



Home Office

Country Information and Guidance

Albania: Minority ethnic groups

14 November 2014

Preface

This document provides guidance to Home Office decision makers on handling claims made by nationals/residents of – as well as country of origin information (COI) about – Albania. 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 guidance contained within this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Within this instruction, links to specific guidance are those on the Home Office’s internal system. Public versions of these documents are available at <https://www.gov.uk/immigration-operational-guidance/asylum-policy>.

Country Information

The COI within this document 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 the guidance and information we provide. Therefore, if you would like to comment on this document, please email: cpi@homeoffice.gsi.gov.uk.

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. 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/>

It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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Section 1: Guidance

Date Updated: 14 November 2014

1.1 Basis of Claim

- 1.1.1 Fear of ill-treatment amounting to persecution at the hands of Albanian non-state actors and/or the Albanian authorities due to their membership of a minority ethnic group.

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1.2 Summary of Issues

- ▶ Is the person's account a credible one?
- ▶ Are minority ethnic groups at risk of mistreatment or harm in Albania?
- ▶ Are those at risk able to seek effective protection?
- ▶ Are those at risk able to internally relocate within Albania?

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1.3 Consideration of Issues

Is the person's account a credible one?

- 1.3.1 Decision makers must consider whether the material facts relating to the person's account of their ethnicity and of their experiences as such is reasonably detailed, internally consistent (e.g. oral testimony, written statements) as well as being externally credible (i.e. consistent with generally known facts and the country information). Decision makers should take into account all mitigating reasons why a person is inconsistent or unable to provide details of material facts such as age; gender; mental or emotional trauma; fear and/or mistrust of authorities; education, feelings of shame; painful memories, particularly those of a sexual nature, and cultural implications.

See also:

- ▶ [Asylum Instruction on Considering Protection \(Asylum\) Claims and Assessing Credibility](#)

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Are minority ethnic groups at risk of mistreatment or harm in Albania?

- 1.3.2 The law provides official minority status for national groups and separately for ethnolinguistic 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 public awareness of the Law on Protection from Discrimination and of the complaint mechanism remains low.
- 1.3.3 While the legal framework for economic and social rights has been improved, implementation is slow, but a climate of respect and tolerance between national minorities and the majority population generally prevails in Albania and as regards the respect for and protection of minorities, inter-ethnic relations remain good overall.
- 1.3.4 There have been reports of significant societal discrimination against members of the Romani and Balkan-Egyptian communities. Some Roma and Balkan-Egyptians face social exclusion and discrimination in access to housing, employment, health care, and education. There have been cases of forced evictions and instances in which the

Albanian authorities have discriminated against Roma in the provision of social services, social welfare payments, the provision of municipal infrastructure and health care. The number of Roma and Egyptian children who are subjected to the worst forms of exploitation and extreme marginalisation remains very high. The Roma often fall victim to human trafficking and Roma minors are frequently exploited for begging or for forced labour in other informal sectors of economy. However in general the level of 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, but each case must be assessed on its own merits.

See country information: [Human rights and the protection of minorities](#).

See also the Asylum Instruction(s) on:

- [Considering Protection \(Asylum\) Claims and Assessing Credibility](#)

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Are those at risk able to seek effective protection?

- 1.3.5 National minorities are guaranteed equal rights under the Constitution and 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.
- 1.3.6 It has previously been reported that members of the Roma minority, especially the young, faced ethnic profiling and were subjected to ill-treatment and improper use of force by police officers. The State police adopted an "Action Plan for prevention and the fight against racism and racial discrimination" which lays down measures and tasks to raise the awareness of the police of human rights, establish contacts with representatives of minorities in order to facilitate identification of cases of breaches of their legal and constitutional rights and to prevent and combat discriminatory acts.
- 1.3.7 In some instances law enforcement bodies did not react quickly to instances of discrimination which although followed at a later stage by investigation and prosecution, demonstrates that more vigorous action must be taken to train the police on human rights and to enforce the Discipline Rules and Regulations of the State Police.
- 1.3.8 While the roles of the offices of the Ombudsman and of the Anti-Discrimination Commissioner need to be clarified to render them more effective, there exists a general climate of tolerance and good inter-ethnic relations overall. Albania continues to deny Egyptians minority status and its implementation of national plans for the integration of Roma remains slow, due to insufficient resources, inadequate coordination, deficiencies in monitoring and evaluation, and a lack of political will.

See country information: [Human rights and the protection of minorities](#).

See also the Asylum Instruction(s) on:

- [Considering Protection \(Asylum\) Claims and Assessing Credibility](#)

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Are those at risk able to internally relocate within Albania?

