "Friends of Children" (Kuvendi i Shqipërisë/ Grupi Parlamentar "Miqtë e fëmijëve) (2021) Written Information from Parliamentary Group "Friends of Children" (Informacion me shkrim nga grupi parlamentar "Miqtë e fëmijëve)

- Committee on Child Health and Welfare
- Commission for children placed in public institutions
- Committee for budgeting for children
- Commission for the Protection of Children from Violence.

Also, during December 2021, the section "On the protection of children's rights" in the Ombudsperson's office trained the regional offices of the Ombudsperson and the Commissioner for Protection Against Discrimination on national legislation and international standards for the protection of the rights of the child. A special focus during the trainings was given to the protection of children from violence and the measures for protecting children's rights of during Covid- 19.

Lastly, with the support of UNICEF, the Ombudsperson organized on December 2021, a promotional activity for the launch of the friendly publication "Children and their rights". This publication reflects the Ombudsperson's institutional experience in dealing with complaints affecting children and the best international standards regarding the protection of the best interest of children in family, civil and criminal cases.

Chapter 7. Access to justice

7.1 Legal and policy developments or measures relevant to the implementation of the Victims' Rights Directive and the EU strategy for Victims' Rights 2020-2025

The approximation of national legislation with EU directives is one of the commitments that the Albanian government has undertaken on its way to European union. The Victims' Rights Directive is part of hard law that Albania needs to transpose to national legislation. In 2021, the Ministry of Justice, as the leading institution regarding Chapter 23 "Judiciary and Fundamental Rights" prepared the table of harmonisation of the EU directives with a national legal framework according to which the EU Victims' Rights Directive is partially transposed as the following laws/bylaws:

- a) Law no. 7905, dated 21.3.1995 "Criminal Procedure Code of the Republic of Albania", as amended.

The amendments to the Criminal Procedures Code (CPC) of 2017 provided for a new position of the victim in the criminal process. Following the changes, the victim of the criminal offense is now a part of the criminal proceedings and has procedural rights, giving her an active role in them. In addition to the newly provided rights for victims of crime in general, victims of trafficking in human beings also have rights specifically provided to them, including the right to seek prosecution and psychological assistance, the right to free counseling and legal services, to be advised in a language he/she understands, to be assisted in cases of victims with disabilities, to choose his/her defence attorney, to seek adequate time to carry out the proceedings, and to be informed if the perpetrator is released.¹⁶⁵ Article 58/b of the amended CPC sanctioned the rights of the sexually abused victim and the victim of trafficking to be questioned without delay by a same-sex police officer, the right not to answer private questions, and the right to be questioned using audio-visual means.¹⁶⁶ In addition to these rights, the Criminal Procedures Code of the Republic of Albania recognizes the right of the victim of a criminal offense to seek compensation for damages and to be admitted as a civil plaintiff in criminal proceedings.¹⁶⁷

b) Law no. 37/2017 "Code of Criminal Justice for Juveniles"

This is the first specific piece of legislation dedicated to criminal justice for children in Albania whose purpose is to guarantee a legal framework on criminal justice for children which is in line with the Constitution, the United Nations Organisation (UN) Convention on the Rights of the Child, and other international standards and rules which aim is to effectively protect the child and the best interests of the child; to promote reintegration of the child in conflict with the criminal law and the taking of a constructive role of the child in the society; to guarantee re-socialization and rehabilitation of the child who has committed a criminal offence; to protect the rights of the child victim and/or witness of the criminal offence; to prevent re-victimization and secondary victimization of the child who has been a victim of a criminal offence in the past; to prevent re-offending; to protect the principles of public order while administering criminal justice for children; to enhance accountability and professionalism of competent bodies while administering criminal justice for children cases and to provide for educational and preventive measures against juveniles who commit criminal offences, and establishing mechanisms to

¹⁶⁵ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) (2017) Law no. 7905, dated 21.3.1995 "Criminal Procedure Code of the Republic of Albania", amended, article 58 (Ligj nr.7905 datë 21.3.1995 "Kodi i Procedurës Penale" i ndryshuar, nëni 58)) 21 March 1995

¹⁶⁶ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) (2017) Law no. 7905, dated 21.3.1995 "Criminal Procedure Code of the Republic of Albania", amended, article 58 (Ligj nr.7905 datë 21.3.1995 "Kodi i Procedurës Penale" i ndryshuar)) 21 March 1995

¹⁶⁷ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) (2017) Law no. 7905, dated "Criminal Procedure Code of the Republic of Albania", amended, article 58 (Ligj nr.7905 datë 21.3.1995 "Kodi i Procedurës Penale" i ndryshuar) 21 March 1995

supervise their enforcement.¹⁶⁸ According to the provisions of the Code, the child has the right to participate, directly and/or through the legal representative, in any decision-making process concerning the child.¹⁶⁹ In addition, the Code introduces the concept of diverting the child from the traumatic court process and provides for the mandatory presence of a psychologist for free legal and psychological assistance for children, including child victims/witnesses; for courthouse and session adaptation so that these become safer and less intimidating to children and more conducive to giving testimony.¹⁷⁰

c) Law no. 111/2017 "On Legal Aid guaranteed by the state"

This law establishes the forms, the conditions, the procedure, and the rules for the organisation and administration of state-guaranteed legal aid, with the aim of the protection of fundamental rights of the individual and his legitimate interests. Its main objective is to create a system for the organisation and delivery of free-of-charge legal aid in an effective and equal manner for all individuals in need to enable them access to justice.¹⁷¹ Law No. 111/2017 "On Free Legal Aid Guaranteed by the State", in force since 1 June 2018, further expanded the category of vulnerable women eligible to benefit from legal aid. All victims of domestic violence, trafficking, and sexual abuse benefit from free legal aid regardless of their personal income. Also, juvenile victims and juveniles in conflict with the law, at any stage of the proceedings, a criminal, as well as any other subject that belongs to the categories defined in article 11 and 12 of the law can benefit both primary and secondary legal aid, exemption from payment of court fees and other court costs according to the law and exemption from the obligation to prepay the fee for initiating execution of the execution order. The above changes reflect the harmonization of the law with Article 13 of the EU Directive on Victims' rights.

d) General Instruction of the General Prosecutor no. 5, dated 26.10.2018 on "Guaranteeing Assistance to victims and witnesses of criminal offences".

In applying the Victims' Rights Directive, children's best interests must be a primary consideration, following the Charter of the Fundamental Rights of the

¹⁶⁸ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) (2017) Law no. 37/2017, "Criminal Justice for Children Code", amended, article 2 (Ligj nr.7905 datë 21.3.1995 "Kodi i Procedurës Penale" i ndryshuar) 21 March 1995

¹⁶⁹ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) (2017) Law no.37/2017, "Criminal Justice for Children Code", amended, article 19 (Ligj nr.7905 datë 21.3.1995 "Kodi i Procedurës Penale" i ndryshuar) 21 March 1995

¹⁷⁰ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) (2017) Law no.37/2017, "Criminal Justice for Children Code", amended, article 20-4 (Ligj nr.7905 datë 21.3.1995 "Kodi i Procedurës Penale" i ndryshuar) 21 March 1995

¹⁷¹ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) Law Nr. 111 / 2017 "On state guaranteed legal aid", article 2 (Ligj nr.111/2017 "Për ndihmën juridike të garantuar nga shteti") 2017

European Union and the United Nations Convention on the Rights of the Child adopted on 20 November 1989. Child victims should be considered and treated as the full bearers of rights set out in the Directive and should be entitled to exercise those rights in a manner that takes into account their capacity to form their own views. In this regard, The Directive stipulates that in its implementation, where the victim is a child, Member States must ensure that special attention is paid to the best interests of the child, which must be assessed on an individual basis. The best interest of the child is a fundamental principle in the implementation of the above legal acts by competent Albanian authorities. In addition, the provisions of the Code of Criminal Procedure and General Instruction of the General Prosecutor no. 5 require the implementation of special measures for juveniles and their treatment following the needs related to age, character, and other circumstances, to avoid harmful effects on the education and development of their children.¹⁷² Both acts are harmonised with the Victim's Rights Directive.

