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**NATIONAL REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 15 (A)  
OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1\***

**Albania**

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\* The present document was not edited before being sent to the United Nations translation services.

## **I. METHODOLOGY FOR THE PREPARATION OF THE NATIONAL REPORT**

1. The present report of the Republic of Albania for the Universal Periodic Review has been prepared in compliance with the guidelines included in Human Rights Council Resolution 5/1, dated 18 June 2007 and the general guidelines for the preparation of information according to the Universal Periodic Review (A/HRC/6/L.24).
2. The Ministry of Foreign Affairs has informed the competent state authorities of the universal periodic review procedure and an inter-institutional working group has been set up for the preparation of this report. The present report has been prepared by the Ministry of Foreign Affairs in cooperation with the Ministry of Justice, Ministry of Interior, Ministry of Labor, Social Affairs and Equal Opportunities, Ministry of Education and Science, Ministry of Health etc.
3. The draft report has been forwarded to NGO representatives working on human rights protection and promotion with a view to taking their comments.

## **II. NORMATIVE AND INSTITUTIONAL FRAMEWORK FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS**

### **A. Constitutional and legal framework for the protection of human rights and freedoms**

4. The Constitution of the Republic of Albania, adopted in 1998, addresses the basic principles of the protection of human rights and fundamental freedoms. In its Preamble, inter alia, it is provided for that “The Albanian people ... determined to build a rule of law, democratic and social state, to guarantee human rights, fundamental freedoms, with the spirit of religious tolerance and coexistence, committed to the protection of human dignity and personality, the prosperity of the entire nation, with the deep conviction that justice, peace, harmony and cooperation between nations are the superior values of mankind”.
5. Article 3 of the Constitution envisages that “The state’s independence and the entirety of its territory, human dignity, human rights and freedoms, social justice, constitutional order, plurality, national identity and heritage, religious coexistence as well as the coexistence and understanding of the Albanian people with minorities, constitute the foundations of this state, whose duty is to observe and protect these human rights and freedoms. In continuation, more than a quarter of articles of the Constitution address the human rights issues and the institutions whose direct function is the protection of human rights.
6. The general principles, expressly providing for that all the human rights and freedoms are indivisible, inalienable and inviolable and lie in the foundation of the entire Albanian legal order. As a constitutional obligation, all the institutions and bodies of the public power, with a view to fulfilling their duties, shall respect and observe the human rights and fundamental freedoms, as well as contribute to their accomplishment. The Constitution stipulates that the human rights and fundamental freedoms as well as the envisaged obligations are equally applicable to Albanian nationals, foreigners and persons without citizenship as well.

7. The Constitution envisages as an exceptional case the restriction and limitation of human rights. The restriction of human rights and freedoms can be enforced solely by virtue of law, for a public interest or for the purpose of protecting the rights of other people. These restrictions shall not encroach on the essence of human rights and freedoms and in any case, they shall not exceed the limitations provided for by the European Convention on Human Rights, as well as they shall be proportional to the situation that has dictated this restriction.

8. The Constitution stipulates the equality before the law as the basic principle of the protection, respect, observance and promotion of human rights. No one shall be unjustly discriminated on account of gender, race, religion, ethnicity, or by reason of their philosophical and political opinions or religious convictions, economic, educational or social background as well as parental belonging, if there does not exist a reasonable and objective justification.

9. The Constitution guarantees special protection to the national minorities. The national minorities exercise their rights and freedoms in full equality before the law. They are entitled to express their ethnical, cultural, religious and lingual belonging freely and without prohibitions or constraints. They are entitled to preserve and develop their ethnical, cultural, religious and lingual belonging, to learn and be taught in their mother tongue as well as to join organizations and associations for the protection of their identity and interests.

10. The Constitution lays down special provisions about the respect, observance and promotion of individual, political, economic, social and cultural rights and freedoms. Those provisions confirm the legal protection of life, the guarantee of the freedom of speech, press, radio and television, as well as the freedom of thought and religion and the right to information access. It points out that no one shall be subjected to torture and other cruel, inhuman or degrading treatment or punishment, or forced labor. The Constitution guarantees the freedom of the individual, as well as the principles which ensure this freedom and also provides for the cases when this freedom may be restricted and addresses in detail the procedural guarantees which ensure the freedom of the individual. The Constitution guarantees the correspondence privacy, the intangibility of the dwelling place, the right to choose one's residence, the prohibition against the banishment of Albanian nationals, as well as the guarantee of private property.

11. The Constitution addresses the political rights and freedoms, namely the right of each national who has turned 18 to elect and to be elected, the right of each individual to join an organization or association, the right to gather in public, or the right to make and submit complaints, remarks and observations to public bodies.

12. The Constitution addresses the economic, social and cultural rights and freedoms. Labor is recognized as the only means by way of which the individual earns his living. On the other hand the individual is entitled to join trade unions, has the right to strike, the right to social insurance. This chapter addresses also the right to marriage and the right to set up a family. Women and children enjoy special protection. The compulsory elementary education and the general secondary education in public schools is provided free of charge.

## **B. Legal framework for the protection of human rights**

13. For the purpose of serving to the protection of human rights, the Parliament of Albania, Council of Ministers or other state institutions have prepared and adopted an entire corpus of normative acts, aiming at the guarantee and protection of human rights. Some of these acts are: Criminal Code (1995 – as amended); Code of Criminal Procedure (1995 – as amended); Civil Code (1994 – as amended); Code of Civil Procedure (1995 – as amended); Labor Code (1995 – as amended); Code of Administrative Procedures (1999); Family Code (2003); Electoral Code (2008); Law “On the Status of Labour Invalid” (1994 – as amended); Law “On the Status of the Orphan” (1996); Law “On Pre-university Educational System” (1995); Law “On the Right to Gather in Public” (1996); Law “On the Status of the blind person” (1996); Law “On Press” (1997); Law “On Private and Public Radio and Television”(1998); Law “On Rights and Treatment of Prisoners” (1998 – as amended); Law “On the Enforcement of Penal Sentences” (1998); Law “On Asylum in the Republic of Albania” (1998 – as amended); Law “On the Ombudsman” (1999 – as amended); Law “On the Status of persons with disabilities (paraplegics and tetraplegics)” (2000); Law “On Political Parties” (2000); Law “On the Functioning of the Judicial Police” (2000 – as amended); Law “On the Organization and Functioning of Prosecutor’s Office” (2001 – as amended); Law “On the Organization and Functioning of the Ministry of Justice” (2001 – as amended); Law “On Vocational Education and Training” (2002); Law “On the Lawyer’s Profession” (2003 – as amended); Law “On the Protection of Witnesses and Justice Collaborators”(2004); Law on “Social benefits and insurance” (2005); Law “On the Measures against the Domestic Violence” (2006); Law “On the State Police” (2007); Law “On the Adoption Procedures and Albanian Adoption Committee” (2007); Law “On the Functioning of the Judicial Power” (2008); Law “On the Private Bailiff Service” (2008); Law “On the Protection of Personal Data” (2008); the Law “On Foreigners” (2008); Law “On the Penitentiary Police” (2008); Law “On Legal Aid” (2008); Law “On Public Health” (2009).