- 1.3.9 Where members of ethnic minority groups do encounter local hostility they may be able to avoid this by moving elsewhere in Albania, but only if the risk is not present there and if it would not be unduly harsh to expect them to do so.
- 1.3.10 The constitution and law provide for freedom of internal movement. Internal migrants must transfer their civil registration to their new community of residence. In order to receive government services they must prove they are legally domiciled. Many people cannot provide this proof and thus lack access to essential services. Citizens who lack formal registration in the communities in which they resided, particularly Roma and Balkan-Egyptians can be affected by this. The law does not prohibit their registration, but it is often difficult to complete. There are no legal restrictions on women's freedom of movement in Albania, but in reality, women may have to seek permission from their husbands or family before travelling within Albania. The lack of birth registration and personal identity documents among Egyptian and Roma children, in particular those who have migrated, limits their access to basic services.

See country information: [Freedom of movement](#)

See also the Asylum Instructions on

- [Non-Suspensive Appeals: Certification Under Section 94 of the NIA Act 2002](#)
- [Humanitarian Protection](#)
- [Discretionary Leave](#)
- [Internal Relocation](#)

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1.4 Policy Summary

- Although significant societal discrimination and social and economic inequalities against ethnic minorities persist in Albania, including some unofficial restrictions on 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. The Roma often fall victim to human trafficking and Roma minors are frequently exploited for begging or for forced labour in informal sectors of economy. Each case must be assessed on its own merits.
- Effective state protection is, in general, likely to be available for members of ethnic minority groups who face discriminatory societal treatment or from local officials.
- Furthermore, if a person is at real risk from non state agents or local officials 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.
- Where a claim falls to be 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.
- Where a claim falls to be refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

See also the Asylum Instruction(s) on:

- [Non-Suspensive Appeals: Certification Under Section 94 of the NIA Act 2002](#)
- [Humanitarian Protection](#)
- [Discretionary Leave](#)

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Section 2: Information

2.1 Overview

- 2.1.1 The Albanian Institute of Science, Open Data Albania project, in 2013, carried out an historical analysis of Minorities in Albania and stated that:

'[...] Statistical data on minorities were collected from different sources, mostly publications of the Institute of Statistics, the Directorate of Statistics and different reports or documents of the Government of Albania.

'Currently Albania acknowledge two groups of minorities, those who are considered national ethnic and those who are considered cultural and lingual minorities. The acknowledgment of the existence of the minorities has been an evolving process over time. The collection of data on their existence, the methodology employed to collect such data and even the concept of minority has also evolved.'¹

- 2.1.2 The World Population Review, in its Albania Population 2014 report, stated that:

'Ethnicity is a delicate issue in Albania, and one that's debated. Official statistics show Albania is very homogeneous with more than 97 percent Albanian majority, but minority groups like the Roman, Greeks and Macedonians have questioned this data and claim a large 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 percent Albanian, 0.9 percent Greek, 0.2 percent Macedonian, 0.01 percent Montenegrin, 0.3 percent Aromanian, 0.3 percent Romani, 0.1 percent Balkan Egyptian, 14 percent no declared ethnicity and 1.6 percent not relevant.'²

- 2.1.3 The United States Department of State (USSD), International Religious Freedom Report for 2013, Albania, published 28 July 2014, stated however that:

'Several religious leaders continued to challenge the results of the 2011 census, alleging that census officials never visited a large number of their followers. Additionally, confusion regarding the consequences of ethnic and religious self-identification may have led many respondents not to identify their religious affiliation. For example, ethnic Greek minority groups had encouraged their members to boycott the census, affecting measurements of the Greek ethnic minority and the Greek Orthodox Church.'³

- 2.1.4 The European Commission, Commission Staff Working Document: Albania 2013 Progress Report, 16 October 2013, also 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. Data collected through the Census should not constitute the

¹ Albanian Institute of Science, Open data Albania project, Minorities in Albania, 2014

http://open_data.al/en/lajme/lajm/lang/en/id/673/Minorities-in-Albania Date accessed 01 August 2014

² World Population Review, Albania Population 2014, <http://worldpopulationreview.com/countries/albania-population/> Date accessed 01 August 2014

³ The United States Department of State (USSD) International Religious Freedom Report for 2013, Albania, published 28 July 2014, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dld=222183> Date accessed 01 August 2014

exclusive source of information for the development of the legal and policy framework on minorities.' ⁴

See the 2011 Population and Housing Census for the declared ethnic composition; Table 1.1.13, Page 71. ⁵

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2.2 Roma and Egyptians

2.2.1 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 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.' ⁶

2.2.2 The European Commission, Commission Staff Working Document: Albania 2013 Progress Report, 16 October 2013 stated that:

'Regarding Roma inclusion, the implementation of policies, including the operational conclusions of the December 2011 seminar on inclusion of the Roma and Egyptian communities in the framework of Albania's EU integration, remained inadequate overall.