7.2 Measures addressing violence against women

The latest major achievements in addressing violence against women in Albania dated in 2018 and 2020 with the amendment of Law no. 9914, dated 12 May 2008 "*On measures against domestic women in family relations*".

Law No. 9669/2006 "*On measures against violence in family relations*", as amended, provides for the issuance of Orders for Preliminary Protection Measures (OPPM), Emergency Protection Orders (EPO), or Protection Orders (PO) against all forms of domestic violence and for the protection of all family members at risk of being abused.¹⁷³ In addition, a risk evaluation before issuing a protection order is considered essential and has been included in the provisions/updates to the primary legal provisions and secondary legislation (orders, instructions, etc.). The new order for immediate emergency protection is issued by the State Police when the risk assessment indicates that the committed violence poses a risk to the life,

¹⁷² Albania, Ministry of Justice, Directory of Free Legal Aid (Ministria e Drejtësisë, Drejtoria e Ndhmës Juridike Falas) (2021), "Written information addressed to the Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021", (Informacion mbi kërkesën e Avokatit të Popullit për raportin FRA 2021), prot.no 294/1, 23 September 2021

¹⁷³ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) Law no. 47/2018 For some additions and amendments to "*On Measures Against Domestic Violence*" (Ligj nr. 47/2018 Për disa shtesa dhe ndryshime në ligjin nr. 9669, "Për masa ndaj dhunës në marrëdhëniet familjare") 18 December 2006

health, and liberties of the members of the family.¹⁷⁴ This order is immediately enforced and assessed within 48 hours by the Court, which could impose an emergency protection order. In addition to the above, one of the positive developments of the 2018 amendments to this law is the inclusion of intimate partners violence, despite cohabitation in a residence, and the issuance of protection orders in these cases.¹⁷⁵

In addition, the 2018 amendments include several provisions on the effective enforcement of Emergency Protection Orders and Protection Orders. According to these amendments, the Court shall not deny the issuance of an emergency protection order because of the existence of any other pending judicial proceedings involving any party. It shall issue a protection order even in cases where the parties claim that the conflict has been resolved or should be resolved by a process of reconciliation or mediation. In addition, the Court decision issuing an emergency protection order is an executive order and cannot be appealed. The decision is executed with immediate effect by the police, in collaboration with the bailiff service and the social services of five of the local self-government units where the victim and other persons referred to in the order reside permanently or temporarily. The judicial decision issuing the protection is final and constitutes an executive order that comes into effect on the day it is pronounced by the Court. In addition to the emergency protection order, the Court also issues an order for its execution. The decision is executed with immediate effect by the State Police bodies, in collaboration with the bailiff service and the social services of five of the local self-government units where the victim and other persons referred to in the order reside permanently or temporarily.¹⁷⁶

Moreover, the 2020 amendments Law on Domestic Violence addressed the situation created as a result of the Covid-19 pandemic. According to Article 13/1 amended, where a state of emergency is declared throughout the territory of the country or a part thereof, the head of the responsible State Police structure shall be in charge of issuing orders for preliminary protection measures for an emergency protection order, in all cases where a finding of use of violence has been made. During the entire period in which the state of emergency is in force, in submitting an application to the Court for the evaluation of the preliminary

¹⁷⁴ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) Law no. 47/2018 For some additions and amendments to "On Measures Against Domestic Violence" (Ligj nr. 47/2018 Për disa shtesa dhe ndryshime në ligjin nr. 9669, "Për masa ndaj dhunës në marrëdhëniet familjare") datë 18 December 2006

¹⁷⁵ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) Law no. 47/2018 For some additions and amendments to "On Measures Against Domestic Violence" (Article 13/1 (Ligj nr. 47/2018 Për disa shtesa dhe ndryshime në ligjin nr. 9669 "Për masa ndaj dhunës në marrëdhëniet familjare") 18 December 2006

¹⁷⁶ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) Law no. 125/2020 For some additions and amendments to "On Measures Against Domestic Violence" Article 19 (Ligj nr. 125/2020 Për disa shtesa dhe ndryshime në ligjin nr. 9669, Për masa ndaj dhunës në marrëdhëniet familjare") 18 12 2006

protection measures, as imposed in the order on preliminary measures for immediate protection, the police shall ask the Court to issue a protection order, without first asking for the issuance of an emergency protection order.¹⁷⁷ All of the above are also clearly reflected in the protocol for the management of cases of domestic violence by members of the Coordinated Referral Mechanism, as well as in the Standard Operating Procedures for health care and social services professionals in their capacity as members of the Albania Coordinated Referral Mechanism, to be applied in dealing with cases of domestic violence and gender-based violence.

Both the 2018 and 2020 amendments ensured compliance of the Albanian legal framework regarding violence against women with the Istanbul Convention and the Convention on the Elimination of all Forms of Discrimination against Women. In addition to Law on Measures against Domestic Violence, the 2020 amendments of the Criminal Code criminalized psychological violence among other forms of gender-based violence. In all these cases, the prosecution does not prevent the issuance/ of an EPO/PO, particularly where these criminal offences occur in the family environment.

Domestic violence cases are managed through a well-coordinated and multi-sectoral response called Coordinated Referral Mechanisms (CRMs) at the local level. CRMs have in their composition all local institutions responsible for the implementation of the legal framework related to violence against women and domestic violence (municipality and its social services, police, prosecution, court, forensic doctor, bailiff, health, education, state social service, employment, probation service, county prefect, etc.), as well as civil society organizations specialized in providing the necessary specialist support services for case management and intervention on prevention and awareness of the entire society (organizations that provide sheltering services, psycho-emotional or legal counselling, rehabilitation and reintegration services, information and awareness, capacity building activities for professionals, etc.).¹⁷⁸ CRMs are responsible for the coordination, implementation, monitoring, and evaluation of policies and measures to prevent and combat violence against women as well as for the coordination of the collection of data, analysis, and the dissemination of its results.

¹⁷⁷ Albania, Assembly of Albania (Kuvendi i Republikës së Shqipërisë) Law no. 125/2020 For some additions and amendments to "On Measures Against Domestic Violence "Article 13/1(Ligj nr. 125/2020 Për disa shtesa dhe ndryshime në ligjin nr. 9669, "Për masa ndaj dhunës në marrëdhëniet familjare") datë 18 12 2006
Article 13/1

¹⁷⁸ Albania, Ministry of Health and Social Protection (Ministria e Shëndetësisë dhe Mbrojtjes Sociale) (2021) Report on the implementation of recommendations addressed to Albania by the committee of the parties of Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention).

In 2021, the focus of the measures of the Albanian government was on adopting new policies and strengthening capacities of the local coordinators against domestic violence in family relations and the CRMs, as a dedicated mechanism that aims to protect and support survivors of domestic and gender-based violence in Albania. To improve their effectiveness and the overall functioning of the CRMs, in June 2021, DCoM 327 dated 02.06.2021 "*On the mechanism of coordination of work between the responsible authorities, for the referral of cases of domestic violence, and its functioning, for supporting and rehabilitating victims of violence*", was approved¹⁷⁹. This DCoM abrogated DCM 334/2011 "*On the coordination mechanism for the referral of cases of violence in family relations and its way of functioning*". In addition to compliance with the legal framework and updated policies, this DCoM, among others, emphasizes the obligation to identify and report other cases of violence against women as specified in the Istanbul Convention and to address and manage them through the CRM.¹⁸⁰

Under the coordination of MoHSP, local government, non-government organizations, the Ombudsperson, State Police, the Commissioner for the Protection from Discrimination, and line ministries, during July 2021, a set of awareness-raising activities and informative meetings were held in 61 municipalities with local coordinators against domestic violence to deepen their understanding and increase their capacities to implement DCoM no 327/2021.¹⁸¹

Further to this legal initiative, the Council of Ministers adopted "*The National Strategy on Gender Equality (NSGE) 2021-2031*"¹⁸² in June 2021. This is the fourth strategy in this field and reinforces the commitment of the Albanian government in strengthening gender equality and in minimizing gender-based discrimination and gender-based violence. The 2021-2030 NSGE is underpinned by the objectives of the Government Programme on gender equality and combatting gender-based violence and domestic violence, national legislation, as well as

¹⁷⁹Albania, Council of Ministers (Këshilli i Ministrave) (2021), DCoM 327 dated 02.06.2021 "On the mechanism of coordination of work between the responsible authorities, for the referral of cases of domestic violence, and its functioning, for supporting and rehabilitating victims of violence" (Vendim i Këshillit të Ministrave, nr.327 datë 02.06.2021 "Mbi mekanizmin e koordinuar të punës ndërmjet autoriteteve përgjegjëse, për referimin e rasteve të dhunës në familje dhe funksionimin e tij, për mbështetjen dhe rehabilitimin e viktimave të dhunës"), Official Gazzete no 89/2021 (Fletore Zyrtare, nr.89/2021).

