



Home Office

Country Policy and Information Note

Albania: Ethnic minority groups

Version 2.0

October 2016

Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this note has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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Policy Guidance

Updated: 12 October 2016

1. Introduction

1.1 Basis of claim

1.1.1 Fear of persecution or serious harm by state or non-state actors due to the person's membership of an ethnic minority group.

1.2 Points to note

1.2.1 For the purposes of this note, 'ethnic minority group' means Roma, Balkan-Egyptians, Aromanians (Vlachs), Gorani, and ethnic Greeks, Macedonians, and Montenegrins.

1.2.2 Where a claim is refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as Albania is listed as a designated state.

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2. Consideration of Issues

2.1 Credibility

2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Assessment of risk

i. Treatment by the state

2.2.1 Equal access to rights to persons from ethnic minorities has yet to be ensured in practice in Albania. Some Roma and Balkan-Egyptians (hereafter Egyptians) in particular are reported to face marginalization and discrimination in access to housing, employment, health care, education, social protection such as unemployment benefit and participation in political life. Some Roma and Egyptian parents find it hard to register the births of their children because they themselves are without legally documented places of residence. There have been cases of forced evictions as well as of the demolition of Roma settlements under the 2014 law on the legalization of property which allowed illegal constructions to be demolished. Although the government have significantly increased budgetary allocations for housing Roma and Egyptians it remains insufficient to address all their needs (see [Treatment of minority groups](#) and [Roma and Egyptians](#)).

- 2.2.2 The inclusion of Roma children in the education system has reportedly improved in recent years but they are still not fully integrated in the education system, which often subsequently leads to unemployment and exclusion. Quotas for the enrolment of Roma, Egyptians and disadvantaged students in public universities continued to be applied. Enrolment rates for Roma and Egyptian children increased slightly, but overall they remain very low (see [Treatment of minority groups](#) and [Roma and Egyptians](#)).
- 2.2.3 However in general the level of state discrimination faced by members of ethnic minority groups in Albania is not such that it will reach the level of being persecutory or otherwise inhuman or degrading treatment although each case should be examined on its own merits.

ii. Societal treatment

- 2.2.4 Overall, inter-ethnic relations in Albania are reported to be good (see [Treatment of minority groups](#)). In general, while some members of ethnic minority groups in Albania experience discrimination, it is unlikely to meet the high threshold required to constitute persecution or serious harm, but each case must be assessed on its own merits.
- 2.2.5 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.3 Protection

- 2.3.1 Where the person's fear is of persecution or serious harm at the hands of the non-state actors (including rogue state actors), there are protections in law and avenues of redress. The Albanian government has passed comprehensive anti-discrimination law which is broadly in line with European Union standards. The law provides official minority status for national groups and separately for ethno-linguistic groups. The Law on Protection from Discrimination was adopted in 2010 and the Office of the Commissioner for Protection from Discrimination has been established. However, the legal and policy framework is reported to still need improving and the 2015-2020 national action plan for the integration of Roma and Egyptians remains to be adopted. Articles on hate crimes in the Albanian Criminal Code were amended in 2013 but shortcomings remain including the lack of an article covering racial discrimination in the private sector (see [Treatment of minority groups](#), [Legal framework](#) and [Protection from Discrimination Act](#)).
- 2.3.2 The Office of the People's Advocate continues to play an active role in protecting human rights, in particular in raising awareness of national minorities and in seeking solutions to outstanding problems. The Commissioner for Protection against Discrimination (CPD) has found that citizens are becoming more aware of the law and complaint mechanisms (see [Implementation of the law](#)).
- 2.3.3 Any discrimination of particular groups which does exist is due more to the lack of sufficient resources and social services - which is hindered by complex economic, historical, cultural and political factors - than to a legal problem (see [Legal framework](#)). The Commissioner for Protection from Discrimination (CPD) has reported having registered complaints and has

issued sanctions. There are similarly effective avenues for submitting a complaint against police for misconduct (see [Implementation of the law](#) and the country policy and information note on [Albania: Background \(including actors of protection and internal relocation\)](#)).

- 2.3.4 There are also non-governmental organisations in Albania who advocate for minority groups and can potentially assist the person to avail themselves of the protection of the state (see [Implementation of the law](#)).
- 2.3.5 In general effective state protection is likely to be available but it is reported that the enforcement of the legal framework limited. Decision makers need to consider each case on its facts. The onus is on the person to demonstrate why they would not be able to seek and obtain effective state protection.
- 2.3.6 For further guidance on assessing the availability or not of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.4 Internal relocation

- 2.4.1 Where the person's fear is of persecution or serious harm at the hands of the state, they will not be able to relocate to escape that risk.
- 2.4.2 Where the person's fear is of persecution or serious harm at the hands of non-state actors – including rogue state agents – internal relocation is likely to be an option to escape such risk.
- 2.4.3 The onus will be on the person to demonstrate why they would be unable to internally relocate to a part of the country where they would not face difficulties in the proposed new location.
- 2.4.4 See also the country policy and information note on [Albania: Background \(including actors of protection and internal relocation\)](#).
- 2.4.5 For further guidance on internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.5 Certification

- 2.5.1 Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002. This is because in general the mistreatment feared, even if it did occur, is unlikely to amount to persecution or serious harm and effective state protection is likely to be available.
- 2.5.2 For further information on certification, see the [Appeals Instruction on Certification of Protection and Human Rights claims under Section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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3. Policy summary

- 3.1.1 Although societal discrimination and social and economic inequalities against ethnic minorities persist in Albania, including some discrimination in employment and access to education, healthcare, housing and social security, as well as forced evictions, this discrimination is not such that it will on its own generally reach the level of being persecutory or otherwise inhuman or degrading treatment. Each case must be assessed on its own merits.
- 3.1.2 Effective state protection is, in general, likely to be available for members of ethnic minority groups who face discriminatory societal treatment or from local/rogue officials.
- 3.1.3 Furthermore, if a person is at real risk from non-state agents in their home area, they would in general be able to relocate to a part of the country where they would not be at risk, as long as it would not be unreasonable to expect them to do so.
- 3.1.4 Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

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Country Information

Updated: 12 October 2016

4. Demography

- 4.1.1 The World Population Review, in its Albania Population 2016 report, stated that:

‘Ethnicity is a delicate issue in Albania, and one that is debated. Official statistics show Albania is very homogeneous with more than 97% Albanian majority, but minority groups like the Roman, Greeks and Macedonians have questioned this data and claim a larger share. Three national minorities are recognized: Greeks, Macedonians and Montenegrins.

‘There are also two cultural minorities -- Aromanians and Romani -- and other Albanian minorities like the Bulgarians and Jews. The Greek government estimates 300,000 Greeks in the country, while the Albanian government claims just 60,000.