'Roma and Egyptian continue to face very difficult living conditions and frequent discrimination, particularly regarding access to education, social protection, health, employment and housing. In line with the national action plan Albania needs to swiftly improve the living conditions of Roma; coordination between the public administration at central and local level is essential in this context. Evictions of Roma families from their settlements in August 2013 have been of particular concern. Another key area to focus on immediately is access to education and integration of Roma children in the

⁴ 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 Date accessed 01 August 2014

⁵ National Institute of Statistics of Albania (INSTAT), The 2011 Albanian Population and Housing Census, 2012, http://www.instat.gov.al/media/177354/main_results_population_and_housing_census_2011.pdf; Table 1.1.13, Page 71, Date accessed on 01 August 2014

⁶ The European Roma Rights Centre (ERRC) Basic Facts on Roma – Albania, 28 August 2010 <http://www.errc.org/cikk.php?cikk=3622> Date accessed 03 November 2014

education system — from pre-school level to higher education. The state authorities' response mechanism to protect Roma children is insufficient.⁷

2.2.3 The ERRC report continued:

'In accordance with the Law on Education, school attendance is mandatory for all children in Albania above the age of six. Unfortunately, many Romani children drop out of school before completing the eight years of mandatory schooling. [...] Romani families have difficulties accessing adequate healthcare. Only 76 percent of Roma, compared to 93 percent of non-Roma, have been immunised against polio, diphtheria, tetanus and whooping cough. There are reports that Roma are sometimes forced to pay bribes to receive proper medical treatment. [...] Many Roma are unable to access employment in Albania due to low educational qualifications and discrimination. There are no elected Romani officials at the national level in Albania; or are there any known to have been elected at the local level.'⁸

2.2.4 The United Nations Development Program (UNDP), Center for Economic and Social Studies (CESS) in a report, A Needs Assessment Study on Roma and Egyptian Communities in Albania, 29 February 2012, stated that:

'This study focuses on two marginalized groups of the Albanian society, the Roma and Egyptians. Settled in the Albanian territory for centuries, the Roma, and to a lesser extent the Egyptians, have managed to preserve their traditions and culture. Historically, the relations between the two communities and ethnic Albanians have been distant, but unlike in many other European countries there has been no racial conflict or persecution in Albania. During the post-socialist transition period, the situation of Roma and Egyptians slid from relative wellbeing to extreme poverty due to a combination of factors, including the collapse and closure of many state-owned enterprises, narrow range of trades they engaged in, low educational attainment levels, and discrimination. At present, they are the poorest groups in the Albania.'⁹

'Besides the majority Albanian population there is a number of ethnic groups, including Greeks, Macedonians, Montenegrin, Vlachs, Roma and Egyptians who live in the country. The size of these ethnic groups is as yet unestablished. Independent sources say that these groups make up 5 percent of the total population of Albania (Bërxioli, 2001).'¹⁰

'In the eyes of Albanians the Roma and Egyptians have both been "poorer-than-us" groups and this has often blurred the differences between the two. Mann (1933) wrote that Roma and Egyptians lived in communities in poor neighbourhoods, separate from the Albanian majority.'¹¹

2.2.5 The same source reports that:

⁷ European Commission, Commission Staff Working Document: Albania 2013 Progress Report, 16 October 2013 (p44 and 46) http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/brochures/albania_2013.pdf Date accessed 03 November 2014

⁸ The European Roma Rights Centre (ERRC) <http://www.errc.org/index.php> Basic Facts on Roma – Albania, 28 August 2010 <http://www.errc.org/cikk.php?cikk=3622> Date accessed 03 November 2014

⁹ UNDP, Center for Economic and Social Studies (CESS), A Needs Assessment Study on Roma and Egyptian Communities in Albania, 29 February 2012 (p13) <http://www.al.undp.org/content/dam/albania/docs/Roma%20Needs%20Assessment.pdf> Date accessed 01 August 2014

¹⁰ UNDP, Center for Economic and Social Studies (CESS), A Needs Assessment Study on Roma and Egyptian Communities in Albania, 29 February 2012 (p16) <http://www.al.undp.org/content/dam/albania/docs/Roma%20Needs%20Assessment.pdf> Date accessed 01 August 2014

¹¹ UNDP, Center for Economic and Social Studies (CESS), A Needs Assessment Study on Roma and Egyptian Communities in Albania, 29 February 2012 (p18) <http://www.al.undp.org/content/dam/albania/docs/Roma%20Needs%20Assessment.pdf> Date accessed 01 August 2014