¹⁸⁰ Albania, Ministry of Health and Social Protection (Ministria e Shëndetësisë dhe Mbrojtjes Sociale" (2021), Written information to Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021), prot.no 3867/1, dated 27 9 2021.

¹⁸¹ Of Albania, Ministry of Health and Social Protection (Ministria e Shëndetësisë dhe Mbrojtjes Sociale" (2021), Written information to Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021), prot.no 3867/1, dated 27 9 2021.

¹⁸² Council of Ministers Decision no.400 dated 30.06.2021 "On adopting National Strategy on Gender Equality 2021-2030", Official Gazzete no 112/2021.

international obligations deriving from ratified conventions and agreements in the field, including the Istanbul Convention, with a particular focus on ensuring its alignment with European Union policies in the framework of integration processes.¹⁸³

The vision of the strategy is "A society that values gender equality and justice as necessary conditions for the sustainable social, economic and political development of the country, empowers all individuals to enjoy equal rights and opportunities in all areas of life, does not allow anyone to lag behind, and relies on the principle of zero-tolerance against harmful practices, gender-based violence, and domestic violence, punishing perpetrators and protecting, rehabilitating, and reintegrating abused persons."

NSGE 2021-30 consists of four strategic goals:

- a) Fulfilment of economic and social rights for women, girls, men, and boys, in society and the empowerment of women, men, girls, and boys from all groups, aiming at an increase and sustainability of the environmental economy, as well as their equal participation in digitalization;
- b) Fulfilment of the rights of women and men, girls, and boys from all groups, for equal participation, representation, and leadership in political and public decision-making at the local level;
- c) Reducing all forms of harmful practices, gender-based violence, and domestic violence;
- d) Application of gender mainstreaming as the main tool for achieving gender equality and justice in society.

The strategic goals of NSGE listed above include specific objectives that reflect the need to change or add new dimensions to which attention should be focused on properly addressing gender equality issues, based on the latest developments, as well as considering issues related to civil emergencies, natural disasters, or new areas so far unaddressed or very little addressed concerning gender equality (environment and climate change, digitalization, green economy, etc).

Measures and actions set down in this document intertwine with measures of the European Union Strategy on Gender Equality 2020-2025 and the GE Action Plan (GAP III) 2021-2025. "*Zero Tolerance against gender-based violence and domestic violence*" is a motto of the Albanian government reflected in the Vision of the NSGE 2021-2030.

Besides the awareness-raising activities organised each year within "the 16 days of activism against gender-based violence and domestic violence (November 25 –

¹⁸³ Albania, Ministry of Health and Social Protection (Ministria e Shëndetësisë dhe Mbrojtjes Sociale) (2021) Report on the implementation of recommendations addressed to Albania by the committee of the parties of the Council of Europe Convention on Preventing and Combatting Violence Against Women and Domestic Violence (Istanbul Convention).

December 10),” the MoHSP coordinated a set of activities and meetings with local coordinators of preventing domestic violence aiming at sharing positive practices during their experience in managing cases of domestic violence. Furthermore, MoHSP supported by UNDP, within the Joint Program "End Violence against Women in Albania", during March 2021, organised a set of online trainings focusing on measures to protect against violence against women.¹⁸⁴

In addition to this program, Albania is part of the EU-UN Women regional programme "*Ending Violence against women in the Western Balkans and Turkey: Implementing norms, Changing Minds Phase II*" (February 2020- July 2023) which aims at ending gender-based discrimination and violence against women in the Western Balkans and Turkey, with a particular focus on the most disadvantaged groups of women. One of the objectives of this programme is to influence laws and policies through work with governments and other stakeholders to align national frameworks with international human rights standards and the EU acquis communautaire. In this regard, MoHSP with the support of UN Women gave a great contribution in including women who have been victims of violence as vulnerable persons in the 10/2021 Law "On Asylum in the Republic of Albania"¹⁸⁵ and the 2021 draft law "On Foreigners" for them to profit from supplementary and international protection. The Draft law no. 79/2021 "On Foreigners" was approved by the Parliament of Albania on 24 June 2021.

In addition, through the Social Fund financing mechanism and based on Law no 121/2016 "On social care services in the Republic of Albania", during 2021, two counselling lines and three services for the prevention of domestic violence for the empowerment of the family and the provision of community service for victims of violence were funded.¹⁸⁶

To support women victims of violence, the Ministry of Justice (MoJ) supported by the Open Society Foundation for Albania, provided free legal aid for victims through the online platform juristionline.al and the green number 08001010. Following the same aim, Vodafone Albania supported the Ministry of the Interior, the Ministry of Health and Social Protection, and the Albanian State Police in

¹⁸⁴ Albania, Ministry of Health and Social Protection (Ministria e Shëndetësisë dhe Mbrojtjes Sociale" (2021), Written information to Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021), dated 27.09.2021, prot.no 3867/1.

¹⁸⁵ Albania, Assembly of the Republic of Albania (Kuvendi i Republikës së Shqipërisë) (2021), Law no 10/2021 "On Asylum in the Republic of Albania" (Ligj nr.10/2021 "Mbi azilin në Republikën e Shqipërisë") Official Gazzete no 28/2021, Fletore Zyrtare nr.28/2021.

¹⁸⁶ Albania, Ministry of Health and Social Protection (Ministria e Shëndetësisë dhe Mbrojtjes Sociale" (2021), Written information to Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021" (Informacion mbi kërkesën e Avokatit të Popullit në lidhje me raportin FRA për vitin 2021), prot.no 3867/, dated 27.09.2021.

setting up an application dedicated for victims of domestic violence, especially women.

In respect to the free legal aid system, the Ministry of Justice took several measures following the implementation of Law 111/2017 "*On free legal aid provided by the state*". The openings of free legal aid clinics are important achievements. The MoJ, supported by the United Nations Development Program increased the number of Free Primary Legal Aid Centres to 10 (ten) during 2021. This also increased the number of victims of violence who profited from free legal aid during 2021. According to the Directory of Free Legal Aid, MoJ, up to September 2021, 259 victims of violence benefited from primary legal aid and 65 victims profited from secondary legal aid.¹⁸⁷ Although, low awareness-raising, lack of legal clinics country-wide, multiple forms of discrimination, and unfavourable economic standing contribute to Roma and Egyptian, LGBTI, disabled, and elderly women having limited access to justice.¹⁸⁸

The increase of the efficiency in the investigation of criminal offenses of domestic violence and gender-based violence was a priority of the work of the prosecution during 2021. At the end of the 16 days of the activism against gender-based violence (December 2021), in the premises of the General Prosecution Office was launched the 3-year project, "Proactive Commitment for the protection and implementation of the law against gender-based violence and domestic violence", which will be implemented by the Center for Civic Legal Initiatives with the support of the Dutch Embassy¹⁸⁹ during 2021-2024.