‘At the 2011 census, the population of Albania was officially 83% Albanian, 0.9% Greek, 0.2% Macedonian, 0.01% Montenegrin, 0.3% Aromanian, 0.3% Romani, 0.1% Balkan Egyptian, 14% no declared ethnicity and 1.6% not relevant.

‘Many minority groups have criticized the country's census law which imposes a \$1,000 fine on anyone who declares an ethnicity that differs from what is on their birth certificate.’¹

- 4.1.2 The European Commission, Commission Staff Working Document: Albania 2013 Progress Report, 16 October 2013, stated that “The results of the Population and Housing Census were contested by minority representatives, including some Roma and Egyptian associations, as not reflecting the reality on the ground.”²

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5. Legal framework

5.1 Context

- 5.1.1 The European Commission's Albania 2015 progress report, dated 10 November 2015, noted that:

‘In view of the progress made by Albania, the Commission recommended in October 2013 that Albania be granted candidate status, on the understanding that it continues to take action in the fight against organised crime and corruption, and the Commission identified five key priorities for

¹ World Population Review, Albania Population 2016, <http://worldpopulationreview.com/countries/albania-population/> [Accessed 21 September 2016]

² European Commission, Commission Staff Working Document: Albania 2013 Progress Report, 16 October 2013 (p46) http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/brochures/albania_2013.pdf [Accessed 21 September 2016]

opening accession negotiations. In December [2013], the Council stated that it would decide on whether to grant candidate status in June 2014, in the light of a report by the Commission focusing on Albania's implementation of its judicial reform strategy and on the fight against organised crime and corruption. The Council stressed that sustained implementation of reforms and fulfilment of all key priorities would be necessary for the opening of negotiations.

'In a report published in June 2014, the Commission confirmed its recommendation that the Council should grant Albania candidate status. The European Council of June 2014 endorsed the decision of the General Affairs Council granting Albania candidate status.'³

5.1.2 In its 2016 Albania Country Report the Bertelsmann Foundation said:

'Minorities enjoy broad cultural rights, which are monitored by the EU, OSCE and neighboring countries. Existing discrimination and de facto marginalization of particular groups, such as gays, lesbians and Roma, reflects more the lack of sufficient resources and social services than a legal problem.

'Respect for civil rights is enshrined in the Albanian Constitution and the Human Right conventions the country has ratified. The office of the Ombudsman is the main domestic human rights institution. The new ombudsman elected in 2011 has taken an increasingly proactive active role in monitoring the situation of human rights and state accountability on the issue. His intervention relates to areas of property issues, police abuse, undue length of judiciary proceedings, non-enforcement of judgments in civil cases, inadequate conditions in prisons and living conditions for the Roma minority.'⁴

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5.2 Constitution

5.2.1 A December 2014 study by the Albanian Commissioner for the Protection from Discrimination described the legal framework as follows:

'The Albanian legislation in the field of non-discrimination provides a wide range of acts, starting with the Albanian Constitution, and international treaties ratified and domestic laws...

'The Constitution of the Republic of Albania aims to promote respect for equality and non-discrimination, in its several provisions, where we can

³ European Commission, Brussels, 10.11.2015 SWD(2015) 213 final Commission Staff Working Document: Albania 2015 Report, Accompanying the document: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - EU Enlargement Strategy http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_albania.pdf. [Accessed 21 September 2016]

⁴ Bertelsmann Foundation: BTI 2016; Albania Country Report, 2016 http://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Albania.pdf [Accessed 21 September 2016]

mention Article 18, but also Articles 16 and 20. Article 18 states: “All are equal before the law. 2. 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”.

‘The Albanian Constitution gives the opportunity to refer to important documents of international and regional [sic], giving them legal force that comes immediately afterward and setting them to the second level within the hierarchy of legal norms (Albanian Constitution, Article 116). Obviously, it is a very broad framework, among which are the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, ratified by the Republic of Albania in 1991. However, we want to highlight those that entirely serve as an important basis to develop a domestic legislation that promotes the principle of equality in the exercise of human rights.’⁵

- 5.2.2 The European Centre for Minority Issues – a non-partisan institution founded in 1996 by the governments of the Denmark, Germany, and the German State of Schleswig-Holstein – stated in a February 2015 report:

‘Albania’s internal legislation takes into consideration minority rights and addresses them in various legal acts and laws. The Constitution of 1998 clearly states that the basis of the Albanian state relies on respect and protection of fundamental human rights including minority rights (Article 3) because the fundamental human rights and freedoms are inviolable, inalienable and indivisible (Article 15) where all are equal before the law and no one may be discriminated for reasons such as ethnicity, language, race, gender (Article 18). Besides this, persons who belong to national minorities exercise in full equality before the law on human rights and freedoms and have the right to freely express their ethnic, cultural, religious and linguistic belonging as well as preserve and develop it (Article 20).’⁶

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5.3 International instruments

- 5.3.1 According to the European Centre for Minority Issues:

‘... Albania has ratified various international treaties regarding the protection of minority rights such as: the United Nations International Covenant on Civil and Political Rights (ICCPR) in 1991 which internationally recognizes the protection of minorities; the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1991 which provides provisions based on the principles of equality and non-discrimination; the International Convention on

⁵ Commissioner for the Protection from Discrimination. Study of the problematic of discrimination of Roma community in Albania. December 2014. <http://kmd.al/skedaret/1443013357-Study%20of%20the%20problematic%20of%20discrimination%20of%20Roma%20community%20in%20Albania.pdf> [Accessed 21 September 2016]

⁶ ECMI - European Centre for Minority Issues: Accessible Justice System for All: the Case of the Roma Minority in Albania, 11 February 2015 http://www.ecmi.de/uploads/tx_lfpubdb/ECMI_Working_Paper_84.pdf [Accessed 21 September 2016]

the Elimination of All Forms of Racial Discrimination (ICERD) in 1994; the Convention of the Council of Europe for the Protection of Human Rights and Fundamental Freedoms in 1996 which emphasizes the respect of minority rights on an individual basis; the European Union Convention for the Prevention of Torture and Inhuman or Degrading Treatment and Punishment in 1996; the Framework Convention for the Protection of National Minorities in 1999.⁷

5.3.2 The December 2014 study by the Albanian Commissioner for the Protection from Discrimination also set out the relevant international instruments which have been ratified by Albania:

‘International Convention on the Elimination of All Forms of Racial Discrimination - CERD; Albania adhered in 1994. The Convention establishes the obligation of States Parties to forbid and eliminate racial discrimination in all its forms and to guarantee the right of everyone to equality before the law regardless of race, colour or national or ethnic origin, notably in the enjoyment of some rights such as:

- Political rights: the right of participation in elections, active and passive right to vote, and equal access to public services.
- Other civil rights: the right to free movement and free choice of residence in the territory of a State, the right of citizenship, the right to marriage and choice of husband/wife, the right to property, the right of inheritance, the right to freedom of thought, conscience and religion, the right to freedom of assembly and creating peaceful organizations.
- Economic, social and cultural rights: the right to work, the right of establishment of trade unions and the membership in them, the right to housing, the right to medical treatment, social security and social services, the right to education and professional preparation.