14. The Constitution of the Republic of Albania, the ratified international agreements which are an integral part of the domestic legal system and the Albanian legislation that is continually being amended and improved, guarantee the respect, observance and practical implementation and enforcement of human rights and freedoms.

## **C. The Institutional Framework for the Protection of Human Rights**

### **1. Courts**

15. Article 7 of the Constitution stipulates that “The governance system in the Republic of Albania is based on the division and balance between the legislative, executive and judicial powers” thus guaranteeing the establishment of a rule of law and democratic state. Pursuant to the Constitution, the liberty, property and rights recognized by the Constitution shall not be encroached in absence of a due legal process. Any one, for the purpose of protecting his constitutional and legitimate rights, freedoms and interests, or in case of charges raised against him, is entitled to a due and public trial, within a reasonable time limit and by an independent and impartial court defined by the law. The judicial power is exercised by the Supreme Court, Appeals Courts, as well as by the First Instance Courts, established according to the law. The Constitution points out that judges are independent and are subjected solely to the laws and the Constitution. The independence of the judicial system is also guaranteed by an independent structure that is competent for the appointment, transfer or dismissal of judges. The High Justice

Council is composed of the President of the Republic who is simultaneously the Chair of the High Justice Council, the Chief Justice of the Supreme Court, the Minister of Justice, 3 members elected by the Assembly, and 9 judges of all instances who are elected by the National Judicial Conference.

16. The Constitutional Court is a very important institution for the protection of human rights. This Court guarantees the respect and observance of the Constitution, renders the Constitution's final construction, as well as the final judgment of individual complaints about the violation of constitutional rights to a due legal process, after the exhaustion of all the juridical remedies for their protection.

17. With a view to attaining the independence and efficiency of the judicial system for the protection of human rights, a comprehensive legal framework has been adopted related to the organization and functioning of the judicial power (First Instance and Appeals Courts), the Supreme Court, the Constitutional Court and Court for Serious Crimes.

## **2. Prosecutor's Office**

18. Pursuant to the Constitution, the Prosecutor's Office exercises the criminal prosecution and represents the prosecution body in the trial in the name of the state. The Law "On the Organization and Functioning of the Prosecutor's Office" stipulates that "the prosecutors exercise their duty in compliance with the Constitution and laws, and carry out their competences respecting and observing the principles of a fair, equal and due legal process as well as the principles of the protection of the legitimate human rights, freedoms, and interests".

## **3. The People's Attorney (The Ombudsman)**

19. The Ombudsman is a constitutional and independent institution that exercises its activity for the purpose of the protection of legitimate individual rights, freedoms and interests, which may be encroached on by the illegal and irregular actions or non-actions of the public administration bodies, as well as by third parties acting on their account.

20. The Ombudsman is elected by a majority of 3/5 of all the members of the Assembly for a five-year period and is entitled to re-election. The institution of the Ombudsman is composed of the Ombudsman as a monocratic body and the Ombudsman's Office.

21. The institution of the Ombudsman exercises its activity for the protection of human rights and freedoms pursuant to the law "On the Ombudsman" (1999 – as amended in 2000 and 2005) based on the principles of impartiality, confidentiality, professionalism and independence. The Ombudsman is entitled to make recommendations and propose measures when finds out violations of human rights and freedoms committed by the public administration.

## **4. State Minority Committee**

22. Regarding the protection of the minorities rights not only as an obligation arising from the Albanian government involvement in international organizations, but also as a reality grounded on the peaceful age-long coexistence between the Albanian majority and minorities, the Albanian government has established the structures responsible for dealing with the issues the minorities are faced with. With a view to promoting the inclusion in the country's public life of

the persons who belong to the national minorities, the State Minority Committee was established in 2004 and has operated since then as an advisory body near the Albanian government. This Committee cooperates with central and local government bodies, with organizations and associations dealing with minority issues, for the improvement of standards in respecting and observing the minority rights in Albania. It proposes concrete measures with relation to the economic, social and educational development of minorities, contributing to the improvement of the condition of the persons belongs to minorities, wherever they live. It is composed of representatives of national minorities (Greek, Macedonian, Serbian and Montenegrin minorities) and ethno-linguistic minorities, (Roma and Aromanian/Vlach minorities). This Committee has managed to identify and put forward to the government the issues that the minorities are faced with suggesting the solutions.

## **5. Other institutions and mechanisms for the protection of human rights**

23. The Sector of Human Rights, Minorities and Reporting in the Ministry of Foreign Affairs monitors the fulfillment of Albania's international commitments in the field of human rights, and in cooperation with other institutions deals with the issues of the protection, respect of minorities rights and with the coordination and implementation of minority policies as well. Its objective is the establishment of official dialogue with representatives of minorities associations, the promotion of the activities aiming at the preservation and development of lingual, cultural, religious and national identity.

24. The Inter-ministerial Committee of Children's Rights, established in 2007 as an advisory body, guarantees the incorporation of policies concerning the children's rights into the development strategies. This Committee monitors the implementation of the National Strategy for Children and its Action Plan. The Technical Secretariat for Children established in 2006 in the Ministry of Labor, Social Affairs and Equal Opportunities, (hereinafter referred to as the Ministry of Labor) monitors the implementation of the National Strategy for Children and its Action Plan, coordinates the cooperation with other institutions, and civil society. The Units for the Protection of Children's Rights at the county and municipality level are in charge for the protection of the children's rights at the regional level.

25. The National Steering Committee "On the elimination of child labor" (2001) which is chaired by the Minister of Labor is the highest structure in charge of the integration of child labor issue in the drawing up of national policies. "The Elimination of Child Labor Unit" is established near the Ministry of Labor, which monitors the expansion of the child labor phenomenon. These structures are set up within the framework of the International Program for the Elimination of Child Labor (IPEC). The National Employment Service monitors the law enforcement with relation to the employment, vocational training and qualification. The State Labor Inspectorate ensures the enforcement of the labor legislation by the state and private legal entities, including the inspection of child labor.