The project aims at increasing the capacity of prosecutors, judicial police officers and coordinators for subjects with special status according to the international standards for the cases of domestic violence and gender-based violence, with the focus on the treatment of victims. It also aims at improving the collection and administration of data on these offenses. Within this project, the Prosecution Office will cooperate with the best experts of the Dutch School of Magistrates and the Judicial Academy, as well as with the Dutch Helsinki Committee. Specific activities are foreseen to increase the level of information and awareness of the

¹⁸⁷ Albania, Ministry of Justice, Directory of Free Legal Aid (Ministria e Drejtësisë, Drejtoria e Ndhmës Juridike Falas) (2021), "Written information addressed to the Ombudsperson with subject line "Response to the request of information regarding the report of FRA 2021", (Informacion mbi kërkesën e Avokatit të Popullit për raportin FRA 2021) dated 23.09.2021, prot.no 294/1

¹⁸⁸ Albania, The Ombudsperson (Avokati i Popullit) (2020), "Alternative Report on The Implementation of the CEDAW Convention in Albania 2016-2020 ", "Raport Alternativ i Avokatit të Popullit mbi implementimin e Konventës CEDAW në Shqipëri për periudhën 2016-2020" published in 2021.

¹⁸⁹ Albania, General Prosecution Office (Prokuroria e Përgjithshme), Press Release, December 10th, 2021 (www.pp.gov.al/Media_en/Press_Release/The_increase_of_the_capacities_of_the_prosecution_in_protecting_victims_of_domestic_violence_and_gender-based_violence.html)

community on the phenomenon and the legal rights of victims of domestic violence.¹⁹⁰Based on the project, the planned activities will be completed by 2024.

Chapter 8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

8.1 CRPD policy & legal developments

A new National Strategy for Persons with Disabilities was not adopted after the expiry of the 2015-2020 National Strategy for Persons with Disabilities in the Republic of Albania¹⁹¹. In May 2021, the National Action Plan for Persons with Disabilities 2021-2025¹⁹² was adopted. The Action Plan is designed to cover areas including rights and equity, accessibility, education, employment and qualification, social protection and social care, housing, health, and culture.¹⁹³ The Ministry of Health and Social Protection in collaboration with CSOs in the field of Disability organised a good process of consultation of the National Action Plan through a website dedicated to public announcements and public consultations.¹⁹⁴The process of consultation included meetings with NGO-s and professionals and an open online consultation with the wide public. A report of the consultation process was produced.¹⁹⁵

The legislation is not completed yet regarding the services facilitating an independent life and supported decision-making for persons with disabilities. The Ombudsperson addressed this issue with a recommendation and the Ministry of Health and Social Protection announced that the by-laws would be approved within 2021.¹⁹⁶

¹⁹⁰ Albania, General Prosecution Office (Prokuroria e Përgjithshme), Press Release, December 10th, 2021(

www.pp.gov.al/Media_en/Press_Release/The_increase_of_the_capacities_of_the_prosecution_in_protecting_victims_of_domestic_violence_and_gender-based_violence.html)

¹⁹¹ Albania, Ministry of Health and Social Protection (Ministria e Shëndetësisë dhe Mbrojtjes Sociale), Written Submission-Information in return to the request of Ombudsperson, No.3867, date 27.09.2021, page 4

¹⁹² Albania, <https://platforma-pak.al/wp-content/uploads/2021/09/Plani-i-Veprimit.pdf> (Plani Kombëtar i Veprimit për Personat me Aftësi të Kufizuara), CoM Decision No. 276, date 12.05.2021.

¹⁹³ Albania, [National Action Plan for Persons with Disabilities](#) (Plani Kombëtar i Veprimit për Personat me Aftësi të Kufizuara), PKVPAK 2021.

¹⁹⁴ Albania, Electronic Registry of Public Announcements and Public Consultations, government initiative. Available in: <https://www.konsultimipublik.gov.al/Konsultime/Detaje/333>

¹⁹⁵ Albania, Report for Public Consultation of PKVPAK 2021-2025 (“Raport Individual per Konsultim Publik te Projektvendimit per miratimin e Planit Kombetar te Veprimit per Personat me Aftesi te Kufizuara 2021-2025”). Available in : <https://www.konsultimipublik.gov.al/Konsultime/Detaje/333>

¹⁹⁶ Albania, [Ombudsperson Annual Report for 2020](#), p 99, para 4, published in 2021

The legislation is not completed with by-laws for the implementation of the Law "On the inclusion and accessibility of persons with disabilities", a law that has been approved since 2014.¹⁹⁷ These delays have created serious problems in the implementation of this law according to the Ombudsperson report for 2020.¹⁹⁸ Ministry of Health and Social Protection informed that aims to complete the legislation regarding inclusion and accessibility within 2021¹⁹⁹.

During the first six months of 2021, the Commissioner for the Protection from Discrimination received 22 complaints related to disability and issued 20 decisions about the complaints received in 2021 and those left over from 2020. The bases of the complaints included the lack of access to the public offices, public transportation, and vote centres, and a decision not to obtain the disability status, etc.

The monitoring report²⁰⁰ published by the Albanian Foundation for the Rights of Persons with Disabilities in 2021, noted that "the employment of persons with disabilities remains a challenge in Albania due not only to the limited employment opportunities, but also to the fact that the legislation in this regard is fragmented and not harmonised."²⁰¹

This report concluded that accessibility is perceived more as the access to physical spaces, excluding other aspects as communication, information, adaptive processes, or formats.²⁰²

In 2021, the Law "On Mental Health" was amended to offer better legal protection to persons with mental health disabilities.²⁰³ The amendments are related to the procedures of hospital admission, court competence regarding decisions made by the legal guardian, and in differentiation between treatment and hospitalisation in psychiatric facilities.²⁰⁴ The by-laws still to be reviewed as the result of amendments in the law "On Mental Health" are to be approved within 2021.²⁰⁵

¹⁹⁷ Albania, Law No. 93/2014 "[On the inclusion and accessibility of persons with disabilities](#)" (INo. 93/2014 "*Për përfshirjen dhe aksesueshmërinë e personave me aftësi të kufizuara*").

¹⁹⁸ Albania, [Ombudsperson Annual Report for 2020](#), p 99, para 1&2, published in 2021;

¹⁹⁹ Albania, Ministry of Health and Social Protection (*Ministria e Shëndetësisë dhe Mbrojtjes Sociale*), Written Submission-Information in return to the request of Ombudsperson, No.3867, date 27.09.2021, page 3, para 5

²⁰⁰ The methodology of report used a mixed methodology including: a) review of legislation, reports, and studies on the issue; b) 3 focus groups with 15 participants/each of persons with disability; a survey with 21 organisations (20 private companies and 1 public institution).

²⁰¹ Albania, Albanian Foundation for the Rights of Persons with Disability (*Fondacioni Shqiptar për të Drejtat e Personave me Aftësi të Kufizuara*), Working conditions of persons with disabilities in Albania, 2021, page 2. Available in: <https://www.adrf.al/index.php/en/publikcations/studies-and-research>

²⁰² Albania, Albanian Foundation for the Rights of Persons with Disability (*Fondacioni Shqiptar për të Drejtat e Personave me Aftësi të Kufizuara*), [Working conditions of persons with disabilities in Albania](#), 2021, page 3

²⁰³ Albania, Law No.20/2021 "[On some amendments in Law No.44/2012 "On Mental Health"](#) (*Për disa ndryshime në ligjin Nr.44/2012 "Për Shëndetin Mendor"*).