‘European Convention for the Protection of Human Rights and Fundamental Freedoms, ratified by Albania in 1996 (Law no. 8137/1996), in Article 14 provides for ‘prohibition of discrimination’. Protocol no. 12, Article 1, refers to the general prohibition of discrimination, expanding the scope of Article 14 even when a person is discriminated against in the enjoyment of any right or benefit under national legislation.

‘An essential place among main related international documents has the ratification of Albania without any reservation to the Framework Convention of the Council of Europe for the Protection of National Minorities. This Convention has the basic purpose of ensuring the implementation of the principles of equality and non-discrimination for persons belonging to national minorities. It prohibits any discrimination based on belonging to a national minority, and determines the liability of the signatory parties of the

⁷ ECMI - European Centre for Minority Issues: Accessible Justice System for All: the Case of the Roma Minority in Albania, 11 February 2015
http://www.ecmi.de/uploads/tx_lfpubdb/ECMI_Working_Paper_84.pdf [Accessed 21 September 2016]

Convention to guarantee, to persons belonging to national minorities, the right of equality before the law and equal protection by the law.

‘European Social Charter, a Council of Europe treaty, adopted in 1961 and revised in 1963, has become part of Albanian domestic legislation with its ratification in 2002. The European Social Charter states explicitly the principle of equality (Article 20) “All are equal before the law” and the principle of non-discrimination (Article 21) “Any discrimination on any ground such manner as sex, race, colour, ethnicity, ethnic or social origin, language, religion or belief, political beliefs or other beliefs, association with a national minority, residence, birth, disability, age, sexual orientation should be forbidden”.⁸

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5.4 Protection from Discrimination Act

5.4.1 The European Centre for Minority Issues noted in its February 2015 report that the new law on Protection from Discrimination was adopted in 2010 followed by the amendment of the Criminal Code to make discrimination “relating to language, religion, nationality, political and social beliefs an aggravating circumstance of any offence”.⁹

5.4.2 The December 2014 study by the Albanian Commissioner for the Protection from Discrimination described the law as follows:

‘The Albanian law no. 10.221, date 04.02.2010 “For Protection from Discrimination” (LPD) makes concrete Article 18 of the Constitution. It is the organic law on the basis of which is provided the protection against discrimination. The purpose of this law is to ensure the right of every person to equality before the law and equal protection by the law, equality of opportunities and possibilities to exercise the rights and freedoms of the individual, as well as effective protection against discrimination. The law regulates the implementation and observance of the principle of equality in relation to an exhaustive list of causes, including explicitly race, colour, language and religion that are essential elements of a minority.

‘The Albanian law states that there is discrimination “the association to people that pertain to protected groups” and that “affiliation with a particular group” is a reason for which is offered protection. LPD provides as form of discrimination “instruction to discriminate, as an instruction or request, based on hierarchical relationship to discriminate against one or more persons, based on the reasons mentioned in Article 1 of this law”. ...

‘The main areas, in which legal protection is ensured, are expressly provided and include protection from discrimination in employment, in education, and

⁸ Commissioner for the Protection from Discrimination. Study of the problematic of discrimination of Roma community in Albania. December 2014. <http://kmd.al/skedaret/1443013357-Study%20of%20the%20problematic%20of%20discrimination%20of%20Roma%20community%20in%20Albania.pdf> [Accessed 21 September 2016]

⁹ ECMI - European Centre for Minority Issues: Accessible Justice System for All: the Case of the Roma Minority in Albania, 11 February 2015 http://www.ecmi.de/uploads/tx_lfpubdb/ECMI_Working_Paper_84.pdf [Accessed 21 September 2016]

in the delivery of goods and services. But, protection from discrimination under the Albanian law “For the protection from discrimination” is guaranteed to all fundamental rights recognized by the Constitution of the Republic of Albania, the international acts ratified by Albania, as well as by the laws in force.’¹⁰

5.4.3 The Council of Europe’s European Commission against Racism and Intolerance (ECRI) reported in March 2015:

‘ECRI has already examined in previous reports whether Albanian legislation is in line with its General Policy Recommendation (GPR) No. 7 on national legislation to combat racism and racial discrimination. Therefore, in this fifth report, it will only address persistent shortcomings. In 2013 several provisions of the Albanian Criminal Code (CC) on hate crime were amended. Its Article 265 now criminalises incitement to hatred and disputes on the grounds of race, national origin, religion or sexual orientation. Incitement to violence and discrimination are not mentioned in this article. The grounds of colour, language and citizenship are missing (§ 18a of GPR No. 7); so is gender identity.

‘Article 266 CC makes it a criminal offence to endanger social peace by inciting to violence “against other parts of the population” (as well as by inciting to national hatred or “arbitrary actions” against them). This provision seems to criminalise incitement to violence as recommended in § 18a of GPR No.7; however, it only covers the ground of ethnic origin, and contains a restriction, as public peace needs to be at risk. This restriction too is not in line with § 18a of its GPR No. 7, according to which public incitement to hatred against any individual or group of individuals should be punishable, even in the absence of any consequences.

‘Insults, defamation and threats with death or serious bodily injury are punishable under Articles 119, 120 and 84 CC. Articles 119b and 84a cover insults and threats with death or serious injury on the grounds of “ethnicity, national origin, race or religion”. However, they are restricted to offences committed through computer systems and do not cover all relevant grounds (cf. § 18b and c of GPR No. 7). Moreover, there is no article that criminalises expressly the expression of ideologies described in § 18d of GPR No. 7.

‘Article 74a CC establishes as a criminal offence offering in public or deliberately disseminating to the public, through a computer system, material that denies, minimises significantly, approves of or justifies acts that are genocide or crimes against humanity. This is not totally in line with § 18e of GPR No. 7, as it only covers acts committed through a computer system and the denial of war crimes is missing (cf. § 18e of GPR No. 7).