26. National Council on Disability Issues established in 2005, chaired by Deputy Prime Minister, guarantees the protection of the rights of persons with disabilities and their integration in all fields. The Technical Secretariat for Persons with Disabilities established in 2006 in the Ministry of Labor monitors the implementation of the National Strategy for Persons with Disabilities and its Action Plan.

27. Ministry of Labor, by means of its respective structures is the key responsible, coordinating, supporting and supervising authority in the field of labor, social affairs, gender equality and domestic violence. The Directorate of Equal Opportunities Policies near this Ministry (Sector of Gender Equality and Sector for Measures against Domestic Violence) has the mission of drafting and developing the policies for the promotion of equality in such fields as gender equality, inequality in skills/abilities, minority issues, age, generation and race inequality, the prevention and reduction of domestic violence and gender-related violence. The Directorate of Social Services Policies has the mission of drafting and developing the policies and the legislation for the protection of the rights of the persons with disabilities, young peoples, elders and poor families. The State Social Service is the executive institution of the policies and legislation in the field of social protection.

28. The Technical Secretariat for Roma Minority in the Ministry of Labor is in charge of the monitoring of the implementation of the objectives and measures defined in the national strategy “For the improvement of the living conditions of the Roma minority”.

29. The State Committee of the Fight against the Trafficking in Human Beings chaired by the Minister of Interior is composed of high representatives of political level of central institutions and is responsible for the prevention and fight against trafficking. In 2009 is established the National task Force against Trafficking.

30. The National Coordinator’s Office for the Fight against the Trafficking in Human Beings (established in 2005) coordinates the work between institutions in the fight against trafficking in human beings, at the national, international level. The Anti-Trafficking Unit operates near it. The Regional Committees of the Fight against Trafficking in Human Beings were established in 2006 in the 12 counties of the country, for the prevention of the trafficking phenomenon, the protection of potential trafficking victims, whereas at the administrative level special structures operate within the police force with the aim of combating the organized crime and illicit trafficking.

31. Beginning from 2007, the Sector for the Protection of Children and Domestic Violence operates at the central level, near the Directorate General of State Police. At the regional level, in the County Police Directorates, have been established the Sections for the Protection of Children and Domestic Violence, which, are entrusted with the prevention, fight against domestic violence, violence against children, as well as with the protection of children from criminal activities and the protection of children involved in criminal activities.

32. The Unit for the Prevention of Torture near the Ombudsman that was established in 2008 aims at the protection of the rights of pre-trial detainees and convicts. This Unit operates near the institution of the Ombudsman, and it exercises the duties of the National Mechanism for the Prevention of Torture.

#### **D. International Obligations**

33. The Republic of Albania has ratified the main international human rights instruments: Universal Declaration of Human Rights; International Covenant on Civil and Political Rights; Optional Protocol to the International Covenant on Civil and Political Rights; Second Optional Protocol to the International Covenant on Civil and Political Rights aiming the abolishment of

the death penalty; International Covenant on Economic, Social and Cultural Rights; International Convention for the Elimination of all Forms of Racial Discrimination; Convention on the Elimination of all Forms of Discrimination against Women; Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women; Convention against Torture and other Cruel, Inhuman or Degrading Treatment or punishment; Optional protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or punishment; Convention on the Rights of the Child; Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; Optional Protocol to the Convention On the Rights of the Child, on the involvement of children in armed conflicts; International Convention on the Protection of the Rights of All Migrant Workers and their Members of their Families; International Convention for the Protection of All Persons from Enforced Disappearance; Geneva Conventions; The Rome Statute of the International Criminal Court. The Republic of Albania has signed a substantial number of the Conventions of the International Labor Organization and UNESCO.

34. Also Albania is a party to European Convention On the Protection of Human Rights and Fundamental Freedoms, Protocols 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14 of this Convention; Framework Convention for the Protection of National Minorities; European Social Charter; European Convention for the prevention of Torture and Inhuman or Degrading Treatment or Punishment, and other conventions of Council of Europe.

#### **E. The prevalence of international law over domestic law**

35. In the Republic of Albania, the international law enjoys a privileged position in proportion to the national law. The Constitution has stipulated the obligation of the Albanian state to enforce the international law. Article 122 of the Constitution defines that each international agreement ratified by the Parliament shall become part of the national law after its publication in the Official Journal. It is directly enforced saving the cases when it is not self-applicable and when its implementation requires the issuance of a law. The international agreement ratified by virtue of law prevails over the national laws which are not compatible with it. The norms issued by the international organizations prevail over the internal law, in case of a conflict, when in the agreement ratified by the Republic of Albania about its accession into that organization, the direct enforcement of the norms issued by the said organization is expressly stipulated.

#### **F. Implementation of human rights obligations**

36. The Albanian authorities have an effective cooperation with human rights mechanisms. Albania has always had a principled stand and has continuously expressed its will to fully cooperate in a transparent way with Special Procedures. In this regard, in 2009 the Republic of Albania has answered positively to the Special Report's request on extrajudicial, summary or arbitrary executions to visit Albania.

37. The Republic of Albania has been visited by European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, European Commission (ad hoc visits in 1997, 1998, 2000, 2001, 2003, 2005, 2006, 2008). The Albanian Government has given its consent to the publication of the reports of this Committee. The last visit of European Commission against Racism and Intolerance was in March 2009.



38. In September 2007, the Republic of Albania was visited by the Council of Europe Human Rights Commissioner Mr. Thomas Hammarberg. The aim of his visit was the drafting of the evaluation report on the respect of human rights.

39. In March 2008, the Republic of Albania was visited by a delegation of the Advisory Committee on the Framework Convention for National Minorities for purposes of preparing an Opinion in the context of the second monitoring cycle under the Framework Convention.

40. All elections held during the reporting period have been monitored by international monitoring missions led by OSCE/ODIHR.

41. In the period from 2003-2009, the Republic of Albania submitted periodic reports on compliance with the commitments arising from international human rights treaties and provides additional information on request. Final recommendations of treaty-based bodies are presented to the Government and reflected in new legislation and other measures. Meanwhile Albania is preparing other reports under international human rights conventions.

### **III. PROMOTION AND PROTECTION OF HUMAN RIGHTS IN PRACTICE**

#### **A. Protection against discrimination**

42. Article 18/2 of the Constitution stipulates that "... no one shall be unjustly discriminated on account of gender, race, religion, ethnicity, language or by reason of their philosophical and political opinions or religious convictions, economic, educational or social background as well as parental belonging."

