



Economic and Social Council

Distr.: General
3 November 2021

Original: English
English, French and Spanish only

Committee on Economic, Social and Cultural Rights

Fourth periodic report submitted by Albania under articles 16 and 17 of the Covenant, due in 2018^{*,}**

[Date received: 2 September 2021]

* The present document is being issued without formal editing.

** The annexes to the present report may be accessed from the web page of the Committee.



List of abbreviations

PA	People's Advocate of Albania (the Ombudsman)
EU	European Union
CAT	Committee on the Convention against Torture
GDSP	General Directorate of State Police
GDP	General Directorate of Prisons
DFLA	Directorate of Free Legal Aid
CoE	Council of Europe
CC	Criminal Code
CPC	Criminal Procedure Code
CPD	Commissioner for the Protection from Discrimination
MESY	Ministry of Education, Sport and Youth
MEFA	Ministry for Europe and Foreign Affairs
MFE	Ministry of Finance and Economy
CMRDV	Coordinated Mechanism for Referral of Domestic Violence Cases
MHSP	Ministry of Health and Social Protection
NPO	Non-Profit Organization
CSO	Civil Society Organization
UN	United Nations
NRCAS	National Reception Center for Asylum Seekers
RA	Republic of Albania
FO	Final Observations
VT	Victims of Trafficking
PVT	Potential Victims of Trafficking

Introduction

1. Republic of Albania adheres to the International Covenant on Economic, Social and Cultural Rights¹ with Law no.7511, dated 08.08.1991 “On adhering of the Republic of Albania to the International Covenant on Economic, Social and Cultural Rights”.
2. Based on the CESCRC Covenant, Albania has presented to the Committee on Economic, Social and Cultural Rights (CESCR Committee), national Reports as per periodical cycles on the implementation of the provisions of the Covenant and recommendations of the CESCRC Committee.² The Committee reviewed the report of the second and third cycle and approved the final Observations for Albania in 2013.³
3. This Report is prepared in accordance with the specific guidelines,⁴ on periodical reports. The first part of the Report contains information on measures related implementation of the provisions of the Covenant, and the main developments in the legal institutional framework as per the areas. The second part contains information on the measures for the implementation of the concluding observations and recommendations of CESCRC Committee.
4. The Report includes information mainly for the period 2014- May, 2021. It also includes information on the developments and achievements before this period, in respect of a fully comprehensive reporting upon the issues covered by CESCRC Covenant.
5. In the appendixes, which are part of the Report, additional information is presented.
6. The Constitution of the Republic of Albania, the ratified international agreements that are part of the internal legal system and the internal legal framework, guarantee the implementation in practice of the human rights.
7. Based on law no. 43/2016 “For international agreements in the Republic of Albania”, article 25 point 3), Ministries and the competent institutions inform periodically the Ministry for Europe and Foreign Affairs (MEFA), in regards to the drafting of the national reports for the implementation of the international agreements on human rights, in which the Republic of Albania is a party country. Based on point 4 of this article, MEFA leads the process of drafting the national reports for the implementation of the human rights, and presents them for approval in the Council of Ministers.
8. Based on the Order of the Prime Minister no. 112, dated 5.3.2014 “For the establishment of inter-ministerial working group for drafting and participation during consideration of the reports on the framework of the international conventions on human rights”, MEFA coordinates the process of preparation of the national reports on human rights conventions.
9. This report is drafted by coordinating and including the contribution of the central institutions like the Ministry of Justice, Ministry of Internal Affairs, Ministry of Finance and Economy, Ministry of Health and Social Protection, Ministry of Education, Sport and Youth, Ministry of Culture, General Directorate of the State Police. This Report also includes the contribution of the independent institutions as the General Prosecutor Office, the People’s Advocate of Albania and the Commissioner for the Protection from Discrimination.
10. The fourth periodical Report on the implementation of CESCRC Covenant is approved with the Decision of the Council of Ministers, number 439, dated 22.07.2021.
11. In the appendixes additional information is included as part of this Report.

¹ Here in after the Covenant CESCRC.

² Here in after on the Committee CESCRC

³ E/C.12/ALB/2-3.

⁴ General Assembly Resolution -General Assembly Resolution 68/268

I. Information on the implementation of the provisions of the covenant

Article 1 – Legal framework on prohibition of discrimination

12. The Constitution of the Republic of Albania amended, sanctions the principles of the equality and non-discrimination. In the article 18 it is foreseen: “All are equal before the law and no one may be unjustly discriminated against for reasons such as gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic condition, education, social status, or parentage”. Article 16/1 of the Constitution, foresees that the fundamental rights and freedoms and the duties contemplated in this Constitution for Albanian citizens are also valid for foreigners and stateless persons in the territory of the Republic of Albania.

13. Law no.10221, dated 04.02.2010 “On Protection from Discrimination” (amended), defines discrimination as: is any distinction, exclusion, limitation or preference on the basis of any of the grounds referred to in Article 1 of this law whose purpose or consequence is hindering or rendering impossible the exercise, in the same manner as with others, of fundamental rights and freedoms recognized by the Constitution of the Republic of Albania, international acts ratified by the Republic of Albania as well as the laws in force. (Article 3)

14. With the Law no. 124/2020 “For some additions and amendments to law no.10221, dated 4.2.2010 “On protection from discrimination” approved on October 15, 2020, legal amendment of the law “On Protection from discrimination” which entered into force on November 18, 2020. New reasons of discrimination are added such as the discrimination of nationality, sex characteristics, living with HIV/AIDS and outer appearance. With the new legal amendments new form of discriminations are foreseen such as: multiple discrimination, inter-sectorial discrimination, hate speech, exclusion and sexual harassment. “Severe forms of discrimination” are foreseen which deserve to be punished more severely and to be prevented wherever they appear.

15. Law no. 96/2017 “On the protection of national minorities in the Republic of Albania” (The rights and freedoms of national minorities), article 5 in regards to the exercise of the rights foresees that: 1. Every person belonging to a national minority has the right to freely choose to be treated as such, without any disadvantage from this choice or exercise of the rights that are related to this choice. 2. Persons belonging to national minorities exercise their rights and enjoy the freedoms guaranteed by this law, individually and in community with others, throughout the territory of the Republic of Albania. In the article 8 of this law “Prohibition of Discrimination” it is foreseen that:

- Any discrimination against any person due to his or her affiliation in a national minority shall be prohibited;
- Public, central and local institutions shall adopt and implement the necessary measures:
 - (i) To guarantee full and effective equality in economic, social, political and cultural life between persons belonging to a national minority and those belonging to the majority;
 - (ii) To protect persons belonging to national minorities from threats, discrimination, hostility or violence due to their distinct cultural, ethnic, linguistic, religious or traditional identity;
 - (iii) To strengthen intercultural dialogue;
 - (iv) To foster mutual respect, understanding and cooperation among all citizens of the Republic of Albania, regardless of their distinct cultural, ethnic, linguistic, religious or traditional identity;
- Measures adopted in accordance with paragraph 2 of this article shall not constitute acts of discrimination.

16. New legal amendments on law no. 124/2020 “For some additions and amendments of law no.10221 dated 4.02.2010 “On protection from discrimination” foresee:

- New forms of discrimination such as: multiple discrimination, intersectional discrimination, hate speech, segregation, sexual harassment;
- “Severe forms of discrimination” which deserve to be punished more severely and to be prevented wherever they appear;
- The active role of the organizations with legitimate interests is foreseen, enabling them to file complaints directly to the institutions or they could present trusted information to start an investigation by the Commissioner;
- The obligation of the public authorities to promote equality and non-discrimination;
- The possibility of engaging experts when the case is being reviewed depending on the complexity of the area on which it is being investigated (professional opinion). The amendments also ensure the possibility of grouping of the cases that come from different subjects but refer to the same claimed discriminating behavior;
- The CPD Commissioner is trusted with a new competence, in addition to the monitoring of the Law “On the Protection from Discrimination”, such as the monitoring of the implementation of the law “Gender Equality in the Society”.

17. Legal and sub-legal framework that regulates the activity of the State Police constitutes and guarantees respecting of freedom and human rights, equal treatment and without discrimination despite of gender, race, color, language, religion, ethnicity, political, religious, philosophical convictions, sexual orientation, economical, educational, social situation, parentage belonging. Law no. 108 dated 31.07.2014 “On the State Police” determines the fundamental principles directing the activity of the Police in particular: non-discrimination and respect of the fundamental freedoms and human rights. In article 115 it is guaranteed the right of the escorted, detained and arrested persons to file a request/complaint in regards to the attitude, treatment, conditions of treatment, conduct of staff of the police, the violation and abuses committed against them. In article 133 the rules for the use of force by the Police are determined.

18. Law no. 121/2016 “On services of social care in the Republic of Albania” foresees that the principle of non-discrimination for a number of reasons, starting from gender, is ranked in the basic principles for service provision. Law foresees among other things, social care services provision that support the wellbeing and social inclusion of the individuals and families that need social care.

19. New legal amendments in law no.124/2020 “For some additions and amendments to law no.10221 dated 4.02.2010 “On protection from discrimination” enact the obligation on the national media to publish the decisions of the CPD Commissioner that have found discrimination through hate speech. Establishing of such a requirement would bring about better effectivity. With the aim of raising public awareness, the latest legal amendments in the law on Protection from Discrimination (article 33 point 17) foresees that:” “State media operators are obliged to publish the summary of final decisions of the Commissioner on hate speech”. As well, in the framework of legal amendments it is foreseen the obligation of the public authorities to promote equality, in order to prevent discrimination during the discharge of their functions. (article 7/3)

20. Obligation of publication only for this form of discrimination is related firstly with the fact that this behavior is consummated publicly so the decision taken should also resonate publicly; secondly, it is related to the effect of the decisions of the Commissioner in regards to use of hate speech from public persons. Establishing of such an obligation will result in better effectivity of it.

Article 3 – Gender equality

21. Law no.9970, dated 24.7.2008 “On gender equality in Albania” regulates the fundamental issues of gender equality in the public life, of protection and equal treatment of

women and men, on opportunities and equal chances to exercise their rights, as well as on participation and their contribution in the development of all areas of social life. The law aims to provide efficacious protection from discrimination because of gender and from every form of behavior that encourages discrimination because of gender; to guarantee equal opportunities among women and men, in order to eliminate the gender based discrimination, in whatever form it appears.

22. National Strategy on Gender Equality (NSGE) 2016-2020 and its Action Plan is based on these pillars:

- Gender equality, is a pre-requisite for a fair and socially and economically developed society;
- Improvement of the social, economic and health status of women, especially women suffering from multiple discrimination;
- Education, advancement and political engagement of the women, by offering equal chances with boys/men;
- Sensibility and equal treatment of special needs of both genders – girls/ women and boys/men have different needs and are faced with different forms of violence and discrimination;
- Zero tolerance to violence against women and domestic violence;
- Inter-agency coordination and cooperation in order to most effectively address the gender-based inequalities and injustices to girls/women and boys/men.

23. At present the National Strategy on Gender Equality (NSGE) 2021–2030 is on the process of approval-the fourth of this kind in Albania. This draft was compiled based on the findings and recommendations of “the Assessment Report: the Implementation of the National Strategy and Action Plan on Gender Equality 2016 – 2020”. The Vision of “NSGE 2021 – 2030”: "A society that considers gender equality as a necessary condition toward social, economic, politic sustainable development of the country, where no one is left behind, and that is based on the principle of zero tolerance toward damaging practices, gender-based violence and domestic violence, by punishing the offender/violator and by protecting, rehabilitating and reintegrating the violated persons. In its entirety “NSGE 2021 – 2030” has four main strategic directions, including specific objectives that reflect the need for change or adding new dimensions toward which the attention to address issues of gender equality, should be focused, based on the latest developments and considering issues related to civil emergencies, natural disasters or new areas related to gender equality that are little or not at all addressed so far (environment and climate change, digitalization). In support of this vision, the main strategic goals are being formulated with the respective objectives and measures.

Article 6 and 7 – The right to work

24. Law no.15/2019 “On Employment Promotion” determines the rules and the way of functioning of the public system in regards to employment services, active and passive programs of the labour market, as well as the bodies in charge for their management. This law foresees active programs of the employment market, which include mechanisms that aim to keep the employed in the labor market, to support the unemployed job seekers to manage to enter the labour market, to increase productivity and incomes from working and to improve the functioning of the labour market. The active programs of the labour market include: a) employment services; b) programs of employment promotion c) vocational trainings.

25. Concrete initiatives are undertaken for drafting of incentive and facilitating policies for national Roma and Egyptian minorities, with the aim of promoting their employment, as well as for the qualification, training and integrating in the labor market. Based on the analyses of the situation of the labor market, the data show that 1.3% of Roma and 4.8% of Egyptian minorities up to 20 years old have high school education and respectively 0.3% and 0.2% have university education. These categories comprise the targeted groups for the employment policies that benefit free professional training and have priority for the incentive

employment programs. The decrease of the unemployment rate remains a priority, as well as the increase of the education level.