'The survey data reveal a worsening of the housing and infrastructure conditions of the Roma and Egyptian communities. Over 38 percent of Roma and 45 percent of Egyptian families live in old decrepit dwellings, and a further 21 percent of Roma and 11 percent of Egyptian families live in shacks. Many of these families do not have access to potable water, indoor toilets, or wastewater services. [...] Roma and Egyptian children are one of the most vulnerable groups as far as their health status is concerned. This is mainly due to factors such as malnutrition, difficult living conditions, absence of prenatal and preventive healthcare, low level of educational attainment, as well as marriages and childbirth at a very early age. The health status of pregnant women is also cause for great concern. [...] many Roma and Egyptian families are either excluded from social assistance schemes, or do not receive the said assistance for as long as it is necessary. Consequently, we end up with a social assistance paradigm where assistance to the poor is predetermined but often "the poorest of the poor" are unable to benefit from it. [...] Poverty and social exclusion from the formal labour market have led the Roma and Egyptians to the informal market, where they are mainly involved in the collection of scrap metals, trade in second-hand clothes, casual jobs, construction and begging. These sorts of jobs do not provide sufficient earnings to adequately provide for their families.' ¹²

- 2.2.6 The Council of Europe, Committee of Ministers in a February Resolution on the implementation of the Framework Convention for the Protection of National Minorities by Albania stated that:

'Despite measures taken by the authorities in recent years, the housing situation of Roma remains worrying. The living conditions faced by the Roma inhabitants of some settlements, without access to running water, sewers and a lack of roads, are a matter of deep concern. It is particularly disturbing that, following a promising start in 2008, the Ministry of Public Works, Transport and Telecommunication discontinued its funding for housing and infrastructure projects in the most needy Roma communities. Unemployment among the Roma remains unacceptably high.' ¹³

- 2.2.7 The October 2014 European Commission Progress Report noted that:

'The implementation of policies on Roma inclusion remains "inadequate overall". It highlighted that "Roma families evicted from their settlements in August 2013 were transferred to a transition centre, which was quickly set up, in October. A sustainable long-term housing solution for these evicted people has not yet been identified. [...] The new law on property legalisation was adopted in May without prior consultation with relevant stakeholders and has increased the risk of further evictions of Roma families from their informal settlements, which remain a particular concern.' ¹⁴

- 2.2.8 The same source noted that:

'Regarding child labour, the number of children, mainly Roma and Egyptians, who were working or begging in the streets and who were subjected to the worst forms of exploitation and extreme marginalisation remained very high. [...] Roma and Egyptian

¹² UNDP, Center for Economic and Social Studies (CESS), A Needs Assessment Study on Roma and Egyptian Communities in Albania, 29 February 2012 Executive Summary (p13-15)
<http://www.al.undp.org/content/dam/albania/docs/Roma%20Needs%20Assessment.pdf> Date accessed 03 November 2014

¹³ Council of Europe, Resolution CM/ResCMN(2014)1 on the implementation of the Framework Convention for the Protection of National Minorities by Albania, 12 February 2014
<https://wcd.coe.int/ViewDoc.jsp?id=2161315&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383> Date accessed 03 November 2014

¹⁴ European Commission, Albania 2014 Progress Report, 08 October 2014 (pg 49)
http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-albania-progress-report_en.pdf
Date accessed 03 November 2014

children are still not fully integrated in the education system which occasionally leads to segregation and exclusion.’¹⁵

2.2.9 The United States Department of State (USSD) Country Report on Human Rights Practices 2013: Albania, released on 27 February 2014, stated that:

‘There were reports of significant societal discrimination against members of the Romani and Balkan-Egyptian communities. Roma and Balkan-Egyptians faced discrimination in access to housing, employment, health care, and education.

‘Some schools resisted accepting Romani and Balkan-Egyptian students, particularly if they appeared to be poor. Local NGOs reported that many schools that accepted Romani students marginalized them in the classroom, sometimes by physically setting them apart from other students.