²⁰⁴ Albania, Ministry of Health and Social Protection (*Ministria e Shëndetësisë dhe Mbrojtjes Sociale*), Written submission in return to the request of the Ombudsperson, No.3867, date 27.09.2021, page 3, para 1

²⁰⁵ Albania, Ministry of Health and Social Protection (*Ministria e Shëndetësisë dhe Mbrojtjes Sociale*), Written submission in return to the request of the Ombudsperson, No.3867, date 27.09.2021, page 3, para 2

The government of Albania is implementing a reform on the assessment 'system of the disability.²⁰⁶ The main aim of this reform is to impose the new assessment model of bio-psycho-social factors instead of on the medical assessment model.²⁰⁷ This new scheme was piloted during 2020 in the Municipality of Tirana and from September 2021 has been implemented in the Municipality of Durres, and the Ministry of Health and Social Protection aims to implement it in the Municipality of Elbasan also.²⁰⁸ The new scheme of assessment for disability, for the first time, includes distinct criteria regarding disability assessment for children.²⁰⁹

8.2 CRPD Monitoring at The National Level

The implementation of the legislation regarding the inclusion and accessibility of persons with disabilities encountered delays and problems according to the Ombudsperson's yearly report for 2020.²¹⁰ The main issues still not addressed are: i) lack of access in public and private places; ii) difficulties in access to information; iii) limited access to justice; iv) delays in transferring of the funds dedicated to Disability Payments; v) failure in respecting the legal requirements for employment; vi) failure in reimbursements for public transport; and vii) lack of the provision of didactic materials in adapted formats.²¹¹

The new National Action Plan for Persons with Disability 2021-2025 foresees a monitoring framework by Integrated Management Group of Public Policies in the field of Employment and Social Sector,²¹² National Council for Disability Issues, and CSOs.²¹³

National Council for Disability Issues has a consultative and monitoring role regarding the National Action Plan for Persons with Disability and consist of representatives of ministries related to disability issues and central and local institutions, seven of them are persons with disability, five of whom are

²⁰⁶ Albania, Ministry of Health and Social Protection (*Ministria e Shëndetësisë dhe Mbrojtjes Sociale*), Written submission in return to the request of the Ombudsperson, No.3867, date 27.09.2021, page 3, para 3

²⁰⁷ Albania, Ministry of Health and Social Protection (*Ministria e Shëndetësisë dhe Mbrojtjes Sociale*), Written submission in return to the request of the Ombudsperson, No.3867, date 27.09.2021, page 3 para 3

²⁰⁸ Albania, Ministry of Health and Social Protection (*Ministria e Shëndetësisë dhe Mbrojtjes Sociale*), Written submission in return to the request of the Ombudsperson, No.3867, date 27.09.2021, page 3 para 4

²⁰⁹ Albania, Ministry of Health and Social Protection (*Ministria e Shëndetësisë dhe Mbrojtjes Sociale*), Written submission in return to the request of the Ombudsperson, No.3867, date 27.09.2021, page 3 para 5

²¹⁰ Albania, [Ombudsperson Annual Report for 2020](#), p 100, para 2, published in 2021.

²¹¹ Albania, [Ombudsperson Annual Report for 2020](#), p 100, para 2, published in 2021.

²¹² The mechanism is established by the Prime Minister with Order Nr.129 date 21.09.2015 'For establishment of institutional and operative for the implementation of sectoral approach and establishment of management groups of integrative policies'

²¹³ Albania, [National Action Plan for Persons with Disability 2021-2025](#), PKVPAK 2021, page 62. 5 March 2021

representatives of CSOs in the field and two are representatives of persons with disability organisations.²¹⁴

The National Action Plan for Persons with Disability 2021-2025 includes a budget plan for its implementation.²¹⁵ The plan foresees a budget line for monitoring activities.²¹⁶ Yearly progress reports are foreseen to be delivered, and the Ministry of Health and Social Protection will offer financial support to CSOs with monitoring reports,²¹⁷ without specifying the role of the Ministry and the means at the disposal of the CSOs. A review of the plan is foreseen in 2024.²¹⁸

²¹⁴ Albania, Law Nr 93/2014 "[On inclusion and accessibility of persons with Disabilities](#)" ("Për Përfshirjen dhe Aksesueshmërinë të Personave me Aftësi të Kufizuara") article 12. Available in: 28 July 2014

²¹⁵ Albania, [National Action Plan for Persons with Disability 2021-2025](#), PKVPAK 2021, page 62. Available in: 5 March 2021

²¹⁶ Albania, [National Action Plan for Persons with Disability 2021-2025](#), PKVPAK 2021, page 63. 5 March 2021

²¹⁷ Albania, [National Action Plan for Persons with Disability 2021-2025](#), PKVPAK 2021, page 62. 5 March 2021

²¹⁸ Albania, [National Action Plan for Persons with Disability 2021-2025](#), PKVPAK 2021, page 64. 5 March 2021

Annex 1 – Promising Practices

Thematic area	EQUALITY AND NON-DISCRIMINATION Please provide one example of a practice to tackle nationality-based discrimination, or discrimination against LGBTI people, such as awareness raising campaigns or training for relevant professionals. Where no such examples are available, please provide an example of an awareness raising campaign held in your country in 2021 relevant to equality and non-discrimination of EU citizens or LGBTI people, preferably one conducted by a national equality body.
Title (original language)	
Title (EN)	The Media for All Programme
Organisation (original language)	'Historia ime' news outlet
Organisation (EN)	My story
Government / Civil society	Civil Society
Funding body	British Council
Reference (incl. URL, where available)	https://www.youtube.com/watch?v=9ANj7u7IKek
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	September 2019 - June 2022
Type of initiative	Grant
Main target group	Media outlets
Indicate level of implementation: Local/Regional/National	Regional (Western Balkans)

Brief description (max. 1000 chars)	<p>The Media for All Programme supports media outlets across the Western Balkans to be more financially and structurally resilient, improve gender equality in the workplace, and enable them to produce more quality, relevant, gender sensitive content that attracts and engages new audiences, including women, young people and marginalised groups. During 2021 under the scope of this Programme financial support was given to the Albanian media outlet 'Historia ime' (historiaime.al), media devoted to coverage of LGBTI+ in Albania. Due to this financial support Historia ime has organized publications on the hate speech, thematic articles, podcasts and photo competition.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	<p>Information's received during these activities can be easily transferred during participants' daily work. The direct target group can organize other similar activities using the same methodology and tools and facilitate similar events. Moreover, the initiative is being supported by a regional programme, and its best practices can be replicated in other countries as well.</p>
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	<p>This initiative contributes to awareness raising campaign through digital media which Historia ime organized. The topic is really sensitive for the Albanian reality.</p>
Give reasons why you consider the practice as having concrete measurable impact	<p>Media for All is the regional Programme, not exclusively devoted to Albania and this practice can be replicated even in other WB countries.</p>
Give reasons why you consider the practice as transferable to other settings and/or Member States?	<p>LGBTI+ community is directly involved in the implementing activities under this programme.</p>
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the	<p>LGBTI+ community is directly involved in the implementing activities under this programme.</p>

design, planning, evaluation, review assessment and implementation of the practice.	
Explain, if applicable, how the practice provides for review and assessment.	

Thematic area	RACISM, XENOPHOBIA AND RELATED INTOLERANCE Please provide one example of a promising practice to address racism and xenophobia. Please give preference to a promising practice about either: active cooperation with CSOs in addressing racism and hate crime; or combating racism and unequal treatment in the context of the COVID-19 pandemic. Where no such practice exists, please provide one example of a promising practice related more generally to combating racism, xenophobia, and related intolerances.
Title (original language)	Kodi i Sjelljes së Partive Politike
Title (EN)	Code of Conduct of Political Parties
Organisation (original language)	Aleanca Kundër Gjuhës së Urrejtjes
Organisation (EN)	Alliance Against Hate Speech
Government / Civil society	Collaboration of Equality Bodies with Civil Society
Funding body	People'Advocate, Commissioner for the Protection from Discrimination, the Audio-visual Media Authority and the Albanian Media Council
Reference (incl. URL, where available)	
Indicate the start date of the	April 2021

promising practice and the finishing date if it has ceased to exist	
Type of initiative	Code
Main target group	Political Parties
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The Code of Conducts sets out clear rules of conduct for Political Parties, competing entities and their supporters, regarding their participation in the electoral process which should guarantee the implementation of the highest democratic standards. The Code of Conduct was appreciated and welcomed mainly by the representatives of the main electoral subjects, as an important tool for directing ethical behavior in the election period and beyond, in accordance with its provisions. Its implementation will be monitored by members of the Alliance against Hate Speech and the Central Election Commission, in particular in relation to the hate speech used on traditional and social media by electoral subjects during the campaign.
Highlight any element of the actions that is transferable (max. 500 chars)	Consultation process involved Central Election Commission as the main and independent body responsible for organization and administration of elections and referendum. The Commission directs and supervises the activity of the electoral administration, monitors the activity of electoral subjects, state bodies, governmental institutions and the media in relation to the elections. The Alliance Against Hate Speech consists of members from Equality bodies and civil society and this help that the message be spread from many sources and also enforce the impact of the actions. The Code of Conduct's content is transferable to other countries in Western Balkan, but not only.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	Code of Conduct is one of the activities of Alliance Against Hate Speech, that in itself is a sustainable initiative, established at December 2019. The founding institutions are the ones that their mandate is to monitor the election campaigns and political parties in fulfilling their role in relation to an ethical political campaign. Since the beginning of the process Central Election Commission was involved in the consultation process and also accepted the role to monitor the Code of Conduct in the future. Political parties as main actors in implementing the Code of Conduct accepted to commit in respecting the standards and rules in the Code. The involvement of Audio-Visual Media Authority as the main independent body to monitor media during electoral campaign and the election day guarantees sustainability for the initiative in the future.