26. Ministry of Finances and Economy based on law no.15/2019 “On employment promotion” has approved the package of the programs of employment promotion, in which the rules, criteria and procedures are foreseen for the implementation of the programs of employment promotion through employment, training and professional internships. These programs also include programs for special groups like Roma and Egyptians. In the middle-term budgeted program 2020-2022, the determined funds for the programs of employment promotion are increased with the aim of increasing the number of participants that will participate in these programs.

27. Pursuant to this law, a number of by-law acts are approved as follows:

- DCM no.17, dated 15.01.2020 “On procedures, criteria and rules for the implementation of the programs of employment promotion through employment, training and internships” where the employment program are included”;
- DCM no.348, dated 29.04.2020 “On procedures, criteria and rules for the implementation of the programs of employment promotion through self-employment”;
- DCM no.535, dated 8.07.2020 “On procedures, criteria and rules for the implementation of the programs of employment promotion through community work”;
- DCM no.608, dated 29.07.2020 “On procedures, criteria and rules for the implementation of the programs of employment promotion through employment of the persons remained unemployed as a result of the pandemic of Covid 19”.

28. National Strategy for Employment and Skills 2014-2020 and Action Plan 2019-2022 foresee concrete measures for the active program of labour market, programs of employment, education and vocational training. One of the priorities of the Strategy for employment is the simulation of social inclusion and territorial cohesion. The objective is education and employment of women and men from the vulnerable categories.

29. From the administrative data, it results that persons belonging to Roma and Egyptian minorities make up around 7-8% of the unemployed job seekers, registered in the employment offices in the country during the period 2014-2020. Mainly they are registered in the employment offices in Tirana, Elbasan, Korça, Fier, Berat, etc. This category is characterized from a low level of qualification where 94% of them have basic 9 years education. Women make up 50% of the unemployed job seekers that are Roma and Egyptians registered in the employment offices. The active policies of employment and vocation education have influenced in increasing the employment of the Roma and Egyptian category.

Article 8 – The right to strike

30. The right to strike, the right of the employee to strike that is related to job relations is guaranteed by the Constitution of the Republic of Albania (article 51/1). According to the internal legislation, the guaranteeing role of the state for exercising of this right from every employee is foreseen on the condition that the strike shall be undertaken for issues related to job relations; the right to strike is a right of the employee. The strike is a way of behavior and action by the employees to interrupt work, with the aim of putting pressure on the employer for improving of the economic situation, work conditions and changes of provisions foreseen in the individual employment contract.

31. The right for exercising of this constitutional right and as foreseen in the Labor Code as well, belongs only to trade unions and not to employees or their representatives. According to law no.152/2013 “On civil servant” (article 35, the civil servant shall have the right to strike except when foreseen differently by the law. The right to strike shall not be used as a purpose itself but as a mean for resolving disagreements.

32. Labor Code (article 197/5) foresees that Strike cannot be applied to the services of vital importance where the interruption of work would jeopardize the life, the personal security, or the health of a part or of the entire population. In this case, the collective conflicts are solved finally and mandatorily, in accordance with Article 196 of this Code. This article foresees exhaustingly the services of vital importance such as medical and hospital services, air traffic control services, services of protection from fire, services at prison. According to this provision, exception is made for the sector of water and electric energy utilities. According to this provision, in the above-mentioned sectors, the prohibition of the right to strike does not include all services, only the services for guaranteeing the life, security and public health. In the medical and hospital services, the emergency service is included and indispensable services. In article 197/6 it is foreseen that the strike cannot be exercised if there is a failure in providing minimum services in the sector of water utilities, electrical power utility, as well as services for meeting the needs of fundamental relevance of the population.

33. In Labor Code⁵ (amended by law no.156/2015) “general strike”, was included which as per article 197, point 8/a may be exercised in national or regional level. The strike is legal and does not contradict the definitions articles 197/4, 197/5, 197/6 of this Code and other legal provisions; its objective is opposing the policies and economic and social measures that affect the employee’s interest.

34. In a national and local level, the policies are related to taxes, social insurances, employment policies, etc. If the employees estimate that these policies in a local or national level may affect negatively in the employment relations, salary, social insurances benefits, job shortage, by fulfilling the foreseen conditions according to the legal framework, they may exercise the right of general strike.

35. According to the Labor Code 197/9, when the strike is lawful according to Court decision the employer may terminate the employment relations with the strikers. The employer enjoys the right to terminate the contract of employment with the workers that will not restart to work within three days, this being of immediate effect, and demand from them to pay him/her for the damage they have caused. In this case, the provisions governing the procedures of dismissal from work shall not be applicable. The demand for paying the damages may also be addressed against the organization which is organizing the strike. When the strike is accompanied with unlawful actions, the parties approach the court, the latter determining the responsibilities of the parties, the actions that they must carry out, and it also determines the damage caused and the obligation of the party to redress. If the circumstances permit, the Court may decide on resuming the work.

36. The strike ends when: the parties reach an agreement; when the trade union that has called it decides to discontinue it, or when with the decision of the court it is considered unlawful. According to the Labor Code (article 193/7), the term of the reconciliation procedure from 20 days has changed and is foreseen to be 10 days.

Article 9 – The right to social insurance

37. Social and health insurances contributions are mandatory payments for all persons who are economically active, including the self-employed. The legal framework which foresees the contributions for social and health insurances for the employed and self-employed is based on:

- [Law no. 7703, dated 11.05.1993 “On Social Insurance in the Republic of Albania”, amended;](#)
- [Law no. 9136, dated 11.09.2003 “On the collection of mandatory contribution of social and health insurance”, amended;](#)

⁵ Approved by law no. 7961, dated 12.7.1995 Labor Code of the Republic of Albania: amended by law no.8085, dated 13.3.1996; amended by law no.9125, dated 29.7.2003; Amended by law no.10 053, dated 29.12.2008; amended by law no. 136/2015, dated 5.12.2015.

- Law no. 7961, dated 12.07.1995 “Labour Code in the Republic of Albania”, amended;
- Law no. 10383, dated 24.02.2011 “On mandatory health care insurance in the Republic of Albania”, amended;
- By-law acts on determining the wages.

38. From participation in the scheme of the social and health insurance all categories of pensions are benefited:

- Elderly Pension;
- Elderly reduced pension;
- Family pension;
- Disability pension;
- Partial disability pension;
- Medical service and medicaments reimbursement.

39. Based on the Labor Code “Employer” are called all natural and legal persons that employ other persons with or without a contract. The Employer is obliged to sign an employment contract with the employees, full or part-time. The Employers shall insure every part-time or full-time employee and shall calculate, declare and pay the mandatory contribution of social and health insurance within the terms determined for every employee.

40. Based on the Law on social insurances, the employers shall calculate and pay for their employees the short-term benefits, for illness and maternity leave.

Article 10 – Family

41. Family Code⁶ foresees marriage as a legal cohabitation that is founded on the moral and legal equality of the spouses. Marriage and family enjoy special protection from the state. Parents, competent bodies and courts, in their decisions and activities, must have as their primary consideration the best interest of the child. Parents have the duty and right to ensure the proper care, development, well-being, education and edification of children born from marriage or out of wedlock. The state and society must offer to families the necessary support to care for their children, in order to prevent their maltreatment and abandonment, and to preserve the stability of the family.

42. Protection of mothers: Legal framework on social insurance in the Republic of Albania (amended)⁷ foresees payment for maternity leave and compensation for child birth. The income for maternity leave is paid to the insured woman for the pregnancy and birth of the child when she has been insured for a 12 months period, for every case of compensation. The compensation period shall be 365 calendar days including a minimum of 35 days before and 63 days after the birth of the child. For the woman who will give birth to more than one child, the compensation period would be 390 calendar days, including a minimum of 60 days before and 63 days after the birth of the children. The Law guarantees the right of the maternity leave for the mother that adopts children of age up to 1 year old and that has been insured for a period not less than 12 months.

43. According to the law on social insurance, the compensation for child birth is paid to an insured person, who is the mother or father of a child that is being born, on the condition that one of them shall have contributed for a year before the birth of the child. The compensation shall be paid only one and the mother shall have priority in benefiting the payment, in case she has been insured.

⁶ Law no. 9062/2003 “Family Code of the Republic of Albania”.

⁷ Law no.7703, dated 11.5.1993, amended by Law no. 9377,dated 21.04.2005; amended by Law no. 104/2014, dated 31.07.2014.

Legal framework that guarantees the exercise of the economic, social and cultural rights

44. The constitution foresees a number of provisions on guaranteeing the rights and fundamental freedoms for all persons despite of gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic situation, education, social status or ancestry. The Constitution guarantees as well that every individual, for the protection of his rights, freedom and his constitutional and legal interests or in the case of charges pressed against him, has the right of a fair and public process within a reasonable term from an independent and impartial court appointed by law. The legal and sub-legal framework as per the areas aims the guarantee and implementation in practice of the human rights (the rights of the women, children, persons with disabilities, the rights of the minorities etc.).

45. Law no.124/2020 “For some additions and amendments on law no. 10221 dated 4.02.2010 “On protection from discrimination” adds as new “the shift of the burden of proof”, transfer it to the subject claimed that has committed the discriminating conduct. Establishing the transfer of the burden of proof in Law “On Protection from Discrimination” will ensure the implementation of this principle in every area and in all cases when it is claimed that the principle of equality and non-discrimination is not being applied. These legal amendments have also foreseen the competence of the Commissioner for the Protection from Discrimination (CPD) to sue in protection of the principle of equality and non-discrimination, for issues related to collective interests and to address them to Constitutional Court, in cases when during his activity he verifies that the law or the normative act violates the rights and fundamental freedoms of the individuals.

46. Administrative Proceeding Code in the Republic of Albania (approved by law no. 44/2015)⁸ foresees the principle of equality and non-discrimination. The public body, during the exercise of its activity, avoids any kind of discrimination for the foreseen causes.

47. Law no. 121/2016 “On services of health care in the Republic of Albania” where the principle of non-discrimination is ranked at the basic principles for provision of services. Law foresees the provision of specialized services for violated or trafficked women and girls, for the pregnant women or girls or that are sole parent with a child up to 1 year old etc.

48. Law 65/2016 “For social enterprises in the Republic of Albania” that among else aims the employment of the disfavored persons in the labour market, such as: persons treated with economic social aid, persons with disabilities, orphans, women that are victims of violence and trafficking etc.

49. Law 18/2017 “On the rights and protection of children” where the equality and non-discrimination are sanctioned in the general principles of it. Law defines what does protection of children means by clarifying “the measures of protection” because of violence, abuse, neglecting or exploiting. For the first time, it is foreseen the protection of the children in street situation or that work or are exploited for labor, addressing of different forms of violence against children like bullying, violence in schools, domestic violence, sexual abuse, economic exploitation, children online safety, the unaccompanied children or victims of trafficking.

50. Law no. 37/2017 "Code of Criminal Justice for Juveniles" guarantees the principle of non-discrimination and foresees a criminal justice framework for minors, promotes the reintegration of minors in conflict with criminal law, protects the rights of the minor victims and/or witnesses of criminal offenses, and prevents re-victimization and secondary victimization of a child who has previously been a victim of a criminal offense.

51. Law no. 111/2017 “On state-guaranteed legal aid”,⁹ is based on the principle of equality and non-discrimination for the individuals, regarding the right to legal aid and professionalism in being provided with legal aid services. The law guarantees free legal aid for special categories: victims of domestic violence, of sexual abuse, of human trafficking,

⁸ Effective on 2016.

⁹ Effective on date 1.06.2018.

minors in conflict with the law, and children in institutions of social care, persons whose rights have been violated through an action or lack of action that constitutes discrimination.

52. Law no. 47/2018 "On some additions and amendments in law no. 9669, dated 18.12.2006 "On measures against domestic violence" foresees strengthening of protective and proceeding measures for a more effective response against domestic violence and protection of the victims through issuing of the Order for Preliminary Measurements of Immediate Protection. For the first time the women and girls in intimate relations, without having a formal relation with the violators, like marriage or cohabitation are being protected. The law was amended also in October 2020, by clarifying the measures for expelling of the violator from the residence and taking him in with the completing of the Protection Orders and Immediate Protection Orders PO/IPO, completing of specific rehabilitation programs for the violation, register of PO/IPO-s etc.

53. Law no. 69/2018 "On some additions and amendments in law no. 10 129, dated 11.5.2009 "On civil status", foresees the procedures of registering for the unregistered cases, when the act of birth issued by another state where the birth has taken place has uncomplete/incorrect data.

54. Law no. 34/2019 "On administration of the sequestrated and confiscated wealth" where the good-administration and efficient and economic use of the sequestered and confiscated wealth by the justice bodies is emphasized, the return to the community of the wealth profited in illegal ways and financial compensation of the victims of crime.