‘In August [2013] a private property developer in Tirana forcibly evicted 37 Romani families from a building they had occupied for 10 years. The families moved to the street in front of the building. The Tirana mayor’s office was unresponsive to calls to assist them with housing. The national government identified a suitable shelter for the families at a renovated former military base, and the families relocated there.’¹⁶

2.2.10 The same source further noted that:

‘[...] residency requirements for registration made it more difficult for many Romani and Balkan-Egyptian parents to register their children and access some other government services that were dependent on registration. According to the Children’s Rights Center of Albania (CRCA), children born to internal migrants or those returning from abroad frequently had no birth certificates or other legal documentation and as a result were unable to attend school. This was particularly a problem for Romani families, in which couples often married young and failed to register the birth of their children. [...] Displaced and street children remained a problem, particularly within the Romani community. Street children begged or did petty work; some migrated to neighboring countries, particularly during the summer. These children were at highest risk of trafficking, and some became trafficking victims. Some displaced children were used by criminal gangs to burglarize homes because the law prohibits prosecuting children under the age of 14 for burglary. Very few child trafficking cases were prosecuted’.¹⁷

2.2.11 The People’s Advocate, in a report, Tracing, analysis and evincing factors affecting increase of asylum applications by Albanian nationals in member states of Shengen area, dated March 2014, stated that:

‘Data shared by some of the foreign representations in Albania, country members of Schengen area, indicate that some Albanian nationals that have sought asylum in these countries, belong to Roma minority and among the reasons they present for their claims for asylum are mostly discrimination because of their ethnicity. Also, through different information obtained from this minority members, it is verified that many Roma community members have sought asylum on grounds of difficult economic situation they are in.

¹⁵ European Commission, Albania 2014 Progress Report, 08 October 2014 (pgs 48 and 56)
http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-albania-progress-report_en.pdf
Date accessed 03 November 2014

¹⁶ United States Department of State (USSD) Country Report on Human Rights Practices 2013: Albania, 27 February 2014 (Section 6) <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220247>
Date accessed 01 August 2014

¹⁷ United States Department of State, Country Report on Human Rights Practices 2013: Albania, 27 February 2014 (Section 6) <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220247>
Date accessed 03 November 2014

'Among the priorities of the People's Advocate, a constitutional institution, is observation of Roma minority rights. The Special Report "On Issues and Situations Relating to the Rights of Roma Minority in Albania", prepared by the People's Advocate in October 2013, notes that the Roma minority in Albania faces at present a number of difficulties related to lack of shelter facilities, registration in the civil state offices, economic aid, education, living conditions and availability of utilities. The Roma minority members in Albania often fall victims of human trafficking and Roma minors are frequently exploited for begging, or for forced labour in other informal sectors of economy. The Roma minority is the most poor and discriminated community in Albania and this has brought about the migration of Roma outside the country, looking for better life.

'The poverty level of Roma families is really high. The poor and very poor Roma families are faced with the highest degrees of social exclusion, having less capacities to make the both ends meet, face their daily needs for subsistence, and have few possibilities to play a role in everyday routines that affect their lives, such as employment and education opportunities. Quite a number of Roma families are excluded from the state assistance scheme, or from benefiting such assistance for as long as it is needed.

'The social indicators related to Roma populace are considered to be the poorest, lower than the national average. A sizeable part of Roma community dwells amidst unsafe and unprotected environment, under the average standard of living.' ¹⁸

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2.3 Greeks

2.3.1 The USSD Country report 2013 stated that:

'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, and to include a higher number of ethnic Greeks in public administration.' ¹⁹

2.3.2 Freedom House, in the Freedom in the World – Albania (2013) report, released on 26 June 2014 stated in regard to political participation that:

'Ethnic minorities were able to campaign freely in their own languages in 2013, and voters had access to ballot materials in minority languages. The PBDNJ (Human Rights and Unity Party) represents ethnic Greek interests in politics and government. The Romany minority and other marginalized groups are reportedly vulnerable to political exploitation and vote-buying schemes.' ²⁰ See also the Defence Academy of the UK, Research & Assessment Branch [The Greek Minority in Albania – Current Tensions, February 2010](#) for further background. ²¹

¹⁸ People's Advocate, Tracing, analysis and evincing factors affecting increase of asylum applications by Albanian nationals in member states of Shengen area, March 2014 (p13)

<http://www.theioi.org/downloads/5qm18/Peoples%20Advocate%20Special%20report%20on%20Asylum-seekers.pdf> Date accessed 01 August 2014

¹⁹ United States Department of State (USSD) [http://www.state.gov/Country Report on Human Rights Practices 2013: Albania](http://www.state.gov/Country%20Report%20on%20Human%20Rights%20Practices%202013%20Albania), 27 February 2014

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dld=220247> Date accessed 01 August 2014

²⁰ Freedom House [http://www.freedomhouse.org/ Freedom in the World 2014 – Albania](http://www.freedomhouse.org/Freedom%20in%20the%20World%202014%20Albania), 26 June 2014

http://freedomhouse.org/report/freedom-world/2014/albania#U_NYtfrMMPMo Date accessed 01 August 2014