43. The Code of Administrative Procedures envisages that in the field of relations with private persons, the public administration is guided by the principle of equality, meaning that no one shall be privileged or discriminated on account of the above mentioned reasons.

44. The Labor Code prohibits any type of discrimination in the field of labor, be it in the public or private sector or in the professional life as well. The legislation on social insurance provides for equal rights.

45. The Criminal Code defines as a criminal offense the discrimination in the public sphere in case an employee performing a state function in the public service, because of and in exercise of his duty makes discriminations on account of family origin, sex, health condition, religious convictions, political opinions, trade union activity or because of one's belonging to a certain ethnicity, nation, race or religion, consisting in the creation of unfair privileges, rejection of a right or benefit stemming from the law".

46. By virtue of Law, "On some amendments to the Criminal Code" adopted in 2007, the committal of a criminal offense instigated by motives related to gender, race, religion, nationality, language, political, religious or social opinions and convictions, has been added to article 50 of the Criminal Code as an aggravating circumstance. The Criminal Code stipulates that the exercise of torture for the aim of discrimination is sentenced to 4-10 years of imprisonment. The Code also lays down that the violation of nationals' equality, by reason of family origin, sex, health condition, religious convictions, political opinions, trade union activity or because of one's belonging to a certain ethnicity, nation, race or religion, consisting in the

creation of unfair privileges, rejection of a right or benefit stemming from the law is punishable by a fine penalty or an imprisonment sentence up to 5 years. The instigation of hatred, quarrels between nationalities, races and religions, preparation or propagation of writings with such content constitutes a criminal offense and is punishable by a fine penalty or imprisonment sentence up to 10 years.

47. In the field of education, the Law “On the Pre-university Educational System” guarantees equal rights to education to all the nationals, regardless of their social status, nationality, language, sex, religion, race, political opinions, health condition and economic situation.

48. The health- related legislation, the Law “On gender equality”, the law “On the State Police”, the Law “On Rights and Treatment of Pre-trial Detainees and Prisoners”, the Law “On Internal Inspection Service in the Ministry of Interior”, the Law “On the protection of personal data”, the Law “On the electronic communication in the Republic of Albania”, the Law “On the prevention and control of HIV/AIDS”, the Law “On foreigners”, the Law “On public auctions”, the Law “On Sports” etc., provide for special provisions which avoid any form of discrimination in the respective fields.

49. Albania does not have a specific law against discrimination yet, but the civil society has prepared a draft-law against discrimination, which is being consulted with various stakeholders.

## **B. Life Protection**

50. Regarding the right to life as the basic right from which stem all the other rights, the Albanian legislation, fully guaranteeing this right. Article 21 of the Albanian Constitution guarantees that the individual’s life is protected by law. This prerequisite of the Constitution has found reflection into the issuance of a series of legal acts and by-laws that enable the guaranteeing of this basic constitutional right.

51. The ratification of Protocol No 13 of the Council of Europe by the Albanian state has enabled the abolishment of death penalty from the Albanian legislation regardless of the committed criminal offense. With a view to preventing the criminal offenses which might endanger the individuals’ life and health, the legislation envisages drastic and severe criminal measures.

52. A complete legal and institutional framework guarantees the right to life and to health. Based on the best world practice, the health institutions apply the protocols of disease treatment, thus guaranteeing a very contemporary treatment of diseases. A network of health institutions operates in the entire country in service of life preservation and protection, supported by a substantial number of doctors and assisting staff.

53. Due to the legal and organizational measures undertaken, the phenomenon of the vendetta (blood feud) has been restricted considerably (the Criminal Code defines vendetta as a criminal offense), but it still continues to be present in the Albanian society.

## **C. Freedom of expression**

54. Freedom of expression is guaranteed by article 22 of the Constitution. The freedom of press, radio and television is guaranteed and prior censorship of a means of communication is

prohibited. The law may require the granting of authorization for the operation of radio or television stations.

55. The written and electronic media, being two of the most important means by way of which the freedom of speech is accomplished, enjoy a special status. An indicator of this is the fact that the Law “On the Press” consists of a single article stating that the press is free and the freedom of press is protected by law. The large number of newspapers and magazines circulating in the market demonstrates the spaces that the freedom of speech finds in the written media. The radio-television activity is also regulated by a specific law, guaranteeing the impartiality, the right to information, respect of political opinions, religious convictions, personality, dignity, individual’s privacy as well. Special attention is paid to the protection of minors’ interests in these activities.

56. The verbal crime does not exist in the Criminal Code, but this Code provides for criminal offenses such as insult and defamation (libel) which encroach on the individual’s integrity and dignity. The Code charges with criminal liability the legal entities that prevent the nationals from exercising the freedom of expression, gathering in public or manifestation, punishing them by fine penalties or imprisonment sentences up to 6 months.

#### **D. Rights of the child**

57. The Constitution, envisages special provisions for the protection of the rights of children and juveniles. Within the framework of the protection of economic, social and cultural rights and freedoms, the state has the obligation to fulfill the children’s needs for well-being, well-bringing, education, employment, intellectual development, to guarantee facilitating procedures during the trial of children at courts, and to ensure the protection of children against violence, ill-treatment, their exploitation at work, especially when they are under the legal labor age which may harm their health, endanger their life or their normal development.

58. The Family Code, addresses broadly the issue of children’s rights protection and incorporates the general principles of the international instruments into the field of children’s rights protection. The Code pays special attention to the child’s treatment and care, parents’ obligations, exercise of parental responsibilities, permission of child labor, the care they are entitled to if they work, as well as the institutional obligations of the state toward the children who lack the parental care.

59. The Criminal Code envisages criminal offenses committed against the minors, as well as the severity of sentences rendered against persons who by virtue of a final judgment are pronounced guilty of a criminal offense committed against children. The Civil Code of the Republic of Albania stipulates the children’s legal defense and the recognition of their rights.

60. The Labor Code and the by-laws issued in its application guarantee the minors’ protection, define the minimum labor age of children (16 years old), the prohibition of all forms of forced labor, work duration, easy and difficult jobs, medical check up etc. The Law “On social benefits and insurance” provides for measures which ensure social benefits and insurance to the needy individuals and groups, because of their limited economic, physical, psychological and social abilities and opportunities, including children as well.

61. The health-related legislation provides for the provision of the necessary services to children as well as the benefits of health care for the children before and after their birth, regardless of their solvency. The law “On public health” aims at the protection of children’s health, their immunization and their protection against smoking and alcohol. The policies and strategies in this field aim at the continuous improvement of the health of women and children and of life quality, influencing the progressive decrease of their mortality and morbidity.