55. Law no. 57/2019 "On social assistance in the Republic of Albania" where among others, the trafficking victims are being determined as beneficiaries of the social assistance, after leaving the institutions of social care until the moment when they get employed, as well as the domestic violence victims, for the period of effectiveness of the Protection Order or Immediate Protection Order, that are not being treated in the institutions of social care.

56. Law no. 35/2020 "On an amendment on law no. 27.01.1995, "Criminal Code of the Republic of Albania", amended, foresees the criminalization of the psychological violence, protection of the persons in intimate relationship or former-relationship with the author of the criminal offense, as well as the severity of the punishment for some persons of this criminal offense.

57. Law no. 81/2020 "On the rights and treatment of inmates and pre-trial detainees" guarantees the settings for the dignified treatment of pre-trial detainees and inmates, respect for their fundamental rights and freedoms and the prevention of cruel, inhuman and degrading treatment or behavior.

58. As evidenced above, the law "On some amendments and additions on law no.10221, dated 04.02.2010 "On protection from discrimination", foresees also multiple discrimination, inter-sectorial discrimination, hate speech, exclusion, sexual harassment etc as well as the right of the CPD for engaging the Constitutional Court to request the discordance of a law with the Constitution etc.

59. Law no. 10/2021 "On asylum in the Republic of Albania"¹⁰ guarantees the right to asylum to foreign nationals and stateless persons, who find themselves outside their country of nationality or their habitual place of residence and are unable or unwilling to ask for protection in that country on account of their well-founded fear of persecution for reasons of race, religious belief, nationality, membership of a particular social group, or political convictions. (Article 5)

60. Law no. 96/2017 "On protection for national minorities in the Republic of Albania" provides the legal guarantees, the guarantee of the rights of the national minorities (individual rights), the rights and fundamental freedoms, such as the civil, political, social rights etc. that the Constitution and the legal and sub-legal framework as per the areas provide for all Albanian citizens.

¹⁰ This was in effective until the new law on asylum entered into force, law no. 10/2021 "On Asylum in the Republic of Albania", approved by the parliament on 1.02.2021.

61. Guarantee of the rights of the persons belonging to national minorities is based on the criteria determined from the international conventions; the objective criteria which are related to the existence of the special end sustainable ethnic, cultural, religious, linguistic characteristics, from the rest of the population of this group, the willingness to preserve their culture, traditions, religion, language, as well as the criteria that implies the personal choice to be or not to be part of the national minority. The individual subjective choice is not dividing related to the objective criteria of the identity of the person and does not imply simply a right of the individual to arbitrarily choose to belong to a national minority.

62. Law and its by-laws, aim to guarantee the rights and fully exercising of the individual rights of the persons that belong to national minorities, to protect the special identity of the national minorities, non-discrimination and equality before the law. The legal and secondary legislation provide concrete measures to be taken for the protection of the rights of the persons that belong to national minorities such as: the right to express freely their belonging, to protect and develop their identity, special elements that are characteristics for the life of their community, learning of their mother-tongue, cultural activity, exercising of their religious cult etc.

63. Law no.96/2017 “On national minorities” (article 15/4, “Use of language”) foresees among else that: In local self-government units where persons belonging to national minorities account for more than 20 percent of the total population of the unit, they are entitled to receive information, in addition to the Albanian and minority languages, over the development of the electoral process. Giving minority language information on the conduct of the electoral process is regulated by acts approved by the Central Election Commission.

64. Law no. 111/2017 “On state-guaranteed legal aid” foresees the principles of legal aid through: a) equal access on legal aid for the individuals b) equality and non-discrimination of the individuals that have the right of legal aid; c) professionalism in providing the legal aid; ç) quality, efficiency and cost efficiency for the services of legal aid provided; d) protection of confidentiality; e) avoidance and prevention of the conflict of interest; f) protection of the rights of the vulnerable persons.

65. Law 18/2017 “On the rights and protection of a child”, foresees the principles of equality and non-discrimination, protection of a child by clarifying “protection measurement” that the personnel may apply when they verify cases of children in an unsafe situation because of violence, abuse, neglecting or exploiting. For the first time it is foreseen the protection of children on a street situation or that work /are being exploited for labour, addressing of different forms of violence against children such as bullying, violence in schools, domestic violence, sexual abuse, economic exploitation, online safety of children in internet, the unaccompanied children or victims of trafficking etc.

66. Law 121/2016 “On social care services in the Republic of Albania”, where the principle of non-discrimination for a number of reasons, starting from gender is listed in the basic principles for the offering of the services. The law also foresees the offering of the specialized services for women and girls violated or trafficked, for pregnant women and girls or that are sole parent with children up to 1 year old etc.

67. Law 65/2016 “For social enterprises in the Republic of Albania” aims the employment of the disfavored persons in the labour market, such as: persons treated with economic social aid, persons with disabilities, orphans, women that are victims of violence and trafficking etc. Law no. 15/2019 “On employment promotion” foresees “Special Groups” of jobseekers that are disadvantaged in the labour market that benefit from services and programs on promotion of employment. Among disadvantaged job seekers, there are also the persons from the Roma and Egyptian minorities.

68. Law no. 57/2019 “On social assistance in the Republic of Albania” determines the rules and mechanisms for obtaining social assistance. One of the principles of this law is non-discrimination, that determines the rights that derive from this law without any discrimination for every individual despite of gender, race, color, religion, ethnicity, language, gender identity, sexual orientation, political, religious, or philosophical convictions, economic, educational, social situation, pregnancy, parentage dependency or/and responsibility, family or marriage situation, civil status, health situation, genetic predispositions, disability, belonging in a special group or any other reason.

69. The Criminal Procedure Code amended foresees the procedural provisions on the rules to conduct criminal prosecution, investigations and trial of criminal offences, and the execution of court decisions. These rules are mandatory for parties' subject of criminal proceedings, state authorities, legal persons and citizens.

70. The Criminal Procedure Code foresees:

- The right of the victim of the criminal offense;
- Deemed innocent until his guilt has been established by a final judgment of the court;
- Procedural provisions on the rules and way to conduct criminal prosecution, investigations and trial of criminal offences, and the execution of court decisions.

71. Amendments in the Criminal Procedure Code improve significantly the rights and the position of the victim of the criminal offense by including even specific provisions for the human trafficking victim. Specifically, the obligation for the victim of the criminal offense to participate as a party in the process by guaranteeing the victim' access in the criminal proceeding is introduced, specifically for the victims of trafficking, foreseen in particular the minor victim and the sexually abused victim or subject of trafficking. Continual amendments and additions in Criminal Code¹¹ foresee domestic violence as a criminal offence with the respective sanctions (article 130/a),¹² specifically: hitting; serious threat for murder or severe wounding toward the family related person.

72. Law 37/2017 "Code of criminal justice for children" that guarantees a legal framework for criminal justice for children, promotes reintegration of the child in conflict with law, protection of the rights of the child victim and or/eyewitness of criminal offense and prevent re-victimization of the child who has previously been a victim of a criminal offense.

73. Law no. 111/2017 "On state-guaranteed legal aid, has entered into force on date 1.6.2018, and its aim is the establishment of a legal, consolidated system in regards to providing free legal aid for all individuals in the justice system, and the guarantee of equal access as well as offering of services of legal aid in a professional, qualitative, efficient and effective way.

74. Law no. 111/2017, guarantees free legal aid for special categories: victims of domestic violence, of sexual abuse, of human trafficking, minors in conflict with the law, children in institutions of social care, persons whose rights have been violated through an action or lack of action that constitutes discrimination etc. This law has strengthened the access to justice by providing legal opportunities to all the beneficiaries categories as determined by this law, to have free legal aid, despite of their incomes or wealth, including the persons whose right have been violated through an action or lack of action that constitutes discrimination, based on the decision of the competent body, according to the effective legislation for protection from discrimination.

75. Law no. 47/2018 "On some additions and amendments in law no. 9669, dated 18.12.2006 "On measures against domestic violence" foresees strengthening of protective and proceeding measures for a more effective response against domestic violence and protection of the victims through issuing of the Order for Preliminary Measurements of Immediate Protection. For the first time the women and girls in intimate relations, without having a formal relation with the violators, like marriage or cohabitation are being protected. The law was amended also in October 2020, by clarifying the measures for expelling of the violator from the residence and taking him in with the completing of the Protection Orders and Immediate Protection Orders PO/IPO, by providing rehabilitation programs, register of PO/IPO-s etc.

76. This law aims:

- Prevention and reduction of the cases of domestic violence;

¹¹ In the years 2012, 2013 and 2020.

¹² Detailed information as follows.

- Improvement of the protection measures provided for in the law in the framework of the immediate protection order and protection order, by particularly considering the improvement of protection measures for the children;
- Improvement of professional free legal aid;
- Determining of clear proceedings terms, for the submission of the request for Protection Order (PO) and Immediate Protection Order (IPO) and for appeals on court decisions;
- Clearer determination of the authorities in charge for execution of the tasks and of the obligations of the officials;
- Provision explicitly of the obligation of the state institutions to provide free of charge expertized service for domestic violence cases;
- Increase of participating violators in the specific rehabilitating services with special focus on the violators that are alcoholics, drug addicted or that suffer from mental disorders, given explicitly in the court decisions for issuing of the protection orders.

77. Law no. 81/2020¹³ "On the rights and treatment of the defendants punished with imprisonment and the pre-trial detainees" aims to guarantee the conditions for treatment with dignity of the defendants/ pre-trial detainees and those sentenced with imprisonment, respect of fundamental human rights and freedoms and prevention of inhuman, cruel, degrading behavior or treatment. Among the principles of this law (article 5), it is provided for that the prisoners shall have equal, unbiased and non-discriminated treatment for every reason provided for from the effective legal framework for the protection from discrimination.

Article 11 – Housing

78. Law no. 22/2018 "On social housing" sets the rules and administrative procedures for the planning, provision, administration and distribution of social housing programs, in order to provide opportunities for adequate and affordable housing, relying on the solvency of the families in need of housing and in need of state aid. This law is based in the principle of non-discrimination regardless of gender, race, color, religion, ethnicity, language, gender identity, sexual orientation, political, religious or philosophical beliefs, economic, educational, social status, pregnancy, affiliation and / or parental responsibility, marital or family status, civil status, health situation, genetic predisposition, disability, belonging to a special group and any situation that brings on discriminatory effects.

79. The law foresees the housing programs: 1) Low-Cost Housing. 2) Social housing rental. 3) Area Development Program for Housing purposes. 4) Program to enhance the conditions of existing dwellings, 5) Program for temporary shelter (accommodation) and 6). Specialized housing program. The law also provides for a number of financial instruments to support low- and middle-income families, such as: rent subsidy, loan interest subsidy, grant for the purchase of a low-cost housing, and competitive grants for enhancing housing conditions.

80. Law no. 22/2018 "On social housing" (article 2) foresees that "Social housing programs" are programs that serve for housing families and individuals who do not have housing and live-in premises that are not classified as housing or temporary housing, in the meaning of this law, and who do not have financial and economic means to pay for housing, as well as those families / individuals whose dwelling is below the legal housing norm and who do not have the income to pay for a minimum rent in the free market.

81. During 2019, approximately 118 million ALL have been allocated from the state budget, of which 65 million ALL have been allocated for the rent subsidy of 674 families who have applied under the law on Housing. About 15.7% of the beneficiaries belong to Roma and Egyptian minorities; 5 million ALL for the subsidy program for 24 families, where 100% of the beneficiaries are Roma and Egyptian families and 48 million ALL were granted

¹³ Entered into force on June 2020.

for the 1-month rent subsidy to families affected by the earthquake of 26th of November 2019.

82. During 2020, about 354 million ALL have been made available from the state budget for implementation of the investment projects, of which 92 million ALL for ongoing projects from 2019 and 262 million ALL for the implementation of the first phase of new projects. The rest of the funds are allocated in the state budget of 2021. Investment projects include: a) enhancement of the existing dwellings of 561 families; b) adaptation of state buildings to residential buildings, from which 99 housing units have been obtained that were added to the public fund of social housing. Families of Roma and Egyptian minorities comprise 42% of the general number of the beneficiaries.

Article 12 – Social Care

83. Law no. 10 107, dated 30.3.2009, “On health care in the Republic of Albania”, amended by law no. 27/2019 determines the main principles and the legal framework for regulating, organizing and functioning of the health care system in the Republic of Albania. Health care is led by the following principles:

- The right to health care is a fundamental right of the individual;
- Guarantee of equal rights in health care, based on non-discrimination;
- Health care system works based on efficiency and quality of the service, by guaranteeing the safety of the patient and impartiality;
- Participation of different actors, patients, consumers and citizens;
- Accountability toward citizens.

84. This law foresees providing of the essential health care through a network of health professionals and institutions based on the principles of the family health care. The essential health care is provided without limitations in regards to illness, age, gender, economic situation or categories of patients. The essential health care fulfils the needs for the basic health care, nursery care, prevention and rehabilitation when these do not require treatment and examination technics provided by other levels of health care. The legal framework foresees the providing of the hospitalization care as well; medical emergency service; public health; mental health, etc.