²¹ Defence Academy of the UK, Research & Assessment Branch [The Greek Minority in Albania – Current Tensions, February 2010](http://www.da.mod.uk/colleges/arag/document-listings/balkan/Balkan%20Series%200110%20WEB.pdf) <http://www.da.mod.uk/colleges/arag/document-listings/balkan/Balkan%20Series%200110%20WEB.pdf> Date accessed 01 August 2014

- 2.3.3 The Council of Europe, Committee of Ministers in Resolution CM/ResCMN(2014)1 on the implementation of the Framework Convention for the Protection of National Minorities by Albania, 12 February 2014, stated that:

'The authorities abolished in May 2011 the practice of mandatory recording in birth certificates of the ethnicity of persons belonging to the Greek and Macedonian national minorities, based on the parents' birth certificates rather than on a free declaration by the persons concerned. This practice, which was restricted only to the Greek and Macedonian minorities and practiced in certain areas, constituted discrimination among persons belonging to different national minorities'.²²

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2.4 Human rights and the protection of minorities

- 2.4.1 The 2011 Concluding observations of the UN Committee on the Elimination of Racial Discrimination noted that:

'The Committee reiterates its concern about allegations that members of the Roma minority, especially the young, face ethnic profiling and are subjected to ill-treatment and improper use of force by police officers. It regrets the absence of specific information in this regard by the State party (art. 5)'.²³

- 2.4.2 Amnesty International's annual report covering 2012 noted that:

'In July, the livelihoods of an estimated 800 Romani families were affected when Tirana police implemented an administrative order prohibiting the collection of scrap and other recyclable materials by seizing their vehicles and other equipment. The Ombudsperson opened an inquiry into excessive use of force and ill-treatment by police during the operation'.²⁴

- 2.4.3 In a June 2014 research memo on the situation of Roma the Immigration and Refugee Board of Canada reported that:

'The Commissioner for Protection from Discrimination similarly stated that police reportedly "did not react" to forced evictions and verbal abuses of Roma families (Albania 11 June 2014)'.²⁵

- 2.4.4 The USSD Country report 2013 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.'²⁶

²² Council of Europe, Resolution CM/ResCMN(2014)1 on the implementation of the Framework Convention for the Protection of National Minorities by Albania, 12 February 2014 <https://wcd.coe.int/ViewDoc.jsp?id=2161315&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383> Date accessed 03 November 2014

²³ UN Committee on the Elimination of Racial Discrimination, Concluding observations of the Committee on the Elimination of Racial Discrimination, 14 September 2011 paragraph 15 http://www.ecoi.net/file_upload/1930_1325770014_g1145456.pdf date accessed 03 November 2014

²⁴ Amnesty International, Annual Report 2013 Albania, 23 May 2013 <http://www.amnesty.org/en/region/albania/report-2013> date accessed 03 November 2014

²⁵ Immigration and Refugee Board of Canada: Albania: Situation of Roma, including access to education, employment, housing and social services; treatment of Roma by society and authorities (2011-June 2014) [ALB104891.E], 16 June 2014 http://www.ecoi.net/local_link/279217/395941_en.html date accessed 03 November 2014

²⁶ United States Department of State (USSD) <http://www.state.gov> Country Report on Human Rights Practices 2013: Albania, 27 February 2014 (Section 6) <http://www.state.gov/i/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dld=220247> Date accessed 01 August 2014

2.4.5 The Council of Europe, Committee of Ministers in Resolution CM/ResCMN(2014)1 on the implementation of the Framework Convention for the Protection of National Minorities by Albania, 12 February 2014, stated that:

'Albania has pursued a constructive approach towards the monitoring process and has taken useful steps to disseminate the results of the two first cycles of monitoring. A follow up seminar on the implementation of the Framework Convention, with particular emphasis on the recommendations of the Committee of Ministers, was organised in July 2010 in Tirana.

'A climate of respect and tolerance between national minorities and the majority population generally prevails in Albania. The Law on Protection from Discrimination was adopted in 2010 and the Office of the Commissioner for Protection from Discrimination has been established. The Law introduced in the Albanian legal system the principle of the shifting of the burden of proof and contained a provision allowing third parties to intervene as *amicus curiae* in cases of discrimination. 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 State police adopted an "Action Plan for prevention and the fight against racism and racial discrimination" which lays down measures and tasks to raise the awareness of the police of human rights, establish contacts with representatives of minorities in order to facilitate identification of cases of breaches of their legal and constitutional rights and to prevent and combat discriminatory acts. The plan further aims to promote the recruitment of persons belonging to national minorities.'²⁷

2.4.6 However, the report also noted that:

'There has been no progress with the adoption of a law on national minorities, in spite of the commitments made by Albania to adopt such legislation in the framework of the National Plan for the implementation of the Stabilisation and Association Agreement between Albania and the European Union. [...]