‘Article 265 CC covers part of § 18f of GPR No. 7, as it criminalises the production, dissemination and storage aimed at dissemination of “writings”

¹⁰ Commissioner for the Protection from Discrimination. Study of the problematic of discrimination of Roma community in Albania. December 2014. <http://kmd.al/skedaret/1443013357-Study%20of%20the%20problematic%20of%20discrimination%20of%20Roma%20community%20in%20Albania.pdf> [Accessed 21 September 2016]

which incite to hatred. Civil society has informed ECRI that courts do not always apply this provision to the distribution of other than written material. ECRI therefore considers that Article 265 CC should be amended so as to mention expressly “pictorial and other material”. Article 119a CC complements Article 265 CC and prohibits the dissemination of racist and xenophobic “material” (in general), but only when using a computer system.

‘ Articles 333 and 333a CC criminalise the setting up and participation in organisations and groups having the purpose of committing criminal acts. Both provisions contain the restriction that the organisation must aim at gaining material or non-material benefit (Article 28.1 and 4 CC). This is not in line with § 18g of GPR No. 7, according to which the law should criminalise the creation, leadership and participation in the activities of all groups which promote racism – independently of whether they have the purpose to commit criminal acts or the objective to profit therefrom.

‘In line with § 18h of GPR No. 7, Article 253 CC criminalises racial discrimination by civil servants and persons carrying out public duties. However, racial discrimination in the private sector – racial discrimination “in the exercise of one’s occupation” – is not covered.

‘In line with § 21 of GPR No. 7, motives related to gender, race, [skin] colour, ethnicity, language, gender identity, sexual orientation, political, religious, or philosophical convictions are aggravating circumstances according to Article 50 CC. Only the ground of citizenship is missing.

‘In its fourth report ECRI recommended to Albania to introduce comprehensive legislation aimed at combating discrimination. In the conclusions on the implementation of this recommendation ECRI welcomed the adoption of Law No. 10 221 on Protection from Discrimination (LPD) in 2010 and noted that most of the relevant parts of its GPR No. 7 had been incorporated into it.’¹¹

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5.5 Implementation of the law

- 5.5.1 In its Concluding observations on the second periodic report of Albania in 22 August 2013 the UN Human Rights Council stated its concern that ‘despite the adoption of the National Strategy for Roma and the Decade of Roma Inclusion (2010-2015), the Roma minority continues to face discrimination in accessing housing, employment, education, social services and participating in political life.’¹²

¹¹ CoE-ECRI - Council of Europe - European Commission against Racism and Intolerance: ECRI Report on Albania (fifth monitoring cycle); Adopted on 19 March 2015; Published on 9 June 2015 [CRI(201 5)18], 9 June 2015 <https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Albania/ALB-CbC-V-2015-18-ENG.pdf> [Accessed 21 September 2016]

¹² UN Human Rights Committee Concluding observations on the second periodic report of Albania CCPR/C/ALB/CO/2, 22 August 2013 http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fALB%2fCO%2f2&Lang=fr [date accessed: 6 October 2016]

5.5.2 The Council of Europe's European Commission against Racism and Intolerance (ECRI) reported in March 2015:

'In 2010 the Law on Protection from Discrimination (LPD) was enacted and the first Commissioner for Protection against Discrimination (CPD) was elected. One of the powers given to her by law is to represent victims of discrimination before the courts. The law now provides that judges can exempt plaintiffs from court fees and grant free legal aid in urgent cases....

'There is no problem of real understanding between the different groups of the Albanian population. The People's Advocate and increasingly the CPD counter public hate speech. In October 2014, the police made available a tool for reporting online hate speech. The Government has adopted a Code of Ethics and the new Audiovisual Media Authority is tasked with drafting ethical guidelines.

'In 2010 the National Action Plan for Roma Inclusion was adopted which also benefits the Albanian Egyptians (Egyptians). Substantive progress has been made in the field of civil registration of Roma. Since 2012, all children are entitled to one year's free pre-school education. Due to positive action in the field of education, the school drop-out rate of Roma pupils has decreased. Also, a points system gives Roma, under certain circumstances, priority access to social housing.'¹³

5.5.3 The same report continued:

'However, despite the progress achieved, some issues give rise to concern...There is no comprehensive and coherent data to evaluate the outcome of the strategy and the action plan for Roma inclusion. No proper budget has been allocated to their implementation; as many programmes rely on donors' funds, their long term sustainability is uncertain. Only one out of four Roma children has access to pre-school education. The education outcomes of many Roma and Egyptians remain poor and obstruct their access to the regular labour market. In practice, most Roma and Egyptians cannot benefit from social housing. 60 % of Roma housing premises do not have running water. Many Roma and Egyptians cannot regularise their homes. A considerable number are threatened by forced evictions without alternative housing. Only one in five Roma have health insurance cards.'¹⁴

5.5.4 The European Commission's Albania 2015 progress report, dated 10 November 2015, stated that "The legal framework for the protection of human rights is broadly in line with European standards. However,

¹³ CoE-ECRI - Council of Europe - European Commission against Racism and Intolerance: ECRI Report on Albania (fifth monitoring cycle); Adopted on 19 March 2015; Published on 9 June 2015 [CRI(201 5)18], 9 June 2015. Summary. <https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Albania/ALB-CbC-V-2015-18-ENG.pdf> [Accessed 21 September 2016]

¹⁴ CoE-ECRI - Council of Europe - European Commission against Racism and Intolerance: ECRI Report on Albania (fifth monitoring cycle); Adopted on 19 March 2015; Published on 9 June 2015 [CRI(201 5)18], 9 June 2015. Summary. <https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Albania/ALB-CbC-V-2015-18-ENG.pdf> [Accessed 21 September 2016]

implementation is limited and enforcement of human rights remains insufficient.”¹⁵

5.5.5 The same progress report continued:

‘Roma and Egyptians face very difficult living conditions and frequent social exclusion and discrimination due to ineffective policy implementation and poor inter-institutional cooperation; a solid anti-discrimination case law has yet to be built up;In order to fulfil the key priority on the protection of human rights, in the coming year Albania should in particular make further progress with the implementation of the 2012-2020 strategy on property rights, and the processes of property registration, restitution and compensation; improve the living conditions of Roma and Egyptians; demonstrate progress towards developing the anti-discrimination track record.’¹⁶

5.5.6 In it’s 2016 Albania Country Report the Bertelsmann Foundation said “Roma and Egyptian communities continue to face discrimination and severe poverty, children belonging to these groups are subject to forced labor. Albania has legal regulations to protect vulnerable groups against discrimination, but the implementation of these rules is deficient.”¹⁷

5.5.7 The United States Department of State (USSD) Country Report on Human Rights Practices 2015: Albania, released on 13 April 2016, stated that:

‘The law prohibits discrimination based on race, gender, age, disability, language, religion, gender identity and/or sexual orientation, health, and family economic or social status. The government did not effectively enforce these prohibitions.