Mental care

85. Law no. 44/2012 “On mental care”, amended, aims the protection and promotion of mental health, prevention of the problems related to it, guaranteeing of the rights and improving of life quality for the persons with mental health disorders. This is guaranteed through the measures that contribute in providing or re-establishing of the mental equilibrium of the individual, by empowering the individual capacities, by promoting integrity and improving acceptance and fighting discrimination and stigma in the social environment of it.

86. General principles of care in the services of mental health guarantee equal treatment and non-discrimination of the persons with mental health disorders from multi-disciplinary teams that respond in a complex way to the medical, psychological, social and rehabilitating needs in an open environment, possibly in a community level, in order to avoid as much as possible the displacement from the family environment and to facilitate the integration and social rehabilitation.

87. As well this law through specific provisions, guarantees protection from discrimination, torture, inhuman and degrading treatment of the persons with mental health disorders, by providing effective protection from discrimination and from every form of behavior that encourages discrimination, based on this law and the legislation effective, in this area, as well as no person with mental health disorders will not be subject to torture, punishment or degrading inhuman treatment.

88. Ministry of Health and Social Protection has approved the Law No. 44/2012, "On Mental Health", with the objective to strengthen the legal protection of the rights of the people with mental health disorders.

89. In regards to the strategic framework in the area of mental health, the Action Plan for the Development of the Mental Health Services 2013 – 2022 is being implemented, where the vision for the future continue to be inspired by the philosophy of protection of the rights of the persons with mental health disorders and special needs and of the fight against exclusion and social discrimination through establishing of an integrated network of the mental health services for treatment, rehabilitation and social reintegration.

90. The establishment of this integrated network of mental health services is based on the achievement of two major strategic objectives, the one on Decentralization of the mental health services through extension and enrichment of the existing network with services closer to the community and Deinstitutionalization, through reduction of the number of psychiatric beds and establishment and strengthening of the mental health community services.

Protection of the rights of the persons detained from the Police.

91. Law no. 108.2014 "On State Police", amended, foresees: the right to present a request/complaint verbally or by writing to the directors of the police or other state institutions from every person detained, pre-detained or arrested in the premises of the police office as well as every other citizen related to the conduct and police actions, as well as the obligation of the police to file, treat, resolve and send a response to the person who presented the request/complaint.

92. It is drafted and implemented the standard procedure of the work for the treatment and safety of the persons detained/arrested in the premises of the police office and the resolving of their requests/complaints. Part of the standard procedure for treatment of the persons detained/arrested are the rules on evidencing, treatment and resolving of the requests/complaints presented by the pre-detained, detained and arrested persons. In 2019 the Order no.925, dated 18.07.2019 is approved "On approval of the standard procedure of work: "Treatment and safety of the persons arrested/taken into custody in the premises of the State Police, evidencing and resolving of their requests/complaints." As well standard procedures of work "On technical rules of escorting into the Premises of State Police are approved with the order no.938, dated 24.07.2017 of the General Director of the State Police.

93. During the period 2019- ongoing, General Directorate of State Police has issued a number of administrative acts:

- Notice no. 3582, dated 02.05. 2019 "On implementation of the rules and standard procedures for treatment and safety of the persons taken into custody, arrested or detained, in the premises of local units of the police.";
- Notice of General Director of the State Police (GDSP) no. 5669/2, dated 15.08.2019 "On human rights respecting during use of force in fulfillment of the legal duties and responsibilities of State Police.";
- Letter of Request of the General Director of the State Police no. 5126, dated 15.08.2019 "On prevention and elimination of the discriminating conduct that affect their dignity.";
- Letter of Request of the General Director of the State Police, no. 6104/3, dated 02.09.2019 "On acknowledging the report and implementing of the recommendation of the European Committee for Prevention of Torture for respecting and guaranteeing of the rights of the persons deprived of their freedom in the premises of State Police";
- Letter of Request of the General Director of the State Police no. 278/1, dated 15.01.2020 "On the correct implementation of law and respect of the human rights, in particular of the rights of the children, during execution of the police procedural actions from the staff of State Police.";
- Notice no. 1449/2, dated 02.03.2020 "On implementation of the rules and standard procedures for safety and treatment of the arrested/taken into custody and detained in the premises of police units.";

- In point 80 of the draft-report it is suggested to add the following administrative acts as well:
 - Letter of Request of the General Director of the State Police no. 4641/2 dated 26.08.2020 “On escorting/taken into custody of the persons, respecting and guaranteeing of their rights in the premises of State Police, pursuant to legal and sub-legal acts;
 - Notice of the General Director of the State Police, no.293, dated 16.02.2021 “On respecting and guaranteeing of the rights of the persons when taken into custody, detention or arrest in the premises of State Police, as well as the right of organization, participation and peaceful demonstration of the minors”.

Articles 13 - 14 – The right to education; Scientific Research

94. Law no. 69/2012, dated 21.06.2012 “On pre-university educational system in the Republic of Albania (amended)” guarantees the right to education to the Albanian citizens, foreign citizens and those without citizenship, without discrimination in terms of gender, race, color, ethnicity, language, sexual orientation, political or religious convictions, economic or social status, age, residing location, disability or other grounds being referred to in the Albanian legislation. (article 5). The persons, belonging to national minorities, are provided the opportunity to learn and be taught in their mother tongue, to learn their history and culture in accordance to the teaching plans and syllabuses. (article 10)

95. Law no.96/2017 “On national minorities on the Republic of Albania” (article 13) foresees The Right to Education in the Language of the Minority: 1) Persons belonging to a national minority enjoy the right to learn in the minority language. 2) Persons belonging to national minorities in local self-government units where they reside traditionally or in substantial numbers, if there is sufficient demand, are provided with the opportunity to learn or take minority language lessons in accordance with the legislation relevant in the area of education. The law foresees:

- Criteria for local self-government unit to determine the fundamental number and the required request are determined with the decision of the Council of Ministers, with the proposal of the ministers in charge for education and local issues;
- The adaptable measures in the area of education and research, with the aim of inciting learning of culture, history, language and religion of national minorities and of majority, in accordance with the respective legislation in the area of education, are approved with the decision of the Council of Ministers, with the proposal of the Minister in charge for education, in accordance with the relevant legislation in the area of education;
- Adoptable measures for creating the opportunities and conditions for provision with school textbooks, primary education, training and continuing professional development of teachers, as well as for establishment and functioning of classes in the language of the national minorities are approved with the decision of the Council of Ministers, with the proposal of the Minister in charge for education, in accordance with the relevant legislation in the area of education;
- Persons who belong to national minorities, have the right to establish and manage private institutions of the pre-university education system and institutions of professional education, when they fulfill all conditions foreseen in the effective legislation in the area of education.

96. Pursuant to law no.96/2017, in the area of education there are a number of sub-legal laws for guaranteeing the right to education of national minorities, establishing and functioning of classes for their learning, equipment with textbooks etc. DCM no. 561, dated 29.9.2018, “On provision with textbooks for students, elementary education, continual professional development of teachers as well as the establishing of classes in the language of national minorities”; Based on DCM no. 561, dated 29.9.2018, the initiative to establish classes in the language of the national minorities might be taken by the respective unit of

local self-government, the respective local education unit and the community of the area where the classes of national minorities are being expected to start. Classes in the language of national minorities start when the number of students of the minorities is no lower than 15 students per class, while in special cases when the number of the students from the minorities is lower than 15 students per class, the functioning of the classes with students from the minorities is done with the order of the Minister in charge for education.

97. DCM no. 562, dated 29.9.2018, foresees the relevant measures for inciting the recognition of culture, history, language and religion of the national minorities in the educational and scientifically activity of the institutions of university studies. Based on DCM no. 227, dated 17.4.2019, "On preparing, printing and distribution of the textbooks of elementary education for the students of public pre-university institutions where students of national minorities study", the textbooks in the mother tongue of national minorities are prepared, printed, published and distributed. This decision and the joint instruction of the Minister of Education, Sport and Youth and Minister of Finance and Economy no.18, dated 1.7.2020, "On procedures of use of state budget funds for publishing, printing distribution and sale of textbooks of pre-university education", determines that the students of the elementary education of the national minorities are provided with free textbooks in their mother tongue.

98. DCM no.1155, dated on 24.12.2020 "On criteria for determining of the local self-governance unit, the fundamental number and the requests required of the persons from national minorities to be educated in the language of national minority" This decision aims to guarantee the persons belonging to national minorities, the right to be educated in the language of the national minority in education pre-university institutions, appointed with the order of the minister in charge as well as to study the history, tradition and their culture, according to the curricula/curriculum and programs approved by the ministry in charge for education.

99. DCM no. 486, dated 17.6.2020, "On printing, publishing, distribution and sale of textbooks of the pre-university education system" and DCM no 682, dated 29.7.2015, "On use of public funds for transportation of the education working staff and students whose schools are located out of their residence place" (amended) foresees concrete measures for guaranteeing of the right of education for national minorities. From educational year 2020-2021, students in the basic education belonging to national minorities as well as the students in pre-university education that belong to Roma and Egyptian minorities benefit a budget support for compensation to 100% of the cost of education textbooks. Joint Instruction no. 18, dated 1.7.2020, of the minister of Education, Sport and Youth and Minister of Finance and Economy, "On procedures of use of the state budget funds for publishing, printing, distribution and sale of textbooks for pre-university education.

100. Pursuant to law no. 96/2017, Ministry of Education, Sports and Youth co-proposing with the Ministry of Culture have proposed Decision of the Council of Ministers no. 463, dated 3.7.2019, "On determining of the directions for approval of the strategies, programs and action plans for promoting and creating the necessary conditions for the persons belonging to national minorities to use and develop the fundamental elements of the identity of the national minorities including their language". In educational pre-university institutions where students of national minorities learn, there are specific plans for the promotion of culture, language and identity of the national minority.

101. Agency for Quality Assurance in Pre-University Education (AQAPUE) has drafted the educational plan including the plans for national minorities. AQAPUE has trained the teachers of the pre-university education system, including the teachers of national minorities for the following issues:

- Competence-based curriculum;
- Curriculum planning;
- Methodology of teaching for the competence-based curriculum;
- Evaluation of Students with the new curriculum.

102. Teachers of national minorities are trained every year by the Agency for Quality Assurance in Pre-University Education (AQAPUE) for teaching of Competence-based curriculum. In the framework of professional development of the staff of education, professional networks have been established for every subject for pre-university education. Some of these subject-matter networks are led by teachers from national minorities. The school curriculum includes the culture, history and traditions of national minorities. Providing of support materials is foreseen (guidelines, training programs, teaching modules) for teachers in order to treat in a more effective way the culture, traditions and history of the minorities during the teaching practices in class/school.

103. Law no. 80/2015 “On higher education and scientific research in higher education institutions in the Republic of Albania” foresees that higher education Higher education as a good and public responsibility and has the mission: (article 1): to create, develop, transmit and protect knowledge through teaching, scientific research, as well as to promote and develop arts, physical education and sports, to provide equal opportunities to benefit from higher education and lifelong learning, to contribute to the economic, social and cultural development at national and regional level, as well as to the strengthening of public and national security.

104. In article 4 of the law, (points 2 and 3) it is foreseen that the state guarantees education also for individuals who meet the criteria for admission in a first cycle study program, in an integrated study program or in a vocational study program, but who do not have the financial means to pay them. Education to these study programs is also guaranteed to individuals, whose right is recognized by special law.

105. In the decision of the Council of Ministers no. 562, dated 29.9.2018 “On relevant measures for promoting of culture, history, language and religion of the national minorities in the educational and scientifically activity of the institutions of higher education” it is foreseen that public institutions of higher education that have as the object of their educational and scientific activity, the social sciences and education, include in their education, research and scientific activity the recognition, researching and promoting of the culture, history, language and religion faith of the national minorities. As well they include, support and encourage the realization of the scientific activities for recognizing, research and promoting of the culture, history, language and religious faith of the national minority.

106. Students who pursue the studies in the first or second cycle or the full PhD studies in the institutions of higher education, related to culture, history, language and religious faith of the minorities, shall benefit partial or complete financial support from the state budget funds. The criteria for benefiting the full or partial support are determined with the instruction of the Minister in charge for education. The Ministry of Education, Sport and Youth through activities, awareness campaigns and coordination with the institutions of the higher education, promotes the recognition of the culture, history language and religious faith of the national minorities.

Article 15 – Participation in cultural life

107. The National Strategy for Culture 2019-2025,¹⁴ objective is “Promotion and representing of cultural values of the Albanian arts and heritage (tangible and intangible) in important international activities and presenting best practices. The specific objective is "Promotion of the values of art and cultural heritage". For the preservation and promotion of the cultural heritage of national minorities in the country will be determined the financial support of various cultural and research activities of this heritage with the aim of protecting and cataloging and digitizing the preservation of culture and identity of national minorities and banning practices aimed at assimilation of their distinct culture and identity. This activity will be carried out in close cooperation with the Committee of National Minorities.