'Against the background of a general climate of tolerance and understanding prevailing between national minorities and the majority, Albania recorded its first major incident in the form of an arson attack against Roma dwellings inhabited by some 40 families in central Tirana in February 2011. The firebombing resulted in some serious injuries and the displacement of large numbers of people, including many children, to a temporary shelter, not suitable for winter accommodation. It is of particular concern that law enforcement bodies did not take immediately the necessary steps to protect the victims of this attack. The inadequacy of initial police reaction, although followed at a later stage by an investigation and prosecution, demonstrates that more vigorous action must be taken to train the police on human rights and to enforce the Discipline Rules and Regulations of the State Police.'²⁸

²⁷ Council of Europe, Resolution CM/ResCMN(2014)1 on the implementation of the Framework Convention for the Protection of National Minorities by Albania, 12 February 2014
<https://wcd.coe.int/ViewDoc.jsp?id=2161315&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383> Date accessed 01 August 2014

²⁸ Council of Europe, Resolution CM/ResCMN(2014)1 on the implementation of the Framework Convention for the Protection of National Minorities by Albania, 12 February 2014
<https://wcd.coe.int/ViewDoc.jsp?id=2161315&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383> Date accessed 01 August 2014

See the Council of Europe. Third report submitted by Albania, pursuant to article 25, paragraph 2 of the framework convention for the protection of national minorities, 10 January 2011, for further background.²⁹

2.4.7 Reporting on the outcome of the Universal Periodic Review on Albania, Amnesty International reported that:

'Albania has also accepted recommendations on ending discrimination against Roma and Egyptian communities, but regrettably continues to deny Egyptians minority status. Roma and Egyptians continue to live in inadequate housing, without security of tenure, and vulnerable to forced eviction. More generally, Albania's implementation of national plans for the integration of Roma remains slow, due to insufficient resources, inadequate coordination, deficiencies in monitoring and evaluation, and a lack of political will. Amnesty International urges Albania to implement recommendations to ensure the right to adequate housing to Roma and Egyptians, and to redouble its efforts to fully implement the National Action Plan and Strategy for the Decade of Roma Inclusion'.³⁰

2.4.8 The European Commission, Commission Staff Working Document: Albania 2013 Progress Report, 16 October 2013, stated that:

'Albania has taken some concrete steps to reinforce protection of human rights, and to effectively implement anti-discrimination policies — both areas are among the key priorities. It presents a mixed picture regarding human rights and the protection of minorities. ... some legislation is in place — e.g. regarding the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons — and some is lacking, e.g. regarding the Roma community. The Albanian authorities need both to apply the existing legislation and to draft new legislation in the area of anti-discrimination'.³¹

'In line with the national action plan on the Roma Decade, Albania needs to swiftly improve the living conditions of the Roma; coordination between central and local government is essential in this context.

'Public awareness of the Law on Protection from Discrimination and of the complaint mechanism remains low. The implementation of the law needs to be enhanced; victims of discrimination need to be encouraged to file complaints in order to establish solid case law.

'The roles of the offices of the Ombudsman and of the Anti-Discrimination Commissioner need to be clarified to render them more effective. The legal framework for economic and social rights has been improved, but implementation is slow, [...]'³²

'As regards the respect for and protection of minorities, inter-ethnic relations remained good overall. A series of measures still need to be taken to guarantee respect for human rights, integration and social inclusion in practice — such as clearly defining

²⁹ Council of Europe, Albania portal, report submitted by Albania, pursuant to article 25, paragraph 2 of the framework convention for the protection of national minorities, received on 10 January 2011, http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_SR_Albania_en.pdf Date accessed 01 August 2014

³⁰ Amnesty International, Continuing concerns over impunity, domestic violence, and discrimination against Roma and Egyptians, 18 September 2014 <http://www.amnesty.org/en/library/asset/EUR11/001/2014/en/93904508-c679-4085-90fe-bb9f68571757/eur110012014en.pdf> date accessed 03 November 2014

³¹ European Commission, Commission Staff Working Document: Albania 2013 Progress Report, 16 October 2013 (Pg10) http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/brochures/albania_2013.pdf Date accessed 01 August 2014

³² European Commission, Commission Staff Working Document: Albania 2013 Progress Report, 16 October 2013 (Pg11) http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/brochures/albania_2013.pdf Date accessed 01 August 2014

minorities in Albanian legislation. The mandate of the State Committee for Minorities has not been enhanced. The adoption of comprehensive legislation, following a broad consultation process, and taking into account the recommendations of the Advisory Committee of the Framework Convention for the Protection of National Minorities, would help to address legal gaps that have been identified and clarify state policy towards minorities. Short-term measures ensuring equal access in practice to rights for persons belonging to all minorities throughout Albania, abolishing any ground for differentiated treatment between the categories of national and ethno-linguistic minorities and enhancing the representativeness and consultative role of the State Committee on Minorities, would be steps in the right direction. [...] ³³