‘Cases of discrimination on any of these grounds may be brought to the commissioner for protection from discrimination; the commissioner has the authority to issue sanctions and did so in several cases during the year. The law allows the commissioner to testify in court as an expert witness, even in appeals on cases the commissioner’s office initially rejected. Through September [2015] the commissioner participated in 20 judicial proceedings.’¹⁸

5.5.8 The Albanian Helsinki Committee’s 2015 report stated :

¹⁵ European Commission: Albania 2015 Report [SWD(2015) 213 final], 10 November 2015. Section 4. http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_albania.pdf [Accessed 21 September 2016]

¹⁶ European Commission: Albania 2015 Report [SWD(2015) 213 final], 10 November 2015. Section 4. http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_albania.pdf [Accessed 21 September 2016]

¹⁷ Bertelsmann Foundation: BTI 2016; Albania Country Report, 2016 http://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Albania.pdf [Accessed 21 September 2016]

¹⁸ US Department of State: Country Report on Human Rights Practices 2015 - Albania, 13 April 2016. Section 6. Discrimination, Societal Abuses, and Trafficking in Persons <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252815> [Accessed 21 September 2016]

'The Commissioner for Protection against Discrimination (CPD) has increased its activity in 2015, but on the other hand it is found that citizens are becoming more and more aware in this regard. Different NGOs, who have the mission to protect the citizens of the most vulnerable categories have helped these categories of persons to seek protection of the right to non discrimination to the Office of the Commissioner, or the relevant courts. These documents include cases of initiatives undertaken by the Centre for Legal Civic Initiatives, in Tirana, which has supported many women who have allegedly been discriminated against, those of the organization the Albanian Foundation for the Protection of the Rights of Disability, in Tirana, which has helped people with disabilities to seek putting an end to discrimination, or of other organizations that operate in the protection of Roma and the LGBT community. Despite the results achieved, there is room for improving the work and specifically we mention the need to improve legislation regarding the "burden of proof" that the law be approximated to the EU standards.'¹⁹

5.5.9 In its comments on March 2015 ECRI report, the Albanian authorities stated: The Council of Europe's European Commission against Racism and Intolerance (ECRI) reported in March 2015:

'[T]he State Police clarify that, in order to prevent hate crimes, particularly those against vulnerable groups, the local police structures have established links and cooperation with groups such as the Roma, Egyptians and representatives of LGBT organizations by conducting the following activities:

- The identification of Roma and Egyptian communities, their locations or settlements, associations/organizations representing the community.
- Organize joint meetings between the police and the Roma and Egyptian communities to exchange information regarding problems with the rule of law and crime, as well as their concerns regarding human rights violations and discrimination on the bases of ethnicity, etc.
- Identification and treatment of problems to resolve conflicts in these communities or with other residents, to address and resolve them according to the law.
- Identification and legal treatment of cases of rights violations, mistreatments or abuses committed by the police personnel against the citizens of these communities.'²⁰

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¹⁹ AHC - Albanian Helsinki Committee: Report on the situation of human rights in Albania for 2015, December 2015. Section 8. Equality before the law and the prohibition of discrimination. http://www.ahc.org.al/web/images/Raporte/AL/Report_on_the_human_rights.pdf [Accessed 21 September 2016]

²⁰ CoE-ECRI - Council of Europe - European Commission against Racism and Intolerance: ECRI Report on Albania (fifth monitoring cycle); Adopted on 19 March 2015; Published on 9 June 2015 [CRI(201 5)18], 9 June 2015. Viewpoints of the Albanian Authorities, as Appendix to ECRI's Fifth Report on Albania. Page 52. <https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Albania/ALB-CbC-V-2015-18-ENG.pdf> [Accessed 21 September 2016]

6. Treatment of minority groups

6.1 Overview

- 6.1.1 The European Commission's Albania 2015 progress report, dated 10 November 2015, noted that:

'As regards respect for and the protection of minorities, overall, inter-ethnic relations remained good, but the legal and policy framework still needs improving. In April [2015] the inter-institutional working group on minorities led by the Ministry of Foreign Affairs submitted conclusions aimed at addressing shortcomings in the protection of minorities, taking into account the recommendations of the Advisory Committee of the Framework Convention for the Protection of National Minorities. The group suggested drafting a specific law on minorities aimed at equal treatment of national and ethno-linguistic minorities, and enhancing the representativeness and consultative role of the State Committee on Minorities. Albania has not yet adopted the European Charter for regional and minority languages. National minority representatives have challenged the recent local government boundary changes, maintaining that the new system violates their rights and international norms. Equal access to rights for persons from all minorities has yet to be ensured.'²¹

- 6.1.2 In its July 2015 report "Child Notice Albania", UN Children's Fund (UNICEF) stated:

'Officially, three groups are recognized in Albania as national minorities: Greeks, Macedonians and Montenegrins. Roma and Vlachs/Aromanians are recognized as linguistic (or cultural) minorities. Egyptians are not recognized in either way – but want their status to be acknowledged as such. The UNCRC expressed concern that Egyptian children may not be entitled to the special protection measures available to vulnerable groups of children, because of the lack of State recognition. Despite the official recognition of Greek and Roma, there are no television broadcasts for their children. In general, there are few options for the cultural development of minority groups within their own languages.'²²

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6.2 Roma and Egyptians

- 6.2.1 The European Roma Rights Centre (ERRC), in Basic Facts on Roma – Albania, dated 28 August 2010, stated that:

'Roma in Albania are recognised as an ethnic-linguistic minority. Official sources say that there are about 1,300 Roma in Albania, however other

²¹ European Commission: Albania 2015 Report [SWD(2015) 213 final], 10 November 2015. Section 4. http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_albania.pdf [Accessed 21 September 2016]

²² UN Children's Fund (UNICEF), Child Notice Albania, 23 July 2015, available at: https://www.unicef.be/wp-content/uploads/2015/11/unicef-child-notice-albania_oktober2015.pdf [accessed 7 October 2016]

sources estimate that there are up to 120,000 Roma in Albania; ... Official censuses in Albania acknowledge the Roma. Romani communities are found all over the country; the largest are found in central and southeast Albania in regions like Tirana, Durrës, Elbasan, Fieri, Berati, Korça, Pogradeci, Bilishti, Gjirokastra, Delvina, Kruja, Shkodra, etc.[...]

'In Albania, there are many groups referred to as Roma including Kabuzis, Meckars, Kurtofs and Cergars tribes – Shkodrani and Besaqe Roma. Another ethnic group which originates from Egypt is the Jevgs, who are generally perceived to be Romani.