108. "Education through culture" provides and creates the necessary conditions for the preservation, promotion, protection, cataloging and digitization for the preservation and

¹⁴ Approved by DCM no. 903, No. 903, dated 24.12.2019.

development of culture and identity of persons belonging to national minorities as property, value and part of national cultural heritage.

109. Law no. 96/2017 on national minorities (article 12) "Preservation of the cultural identity of national minorities" provides that:

- Persons belonging to national minorities have the right to preserve and develop their linguistic, cultural, religious and cultural heritage throughout the territory of the Republic of Albania;
- Persons belonging to national minorities enjoy, in accordance with the provisions of Article 2, of this Law, the right to celebrate events related to the promotion of their distinct cultural identity;
- Strategies, programs and action plans to create the necessary conditions for national minorities to preserve and develop their distinct identity are adopted by a decision of the Council of Ministers, upon the proposal of ministers responsible for education and culture;
- Without prejudice to measures taken in accordance with the general integration policy of national minorities, policies or practices aimed at the assimilation of persons belonging to national minorities against their will shall be prohibited.

110. Pursuant to law no.96/2017 the following are approved:

- DCM no.462, dated 3.7.2019 "On approval of the necessary measures and policies that insure the participation of the persons belonging to national minorities, in the public, cultural, social and economic life of the Republic of Albania", among others foresees:
 - Persons belonging to national minorities are guaranteed equal participation in the public, economic, social and cultural life of the country;
 - Persons belonging to national minorities, enjoy in particular the rights regarding issues of preservation, protection and promoting of the culture, tradition and identity of the minority they belong to;
 - DCM no 463, dated on 3.7.2019 "On determining the directions for the approval of strategies, programs and action plans for the promotion and creation of the necessary conditions for persons belonging to national minorities to use and develop the basic elements of the identity of national minorities, including their language".

111. Persons that belong to national minorities enjoy the right to protection and development of their distinguished identity in Republic of Albania, concretely:

- Ministry in charge in the area of culture and ministry in charge in the area of education, sport and youth have the obligation to determine the directions for the approval of strategies, programs and action plans for the promotion and creation of the necessary conditions for persons belonging to national minorities to use and develop the basic elements of the identity;
- The national program "Education through culture" foresees and creates the necessary conditions for the preservation, promotion, protection, cataloging and digitalization for the preservation and development of culture and identity of the persons belonging to national minorities and the prohibition of practices aimed at assimilating their distinct culture and identity;
- Planning of special activities for public institutions of pre-university education, in order to preserve, promote, and develop cultures, distinct cultural identity and languages of national minorities;
- Supporting young people and youth organizations to organize awareness and promotional activities for the preservation and development of cultures, identity and languages of national minorities, as well as the preservation of their cultural heritage;

- Promoting of programs and projects for the preservation and development of cultures, languages and key elements of identity of persons belonging to national minorities, development of activities in consultation with them and their representatives, based on the needs of different groups and in accordance with transparent procedures.

112. Ministry of Culture's objective is the provision of more access and active participation in culture by developing and implementing projects that preserve and protect the cultural identity and languages of national minorities. Activities to achieve this objective include:

- Financial support from MoC of the network of activities organized by cultural associations of national minorities or that includes the culture of different cultural groups;
- Publication of written literature in the language of minorities, with or without translation into Albanian;
- Increasing the representation of groups from national minorities in national and international art festivals organized by MoC;
- Providing professional assistance and advice on standards for documenting diversity and intangible heritage of minorities (trainings, workshops).

113. For the projects submitted by the national minorities, for the first time it is foreseen the determination by percentage for the projects from the national minorities specifically:

- "Out of the total number of projects that will be financed, 5% (five) of them will be supported with financial and logistical resources and / or materials for cultural associations / individuals who have applied and belong to national minorities.";
- Ministry of Culture, in the call for project proposals that organizes every year, financially supports, based on the quality level, the projects of persons belonging to national minorities in terms of protection of cultural, ethnic and linguistic identity and their cultural heritage;
- Criteria and procedures for the participation of representatives of national minorities in various projects are made in accordance with law no. 10352, dated 18.11.2010, "On art and culture", amended, and the annual instruction issued by the Ministry of Culture, "On calls for project proposals".

Information- access to media

114. Law no. 96/2017 on national minorities foresees:

- Persons belonging to national minorities are guaranteed and enjoy the right to express opinions and views, as well as to receive and disseminate information in the minority language, without discrimination and without the interference of public authorities;
- Persons belonging to national minorities have the right to have their own print and electronic media, in accordance with the legislation in force in the Republic of Albania on print and electronic media;
- Persons belonging to national minorities have the right to use the services of audio and audiovisual media, without discrimination, in accordance with the conditions, criteria and procedures established by the legislation in force for audiovisual media in the Republic of Albania;
- Licensing of broadcasting and television services is done without discrimination and in accordance with the criteria of the legislation on audiovisual media. Persons belonging to national minorities enjoy the right to information in their mother tongue.

115. Law no. 97/2013 "On audio-visual media in the Republic of Albania sanctions banning of the programs containing or encouraging racial discrimination or other kinds of discrimination. Audio-Visual Media Service Providers do not broadcast programs with content that encourage hate based on race, gender, religion, ethnicity, nationality and every other form of discrimination". Audio-visual broadcasting respects the right of equality and non-discrimination for every reason protected by legal legislation.

II. Information on implementation of recommendations submitted by the Committee On Economic, Social And Cultural Rights

Implementation of the Convention at the national level

116. Pursuant to Article 122 of the Constitution, every ratified international agreement forms part of the domestic legal system after being published in the Official Gazette of the Republic of Albania. Article 116 of the Constitution, which defines the hierarchy of normative acts in force in the territory of the Republic of Albania, establishes international agreements ratified after the Constitution and on the laws of the country. Thus, in the event of a conflict between a law and an international agreement, the latter always takes precedence.

Training of law enforcement personnel

117. The legislation on justice reform has made the continuing training of prosecutors and judicial police officers mandatory. Law no. 96/2016 “On the status of judges and prosecutors in the Republic of Albania”, provides that the magistrate has the right and obligation to participate in continuing education programs, to propose training topics and to cooperate with the Prosecution Council, in order to improve training programs. Continuing education is organized by the School of Magistrates or by every training institution at national or international level recognized by the Prosecution Council.

118. Central and independent institutions, such as the Ministry of Interior, the Ministry of Justice, the General Directorate of State Police, the School of Magistrates, etc., have developed training on the recognition and implementation of international conventions or the legal framework on human rights, according to areas.¹⁵

Non-discrimination - Equal pay for equal work

119. The amendments to the Labor Code in 2015¹⁶ define some important elements on the safety and health of employees at work, the prohibition of discrimination, labor relations, and the special protection of women. Some of the predictions with a direct impact on women are: improving the concept of sexual harassment in the workplace; the burden of proof; additional guarantees to ensure the return of women to work after the end of maternity leave. These changes provide for non-discrimination in equal pay for men and women.

120. The National Employment and Skills Strategy (NESS) and its action plan 2014-2020, which has been revised until 2022, taking into account the strategic priorities. The indicators until 2022, which are based on a database, were revised, in close cooperation with INSTAT. The indicators of monitoring services and the programs provided by the National Agency for Employment and Skills (NAES) include indicators of gender equality, reflected in the statistical program. Indicators in the labor market information system, of the state database for the Employment Service System, contain data disaggregated by gender.

121. The average gross salary per employee by gender has changed over the years. Since 2017 INSTAT conducts the analysis of the wage gap (Pay Gap). Referring to the publication “Men and women in Albania 2018”, INSTAT concludes that for 2017 the gender gap in labor force participation is 18.1% compared to 17.8% in 2016. Gender gap (GG) in wages for 2017 was 10.5% from 6.3% in 2016. According to INSTAT for 2020,¹⁷ compared to 2018, the average gross monthly salary increased by 3.5%. The Pay Gap in wages is 10.1%. So men have an average gross monthly salary 10.1% higher than women. Compared to 2018, in 2019

¹⁵ Detailed information is provided in the annexes, integral part of the Report.

¹⁶ Law no. 136, dated 5.12.2015 “On some additions and changes to law no. 7961, dated 12.7.1995, “Labor Code of the Republic of Albania”, amended.

¹⁷ <http://www.instat.gov.al/media/7376/men-and-women-2020.pdf>.

there is a decrease in the gender pay gap by 0.6 %. This year, the economic sector, in which the gender pay gap is higher, is the Manufacturing sector, where the value reaches 24.6%. While the economic sector where GG reaches the lowest value, of 0.7%, is the construction sector. According to the main occupational group, the gender pay gap (GG) reaches the highest value for craftsmen, and equipment and machinery assembly workers, at 24.2%. GG reaches the lowest value for the Armed Forces, with 3.0%, so men have an average gross monthly salary 3.0% higher than women.

Women's participation in the labor market

122. The National Employment and Training Strategy 2019-2022 and the Action Plan aim to identify and draft policies to promote employment and vocational training for job creation and employment opportunities and skills, during the life cycle for men and women. The Action Plan focuses on increasing opportunities for decent work through efficient labor market policies, ensuring quality education and training of young people and adults, promoting social inclusion and cohesion, strengthening the labor market system and professional qualifications. The strategy revised the indicators until 2022, which are based on a database, in cooperation with INSTAT. The measures will be implemented with the financial support provided by the state budget, as well as donor projects.

123. The increase in employment has been accompanied by an increase in labor force participation, which reached about 69.8% in 2019. The participation of women increased by 12% during the 2014-2020 period; from 50% in 2013 to 62% in 2019. The change in the level of male/female labor force participation is about 15%. In annual terms, the employment rate for women increased by 2.6% and the unemployment rate for women decreased by 0.3% for the 2018-2019 period. According to the Labor Force Survey (INSTAT), the gender gap in employment in 2016 was 11.9%, in 2017 it was 13.6% and in 2019 it was 14%. The gender participation gap remains high within the market, although the registration of both genders in employment offices is almost equal.

124. Labor market table, referring to the Labor Force Survey: Source: INSTAT

	2015	2016	2017	2018	2019 (First trimester)	2020
Participation in the labor market	64.2	66.2	66.8	68.3	69.8	
Women	55.1	58.3	57.7	59.7	62.0	61.9
Men	73.4	74.1	75.8	76.9	77.7	77.6
Total employment rate (15-64 years old)	52.9	55.9	57.4	59.3	61.6	61.4
Employment rate for women	45.5	49.7	50.3	52.4	54.8	54.2
Employment rate for men	60.5	61.9	64.3	66.7	68.5	68.7
Total unemployment rate	17.5	15.6	14.1	12.8	11.6	11.4
Unemployment rate for women	17.4	14.6	12.8	12.3	11.4	11.9
Unemployment rate for men	17.5	16.4	15.1	13.2	11.8	11.0
Unemployment rate for youth	33.2	28.9	25.9	23.1	21.4	20.0
Women	34.7	27.8	24.0	23.1	21.5	20.2
Men	32.3	29.7	27.0	23.1	21.2	19.9

125. Public vocational secondary education:

- During the 2017-2018th school year, 19019 students were enrolled in public vocational high schools throughout the country, of which 2715 were female or 14% of the total;
- During the 2018-2019th school year, 19311 students were enrolled in public vocational high schools across the country, of which 3102 were females or 16% of the total;
- Gender monitoring and reporting of labor market information and employment programs showed that they have had a positive impact on providing equal employment for women in line with monitoring indicators.

126. In the National Employment and Skills Strategy 2019-2022 and the Action Plan (approved by DCM no. 659, dated 10.10.2019, seen in the gender perspective, measures are provided on expanding the range and scope of services and active labor market programs.

Independent bodies

The Commissioner for Protection from Discrimination

127. The Institution of the Commissioner for Protection from Discrimination (CPD), as a public and independent institution, “provides effective protection from discrimination and against any form of conduct that promotes discrimination”. The Law on Protection from Discrimination, as amended,¹⁸ is a guarantee regarding the observance of human rights without discrimination, in areas such as education, employment, goods and services. In addition to the central office, the Commissioner exercises his activity through the regional offices in Korça, Shkodra, Fier.

128. The Commissioner has the authority to review the complaints of the subjects and to conduct administrative investigations on his own initiative after receiving reliable information on violations of this law. It also aims to: promote the principle of equality and non-discrimination, especially by raising awareness and giving information on these issues; monitoring and conducting surveys related to discrimination, publishing reports and making recommendations on any kind of discrimination-related issue; making recommendations by proposing the adoption of new legislation, or the amendment or reform of existing legislation.

129. He also has the right to file a lawsuit, in defense of the principle of equality and non-discrimination, for issues related to collective interests and he puts into motion the Constitutional Court, when, during his activity, he finds that the law or normative act violates the fundamental rights and freedoms of the individuals.