Give reasons why you consider the practice as having concrete measurable impact	Code of Conduct of Political Parties had an impact at the electoral campaign and general election of April 25, 2021.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	Code of Conduct of Political Parties is a practice tailored to Albanian context, but the practice itself, the process, and general part of the Code of Conduct is transferable to other settings and/or Member States.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Consultation process involved in consultative meetings Central Election Commission and Audio-Visual Media Authority as stakeholders. All political parties participating in election of April 25, 2021 were involved in consultation process which lead to the signing process from all of them, without any comments or amendments to the text.
Explain, if applicable, how the practice provides for review and assessment.	Not applicable

Thematic area	ROMA EQUALITY AND INCLUSION Please provide one example of promising practice related to the two topics addressed in the chapter. Please make the link between the selected practice and the topics explicit.
Title (original language)	
Title (EN)	ROMACTED Programme
Organisation (original language)	
Organisation (EN)	EU and Council of Europe
Government / Civil society	EU and CoE
Funding body	EU and CoE
Reference (incl. URL, where available)	https://www.coe.int/en/web/tirana/-/10-albanian-municipalities-capacitated-on-monitoring-and-evaluation-of-the-roma-and-egyptian-local-action-plans
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	8 April 2021
Type of initiative	Training of municipalities' employees
Main target group	Roma community
Indicate level of implementation: Local/Regional/National	Regional
Brief description (max. 1000 chars)	A series of trainings were organized in Gjirokaster and Pogradec for 63 representative of 10 cooperating municipalities where the participants were presented Guidelines for Roma and Egyptian Responsive budgeting. Responsinsive budget is a budget which is built based on analysis of the budget's effect on minorities and equal distribution and which ensures equitable distribution of resources and contributes to establishing equal opportunities for everyone. According to the Guidelines, <i>'Roma responsive budgeting is an approach aimed at harmonising policies on the empowerment and integration of Roma and Egyptian</i>

	<p>minorities, with the financial resources necessary for their implementation. The most widely used argument for responsive budget initiatives is the fact it results in a more effective use of resources.' The Guidelines for responsive budgeting are available online at the website of the Council of Europe in Albania. The project has been organised as part of the Romacted Programme. During the training the participants were acknowledged with the the user friendly version of the Roma Responsive Budgeting Gudieline and scheduled the dates for the preparation of monitoring reports of the approved Local Action Plans on Roma and Egyptian minorities 2019-2022 and agreed on their respective roles and responsibilities within each municipality.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>The Guidelines for responsive budgeting</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>Activities linked to development of responsive budgeting ensure sustainable, equitable and long-term distribution of resources. Capacity building trainings ensure transfer of knowledge not only directly to the participants of the trainings, those who work in the municipalities but did not participate in the trainings will equally profit from the trainings.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The capacity building programme involved certain amount of cooperating municipalities and exact amount of employees. The training evaluation would be measured against the number of participating municipalities and their representatives. Further on the guidelines will be directly used in draftin the budget on local level.</p>
<p>Give reasons why you consider the practice as transferable to other settings and/or Member States?</p>	<p>Developed guidelines amount to a valuable contribution to Roma and Egyptian responsive budgeting and can be transferred to other municipalities and applied at the governmental level</p>
<p>Explain, if applicable, how the</p>	

practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	
Explain, if applicable, how the practice provides for review and assessment.	Review and assessment of the effectiveness of the capacity building programme will be assessed with the mechanisms provided by the ROMACTED programme itself

Thematic area	INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION Please provide one example of a promising practice related to the topics addressed in the chapter, i.e. data protection, and/or artificial intelligence systems.
Title (original language)	<i>No promising practice has been identified for this thematic area</i>
Title (EN)	
Organisation (original language)	
Organisation (EN)	
Government / Civil society	
Funding body	
Reference (incl. URL, where available)	
Indicate the start date of the promising practice	

and the finishing date if it has ceased to exist	
Type of initiative	
Main target group	
Indicate level of implementation: Local/Regional/National	
Brief description (max. 1000 chars)	
Highlight any element of the actions that is transferable (max. 500 chars)	
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	
Give reasons why you consider the practice as having concrete measurable impact	
Give reasons why you consider the practice as transferable to other settings and/or Member States?	

Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	
Explain, if applicable, how the practice provides for review and assessment.	

Thematic area	RIGHTS OF THE CHILD Please provide a promising practice related to the topics addressed in the chapter.
Title (original language)	"Raporto Tani"
Title (EN)	"Report Now!"
Organisation (original language)	UNICEF Shqipwri
Organisation (EN)	UNICEF Albania
Government / Civil society	Civil Society
Funding body	European Union
Reference (incl. URL, where available)	https://alo116.al/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	June 2021
Type of initiative	Web-based reporting platform
Main target group	Children
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The Albanian National Child Helpline - ALO 116 111 launched on 2021 the "Raporto Tani/Report Now" web-based reporting platform, the first of its kind online, with the help of UNICEF Albania and the

	<p>European Union. The portal allows children to report any type of violation of a child's rights at any time of day and from anywhere in Albania, using a variety of methods. Through this platform, all children and adolescents in Albania will be able to report any case of violence, abuse, or bullying via the online www.alo116.al platform and the ALO116111 smartphone app with a single click. This website, in addition to the reporting function, includes an interactive communication mechanism through a dedicated chat function that children and adolescents can use to communicate with counsellors in real-time about any issues or concerns they face in their daily life. On the other hand, the www.alo116.al platform and the ALO116111 App have been designed as a counselling space for both children and parents. (https://www.unicef.org/albania/press-releases/alo-116111-goes-live-unique-platform-report-violence-against-children-albania)</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>The platform will be used anywhere in Albania, from every children.</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>Children and adolescents who may have fallen victim to violence and bullying, exploitation and neglect and their families, parents, guardians and others, will be able to find support, counselling and information on this platform with just a simple click.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The number of children benefited from free legal aid, counselling and support will be measured at the end of the project.</p>
<p>Give reasons why you consider the practice as transferable to other settings</p>	<p>The web-based and online services may be easily transferable from one state to another.</p>

and/or Member States?	
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Not applicable
Explain, if applicable, how the practice provides for review and assessment.	Not applicable

Thematic area	ACCESS TO JUSTICE Please provide one example of a promising practice related to the topics addressed in the chapter.
Title (original language)	"Trupi im, e drejta ime!"
Title (EN)	"My body is my own"
Organisation (original language)	Programi i Përbashkët të OKB -së për dhënien fund të dhunës kundër grave dhe vajzave në Shqipëri, mbështetur nga Qeveria e Suedisë dhe zbatuar nga UNFPA, UN Women dhe UNDP
Organisation (EN)	UN Women Albania, UNFPA Albania and UNDP