62. Legislation, policies and strategies in the field of education aim at guaranteeing the access to all the education levels, a qualitative and comprehensive education, the curricula and structural reform of pre-university educational system. Special importance is attached to the ensuring of optimal education to the children coming from the needy strata, Roma children, disabled children, giving priority to the comprehensive education. Within the framework of the enhancing of attendance of elementary education it has to be emphasized that at the national level the school drop-out is increasingly falling. The school enrollment level for the compulsory education is 89 per cent, whereas for the high cycle of the compulsory education is 94 per cent. The school finishing level as well as the percentage of children who start the first grade and finish the fifth grade is 98 per cent.

63. A series of legal acts, such as the Law “On measures against domestic violence”, the Law “On the adoption procedures and Albanian Adoption Committee”, the Law “On legal aid”, the Law “On the rights and treatment of pre-trial detainees and prisoners”, provide for provisions guaranteeing the protection of children’s rights, the prevention of domestic violence, child’s ill-treatment, the child’s right to be raised in a family environment, granting of legal aid to juveniles who are in conflict with the law and the special treatment of juvenile convicts.

64. The Decree of the President of the Republic of Albania “On the establishment of special criminal sections for the prosecution of juveniles near the judicial district courts” (2007), in application of the Code of Criminal Procedure, stipulates that the prosecution and trial of juveniles shall take place in special sections.

65. In the National Strategy for Children (2005-2010), and its Action Plan, there have been set out concrete objectives and measures for the protection of children’s rights, to ensure equal opportunities to all the children, regardless of their age, gender, ethnicity, disability, birth status. The fields of this Strategy are: Children’s survival; children’s protection; Children’ development; Children’s participation and involvement.

66. Foster Care Strategy for the Children in Need (adopted in 2008) provides the foster care as an alternative service, in order to guarantee the rights of the child.

67. In 2008 Ministry of Labor, has undertaken the initiative to draft a specific law on the rights of the child.

#### **E. Prevention of torture and inhuman or degrading treatment or punishment**

68. Beginning from 1993 the Republic of Albania is a party to the “Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment”. An important obligation arising from this commitment is the adoption of a complete legal framework with a view to

entirely avoiding or minimizing the cases of exercise of physical or psychological torture by the entities invested with power.

69. The Constitution points out that “No one shall be subjected to torture and other cruel, inhuman or degrading treatment or punishment”. By way of Law “On some supplements and amendments to the Criminal Code of the Republic of Albania” (2007), article 86 of the Criminal Code is amended, providing a definition of torture, in accordance with article 1 of the Convention against Torture. More specifically torture means “the committal of acts, by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person by another person acting in an official capacity, when such pain or suffering is inflicted by or at the instigation of or with his consent or acquiescence for such purposes as a) obtaining from him or a third person information or a confession; b) punishing him for an act he or a third person has committed or is suspected of having committed ; c) intimidating or coercing him or a third person ; d) for any reason based on discrimination of any kind ; e) or any other inhuman or degrading act.

70. The Code of Criminal Procedure stipulates that no one shall be subjected to torture or degrading treatment or punishment.

71. The Code of Police Ethics prohibits any act of violence during the exercise of duty by the police officers, and requires the enforcement of law and the protection of human rights.

72. Law “On State Police” points out that the mission of the State Police is the maintenance of public order and security in accordance with the law and by respecting and observing the human rights and freedoms, also it stipulates the cases of use of force and weapons by the State Police officers as well.

73. Law “On rights and treatment of pre-trial detainees and prisoners” (as amended) has the object of the protection, respect and observance of the rights of pre-trial detainees and prisoners in compliance with the international acts. This law prohibits the use of physical force against the convicts, if it is not indispensable to stop the violent acts, attempts to escape from the institution and to subdue rebellion even if they are passive in carrying out the issued orders, as well as the use of force or coercive instruments.

74. Torture-related issues have been addressed by other legal acts, such as the Code of Criminal Procedure, Law “On the Organization and Functioning of the Prosecutor’s Office”, Law “On the Penitentiary Police”, as well as by a large number of by-laws.

75. In application of the obligations stemming from the Albanian legislation with relation to the respect and observance of the human rights and avoidance of any form of torture and inhuman or degrading treatment, a series of institutions operate in this respect such as the courts of all instances, Prosecutor’s Office bodies, Ministry of Justice and Ministry of Interior.

76. A new positive development is the commitment of the Ombudsman in cooperation with high state authorities towards the fulfillment of obligations the Albanian state has to the Convention against Torture and its Optional Protocol, which requires from its member parties to establish the Independent Mechanisms for the Prevention of Torture. In 2008, some amendments were adopted to Law “On rights and treatment of prisoners” which define the competences and

powers of the “National Mechanism for the Prevention of Torture”, the guarantees during the exercise of its activity and the supervision forms as well. The mechanism has the power to monitor regularly the treatment of individuals deprived of liberty, in the premises of detention, arrest or imprisonment with a view to avoiding the cases of use or torture of other forms of degrading treatment against them. On the basis of findings or complaints verified by it, the mechanism submits to the competent bodies its proposals about the taking of measures for the adjustment of the identified situation, as well as it proposes administrative measures or the criminal prosecution of the responsible persons.

## **F. Protection of minorities**

77. The Constitution regards the national minorities as an indivisible and important part of the Albanian society. It guarantees them full equality before the law in the exercise of their rights and freedoms and recognizes their right “to express freely and without prohibitions or constrains their ethnical, cultural, religious and lingual belonging, as well as the right “to preserve and develop their ethnical, cultural, religious and lingual belonging, to learn and be taught in their mother tongue as well as to join organizations and associations for the protection of their identity and interests”.

78. In the Republic of Albania there is not a specific law on the protection of minorities, but separate laws address issues related to the respect and observance of minority rights. In addition to the Constitution, the protection of minority rights is addressed also by the Criminal Code, Code of Criminal Procedure, Code of Civil Procedure, Code of Administrative Procedures, Labor Code, Electoral Code, the Law “On the Ombudsman”, the Law “On pre-university educational system”, the Law “On the right to gather in public (assemble)”, the Law “On public and private radio and television”, the Law “On political parties”, the Law “On the press”, the Law “On the State Police”, the Law “On the rights and treatment of pre-trial detainees and prisoners”, as well as by a substantial number of by-laws.

79. The Framework Convention for National Minorities was ratified by the Parliament of Albania in 1999. Referring to the Constitution, the Convention is self-applicable and with the legal acts and by-laws constitutes the legal framework for the protection of minorities.