130. Some of the recommendations presented by the CPD have aimed the implementation of the principles of the Law on Protection from Discrimination:

- On the draft law “On national minorities in the Republic of Albania” and by laws;
- On the draft law “On social housing programs”;
- On the draft law “On social programs for housing residents of urban areas”;
- Recommendation on housing of Roma and Egyptian families, in the area of Selita, Tirana;
- Recommendations on bylaws pursuant to law no. 22/2018 “On social housing”;
- Recommendation to the Ministry of Education and Sports. Taking measures to guarantee protection from discrimination for all children with disabilities, for disadvantaged groups, such as children with disabilities Roma, Egyptians, children with disabilities from poor families;

¹⁸ With Law no. 124/2020 for some additions and amendments to law no. 10221, dated 4.2.2010 “On protection from discrimination”, approved on 15.10.2020 and entered into force on 18.11.2020.

- Recommendation for the approval of an additional fund of the economic assistance scheme;
- Recommendation regarding the financial support “On taking measures to provide housing assistance to the needy in the conditions of the epidemic caused by COVID-19”.

The People’s Advocate

131. Article 2 of Law no. 8454, dated 04.02.1999 “On the People’s Advocate”, as amended, stipulates that “... The People’s Advocate defends the rights, freedoms and lawful interests of the individual from unlawful and incorrect acts or omissions of public administration bodies as well as third parties acting on its behalf”. With the entry into force of Law No. 10221, dated 4.02.2010 “On the protection from discrimination”, the institution of the Commissioner for Protection from Discrimination (Equality Body) was established, whose law defines as the main object of its activity, provisions of effective protection from discrimination for each individual, as well as their protection from any form of behavior that promotes discrimination (Article 21/1).

132. The People’s Advocate addresses issues where allegations of violations of other human rights are raised. There is effectively a division of labor between the two institutions, the People’s Advocate and the Commissioner for Protection from Discrimination. This division is not a well-defined issue within the law, but it is a matter of good practice, established between these two institutions and formalized through a Memorandum of Cooperation signed between the parties on 28.05.2018.

133. The object of this memorandum is the institutionalization of relations between the parties in order to resolve the conflict of competing powers, which may exist between the People’s Advocate and the Commissioner for Protection from Discrimination, due to the content of laws which regulate their activity in the framework of guaranteeing the human rights and freedoms.

134. The Albanian Parliament has approved the decision no. 49/2017 “On the establishment of a mechanism for the systematic monitoring of the follow-up and implementation of the recommendations of independent constitutional institutions and those established by law”, which includes the suggestions of the People’s Advocate. The Institution of the People’s Advocate has monitored and is monitoring the level of implementation of the recommendations addressed to the public administration bodies through the preparation of updated information which becomes part of the periodic or annual reports.

135. The People’s Advocate has addressed the problems of the Roma national minority and the Egyptian national minority, who still face many inclusion and integration obstacles in the social system: housing, civil registration, economic assistance, education, employment, vocational training, health care. This institution has sent a series of recommendations to the responsible institutions in the framework of improving living conditions for the integration of Roma and Egyptians.

- Recommendation on completing the legal framework for the recognition and protection of national minorities, in accordance with the provisions of the Council of Europe’s Framework Convention “On the Protection of National Minorities”, addressed to the Prime Minister. This recommendation has been implemented with the entry into force of law no. 96/2017 “On the protection of national minorities”, or the approval and entry into force of some of the bylaws in the implementation of this law;
- Recommendation for accelerating the process of approval and entry into force of bylaws to be issued on the basis and implementation of law no. 96/2017 “On the protection of national minorities in the Republic of Albania”, addressed to the Prime Minister and the Central Election Commission;
- Recommendation “On taking the necessary, immediate measures for the Roma minority and the Egyptian minority. To identify the real number of individuals and families in need, part of the Roma and Egyptian communities, located within the

territory of the administrative unit, administered by the municipalities, there has been a good reaction to this recommendation from most local government units;

- Recommendation for taking further measures to cover the financial costs of providing protective barriers (masks) against the spread of Covid-19, for persons of the Roma minority and the Egyptian minority.

136. The People's Advocate has paid special attention to the institutional commitment to the fight against hate speech and the measures that the state and Albanian society must take against this phenomenon. "The Alliance against Hate Speech" was established on December 20, 2019 in Tirana, as an initiative of the People's Advocate, the Commissioner for Protection from Discrimination, the Audiovisual Media Authority and the Albanian Media Council to combat the phenomenon of "hate speech" in all the dimensions that it appears in the Albanian society. The creation of the "Alliance against Hate Speech" is a good example that should not be alone and sufficient in this effort that requires comprehensive commitment.

137. "The No Hate Alliance" and its founding institutions: the People's Advocate, the Commissioner for Protection from Discrimination, the Audiovisual Media Authority and the Albanian Media Council will work together to promote and advocate in the fight against hate speech and discrimination in Albania. "The No Hate Alliance" consists of a common approach to promote diversity and more specifically will:

- Develop communication and information materials to raise awareness and promote diversity and freedom of expression such as brochures, reports, campaigns, etc. to reach its audiences and the general public;
- Encourage cooperation with partner organizations and agencies that play a role in the combat against discrimination and hate speech such as the Ministry of Education, Youth and Sports, Internet Service Providers (ISPs), journalists' organizations, civil society organizations, organizations for consumer protection etc;
- Support partners in identifying effective mechanisms to combat hate speech based on European practices and standards;
- Identify mechanisms for improving information sharing and staff training.

Inclusion and accessibility of persons with disabilities

138. Law no. 93/2014 "On the inclusion and accessibility of persons with disabilities", aims to: a) guarantee the promotion and protection of the rights of persons with disabilities to enable their full and effective participation, the provision of assistance support, as well as the designation of public and non-public bodies, in the implementation of the principles of inclusion and accessibility.

139. National Action Plan for Persons with Disabilities (PWD) 2021-2025, approved by DCM no. 76, dated 12.5.2021 provides that policies for persons with disabilities for the period 2021-2025, aim the combination of the implementation of legislation, the provisions of the Convention on the Rights of Persons with Disabilities; recommendations of the UN Convention Committee "On the Rights of Persons with Disabilities".

140. The Sustainable Development Goals, the NSDI, EU and UN standards have been taken into account, as well as the EU PWD Strategy 2021-2030, as a precondition for European integration. Cooperation with institutions; civil society organizations and international partners will be relevant to this plan, to the cooperation and monitoring mechanisms.

141. In Law no. 93/2014 "On inclusion and accessibility" and its bylaws, measures have been taken for accessibility in infrastructure, communication and services. Local accessibility plans have already been drafted for Pogradec, Lezha and Përmet. These are the first models of access plans in the implementation of national legislation. The Ministry of Health and Social Protection has improved accessibility standards in health institutions, being a model for accessibility standards in priority facilities.

142. Free legal aid is guaranteed by the state in accordance with Law no. 111/2017 “On legal aid guaranteed by the state” and bylaws, providing primary legal aid service in regional centers of legal aid service for persons with disabilities among others.

143. The Ministry of Justice approved the Law “On official translation, the profession of official translator”, which regulates the role of “Translator or sign language translator”.

144. Regarding education, in the academic year 2019-2020 the number of assistant teachers in public schools increased by 13%, to 1069 teachers. During the closure of educational institutions and the development of home teaching due to COVID, the situation of children was monitored by public school assistant teachers (around 1000), who reported on their work with 450 students with disabilities who benefited from online support and counseling of psychosocial services offered by the school.

145. Employment and Skills Strategy: Employment and vocational training policies include employment issues for people with disabilities; assessment of jobseekers with disabilities; improvement of data and raising awareness of the right to employment of persons with disabilities. There are 645 persons with disabilities registered as unemployed jobseekers at the Employment Offices. According to the data, there are 56 unemployed PWDs who receive professional training from VTC centers. The implementation of these measures is also in long-term development through on-the-job support for persons with disabilities. Legislation adopted for the Social Employment Fund and its implementation will improve the promotion of employment, integration and social inclusion of persons with disabilities, deemed partially suitable for work by the relevant committees.

Roma and Egyptians

146. National Action Plan for the Integration of Roma and Egyptians 2016-2020, approved by DCM no. 1072 dated 23.12.2015, is based on the basic principle of non-discrimination. This Plan has been focused on the two respective minorities, and provides activities to promote the integration of Roma and Egyptians with funds provided by the state budget, but also identifies the financial gap for the period 2016-2020, as well as the possibility of funding through coordination with foreign aid.

147. This Action Plan has included 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. According to the cost of the National Action Plan for the Integration of Roma and Egyptians, part of this document, it turns out that about 60% of the funds needed to implement the measures will be covered by the state budget, thus fulfilling the recommendations of the European Union.

148. From the recommendations of the Fourth Policy Dialogue Seminar on Roma and Egyptian Inclusion, the priority sectors are: (i) Civil registration and access to justice; (ii) Education and promotion of intercultural dialogue; (iii) Employment, training and vocational training; (iv) Healthcare; (v) Housing; (vi) Social care; and (vii) Anti-gypsyism. The process has been formalized with the establishment of the working group with Order no. 521, dated 23.09.2020 of the Minister of Health and Social Protection, for the drafting of the national action plan for the integration of Roma and Egyptians, 2021-2025.

149. During December 2020, seven consultative meetings (webinars) were organized on responsive Roma budgeting within the European Union and Council of Europe program ROMACTED with partner municipalities and in cooperation with the Ministry of Health and Social Protection and the Ministry of Finance and Economy, the Albanian School of Public Administration. These activities aimed to facilitate the budgeting process, to include the needs and priority projects foreseen in the Local Plans for the Integration of Roma and Egyptian Minorities in the 2021 budget.

150. The Ministry of Health and Social Protection is following the process of drafting the new Plan for the inclusion of Roma and Egyptians 2021-2025. The process has been formalized with the establishment of the working group with Order no. 521, dated 23.09.2020 of the Minister of Health and Social Protection. Consultations were organized in all areas

such as education, social protection, civil registration and access to justice, health care, social housing and anti-racism against Roma and Egyptians.

151. At the local level, local development plans for the Roma and Egyptian minorities have been approved in some municipalities of the country, which address priority areas for the inclusion and integration of these minorities, such as: employment, housing, health, service delivery, social protection and civil registration. These local plans represent good models where Roma issues are addressed exclusively, but are also included under a more general local framework of social cohesion among other social groups. The plans approved by the Municipal Councils are:

- In the Municipality of Tirana with the Decision of the Municipal Council no. 4 dated 31.01.2018, the Local Development Plan of the Roma and Egyptian Community 2017-2020 has been approved;
- Municipality of Roskovec: Social Plan 2019 -2022;
- Municipality of Fier: Local Action Plan for the Integration of Roma and Egyptian Minorities 2019-2022;
- Municipality of Përmet: Local Action Plan for the Integration of the Egyptian Minority 2019-2022;
- Municipality of Pogradec: Local Action Plan for the Integration of Roma and Egyptian Minorities 2019-2022;
- Municipality of Vlora: Local Action Plan for the Integration of Roma and Egyptian Minorities 2019-2022;
- Municipality of Elbasan: Local Action Plan for the Integration of Roma and Egyptian Minorities 2019-2022;
- Municipality of Korça: Local Action Plan for the Integration of Roma and Egyptian Minorities 2019-2022.

152. In 2018, order no. 754, dated 9.11.2018, of the Minister of Education, Sports and Youth, “On the approval of the Roma language program, level III-IV, grades VI-IX”. This program is valid for the development of Roma language teaching in secondary education as an elective subject. Roma language program, level III-IV, grades VI-IX, was drafted and approved in implementation of the National Action Plan for the Integration of Roma and Egyptians 2016-2020.

153. The sub-legal framework in the field of education provides the exemption from the annual tuition fee for students who have been admitted to vocational study programs, undergraduate programs or integrated study programs in public institutions of higher education, among others, students belonging to socially disadvantaged groups, such as Roma and Egyptian students. This provision is implemented according to DCM no. 269, dated 29.3.2017 “On determining the categories of individuals who meet the admission criteria in a program of the first cycle of studies, in an integrated program of studies or in a program of professional studies, which are exempted from the annual tuition fee”.

154. In the Decision of the Council of Ministers no. 780, dated 26.12.2018, “On determining the categories of individuals who meet the criteria for the reduction of the annual tuition fee in the second cycle study programs in public institutions of higher education”, it is provided that Roma and Egyptian students, confirmed as such by the ministry responsible for social protection, who attend studies in public institutions of higher education, in a program of the second cycle of studies, according to the following categories, pay 50% of the annual tuition fee approved by public institutions of higher education.

155. Inter-ministerial agreements have been signed for the identification and enrollment of all children of compulsory school age, as well as for children in street situations, etc. The initiative “We do homework” is being implemented in basic education schools. In each educational institution involved in this initiative, 3 hours of study per day for each created class. The teachers in charge also perform the role of mediator in the schools where there are Roma and Egyptian students, in order to increase their level of learning. Roma minority

students and Egyptian minority students are integrated in all activities organized by “Community Center Schools”, where they attend classes.