Government / Civil society	Ministry of Health and Social Protection
Funding body	Government of Sweden
Reference (incl. URL, where available)	https://albania.unwomen.org/en/news-and-events/stories/2021/09/my-body-is-my-own-un-women-and-unfpa-launch-art-initiative
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	Started on September 15, 2021 . The artworks will be showcased in three exhibitions around Albania during the "16 Days Against Gender –Based Violence" campaign running from 25 November to 10 December 2021.
Type of initiative	Art Initiative
Main target group	Young boys and girls from Albania, young creators and artists, women.
Indicate level of implementation: Local/Regional/National	National Level
Brief description (max. 1000 chars)	<p>"My body is my own" is a new art initiative, being organized as part of a UN joint programme on ending violence against women in Albania, which aims to raise awareness on bodily autonomy, gender equality, gender-based violence and discrimination.</p> <p>The initiative aims to engage young creators and artists from all around Albania practicing photography and illustration, who will use their artworks to convey messages and help spark a conversation around this theme. In the first stage they will participate in workshops aiming at developing their professional skills and enhancing their knowledge on bodily autonomy, gender equality and gender-based violence and discrimination. They will use these skills to spread impactful messages and visually express the right and the power to make choices about your body, without fear of violence or having someone else decide for you. The artworks will be showcased in three exhibitions around Albania during the "16 Days Against Gender-Based Violence" campaign, running</p>

	<p>from 25 November to 10 December. The best three artworks from each category, photography and illustration, will be selected and awarded prizes by a jury of experts.</p> <p>The initiative aims to expand on concepts around bodily autonomy and gender equality to make them more tangible for the broader society and to help break down harmful norms and stereotypes that continue to prevail.</p> <p>(https://albania.unwomen.org/en/news-and-events/stories/2021/09/my-body-is-my-own-un-women-and-unfpa-launch-art-initiative)</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>"Artivism" as new way to reach, mobilise and educate youth both girls and boys on sensitive topics, such as sexual and gender-based violence, child marriage and gender inequalities in public spaces, including schools is one of the key elements of this initiative which can be transferable. In this regards, this nation-wide art mobilization effort can contribute to a change in perceptions, attitudes and behaviours within Albania towards greater respect for women's rights and gender equality.</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>This initiative is sustainable taking into the consideration the fact that artwork holds the potential to communicate the message uncompromised and effect a social change greater than writings. Visual art can impact boys and girls's thinking and artwork can be used at every time challenge existing prejudism or stereotypes regarding gender roles. Since often boys and girls do not know what constitutes abuse, visual art can be used anytime to raise their awareness of gender and sexual violence by educating them on more complex and aspects of violence and transforming their's understanding of abuse.</p>

<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>Gender based violence arts initiatives can have concrete impact supposing that art can be designed, developed and delivered to engage with great number of girls and boys raising their awarenees on forms, consenquences and responses toward GBV;</p> <p>It also can reach more and different audiences over a long period of time making possible to measure the level of knowledge and understanding of gender based violence after the initiative.</p> <p>After the initiative, more women and girls will be aware of their role in society about the right and the power to make autonomous choices about their body, without fear of violence or having someone else decide for them.</p>
<p>Give reasons why you consider the practice as transferable to other settings and/or Member States?</p>	<p>Artistic expression via the visual arts such as paintings, murals, photography, street graffiti and comics; as well as more tactile forms of the arts including fashion, sculptures, quilting, and pottery is a universal language understood by all and one of the earliest forms of communication to inform, educate, and communicate. (https://16days.thepixelproject.net/16-art-initiatives-say-no-to-vaw/). In this regard, this practice can be easy transferable to other States in order that each state creates and shares their visual understanding of violence against women.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>Not applicable</p>
<p>Explain, if applicable, how the practice provides</p>	<p>Not applicable</p>

for review and assessment.	
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Thematic area	Developments in the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) Please provide one example of a promising practice related to projects or programmes implementing the CRPD or promoting the rights of persons with disabilities.
Title (original language)	Rruga drej jetesës së pavarur ²¹⁹
Title (EN)	Path towards Independent Life
Organisation (original language)	Bashkia e Tiranës dhe Shoqata "Ndhmoni Jetën"
Organisation (EN)	Municipality of Tirana and Help the Life Association
Government / Civil society	Collaboration of Local Government with Civil Society
Funding body	Municipality of Tirana and Help the Life Association
Reference (incl. URL, where available)	Reference No.17613/1
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	4.05.2021
Type of initiative	Project
Main target group	Young People with Disability over 21 year old

²¹⁹ Rruga drejt jetesës së pavarur, Help the Life Association, 2021, https://www.helpthelife.org/Programe/Jetesa_e_pavarur/

Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	<p>The objectives of the project are: a) establish a model of Independent Living for persons with disabilities in the city of Tirana and increase the capacities of specialists in the field of providing a wide range of services to provide and address in a quality and equal manner the needs of people with disabilities and their fulfillment according to principles and good practices of the CRPD;b) to increase the capacities of persons with disabilities for self-autonomy, through the provision of services specified according to focal points to meet the needs of this group for inclusion and independent living in the community.</p> <p>The main activities of the project will be: i) Establishment of independent living service structure in a adapted rented apartment; ii) recruitment of professional staff that will support young people with disabilities and assist them to live independently, a structure requires 6 employees (2 social workers, 2 psychologists and 2 support educators); iii) identification of persons with disabilities who show sufficient skills for independent living that will be included as beneficiaries; iv) assessing the capacities of young people with disabilities that will be part of the independent living model; v)preparation of individual work plans with beneficiaries and monitoring, monitoring of progress according to the biopsychosocial model of treatment of persons with disabilities; vi) providing information sessions with parents and families of young people with disabilities for independent living; vii) capacity building for independent living of 15 young people with disabilities; viii) informing young people with disabilities on the topics of human rights, self-representation, employment, abuses, legislation; ix) establishing contacts with public and non-public structures and institutions at local and central level that have responsibilities and impact on the lives of persons with disabilities in both services and the design and implementation of policies addressed to this category; x) training sessions for municipal social staff to follow this service model; xi) assistance and counseling for family members and the community on the rights and duties of everyone to facilitate the lives of people with disabilities by reducing / eliminating the barrier most encountered by this category, which is the social exclusion in front of which are mainly persons with disabilities in everyday life; xii) lobbying and advocacy in decision-making and policy-making institutions undertaken in the field of disability to improve and expand multifunctional services addressed to this category</p>
Highlight any element of the actions that is	<p>The model of service can be transferable to other municipalities in Albania and/or other target groups for example ex-prisoners, etc. The training module of young people and training of municipality staff can easily be transferred to other settings. The assessment process of young people who can participate in this program also is transferable to be used in other similar programs.</p>

transferable (max. 500 chars)	
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The practice will create a new model of service in the community for young people with disabilities in Albania. It's sustainable because it's funded by the Social Fund from Government of Albania ²²⁰ , which in its format and budget requires that the practice to be sustainable through the way that resources are planned during 3 years (max of the funding period). The budgeting formula is foreseen to cover for the first year and second year 80% and third year 70%. The collaboration with an organisation that has previous experience in offering services in community for persons with disability is a factor of sustainability. The raised capacity of the state institutions to offer community services will also guarantee the sustainability. This practice is based on the Social Plan of Municipality of Tirana 2019-2021, so it's in line with its objectives.
Give reasons why you consider the practice as having concrete measurable impact	The indicators of the project are measurable, 15 young persons over 21 year old with disability, will live independent lives from their families. They will be assisted to develop skills needed to be independent as: home hygiene, shopping, budget managing.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	This model is implemented for the first time in Albania by this initiative of Municipality of Tirana. The lack of community programs for persons with disabilities is a problem identified in the whole country. This model can be replicated in other municipalities or other target groups.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and	The design and planning involved the stakeholders, including the beneficiaries. The intermediate evaluation is foreseen to be undertaken after 1.5 year of the practice and consists of interview with beneficiaries about the experience, a complaints system established since the beginning of the project and application of a Checklist about the Personal Skills acquired during the program. The final evaluation will be at the end of project by an independent evaluator.