'Albania joined the Decade of Roma Inclusion in 2008; within this framework the Government adopted a National Action Plan which focuses on education, employment and social protection, housing and infrastructure, health, social infrastructure and equal opportunities and cultural heritage [...] Roma in Albania live in poor conditions in settlements, lacking connections to basic infrastructure like water, electric and public services. There have been cases of forced evictions and instances in which Albanian authorities have discriminated against Roma in the provision of social services, social welfare payments, the provision of municipal infrastructure and health care.'²³

6.2.2 Minority Rights Group International's World Directory of Minorities and Indigenous Peoples states on its website that: 'Many Egyptians consider themselves to be a national minority distinct from both the Roma community and the Albanian community, defining themselves by their ethnic background, their stated historical roots as descendants of persons from Egypt, their traditions and their cultural heritage. However, the authorities have not provided minority status to the Egyptians thereby denying them constitutional protections against discrimination available to other members of minority groups. To qualify for minority status under Albanian law, a group of individuals must share the same language (other than Albanian), have documentation to prove its distinct ethnic origin or national identity, and have distinct customs and traditions or a link to a kinship state outside of the country. The government maintains that the Egyptians did not meet some criteria, such as a distinct language and traditions, and instead considered them a community – rather than a distinct minority. This means that the Egyptians do not qualify for any special measures available to the [Roma](#) – even though they too have suffered greatly since the collapse of communism.'²⁴

6.2.3 In its July 2015 report "Child Notice Albania", UN Children's Fund (UNICEF) stated:

'Both Roma and Egyptians in Albania continue to be denied their full human rights and to be discriminated against. A UNICEF Albania commissioned report states that: 'The key indicators for Roma children are that they are five

²³ The European Roma Rights Centre (ERRC) Basic Facts on Roma – Albania, 28 August 2010 <http://www.errc.org/cikk.php?cikk=3622> [Accessed 21 September 2016]

²⁴ Minority Rights Group International: World Directory of Minorities and Indigenous Peoples, undated <http://minorityrights.org/minorities/egyptians/> [Accessed 7 October 2016]

times more likely to be living in poverty than non-Roma children; they are four times more likely to be underweight or stunted; they have only a 50/50 chance of completing their basic schooling; and only one in six has the chance to complete middle school. Roma children are also less likely than other children to have the full range of vaccinations and one-third of Roma girls are likely to be married before they reach eighteen. Without sustained, concentrated and targeted interventions to raise the living standards of Roma children, they are very likely to be eventually raising their own children in the same situation of poverty and deprivation as their parents.’ In 2012, only 0.3 per cent of Roma households and 4.8 per cent of Egyptian ones reported receiving unemployment benefit (0.6 % Roma and 0.1% Egyptian received benefits for orphans). In law these benefits are universally accessible, a further sign of how access to services and integration of the community is hindered by a complex set of economic, historical, cultural and politic factors.’²⁵

6.2.4 The same report stated:

‘There is a lack of data on the health status of Roma and Egyptian women and mortality rates among Roma and Egyptian infants and children. A survey of Roma identified almost five per cent of children with severe illnesses, 5.6 per cent with chronic diseases, and 3.2 per cent who were disabled. A later study indicated that 19.2 per cent of Roma and 10.9 per cent of Egyptian respondents had lost a child after birth. Almost 11 per cent of Roma children had not received any vaccines... Health care is free of charge for children 0-18 years old, but unregistered Roma children cannot benefit from this policy. Thirty seven per cent of Roma do not know where to register, or the procedures that would allow them to. Discrimination within health services is reported among the Roma community but the main obstacle they face is being unable to pay for specialist health examinations and medicines. In the absence of health cards, many Roma parents receive medical treatment for their children only at advanced stage of diseases. A 2013 study found that only 50 per cent of Roma said they possessed health cards and received services at health centres.’²⁶

6.2.5 The European Commission’s Albania 2015 progress report, dated 10 November 2015, noted that:

‘The implementation of policies on Roma inclusion remains inadequate overall, as does the implementation of the conclusions of the 2011 and 2014 Roma seminars. The 2015-2020 national action plan for the integration of Roma and Egyptians still remains to be adopted.

‘The inclusion of Roma children in the education system has improved slightly; however, enrolment and drop-out rates remain a serious concern: 42

²⁵ UN Children's Fund (UNICEF), Child Notice Albania, 23 July 2015, available at: https://www.unicef.be/wp-content/uploads/2015/11/unicef-child-notice-albania_oktober2015.pdf [accessed 7 October 2016]

²⁶ UN Children's Fund (UNICEF), Child Notice Albania, 23 July 2015, available at: https://www.unicef.be/wp-content/uploads/2015/11/unicef-child-notice-albania_oktober2015.pdf [accessed 7 October 2016]

% of Roma children attend preschool education (3-6), but only 16.1 % finish middle school, 2.1 % have high school education, and 0.3 % have university education. 40.3 % of the Roma population is illiterate.

‘The number of Roma and Egyptian street children remains a concern. The existing legal and institutional framework for registering births is not delivering the intended results. Roma and Egyptians continue to face very difficult living conditions and frequent social exclusion and discrimination, particularly regarding access to healthcare, social protection, education, employment and housing.

‘Budgetary allocations for housing Roma and Egyptians have tripled, but remain insufficient to address needs. Most of the Roma families evicted from their settlements in August 2013 and transferred to the National Emergency Transition Centre are still living there. While some of the families left the centre and benefitted from municipal social housing, no long term solution has been found to relocate the others. Further evictions took place in Selita for the construction of the Tirana ring road. Apart from being offered two years’ worth of rent, most evicted families were not provided assistance to find new accommodation suited to their specific needs.’²⁷

6.2.6 The same report noted:

‘Roma and Egyptian children are still not fully integrated in the education system, which often leads to unemployment and exclusion. Quotas for the enrolment of Roma, Egyptians and disadvantaged students in public universities continued to be applied. Enrolment rates for Roma and Egyptian children increased slightly, but overall they remain very low. The 2015-2020 action plan for the integration of Roma and Egyptians and the social inclusion policy document are yet to be adopted by the government.’