156. Access to education: The participation of Roma and Egyptians in undergraduate education in the 2018-2019th school year has improved by 6%.

- In 2018-2019 school year, 15923 Roma and Egyptian students were enrolled, 915 more compared to 15008 who were enrolled in 2017-2018 school year;
- In 2019-2020 school year, 14525 Roma and Egyptian students.

Independence of the Judiciary

157. The 2016 constitutional changes paved the way for the reform in the justice system. The new constitutional and legal framework for the reformation of the justice system, among other things, provided for the organization and functioning of the new governing bodies of the justice system, namely the High Council of Justice (HCJ), the High Prosecution Council (HPC), Judicial Appointments Council (JAC), the High Inspector of Justice (HIJ) and the School of Magistrates. This legal package also enabled the establishment of a new constitutional structure, the High Council of Justice. The Council was established to oversee these changes and to ensure a better functioning of the judiciary in Albania.

Housing

158. Law no. 22/2018 “On social housing” defines the rules and administrative procedures for the planning, insurance, administration and distribution of social housing programs, in order to create opportunities for adequate and affordable housing, based on the solvency of families in need of housing and with the help of responsible state institutions.

159. Law no. 22/2018 “On social housing” (article 2) provides: “Social housing programs” are programs that serve for housing families and individuals who do not have a home and live in environments that are not classified as places to live or in a temporary apartment, within the provisions of this law, who do not have the economic and financial means to secure a dwelling, as well as those families/individuals whose dwelling is below the legal norm of housing and who do not have the income to provide payment for a minimum rent in the free market.

160. “Eviction” is the permanent or temporary removal, against the will of individuals, families and/or communities from dwellings, formal and informal buildings or structures that are not classified as dwellings and/or from the land they possess, without due legal process, in the absence of consultation and provision of alternative, adequate and effective housing, as well as without providing effective legal protection.

161. "Relocation" is the permanent or temporary removal, with or against the will of individuals, families and/or communities from dwellings, formal building or structures that not classified as dwellings and/or of the land they possess, through a due legal process, based on consultation with affected entities, on providing alternative, adequate and effective housing, as well as on guaranteeing effective legal protection.

162. This law provides for the relocation procedure in case the stay in a settlement or housing becomes impossible, due to investments of public interest, demolition of the building due to exclusion from the legalization process or other cases, defined in this or other laws.

163. The law provides for the procedure to be followed by the local self-government unit:

- Written notification to the individual/family of the reasons for relocation 30 days prior the issuance of the administrative act for relocation from the apartment;
- Informing the individual/family about alternative housing options;
- Issuing of the administrative act for relocation from the apartment 45 days prior the relocation, notifying the approved form for alternative housing;

- Relocation is not implemented without first providing adequate housing for the displaced individuals/families which do not benefit from expropriation;
- An appeal may be issued with the competent administrative court against the decision of the local self-government unit for relocation;
- Individuals/families affected by the relocation receive legal aid in accordance with applicable state-guaranteed legal aid legislation;
- The transitional provisions of the law stipulate that for two years from the entry into force of the law, no less than 5% of the beneficiaries of the housing programs belong to the Roma and Egyptian minorities.

164. After the approval of Law no. 22/2018 “On Social Housing”, 22 bylaws have been approved in the implementation of this law, which enable its implementation by the local government, thus completing the package of bylaws in the amount of 90%.

165. Regarding relocation and eviction, DCM no. 361, dated 29.05.2019 “On determining the procedures for relocation of individuals/families from their place of residence or housing, in the cases provided by law, and institutional cooperation”, which stipulates in accordance with United Nations guidelines, the procedures of eviction, the timelines and institutional cooperation for resettlement cases. This DCM includes all Albanian citizens, regardless of whether they are owners of the house where they are settled or not. The DCM stipulates that citizens will not be forced to leave their homes, until a suitable solution is provided for them according to the social housing program.

166. During 2019, approximately 118 million ALL were allocated from the state budget, of which 65 million ALL were allocated for the rent subsidy of 674 families who have applied in accordance to the law on Housing. About 15.7% belong to beneficiaries belonging to Roma and Egyptian minorities; 5 million ALL for the subsidy program of the consecutive amount of 24 families, where 100% of the beneficiaries are Roma and Egyptian families and 48 million ALL are given for the 1-month rent subsidy of families affected by the November 26, 2019 earthquake.

167. During 2020, for the implementation of investment projects, about 354 million ALL have been made available from the state budget, of which 92 million ALL for ongoing projects from 2019 and 262 million ALL for the implementation of the first phase of new projects. The rest of the funds are provided from the 2021 state budget funds. Investment projects include investments for: a) the improvement of conditions of existing housing from which 561 families have benefited; b) the adaptation of state buildings to residential buildings, from which 99 housing units have been obtained which are added to the public fund of social housing.

Prevention and violence against women

168. Law no. 47/2018 “On some additions and amendments to law no. 9669, dated 18.12.2006 “On measures against domestic violence”, stipulates the strengthening of protective and procedural measures for a more effective response to domestic violence and protection of victims, through the issuance of the Order for Precautionary Measures of Immediate Protection, preceded by the risk assessment, for each treated case.

169. For the first time, women and girls in intimate relationships are protected, without having official ties to abusers, such as marriage or cohabitation. The law was amended in October 2020, specifying the measures for the removal of the abuser from the apartment and his return at the end of the term of Protection Orders and Immediate Protection Orders PO/IPO, specific rehabilitation programs for the perpetrator, the register of IPOs/POs, etc..

170. Continuous amendments and additions to the Criminal Code¹⁹ foresee domestic violence as a criminal offense with appropriate sanctions (Article 130/a)²⁰:

¹⁹ In 2012, 2013 and 2020.

²⁰ Detailed information is provided below.

- Beating, as well as any other act of physical, psychological violence, against the person who is a spouse, ex-spouse, cohabitant or ex-cohabitant, close relative, close in-laws or in an intimate relationship or former relationship with the perpetrator, resulting in the violation of his/her physical, psycho-social and economic integrity, is punishable by imprisonment of up to three years;
- Serious threat of murder or grievous bodily harm to a person who is a spouse, ex-spouse, cohabitant or ex-cohabitant, close relative or close in-laws or in an intimate relationship or former relationship with the perpetrator, resulting in the violation of his psychic integrity, is punishable by imprisonment of up to four years;
- Intentional injury on a person who is a spouse, ex-spouse, cohabitant or ex-cohabitant, close relative or close in-laws or in an intimate relationship or former relationship with the perpetrator of the criminal offense, which has caused temporary working incapacity of more than nine days, is punishable by imprisonment of up to five years;
- It is stipulated that in case these offenses will be committed repeatedly or in the presence of children, the punishment will go from one to five years of imprisonment;
- In 2013, “Violent sexual intercourse with adults” was made a criminal act, aggravating circumstances and the relevant sentencing.

171. The Prosecution has consistently aimed to provide access and support to victims, especially those of sexual violence, trafficking or domestic violence. In January 2016, the Office of the Victim Assistant was established in the General Prosecutor's Office, as provided in Law no. 97/2016 “On the organization and functioning of the Prosecutor's Office in the Republic of Albania”. This law (Article 68) provides the obligation of the prosecution to guarantee the necessary services for the treatment of entities that enjoy special status, according to the code of criminal procedure and for this each prosecution office must have at least one coordinator graduated in psychology, sociology or other special fields.

172. Law no. 47, dated 23.07.2018,²¹ “On some additions and amendments to law no. 9669, dated 18.12.2006 “On measures against domestic violence”, as amended, aims to:

- Prevent and reduce domestic violence cases;
- Improve the protection measures provided by law in the framework of the immediate protection order and protection order, taking into account especially the improvement of protection measures for children;
- Increase free qualified legal aid;
- Set clear procedural deadlines for registering a request for a Protection Order (PO) and Immediate Protection Orders (IPO), as well as for appeals against court decisions;
- Clearly define the bodies responsible for the performance of duties and the responsibility of officials;
- Explicitly provide the obligation of state bodies to offer any expertise service for cases of domestic violence free of charge;
- Increase the participation of perpetrators in specific rehabilitation services with a special focus on perpetrators of alcoholism, drugs, or mental health disorders, clearly stated in court decisions on the issuance of protection orders.

173. Pursuant to law no. 47, have been approved:

- Directive no. 816, dated 27.11.2018 of the Minister of Health and Social Protection “On the approval of standards for the provision of services and the functioning of Crisis Management Centers for cases of sexual violence”;
- Service Standards Document for ‘Crisis Management Centers for Sexual Violence Cases’ focusing on emergency, one-stop, integrated, 24/7 and short-term (24 hours to 72 hours) service, for victims/survivors of sexual violence as well as for other

²¹ Entered into force on 18.08.2018.

members of their families, was prepared in order to operate these centers as efficiently as possible;

- Joint Directive of the Minister of Health and Social Protection and the Minister of Interior no. 912, dated 27.12.2018 “On the procedures and model of the order for precautionary measures of immediate protection”;
- Joint Directive of the Minister of Health and Social Protection and the Minister of Interior No. 866, dated 20.12.2018 “On the procedures and model of risk assessment for cases of domestic violence”.

174. Coordinated mechanisms for referring domestic violence cases provide integrated access to services for the survivors of violence and provide protection and support to them at the local level and the extension of services to the victims of domestic violence and the establishment of new specific services. Under the coordination of ISSR and with the support of UNDP, 57 Coordinated Mechanisms for Referral of Cases of Domestic Violence have been established and are functioning, from 61 municipalities of the country. Capacity building of Local Coordinators against domestic violence and multidisciplinary technical teams has continued.

175. The government supports a specialized national shelter, as well as three specialized shelters run by NPOs. Centers dealing with trafficking victims provide services for Trafficking Victims and Potential Trafficking Victims TV/PTV, foreign or domestic, children, men or women. These shelters have trained staff to ensure the safety of victims. The National Reception Center for Trafficking Victims and Potential Victims offers a wide range of assistance, such as clothes, food, medical assistance, legal aid, psychological assistance, health care, rehabilitation, and vocational programs. The service runs 24 hours a day and is placed in a high security facility. Social protection is provided jointly by state facilities and non-governmental institutions which cover a wider range of needs and balance each other's capacities.

176. The Center for Crisis Management of Sexual Violence Cases "Lilium" was inaugurated on December 3, 2018, in the premises of the University Hospital Center "Mother Teresa" in Tirana, fully funded by the state budget. The center is the first in Albania to offer a socio-health model, with a multidisciplinary team, with forensic doctors, gynecologists, pediatricians, psychiatrists, clinical psychologists, social workers, police officers, prosecutors, lawyers and nurses, who will provide specialized service according to the standards, 24 hours a day, 7 days a week. 58 people were treated in this center. Awareness campaigns against violence against women have been organized. The National Counseling Line for Women and Girls 116-117 has been operating since 2017.

Protection against human trafficking

177. Albanian criminal legislation criminalizes human trafficking. Amendments to the Code of Criminal Procedure CPC (amended by law no. 35/2017, dated 30.3.2017) significantly improve the rights and position of the victim of criminal offenses, including special provisions for the victim of human trafficking. More specifically, the obligation to participate as a party in the process of the victim of the criminal offense was introduced, guaranteeing its access to the criminal process, other articles are added, specifically for victims of human trafficking, in which the minor victim and sexually abused victim or the subject of trafficking are seen as special figures, respectively Article 58, 58/a and 58/b, 59, 60 and 61 of the CPC.

178. Law no. 97/2016 “On the organization and functioning of the Prosecution Office in the Republic of Albania” improves the access of victims to information through the appointment of a public relations coordinator in each prosecutor's office, responsible for informing the victims. This law (Article 68) stipulates the obligation of the Prosecution Office to guarantee the necessary services for the treatment of entities that enjoy special status, according to the code of criminal procedure and for this each Prosecution Officer must have at least one coordinator graduated in psychology, sociology or other special fields.

179. The Prosecution Office has paid special attention to the rights of human trafficking victims, taking into account the elements related to the creation of appropriate conditions for the interrogation of the trafficking victim, ensuring the presence of a social worker or psychologist, the accommodation of the victim in reception centers where they receive accommodation, food and other services free of charge, etc. Trafficking victims have not been penalized for crimes committed as a result of trafficking (documents forgery, prostitution, etc.), as victims of crimes committed as a result of being trafficking victims cannot be penalized. On the other hand, they have the right to find the support of the Prosecution for entering the witness protection program, if they feel threatened.

180. Law no. 70/2017 “On some additions and amendments to law no. 10192, dated 3.12.2009 “On the prevention and combat against organized crime and trafficking through preventive measures against property”, provides that its provisions apply to the fully or partially owned, directly or indirectly owned assets of persons, on whom there is a reasonable doubt, for committing the crimes provided in the articles of the Criminal Code of “Adult Trafficking” and “Minor Trafficking”. This law stipulates the creation of a special fund for the prevention of organized crime. The special fund is designated for social purposes, including the rehabilitation and integration of trafficking victims (Article 37/2-c). Article 37/3-b provides that this fund also benefits NGOs, including shelters.