80. There are two minority categories in the Albanian reality: national minorities such as the Greek, Macedonian, Serbian and Montenegrin minorities, also there are the so-called ethno-linguistic minorities such as the Roma minority and Vlach/Aromanian minority. The difference between these two categories lies in the fact that the national minorities have a motherland, whereas the lingual minorities do not have a motherland, but are distinguished from the majority of population because of different linguistic characteristics from Albanian language. This division into national minorities and ethno-linguistic lingual minorities does not bring about any difference in respect of the volume of rights between the two categories.

81. The Albanian state protects and promotes the culture of national minorities. The legal framework creates the necessary conditions for the minority representatives to join cultural associations for the purpose of preserving and protecting their culture and national identity. On the other hand, the state supports the activity of these associations with funds allocated from the state budget. The spaces that the national minorities have in the written and electronic media serve that purpose as well. There are tens of newspapers and magazines which are regularly

published in the national language of the minorities. A number of TV and radio programs in the language of the national minorities constitute a tangible reality in all the regions where the minorities represent the majority of the population.

82. The preservation and protection of the languages of minorities is achieved, among others, even by way of education in these languages. The Albanian legislation creates the necessary conditions for the education in the mother tongue at the level of compulsory nine-year and high education of the minorities, whereas the education in Greek language is carried out at the university level. Recognizing the role of the education in the national language, the Government has allocated substantial funds from its budget for this purpose. Because of the small number of students who attend classes where the lessons are taken in the language of the minority, the printing cost of the school texts is 20 times higher than the printing cost of the texts for Albanian students. In the regions where the minorities constitute the majority of the population, the schools are kept open even if there are only 2 or 3 students attending that school, whereas the mean proportion student/teacher at the national level is one teacher per 30 students. The Strategy for Pre-University Education aims at “guaranteeing the access to all the education levels, ensuring non-discrimination of students on account of race, ethnic origin, disabilities or religion”.

83. Since the very first democratic elections of 1992, the minorities have had their representatives in the Parliament of Albania. The Human Rights Party, which represents the national minorities in our country, in the last ten years, has been a member of all governing coalitions, (right-centered and left-centered).

### **G. Roma minority**

84. The Roma minority faces a series of problems such as poverty, low educational level, hard living conditions and other social and economic factors and it is not subject to a discriminatory treatment of a community on its own. The Albanian Government, taking into consideration the difficult situation of the Roma community, trying to enhance the living standards of this community, is committed to the implementation of the national strategy “For the improvement of the living conditions of the Roma community” in 2003. The strategy was drawn up based on the social and economic situation, evaluation of problems and it was accomplished owing to the cooperation between the Government, Roma community representatives, and civil society by identifying the Roma community requests and the real implementing capacities, opportunities of the Albanian state. Based on this strategy, the Albanian Government is committed to address the economic, social issues of the Roma minority within the framework of the general social policies.

85. In application of the Strategy objectives and its Action Plan, several measures have been taken in the field of social protection in order to enhance the access and social benefits, to implement the special programs for the promotion of Roma community employment, especially the employment of Roma women, vocational/professional training, establishment of community services for Roma children, integration of Roma street children, measures towards the prevention and fight against trafficking, protection against violence, informing of families to benefit from the social protection system, economic aid program, social care services, NGOs’ supporting programs etc. Pursuant to the Decision of the Council of Ministers “On the compensation of the

identity card fee of the needy strata”, the persons who belong to this community are provided with identity cards free of charge.

86. The Ministry of Education has undertaken the “Second Chance” initiative for the education of Roma children, which has enhanced the attendance of kindergartens and schools. The guideline on the enrollment of Roma children in schools even if they do not have a birth certificate has improved the school enrollment situation. There have been created the necessary opportunities for teaching of Roma language in the schools where the number of students is large, but there have been encountered difficulties due to the lack of pedagogic staff and lack of information on the part of this community. The Roma culture and tradition are incorporated into the national project package of cultural heritage.

87. Several measures are undertaken for offering of health service to this community as well as to the entire population, mother and child care, vaccination of Roma children, health education services, reproductive health, family planning etc.

88. In the field of housing, the assessment of housing needs, water supply and sewerage systems, internal street network in the local government units where there are Roma people is over. Within the framework of the project “On the construction of social apartments”, spaces are open even for the Roma community.

89. In 2008 the Albania Government acceded to the Decade of Roma Inclusion, undertaking the attainment of objectives in the fields of employment, education, housing and health, as well as the promoting and supporting of the participation and inclusion of Roma minority in this process. The National Action Plan was drawn up in 2009 for the implementation of this Strategy, in cooperation with central institutions, local government, Roma organizations, civil society and UNDP’s assistance. The contribution of Roma organizations to collection of data, identification of needs and submission of concrete proposals is worth mentioning.

#### **IV. CHALLENGES, ACHIEVEMENTS, BEST PRACTICE**

##### **A. Gender equality**

90. The principle of gender equality occupies a significant place in the Constitution of the Republic of Albania, as well as in other legal acts and by-laws. The definition of gender discrimination is provided in law “On gender equality in society” adopted in 2008 and is in compliance with the article 1 of the CEDAW Convention.

91. The Code of Administrative Procedures sanctions the principle of non-discrimination by reason of gender in the relations with administrative authorities. The Labor Code, the Law “On the status of the civil servant” and other legal acts and by-laws establish a complete legal framework aiming at the non-discrimination of women in the work relations. Nonetheless, the participation of women at an active age in work (according to the official data) is relatively low at the level of 50 per cent which is explained by a higher employment of women in the informal sector. Women constitute 50 per cent of the unemployed people in Albania (the unemployment rate is 13, 2 per cent). In other certain branches, women represent the majority of the employed people (in the processing industry they constitute 68 per cent of the employed people, in banking, education and health 54 per cent).



92. The Law “On gender equality in society” (2004) was the first complete legal act in this field. This law was inapplicable due to the lack of clarity of the competences of structures responsible for the issues of gender equality. Law “ On gender equality” adopted in 2008 that repealed the law of 2004 regulates the fundamental issues of gender equality in public life, of protection and equal treatment of men and women, of equal chances and opportunities in the exercise of rights, as well as of their participation and support to the development of all areas of social life. The law aims at ensuring an efficient protection against discrimination by reason of gender, as well as at setting out the measures for guaranteeing equal opportunities to both men and women and eliminating the gender-related discrimination, in any form it might appear. Pursuant to the law, the established bodies responsible for the progress of gender equality are: (a) National Council of Gender Equality, chaired by the Minister of Labor, Social Affairs and Equal Opportunities, an advisory body that prepares proposals, recommendations for the Government and other central and local institutions. It is committed to the adoption and promotion of measures on the attainment of gender equality, ensuring of gender integration in all areas, especially in political, social, economic and cultural ones; (b) The authority responsible for the implementation of this law and state programs on gender equality is the Minister of Labor, through the Directorate of Equal Opportunities Policies; (c) The network of gender employees at central and local level.