'Regarding cultural rights, the traditional minority name of one municipality has been restored with cross-party parliamentary support, but the use of minority languages needs to be further enhanced. Albania has not adopted the European Charter for regional and minority languages and the right of persons belonging to minorities to receive instruction in their language is still not available for all. ³⁴

2.4.9 The European Forum for Democracy and Solidarity, in its Albania update, dated 14 July 2014, stated that:

'Political participation of minorities is not high on the agenda in Albania, perhaps because Albania - in contrast to neighbouring countries - has not encountered any ethnic, racial or religious problem or conflict. [...] However, in the 2009 electoral process, minority populations, notably Roma, continued to be marginalized and were subjected to election intimidation and attempted 'vote buying'.

'According to the OSCE, minorities generally enjoyed respect of their rights in the run up to and during the elections. National minorities are guaranteed equal rights under the Constitution. While no reliable official data on minorities is available, it is widely believed that the Greek and the Roma communities are the largest.

'In May 2014, the Council of Europe adopted a resolution calling on Albania to implement the Framework Agreement for Protection of Minority Languages and provide education in these native tongues throughout the country.' ³⁵

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2.5 Freedom of movement

2.5.1 The US State Department's 2013 Country Report on Human Rights Practices (USSD Report 2013), Albania, published on 27 February 2014, noted that:

'The constitution and law provide for freedom of internal movement, [...] Internal migrants must transfer their civil registration to their new community of residence to receive government services and must prove they are legally domiciled through property ownership, a property rental agreement, or utility bills. Many persons could not provide this proof and thus lacked access to essential services. Other citizens lacked formal registration in the communities in which they resided, particularly Roma

³³ European Commission, Commission Staff Working Document: Albania 2013 Progress Report, 16 October 2013 (Pg45) http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/brochures/albania_2013.pdf Date accessed 01 August 2014

³⁴ European Commission, Commission Staff Working Document: Albania 2013 Progress Report, 16 October 2013 (Pg46) http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/brochures/albania_2013.pdf Date accessed 01 August 2014

³⁵ European Forum for Democracy and Solidarity, Albania update, 14 July 2014, <http://www.europeanforum.net/uploads/countries/pdf/albania.pdf> Date accessed 01 August 2014

and Balkan-Egyptians. The law does not prohibit their registration, but it was often difficult to complete.³⁶

2.5.2 The UN Committee on Economic, Social and Cultural Rights reported in December 2013 that it was concerned that the lack of birth registration and personal identity documents among Egyptian and Roma children, in particular those who have migrated, limits their access to the enjoyment of economic, social and cultural rights (arts. 2, 9 and 12-14).³⁷

2.5.3 According to the 2012 OECD Social Institutions and Gender Index:

'There are no legal restrictions on women's freedom of movement in Albania, either within the country or abroad. But in reality, freedom of movement is restricted by the expectation that a married woman will move to live with her husband's family. In addition, women may have to seek permission from their husbands or family before travelling within Albania or abroad. For some women, freedom of movement on a day-to-day basis is restricted, with 14.9% reporting that their husband/partner took the final decision as to whether their wife could go and visit her family members. In addition, the internal registration system (whereby people can only gain access to government-provided social services in the district where they are registered) effectively limits freedom of movement for all Albanian citizens.'³⁸

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³⁶ United States Department of State (USSD) <http://www.state.gov> Country Report on Human Rights Practices 2013: Albania, 27 February 2014 (Section 2d) <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dld=220247> Date accessed 01 August 2014

³⁷ UN Committee on Economic, Social and Cultural Rights, Concluding observations on the combined second and third periodic reports of Albania*, 18 December 2013 paragraph 13 http://www.ecoi.net/file_upload/1930_1388747687_g1349811.pdf Date accessed 03 November 2014

³⁸ OECD Social Institutions and Gender Index, Gender Equality and Social Institutions in Albania 2012, Restricted civil liberties <http://genderindex.org/country/albania> Date accessed 03 November 2014

Annex A: Map of Albania

Map of Albania, dated 2013, extracted from Mapsofworld.com³⁹



Description: Albania Political map showing the international boundary, counties boundaries with their capitals and national capital.

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³⁹ Maps of World, Political Map of Albania, updated on 23 March 2013, <http://www.mapsofworld.com/albania/> date accessed 01 August 2014