181. In the context of preventing and combating the phenomenon of human trafficking, anti-trafficking actions are mainly focused on improving the legal framework, revitalizing and strengthening national structures; on identifying, referring and protecting trafficking victims at central and local levels; on the control of internal trafficking, mainly of children and women; on improving standards of victim identification and protection; on intensifying and developing activities in preventing and raising awareness of the public and of the staff working with assistance services.

182. The Strategy for Combating Trafficking in Human Beings and the Action Plan 2014-2017, approved by DCM No. 814, dated 26.11.2014. The document expresses the approach to the phenomenon of trafficking to create a well-oriented platform of strategic goals and objectives in accordance with other national strategic documents as well as the recommendations of international partners.

183. In order to effectively fulfill the obligations that state and non-state structures at the local level have in the framework of combating trafficking in human beings, as well as to create a more efficient connection between existing structures, in January 2017, the new Order of the Prime Minister was adopted “On the establishment of the Regional Committee on Combating Trafficking in Human Beings, in each region”. The Regional Anti-Trafficking Committees (RATCs) are chaired by the District Prefect and are the main central structure at the local level for the initial identification of potential victims of trafficking, identification of primary problems at the regional level, and assessment of the situation and determination of the specific needs of the county.

184. With DCM no. 770, dated 26.12.2018 “On the approval of the National Action Plan for Combating Trafficking in Human Beings 2018–2020”, the National Action Plan for Combating Trafficking in Human Beings 2018-2020 was approved. The planned activities aimed:

- To improve the functioning of a comprehensive system by strengthening the mechanism for the identification, protection and reintegration of victims of trafficking;
- To raise awareness and public information regarding national legislation and international anti-trafficking conventions, with all forms of trafficking in human beings (internal trafficking, forced labor of children and adults, begging by children, children in street situations, etc.), as well as its consequences.

185. Standard Operating Procedures for the Protection of Victims and Potential Victims of Trafficking (SOP), approved by DCM no. 499, dated 29.08.2018. SOPs are the basic document for the identification, referral, protection and assistance of victims/potential victims of trafficking. The purpose is the protection, including the timely and appropriate identification of victims/potential victims of trafficking, adults or minors, Albanians,

foreigners or stateless persons, for all types of exploitation, domestic or international trafficking, related or not to organized crime.

186. In the framework of preventing and combating the phenomenon of trafficking in human beings, the structures Against Illegal Trafficking have worked to: increase the number of proactive investigations, increase the early identification of victims of trafficking and potential victims of trafficking, and take protective measures and treat them, according to Standard Operating Procedures for the Protection of Victims and Potential Victims of Trafficking; improve the database of victims/potential victims of trafficking for case registration, tracking and monitoring; increase the professional skills of police officers of local anti-trafficking structures, through the organization of ongoing training, in particular on the implementation of “Standard Operating Procedures for the Protection of Victims and Potential Victims of Trafficking”, as well as on the pro-active investigation techniques of criminal offenses of trafficking in persons.

187. Regarding the treatment of child cases - victims of trafficking or potential victims of trafficking identified as high and immediate risk, two national centers have been set up and are functioning, providing emergency service until the decision of the cross-sectoral technical group if the child will be placed in alternative care or will return to the family.

Asylum seekers

188. Law no. 121/2014 “On Asylum in the Republic of Albania”, which was in force until the entry into force of the new law on asylum, in February 2021²² the right to asylum or additional and temporary protection; the rights and obligations of asylum seekers, refugees and persons under temporary and supplementary protection; the content of refugee status and supplementary protection; the right to family reunification, as well as the determination of the conditions for the integration of refugees and persons under additional protection in the Republic of Albania.

189. Law no. 10/2021 “On asylum in the Republic of Albania” is aligned with international standards and EU directives on the proper treatment and management of refugees and migrants entering the Albanian territory, as well as their integration. The law guarantees that asylum seekers have access to the asylum procedure, regulates the conditions for processing their applications, and provides additional guarantees for the treatment of sensitive categories among asylum seekers - such as unaccompanied minors. The law includes an expedited procedure for assessing asylum applications quickly, when the conditions are met.

190. This law applies to all foreign citizens and stateless persons who have declared their intention to apply for international protection in the territory of the Republic of Albania, as long as they are allowed to stay in the territory of the Republic of Albania as applicants for international protection, as well as for their family members. The law stipulates that "Asylum" is the form of international protection that the Republic of Albania grants to refugees and persons in supplementary protection.

191. In article 3 of law no. 10/2021, "definitions" among others are provided:

- "Additional protection" is a form of protection granted to a foreign national or stateless person who does not meet the criteria to be granted refugee status and there are serious and reasonable grounds to believe that in the event of his or her return to his or her country of origin or in the case of a stateless person in his former habitual residence, he is in real danger of facing serious injury and has no possibility, or because of such a risk does not wish to benefit from the protection of that place;
- "Temporary protection" is a special protection procedure, which provides immediate and temporary protection to displaced persons in cases of mass influxes, who cannot return to their country of origin, in particular, if there is the risk that the asylum system will be unable to handle this influx, without creating adverse effects on its effective functioning, in the interest of these persons;

²² Law no. 10/2021 “On asylum in the Republic of Albania”, approved by the Assembly on 1.02.2021.

- “Material conditions of reception” are conditions of reception that include accommodation, food and clothing provided in kind or in the form of financial assistance, as well as daily expenses.

192. Law no. 10/2021 “On asylum in the Republic of Albania” (Article 3) expressly provides that “non-refoulement” is the obligation to stop the expulsion or return of a foreign citizen or stateless person in any way within the borders of territories where his life or freedom is threatened because of his race, religion, nationality, membership in a particular social group or his political beliefs.

Article 11 - The principle of non-refoulement provides that:

(a) The applicant, refugee, person with the status of supplementary protection and temporary protection is not deported, returned or extradited outside the territory of the Republic of Albania: a) in a state where his life or freedom is threatened due to race, religion, nationality, membership in a certain social group or of political beliefs;

(b) In a country where there are credible reasons that it may be in danger of being subjected to torture or inhuman or degrading treatment or punishment as provided for in the European Convention for the Protection of Human Rights and Fundamental Freedoms, as interpreted by the European Court of Human Rights or in international agreements/conventions to which the Republic of Albania is a party;

(c) In a state where there is credible reason that it may be in danger of being forcibly extinct;

(d) In his country of origin, if the aliens have been granted one of the forms of protection in accordance with the provisions of this law.

193. This law (Article 22) provides for the right to legal aid for applicants for international protection, the provision of information on the criteria and procedure of international protection, as well as the right to free legal aid, in accordance with the relevant legislation in force. Article 23 “Language of the procedure and the right to an interpreter” provides that: In cases where the applicant does not understand the language the procedure takes place in, the translation service shall be provided in the language of the state of origin or in a language he understands.

194. Article 44 provides that the Asylum Reception Center is a public legal entity, administratively subordinate to the Minister. The Center informs the responsible authority for asylum and refugees about the procedures of entry, exit or stay of applicants for international protection, carried out according to article 43 of this law. The center must provide the minimum living conditions, including: a) accommodation; b) food; c) health insurance; ç) minimum hygiene conditions. In cooperation with other entities, private or state, domestic or foreign, in accordance with the rights of asylum seekers and refugees, pedagogical and educational programs are developed, as well as free legal advice.

195. The asylum seeker has the right to stay in the National Reception Center for Asylum Seekers (NRC) during the duration of the procedure for granting refugee/international protection status. If the asylum seeker(s) has been denied asylum, he/she is allowed to stay in the territory or to be accommodated in the center until the appeal procedures or their deadlines are completed. If the asylum seeker is able to stay outside the reception center and meets the minimum living conditions, the authority responsible for asylum and refugees decides to remove the asylum seeker from the Center within 30 days. Asylum seekers(s) are provided with a residence permit and a health card. The Directorate decides by consensus and collegial majority of votes and the decision is presented in writing and is reasoned.

196. The asylum seeker has the right to stay in the territory of the Republic of Albania until the end of the procedure initiated by him; also the family members of the asylum seeker(s), who have come to Albania together with the asylum seeker(s), have the right to stay. Asylum seekers are guaranteed the right of non-refoulement, the right to housing, food, health care and other public services for strictly personal needs, provided at the national reception center for asylum seekers. Minor asylum seekers are accommodated together with their parents or adult family members, responsible for them.

197. The process of identification and referral (selection) of foreigners is regulated by Instruction no. 293/2015 and Order no. 611/2015 of the Minister of Interior, as amended, issued pursuant to the Law on Asylum. These two acts regulate the procedures for the identification and registration of asylum applications, as well as their referral to the authority responsible for asylum and refugees. Requests for international protection can be made, not only at the border, but also within the territory of the country in front of the border police and migration police officers. The Regional/Local Border Migration Authority is the structure responsible for the development of the identification and referral process (Prescreening) at the border points or within the territory of the Republic of Albania. Several bylaws have been approved, such as: Instruction no. 293/2015 “On treatment procedures of foreign citizens with irregular residence in the territory of the Republic of Albania”; Order no. 611/2015 “On the procedure and rules for sending the case by the Responsible Authority for Asylum and Refugees”, as amended.

198. In case the Regional/Local Authority responsible for Border and Migration identifies irregular migrants at the border or within the territory, it performs all the procedures foreseen in the prescreening process, namely: interviewing, recording, documenting and photographing the irregular alien. If a foreigner is classified as an asylum seeker, the regional/local authority responsible for the treatment of foreigners shall immediately notify the Asylum Directorate and the central state authority responsible for the treatment of foreigners. The regional/local authority responsible for Border and Migration in case of difficulties during the preliminary process for the control of asylum seekers, requests the presence of the Asylum Directorate.

199. National Reception Center for Asylum Seekers - The Accommodation Center is an institution where foreigners or stateless persons seeking international protection in Albania are accommodated and treated. The national center for accommodation of asylum seekers in the Republic of Albania, as in all EU countries, is an open center. As a result of investments made with the help of international partners, it has guaranteed a reception capacity of up to 240 people. Asylum seekers in this center are provided the right to housing, food, health care and other vital services. This center has doctors, social workers, psychologists. Health care is provided in state or private health centers, psychological treatment and legal advice by specialists in these areas. Other services provided by this center are also social-integration services, which specifically include psycho-social assistance, respect for diversity (racial, ethnic, religious, cultural) and organization of events. Suitable facilities for children are provided, library, internet room as well as sports facilities. Asylum seekers stay in these centers until the end of the asylum procedures and in case of a negative decision they are once again allowed to stay in these facilities until the end of the appeal procedures.

200. Transitional reception centers for asylum seekers have also been set up, respectively:

- Social center for irregular migrants and asylum seekers in need (vulnerable groups), in the Municipality of Gjirokastra with accommodation capacity up to 15 people, with special focus on women/children (during the pre-screening process), enabling the right to stay in this center up to 72 hours, a term which can be extended according to their needs;
- Transitional Center for Registration and Temporary Accommodation of Irregular Migrants and Asylum Seekers in Gërhot, Gjirokastra, the establishment of which was supported by the Council of Europe Development Bank Fund with a reception capacity of up to 60 persons;
- Transitional Center for Registration and Temporary Accommodation of Irregular Migrants and Asylum Seekers in Kapshtica, Korça, the establishment of which was supported by IOM. Its accommodation capacity is up to 60 people and also includes IT equipment to allow the control procedure in the center.

201. The National Strategy for Migration and its Action Plan 2019-2022 (approved by DCM 400/2019), aims to increase the awareness of migrants about their rights and facilitate access to various forms of support/services. Some of the measures aimed at: drafting a new contingency plan for Albania to manage mixed flows, taking into account: unaccompanied minors, victims of trafficking, asylum seekers, individuals with disabilities, etc .; improving the infrastructure at border crossing points to properly meet the specific needs of migrants

(children, the elderly, people with disabilities, etc.); training of border guards to identify vulnerable categories in cases of mixed mass flows; developing clear standard procedures for assisted voluntary return, including the vulnerable categories; promoting and protecting the rights of migrants; encouraging the participation of women in the border police, etc..

Abortion

202. Abortion is legally performed only in licensed public or private maternity hospitals, in order to ensure compliance with standards and legislation and to improve data collection and management. Termination of pregnancy at the request of a pregnant woman (voluntary termination of pregnancy) is allowed until the 12th week of pregnancy, based on law no. 8045, dated 7.12.1995 “On termination of pregnancy”, both in public health institutions and private ones. In 2013, for the private health sector it was decided that abortion should be performed only in private health institutions with beds and that provide anesthesia and ICU services. In 2015, the ISSR adopted the “Clinical Practice Guide for Safe Abortion”, which relies on contemporary recommendations and data on safe abortion methods, and prepared information leaflets to promote its publication. The guide will be used by all institutions providing abortion services in the country.