‘On health inequalities, some steps were taken to improve access for Roma to healthcare through vaccination campaigns, community nurses and home visits; however, Roma still face difficulties in access to health services.’²⁸

6.2.7 The Albanian Helsinki Committee’s 2015 report stated :

‘According to the Ombudsman, the rights of Egyptian and Roma communities in Albania were violated also in 2015 and the issue of integration of Roma into society remains unresolved. The legislation recognizes and guarantees them formal equality with the rest of the population, but the reality denies them the essential equality. Despite the measures taken over the years, the situation has not undergone qualitative and significant changes in terms of the livelihood of these communities. They face a number of vital issues such as, wandering from one place to another due to the lack of a stable residence, begging on the streets because of

²⁷ European Commission: Albania 2015 Report [SWD(2015) 213 final], 10 November 2015. Section 4. http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_albania.pdf [Accessed 21 September 2016]

²⁸ European Commission: Albania 2015 Report [SWD(2015) 213 final], 10 November 2015. Section 4. http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_albania.pdf [Accessed 21 September 2016]

unemployment, evictions from their makeshift homes, lack of education, trafficking, physical and psychological abuse, difficult living conditions, lack of healthcare, lack of social protection, low employment, lack of adequate housing, etc. Improved legal and institutional framework set for the registration of births of Roma, did not yield the intended results. The problematic registration and identification of this community, in general, was evidenced also by the AHC in the pre-election period, in several cities of the country, which resulted in their involvement in the voter lists.²⁹

6.2.8 The United States Department of State (USSD) Country Report on Human Rights Practices 2015: Albania, released on 13 April 2016, stated that:

‘There were reports of significant discrimination against members of the Romani and Balkan-Egyptian communities, including in housing, employment, health care, and education. Some schools resisted accepting Romani and Balkan-Egyptian students, particularly if they appeared to be poor. A few cities provided free meals and transportation to Roma students, but local NGOs reported that this often led to segregation by grouping Roma children together in one school, and that educational levels, discipline, and infrastructure at such schools were substandard. Many mixed schools that accepted Romani students marginalized them in the classroom, sometimes by physically setting them apart from other students.

‘There were no reports of discrimination in birth registration, but residency requirements for registration made it more difficult for the many Romani and Balkan-Egyptian parents who were without legally documented places of residence to register their children and to access government services that were dependent on registration.’

‘A study issued in May 2014, conducted by the UN Children’s Fund and Save the Children with the support of the Ministry of Social Welfare and Youth, found that more than 2,500 children, nearly 75 percent of them from Romani or Balkan-Egyptian communities, begged or worked informally on the streets.’³⁰

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Housing

6.2.9 The USSD report also stated:

‘Roma rights NGOs criticized the lack of legal safeguards against eviction and demolition of Roma camps included in the law on property legalization. Evictions and demolitions continued during the year and disproportionately affected Romani families. Financial support promised by the government

²⁹ AHC - Albanian Helsinki Committee: Report on the situation of human rights in Albania for 2015, December 2015. Section 8. Equality before the law and the prohibition of discrimination. http://www.ahc.org.al/web/images/Raporte/AL/Report_on_the_human_rights.pdf [Accessed 21 September 2016]

³⁰ US Department of State: Country Report on Human Rights Practices 2015 - Albania, 13 April 2016. Section 6. National/Racial/Ethnic Minorities <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252815> [Accessed 6 October 2016]

was generally insufficient. High housing prices and a general reluctance to rent to Romani families made it difficult for them to find alternative housing, and many decided to seek asylum in Germany.³¹

6.2.10 According to Amnesty International's 2015/16 report:

'Many Roma and Egyptians, as well as young people leaving social care, failed to meet the income threshold required to access social housing. Many Roma were unable to regularize their homes under the 2014 law on the legalization of property, which allowed "illegal constructions" to be demolished. In July [2015], 70 mainly Romani families' houses were demolished in Selita, Tirana, during a forced eviction in advance of road construction.'³²

6.2.11 The United States Department of State (USSD) Country Report on Human Rights Practices 2015 also noted:

'The government demolished some homes without due legal process as part of a wider campaign to demolish illegally constructed buildings. Citizens also submitted complaints that the government, through its National Inspectorate on Protection of Territory, ignored citizens' requests to demolish some illegal buildings but chose to demolish others without having received a complaint.

'In October [2015] the Tirana municipality evicted 48 Roma families from a settlement along Tirana's artificial lake. The authorities made efforts to offset this measure by providing rent subsidies, transportation to communities of origin, and temporary lodging in an emergency shelter. Execution of these plans was slow and incomplete, resulting in a number of evicted families returning to settlements elsewhere in the city. The ombudsman claimed the municipality failed to follow legal eviction procedures and faulted the city for not involving civil society groups in their plans.

'In August [2015] the central government demolished the homes of 30 families residing along the planned route of Tirana's new ring road. The majority of the homes belonged to Roma. Evictees claimed they received only 24 hours verbal notice of eviction, a violation of established legal procedures. The government promised to pay two years' rent but made no effort to assist with the families' relocation to new homes. Most families complained the rental reimbursement was insufficient for large families. The ombudsman investigated the actions of the government and issued a report

³¹ US Department of State: Country Report on Human Rights Practices 2015 - Albania, 13 April 2016. Section 6. National/Racial/Ethnic Minorities <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252815> [Accessed 21 September 2016]

³² AI - Amnesty International: Amnesty International Report 2015/16 - The State of the World's Human Rights - Albania, 24 February 2016. <https://www.amnesty.org/en/countries/europe-and-central-asia/albania/report-albania/> [Accessed 21 September 2016]

outlining legal violations. By November [2015] the government had not taken any corrective action.³³

6.2.12 Balkan Insight reported in February 2016

'The Council of Europe's Human Rights Commissioner Nils Muiznieks has three Balkan governments for evicting Roma families from camps while not offering them any alternative accommodation.

'He has criticized seven of the 47 members of the organization for forcible evictions of Roma and Egyptian communities over the last few years, urging them to respect their commitments to human rights.

'Muiznieks sent letters to three Balkan countries, Albania, Bulgaria and Serbia, along with France, Hungary, Italy and Sweden.

'The letter sent to Albania's Minister for Urban Development, Eglantina Gjermeni, complains about the eviction of about 48 Roma families from a site near the lake in Tirana city park on October 2015.³⁴

6.2.13 The December 2015 Albanian Helsinki Committee report noted:

'In the scope of the principle of non-discrimination and protection of the rights of Roma, Elbasan Municipality has started to implement the project of the Ministry of Urban Development and Tourism for the reconstruction and construction of 25 houses of Roma in the city. AHC appreciates such initiatives, but remains a concern the transparency of the scoring system that is used in order to obtain social assistance, which is highlighted also by the Ombudsman in his report.

'A positive fact has been also the increase of the budget for community housing and providing Emergency Transit Centre in Shish-Tufinë, Tirana, within the project "Support for Social Inclusion of Roma and Egyptians" of the European Union.