²²⁰ CoM Decision Nr.11, date 23.02.2018 "On Establishment and Functioning of Social Fund", page 2041
<https://opencorporates.al/documents/dokumenta/1625321410Ndryshimi%20i%20Aksionarit%20ALBGAZ.pdf>

implementation of the practice.	
Explain, if applicable, how the practice provides for review and assessment.	A review of the practice is foreseen after the intermediate evaluation (1.5 yrs).

Annex 2 – Case Law

Thematic area	EQUALITY AND NON-DISCRIMINATION Please provide one high court decision addressing discrimination against EU citizens based on nationality or against LGBTI people. Where relevant, always highlight any relevance or reference to multiple or intersectional discrimination in the case you report.
Decision date	The decision of the Constitutional Court of 04.10.2021 No V-31/21 regarding compliance of article 162(1) of the Electoral Code of the Republic of Albania (Law no10018 of 29.12.2008 with subsequent amendments) with the Constitution of the Republic of Albania.
Reference details	Albania, Constitutional Court (Gjykata Kushtetuese e Republikës së Shqipërisë) (2021), Vendim nr. V-31/21, Decision, 04 October 2021.
Key facts of the case (max. 500 chars)	The applicant was nominated by voters as an MP candidate for participation in parliamentary elections which held on 25 April 2021. In accordance with article 162(1) of the Electoral Code the candidates who collected less than 1% of the votes in their district are excluded from the distribution of mandates. The applicant collected in his district 580 votes, whereas the Commission established a threshold of 1350 votes in this area (which amounted to 0.0368% in national scale or 0.90% in regional scale of the specific electoral zone).
Main reasoning/argumentation (max. 500 chars)	The applicant claimed that the rule establishing 1% threshold of collected votes for candidates nominated by voters and nominated by the party amounts to discrimination because of unequal possibilities to collect votes for a party candidate who would collect votes throughout the country and a candidate proposed by public who collects votes only in the area where he runs. The Court ruled that equal threshold for collecting votes constitutes an indirect discrimination, since it puts candidates from political parties in preferential position during the elections.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	Discrimination
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	
Key quotation in original language and translated into	'[...] parashikimi i rregullave të njëjta lidhur me kufizimin e shpërndarjes së mandateve bazuar mbi të njëjtin prag, të përcaktuar në shkallë kombëtare, përbën diskriminim të tërthortë të kandidatit

English with reference details (max. 500 chars)	të propozuar nga zgjedhësit në të drejtën për t`u zgjedhur dhe për shanse të barabarta në procesin zgjedhor' (para 58)' '[...] the provision of the same rules regarding the restriction of the distribution of mandates based on the same threshold, determined at the national level, constitutes indirect discrimination of the candidate proposed by the voters in the right to be elected and for equal opportunities.'
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Thematic area	RACISM, XENOPHOBIA AND RELATED INTOLERANCE Please provide the most relevant <u>high court</u> decision concerning the application of <u>either</u> the Racial Equality Directive or the Framework Decision on racism and xenophobia, addressing racism, xenophobia, and other forms of intolerance more generally.
Decision date	<i><u>No case law has been identified for this thematic area</u></i>

Thematic area	ROMA EQUALITY AND INCLUSION Please provide the most relevant high court decision addressing violations of fundamental rights of Roma and Travellers.
Decision date	<i><u>No case law has been identified for this thematic area</u></i>

Thematic area	ASYLUM, VISAS, MIGRATION, BORDERS AND INTEGRATION Please provide the most relevant high court decision – or any court ruling – relating to the implementation of the <u>right to an effective remedy</u> in the context of storing data in national large-scale databases and in EU IT systems (Eurodac, VIS, SIS) delivered in 2021.
Decision date	<i><u>No case law has been identified for this thematic area</u></i>

Thematic area	INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION Please provide the most relevant high court decision related to the topics addressed in the chapter, i.e. data protection, and/or artificial intelligence systems.
Decision date	5 July 2021
Reference details	Albania, Constitutional Court (Gjykata Kushtetuese e Republikës së Shqipërisë) (2021), Vendim nr. V-(30/21), Decision, 05 July 2021.
Key facts of the case (max. 500 chars)	The case originated in the request by the Ombudperson to review and abrogate of Article 131 of Law no. 108/2014 "On the State Police" as incompatible with the Constitution in part where it imposed on the police powers to conduct wiretapping without preliminary court authorization. The Albanian Helsinki Committee joined the case as an interested party.
Main reasoning/argumentation (max. 500 chars)	<p>The Applicant submitted that provision in question amounted to a violation of the right to privacy, protection of personal data, freedom and confidentiality of correspondence and inviolability of the residence guaranteed by Articles 35, 36 and 37 of the Constitution, as well as Article 8 of the ECHR.</p> <p>The Court rules that the features of special measures related to the following facts were of interest in this case: (a) special measures were part of the activity of the state police; (b) this activity monitored and tracked the individual, in the sense that it collected and processed data about his or her private life; (c) surveillance and tracking of the individual was carried out in secret, in the sense of the individual's ignorance. The Court noted that Article 131 amounted to an interference with private life and lacked procedural guarantees that must accompany special measures of the State Police, provision of criminal offenses for which special measures would be applied, as well as obtaining ex ante authorization by the prosecutor. In the Court's reasoning provisions of Article 131 were deficient and unclear, to the extent that they conflicted with the rule of law and the principle of legal certainty, and not respecting the coherence of the legal order. In this way, the law did not provide sufficient guarantees to eliminate opportunities for abuse and arbitrariness of public authorities over the constitutional right to privacy.</p>

Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	<p>The case highlights the importance of privacy and limits states action over privacy rights. At the same time the decision reiterates the importance of restricting human rights only by law and the requirements that the law must meet in this regard.</p>
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	<p>Abrogation of article 6, point 29/1 and article 131 of law no. 108/2014 "On the State Police", as amended.</p> <p>Suspension of the implementation of article 131 of law no. 108/2014 "On the State Police", as amended, until the entry into force of the final decision of the Constitutional Court.</p>
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p>“Në kontekstin e përgjimit të komunikimeve, ligji duhet të parashikojë garancitë minimale mbrojtëse që duhet të shoqërojnë masat e përgjimit për të shmangur abuzimet me pushtetin. Të tilla garanci kanë të bëjnë me natyrën e veprave penale për të cilat mund të kërkohet një urdhër përgjimi; përkufizimin e kategorive të personave, komunikimet e të cilëve mund të përgjohen; kohëzgjatjen e një përgjimi të tillë; procedurën që duhet ndjekur për shqyrtimin, përdorimin dhe ruajtjen e të dhënave të marra; autoritetet kompetente që autorizojnë, zbatojnë dhe mbikëqyrin ato; masat paraprake që duhen marrë gjatë komunikimit të të dhënave të palët e tjera; rrethanat në të cilat të dhënat e marra dhe regjistrimet mund ose duhet të fshihen, ose shkatërrohen”</p> <p>EN translation “In the context of interception of communications, the law should provide for the minimum safeguards that must accompany interception measures to avoid abuses of power. Such guarantees relate to the nature of offences which may give rise to an interception order; a definition of the categories of people liable to have their telephones tapped; a limit on the duration of telephone tapping; the procedure to be followed for examining, using and storing the data obtained; the precautions to be taken when communicating the data to other parties; and the circumstances in which recordings may or must be erased or destroyed”</p>

Thematic area	RIGHTS OF THE CHILD Please provide the most relevant high court decision related to the topics addressed in the chapter.
Decision date	<i>No case law has been identified for this thematic area</i>

Thematic area	ACCESS TO JUSTICE Please provide the most relevant high court decision related to the topics addressed in the chapter.
Decision date	<i>No case law has been identified for this thematic area</i>

Thematic area	DEVELOPMENTS IN THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD) Please provide the most relevant court judgment, which quoted the CRPD or prominently referred to the CRPD in the reasoning.
Decision date	<i>No case law has been identified for this thematic area</i>