93. “The National Strategy for Gender Equality and Domestic Violence” (2007-2010), aims at promoting the dialogue on the accomplishment of gender equality, ensuring equal participation of men and women in the social, economic, political life of the country, equal opportunities to enjoy their rights and to put in service their individual potentials to the benefit of the society; improving the protection, the reaction of justice system and support to the victims of domestic violence, as well as placing a clearer focus on the prevention, addressing the causes of domestic violence and abuse. One of the objectives of this strategy is the involvement in manufacturing activities, of women who are head of their households; violated, trafficked women; women with disabilities; unemployed Roma women; women from rural areas etc. The Strategy Action Plan provides concrete measures addressing the issues of gender equality, domestic violence prevention.

94. The elimination of any discrimination form against women in the field of education constitutes a significant foundation on which gender equality can be broadly accomplished. Owing to the complete and contemporary legal framework in this field the Law “On Pre-university Education”, the Law “On Education and Vocational Training in the Republic of Albania”, the Law “On Higher Education” as well as the measures undertaken in National Strategy for Education, the compulsory nine-year education is attended by 98 per cent of girls, whereas 53.4 per cent of them go to high schools. Another positive indicator is the fact that in the recent years, the number of graduated females from the Albanian universities is almost twice as that of graduated males.

95. With a view to increasing the women representation, the law “On gender equality in society” envisages the gender neutral quota over 30 per cent in all level of institutions. The new Electoral Code adopted in 2008 envisages the obligation that in the elections for the Parliament of Albania of June 2009, 30 per cent of the Member of Parliament candidates should be females.

## **B. Domestic violence**

96. Family Code, as regards the domestic violence cases, stipulates the undertaking of urgent measures by the court, at the request of the other spouse, when one of the spouses obviously does not fulfill his/her obligations and jeopardizes the family's interests.

97. The Criminal Code provides for a series of provisions which address the domestic violence, also defines the aggravating circumstances when the victim is a minor, a pregnant woman, as well as the consequences brought about by the committal of the criminal offense. The continuous amendments to the Criminal Code have envisaged not only specific provisions to protect children and women against ill-treatment, sexual abuse, trafficking, prostitution, pornography, indecent acts, but also the legal developments in continuation have laid down a considerable increase of the amount of punishment against the perpetrators of these criminal offenses.

98. Law "On the measures against domestic violence" (2006) aims at the prevention and reduction of domestic violence in all its forms by means of the appropriate legal measures, as well as the guarantee of legal measure protection of the family members who are victims of domestic violence, paying special attention to children, the elderly and the disabled. This law aims at the establishment of a coordinated network of institutions to react in due time to domestic violence cases, as well as the issuance of immediate protection orders by the court. This law was the outcome of the civil society initiative which was proposed to the Parliament of Albania by 20.000 electors. Special contribution to this law was given also by the governmental institutions involved in the prevention and fight against domestic violence. The law sanctions the state bodies that have obligations, competences related to the domestic violence, and it invests the courts with the power to issue protection orders against the violator, a mechanism in protection of domestic violence victims. The governmental mechanisms that address the domestic violence issues are: the Ministry of Labor, Ministry of Interior, Ministry of Health and Ministry of Justice. The Cooperation Agreement between the responsible ministries for the implementation and enforcement of this law aims at the establishment of the coordination mechanism of the responsibilities of all the institutions. A series of by-laws has been adopted as regards the establishment of responsible structures for the domestic violence issues and measures to be taken on the prevention, identification and reduction of domestic violence.

99. The National Strategy for Gender Equality and Domestic Violence and its Action Plan aim at the incorporation of domestic violence issues into the public policies by means of concrete action plans for the minimization of the domestic violence phenomenon. One of the priorities of this document is also the raising of awareness of domestic violence phenomenon, legal and administrative protection, and support to individuals affected by the domestic violence. This strategy provides for concrete measures on the prevention, fight against domestic violence and the support of domestic violence victims.

## **C. Trafficking in Human Beings**

100. Trafficking and exploitation of women for prostitution, one of the ugliest forms of the human rights violation was a very worrying phenomenon in Albania especially during the 90s. Owing to the establishment of a complete legal framework and the setting up of structures for the prevention, protection and rehabilitation of trafficking victims, Albania is not considered a

transit or destination country of prostitution any longer, or a country under monitoring regime, but it is a state that has made a lot of progress in the fight against trafficking in human beings.

101. The legal measures in this field have aimed at the prevention of the phenomenon of women trafficking and prostitution and at the severe punishment of the perpetrators of these criminal offenses, specifying and broadening the aggravating circumstances of the criminal offense. Beginning from 2001 and in continuation the Criminal Code has stipulated as criminal offenses “Trafficking in persons”, “Trafficking in women”, “Trafficking in children”, “Pornography”, “Aid to the illicit border-crossing”, “Ill-treatment of minors”, which punishes the phenomenon of child exploitation to forced labor, begging and other services. Also the adoption of the Law “On the prevention and fight against the organized crime” (2004), Law “On the protection of witnesses and justice collaborators” (2004), Law “On the pronouncement of the moratorium on the sailing vessels in the Republic of Albania” (2006) has served this purpose as well.

102. The National Strategy for the Fight against the Trafficking in Human Beings (adopted in 2001 and which is being continually improved) is oriented towards these main directions: (a) Investigation and criminal prosecution of trafficking offenses; (b) Support and protection of victims and witnesses; (c) Undertaking of concrete measures on the prevention of trafficking and re-trafficking. The fight against trafficking in children and protection of children who are victims/ potential victims of trafficking remains a major concern of the Albanian Government. In addition, a strategy and an action plan against the trafficking in children is attached to the National Strategy for the Fight against the Trafficking in Human Beings, which addresses the issues of the trafficking in children. The National Strategy for the Fight against the Trafficking in Human Beings, the Strategy for the Fight against the Trafficking and Protection of Children who are Victims of Trafficking and their respective Action Plans (2008-2010) were drawn up in the course of comprehensive consultation process, with the participation of state structures, international donors and civil society which has played a very important role.