'However, AHC deems it insufficient for the finding of a final solution for all those in need. In some areas of the country, besides the subsidizing of the rent for a two-year period, most families have not received assistance to find a new residence, adapted to their specific needs.³⁵

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³³ US Department of State: Country Report on Human Rights Practices 2015 - Albania, 13 April 2016. Section 1. f. Arbitrary Interference with Privacy, Family, Home, or Correspondence <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252815> [Accessed 21 September 2016]

³⁴ Balkan Insight: Balkans Told to Stop Forcible Evicting Roma, 18 February 2016 <http://www.balkaninsight.com/en/article/council-of-europe-slams-balkan-governments-over-roma-evictions-02-17-2016> [Accessed 21 September 2016]

³⁵ AHC - Albanian Helsinki Committee: Report on the situation of human rights in Albania for 2015, December 2015. Section 8. Equality before the law and the prohibition of discrimination. http://www.ahc.org.al/web/images/Raporte/AL/Report_on_the_human_rights.pdf [Accessed 21 September 2016]

Civil registration

6.2.14 According to the 2015 USSD report:

'In order to receive government services, individuals moving within the country must transfer their civil registration to their new community of residence and prove their new domicile is legal through property ownership, a property rental agreement, or utility bills. Many persons could not provide this proof and thus lacked access to public services. Other citizens, particularly Roma and Balkan-Egyptians, lacked formal registration in the communities where they resided. The law does not prohibit their registration, but it was often difficult to complete. Many Roma and Balkan-Egyptians lacked the financial means to register, and many lacked the motivation to go through the process. In 2014 the government reduced some requirements for registration in order to reduce the burden on marginalized populations.'³⁶

'Civil registration requirements and lack of identification made it difficult for many Roma to vote in the June [2015] local elections. The 1,200 leks (\$9.60) fee for an identification card was prohibitive for some Roma who wanted to register. Some observers claimed that political parties offered to pay the fee in exchange for a vote. As of October [2015] there were no Romani ministers or members of parliament.'³⁷

6.2.15 The European Roma Rights Centre (ERRC), in Basic Facts on Roma – Albania, dated 28 August 2010, stated that:

'There are no elected Romani officials at the national level in Albania; nor are there any known to have been elected at the local level. Although they do partake in elections, Romani voters constitute a very small portion of the electorate. Political parties generally encourage and mobilise Roma to vote during the campaigning and elections process, but often neglect their concerns after being elected.'³⁸

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6.3 Gorani

6.3.1 The Joshua Project Profile on the Gorani, undated, noted:

'The Gorani, meaning Highlanders, is an Islamic ethnic group which inhabits the Gora region, located between Albania, Kosovo and Macedonia. Another autonym of this people is "Našinci" which literally means "our people". They are also known among the neighboring Albanians by several exonyms,

³⁶ US Department of State: Country Report on Human Rights Practices 2015 - Albania, 13 April 2016. Section 2d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252815> [Accessed 21 September 2016]

³⁷ US Department of State: Country Report on Human Rights Practices 2015 - Albania, 13 April 2016. Section 3 Elections and Political Participation

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252815> [Accessed 21 September 2016]

³⁸ The European Roma Rights Centre (ERRC) Basic Facts on Roma – Albania, 28 August 2010 <http://www.errc.org/cikk.php?cikk=3622> [Accessed 6 October 2016]

"Torbeshë" and "Poturë". They speak the Gora dialect, which is known by many Gorani as "Našinski"...

'The Gorani live in the northern slopes of Sar Mountain and the intersection of Kosovo, Albania and Macedonia. Gorani in Kosovo today live in the villages of Backa, Brod, Dikance, Globocica, Gornja Rapca, Krushevo, Kukaljane, Ljeshtane, Ljubovishte, Mlike, Orcusha, Radesha, Restelica, Veliki Krstec, Vranishte, Zli Potok, Mali Krstec, Donja Rapca. There are also nine villages in northern Albania, along the border with Kosovo. According to the information in the municipal area and its surroundings Dragash there are around 12,000 or 13,000 in other countries.' ³⁹

6.3.2 A blog posted on the Mistrecja website, on 14 May 2013, observed that:

'Gorani population is located in northeast of Albania and southwest of Kosovo. The population is numbered on 60000. The Gorani word means highlander, because the Gorani population lives on hills and mountains, language Gorani's use is našinski, a Slavic language. The religion of Gorani is Islam, even they call their self as Muslim by Nationality. The center of Gora is Dragaš in Kosovo and Shistavec village in Albania. They were claimed by Bosnia, Bulgaria, Serbia and Macedonia but they are a minority group. Most of Gorani Population migrated in Tirana, capital of Albania. The Gorani speak Albanian language in school, the writing and reading is in Albanian. By Albanians they are known with few exonyms such as Bulgareci, (Bulgarians) torbesh, (bag carriers) and Gorane. The declare of nationality by Gorani was as Albanian.' ⁴⁰

6.3.3 An undated paper extracted through the European Centre for Minority Issues Kosovo (EMCI) website, stated:

'The Gorani community is a Slav-speaking, predominantly Islamic group which, while sharing Cultural similarities with Bosniaks, considers itself a separate ethnic group. The Gorani Community originates from the Gora region, which covers southern Kosovo and borders parts of Macedonia and Albania. The Gorani community celebrates the beginning of the spring which is known as Durevdan (St. George day), which is also recognised by law as the official day of the Gorani community (6 May).' ⁴¹

6.3.4 The Country Policy and Information Team (CPIT) did not locate any current sourced information reporting that the Gorani are subjected to ill treatment in Albania.

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³⁹ The Joshua Project, Profile: The Gorani, undated, http://joshuaproject.net/people_groups/18765/AL, [Accessed 30 September 2016]

⁴⁰ Mistrecja, Gorani people, 14 May 2013, Blog, <http://www.mistrecja.com/2013/05/gorani-people.html>, [Accessed 30 September 2016],

⁴¹ European Centre for Minority Issues Kosovo (EMCI), Gorani community, undated, (Culture and religion), <http://www.ecmikosovo.org/>, [Accessed 30 September 2016]

6.4 Greeks and other minority groups

6.4.1 The United States Department of State (USSD) Country Report on Human Rights Practices 2015: Albania, released on 13 April 2016, stated that:

'The law provides official minority status for national groups and separately for ethnolinguistic groups. The government defined Greeks, Macedonians, and Montenegrins as national groups; Greeks constituted the largest of these. The law defined Aromanians (Vlachs) and Roma as ethnolinguistic minority groups.

'The ethnic Greek minority complained about the government's unwillingness to recognize ethnic Greek towns outside communist-era "minority zones," to utilize Greek in official documents and on public signs in ethnic Greek areas, or to include more ethnic Greeks in public administration. Public education was not available in the Romani, Serbo-Montenegrin, or Vlach languages.'⁴²

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⁴² US Department of State: Country Report on Human Rights Practices 2015 - Albania, 13 April 2016. Section 6. National/Racial/Ethnic Minorities <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252815> [Accessed 21 September 2016]

Version Control and Contacts

Contacts

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Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from **13 October 2016**

Changes from last version of this guidance

Update of country of origin information.

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