103. In application of this Strategy, the relevant structures for the identification and prosecution of the perpetrators of this criminal offense have been set up, as well as special structures for the protection and rehabilitation of victims and endangered social categories. In the entire country there operate administrative structures and agencies for the prevention and fight against the trafficking in human beings, in particular for the protection of children endangered by trafficking.

104. A series of activities about the prevention and fight against trafficking have been organized and awareness campaigns have taken place for the vulnerable groups (young people, women and girls, families facing social problems, families with a low educational level, Roma children etc.). With a view to preventing the trafficking in the endangered categories, several measures have been undertaken for their inclusion and integration into the society by implementing the law on compulsory education and their registration in the civil registry offices, offering vocational education/training to all the people who have dropped out of school. The Ministry of Education has incorporated in the curricula of high schools programs about the raising of awareness of the trafficking danger. Since 2007, the Ministry of Interior has put at the disposal of the citizens a phone number free of charge available 24 hours a day for the denunciation of trafficking cases. Also there have been taken measures for the training of law enforcement structures. The Code of Conduct for the prevention of children sex tourism, which is monitored by the Ministry of Tourism, has been adopted. In 2008 is established the Data Base for the Victims of Trafficking.

105. The Cooperation Agreement for the Establishment of the National Referral Mechanism for the Improved Identification and Assistance to the Victims of Trafficking in Human Beings (2005), aimed at the setting up of a national functional network among some governmental and non-governmental agencies to enable the identification, safety, referral, protection and rehabilitation of the victims of trafficking in Albania. Reception and rehabilitation centers for the trafficking victims are the major contributors to the support of trafficking victims and play a very important role in the identification of types of services the trafficking victims need.

106. Special contribution to the fight against trafficking in human beings and the prevention of this phenomenon has been given by the foreign and local NGO-s which offer rehabilitative and preventive services to all the victims of trafficking and endangered groups especially the children.

107. These legal and organizational measures in the fight against the organized crime and trafficking have brought about a concrete product which is the destruction of 200 criminal groups among which there were perpetrators of grave criminal offenses such as trafficking and prostitution. There have been achievements for the prevention of these criminal offenses, as well as in the rehabilitation of victims.

#### **D. Fight against corruption**

108. The fight against corruption is a key priority for the government. The last Transparency International report ranks Albania in the 85<sup>th</sup> place among 180 countries, with a Perception Index of 3.4. This report puts Albania among the 10 top countries for the fight against corruption in 2008. Albania is ranked first with the most noticeable progress in the fight against corruption among the Balkan countries with a CPI improvement of 0.5.

109. Cross-cutting Strategy on the Prevention, Fight Against Corruption and transparent governance and its Action Plan 2009 containing concrete institutional measures has been approved and is being implemented. Legal amendments necessary for the approximation of civil and criminal legislation to the standards of the CoE on Corruption have been approved.

110. National Registration Centre for businesses has been established and is fully operational as a one stop-shop. On-line system of tax payments for big businesses is in place. E-procurement system has been installed and electronic procurements have already begun. Procurement Advocate institution has been established to ensure supervision and guarantee the procurement process. 70 per cent (64 from 187 that was the inventory of licenses in 2005) of unnecessary licenses and permits have been abolished. The National Licensing Centre, is operational as a one-stop-shop. The government is also in process of building a National Planning Register.

111. The government has reformed the evaluation system for graduates and the admission system in universities, thus putting an end to a hideous practice of corruption for admission in universities.

112. The government has reduced administrative costs from 3 per cent to 2.1 per cent of the GDP putting abuse and misappropriations of taxpayers' money by irresponsible officials to an end;

Tax administration and customs administration in particular, exceeded their targeted plans in revenue collection, resulting in an additional 2.5 billion USD. This combined with adequate management of revenues has enabled supplementary budgets for 3 successive years. Capacities in the General Directorate of Taxes are being strengthened, as a result of reforming the tax administration according to the new tax laws.

113. Other responsible institutional structures for the fight against corruption have been established, (Anti-corruption Task Force, The Department of Internal Administrative Inspection and Anti-corruption in the Council of Ministers, the Directorate of Internal Inspection Service in the Ministry of Interior). Internal administrative and financial control was strengthened in all relevant bodies.

114. Another component of the government program is the active inclusion of civil society in monitoring anti-corruption measures cases and investigating corruption cases.

## **V. PRIORITIES OF THE REPUBLIC OF ALBANIA IN THE FIELD OF HUMAN RIGHTS**

### **A. At the national level**

1. Improvement and harmonization of national legislation with the international standards in the field of human rights.
2. The fulfillment of commitments in the field of human rights undertaken within the framework of the National Plan for the Implementation of Stabilization and Association Agreement.
3. Adoption and implementation of the law against discrimination.
4. Reform in the justice system, guarantee of the judicial power independence, with the aim to ensure an efficient justice system for exercise of human rights.
5. Advancement of the rights of the pre-trial detainees and prisoners, in conformity with the international standards. Prevention of and fight against torture, and the reform in the penitentiary system.
6. Advancement of the rights of the child. Adoption and implementation of the law "On the rights of child".
7. Advancement of the rights of women; promotion of gender equality and prevention of domestic violence.
8. Advancement of minorities' rights, in compliance with the international commitments.
9. Implementation of Roma Strategy in accordance with the Action Plan for the Implementation of Decade of Roma Inclusion 2005-2015.
10. Advancement of the rights of persons with disabilities.

11. Prevention and fight against organized crime and corruption.
12. Enhancing the cooperation with the civil society for the promotion of human rights.
13. Publication of national reports, reports and conclusions of international human rights bodies at the website of Ministry of Foreign Affairs and strengthening the mechanisms for the implementation of recommendations.

#### **B. Priorities at the international level**

1. The fulfillment of Albania's international human rights commitments within the framework of United Nations Organization, Council of Europe and other international organizations.
2. Universal ratification of the human rights conventions.
3. Development of cooperation with regional and international organizations for the promotion and protection of human rights.
4. Implementation of Millennium Objectives.
5. Contribution to the promotion of human rights, supporting the initiatives for the adoption of the documents concerning the protection of rights and freedoms of vulnerable groups.

#### **VI. LIST OF NON-GOVERNMENTAL ORGANISATIONS**

The draft national report was sent for the comments to the NGOs as below:

Albanian Human Rights Group; Albanian Helsinki Committee; Albania Center for Human Rights; Children's Human Rights Center; Children's Alliance; Albanian Rehabilitation Center for Trauma and Torture; Independent Forum of Albanian Women; Women and Civil Society.

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