

Albania: Situation of Roma, including access to education, employment, housing and social services; treatment of Roma by society and authorities (2011-June 2014)

Publisher [Canada: Immigration and Refugee Board of Canada](#)

Publication Date 16 June 2014

1. Overview

Roma in Albania are recognized as an ethnic-linguistic minority (ERRC 28 Aug. 2010; Roma Active Albania et al. 2013, 7; UN Sept. 2013, 10). According to sources, Romani communities are located in the following areas: Tiranë, Elbasan, Korçë, Fushë - Krujë Lushnjë, Fier, Berat (ibid.; Albania 2 June 2014), Durrës, Gjirokastër, Korçë, Krujë, Shkodër, Vlorë, Pogradec, Bilisht, Delvinë, Sarandë, Përmet, Moravë, Levan, Çlirim, Llakatund, Klos, and Pukë (ibid.).

The European Roma Rights Centre (ERRC), an international public interest law organization aiming to combat discrimination against Roma (n.d.), reports that the Roma population in Albania is between 1,300 and 120,000 persons (ERRC 28 Aug. 2010, 1). Minority Rights Group International (MRG) states that there are no official statistics for the size of the Roma community in Albania, however estimates range from 80,000 to 150,000 (MRG n.d.a). In correspondence with the Research Directorate, an official with the International Cooperation and Coordination Directorate of the Albanian State Police similarly stated that there are no recent statistics, but the estimated number of Roma living in Albania is approximately 100,000 (Albania 2 June 2014).

L'aménagement linguistique dans le monde, a Université Laval website outlining the linguistic situation and policies in 195 countries (L'aménagement linguistique n.d.), states that the Roma minority in Albania is approximately 2.8 percent of the total population, which was 3.8 million in 2008 (ibid. 29 Apr. 2012).

Sources indicate that Roma in Albania face societal discrimination (US 27 Feb. 2014, 22; MRG n.d.a). Several sources indicate that Roma face discrimination in education, health care, employment and housing (US 27 Feb. 2014, 22; Freedom House 2013, 4; Roma Active Albania et al. 2013, 7). In correspondence with the Research Directorate, the Commissioner for Protection from Discrimination stated that discrimination against Roma is "widespread in all areas of life" (Albania 11 June 2014). The Commissioner for Protection from Discrimination reviews complaints,

conducts administrative investigations, conducts surveys and monitors the level to which the law is implemented, as well as promotes equality and anti-discrimination principles (Albania n.d.).

2. Education

The US Department of State's Country Reports on Human Rights Practices for 2013 reports that, according to Albanian NGOs, schools that accept Romani students marginalize them in the classroom by "physically setting them apart from other students" (US 27 Feb. 2014, 22). The Commissioner for Protection from Discrimination stated that despite the law on pre-university education that requires schools to register Roma children without birth certificates, some schools do not register them (Albania 11 June 2014). Country Reports 2013 similarly states that "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" (US 27 Feb. 2014, 19). A European Commission report, entitled Commission Staff Working Documents: Albania 2012 Progress Report, also stated that the Albanian government approved "administrative decisions to facilitate birth registration procedures; however, there continues to be insufficient coordination between different institutions involved in the registration of births" (EU 10 Oct. 2012, 21-22).

Two sources stated that many Romani children drop out of school (Albania 11 June 2014; ERRC 28 Aug. 2010, 1). According to the ERRC, "[u]nofficial estimates indicate that secondary school attendance of Roma in Albania is very low" compared to 72 percent of Albanian children who attend secondary school (ibid). Moreover,

Romani parents [c]ite discriminatory treatment by teachers and other students and large distances between their homes and schools as reasons for low school attendance. Due to poverty many Romani children have to work to contribute to the families' income. (ibid.)

In 2011, the Commissioner for Protection from Discrimination conducted a study on discrimination by monitoring different schools in the following districts: Shkodra, Tirana, Elbasan, Durrës, Fier and Kukes (Albania 11 June 2014). According to the results, the students "ranked 'race' as the main ground of discrimination in their schools" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. Employment

According to sources, the number of unemployed Roma remains high (Albania 11 June 2014; Roma Active Albania et al. 2013, 11; Council of Europe 4 June 2012, 34). ERRC reports that

[m]any Roma are unable to access employment in Albania due to low educational qualifications and discrimination. Most Roma earn a living from occasional informal work in agriculture, public service and construction with very low wages. (ERRC 28 Aug. 2010)

A report prepared by a civil society coalition comprising the Roma Active Albania, an NGO that works in nine Albanian Roma communities with the aim to improve the situation of Roma people (n.d.); the Human Development Promotion Centre; O Avipe i Romegno; Romano Sezi and the Roma Union of Berati similarly states that many Roma are unable to find employment due to lack of professional skills, "very poor adoption of the new labour market needs, discrimination by

employers and lack of specific [g]overnmental policies designed to address Roma unemployment issues" (Roma Active Albania et al. 2013, 10). The report further states that

[t]he government provides economic aid and unemployment benefit to selected poor families and the unemployed. Currently, a very small number of Roma benefit from financial support. Many of them are excluded from receiving economic aid entirely and if they do, they don't receive it for as long as is necessary. (ibid.)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. Housing

Amnesty International (AI) reports that Romani people "continued to be denied their rights to adequate housing" (AI 2013, 2). Two sources indicated that Romani communities live in poor conditions in areas lacking infrastructure such as access to water (Roma Active Albania et al. 2013, 11; ERRC 28 Aug. 2010), as well as electric and public services (ibid.). The Commissioner for Protection from Discrimination similarly stated that Roma "live in poor housing conditions, with insufficient space, and inadequate premises" (Albania 11 June 2014).

According to sources, Roma communities continue to face forced evictions (US 27 Feb. 2014, 22; UN Sept. 2013, 13; Balkan Insight 2 June 2014). The Balkan Investigative Reporting Network's publication Balkan Insight indicates that, according to a Roma activist, the law does not provide legal protection for Romani homes that are "shacks or little more than shacks" as

[t]he law on the legalization and urbanization of illegal constructions that originally came into force in 2007 aimed to give legal status to more than 270,000 illicit buildings, but did not recognize shacks as "'proper'" constructions. (ibid.)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Albanian Roma activists quoted by Balkan Insight further stated that the government "ha[s] done little to protect Roma communities from forced evictions, particularly in urban areas targeted for development" (ibid.). Country Reports 2013 indicates that in August 2013, 37 Romani families were evicted from a building in Tirana by a private property developer and had to move to the street (US 27 Feb. 2014, 22). The United Nations Development Program (UNDP) Albania similarly states that Roma families were forcibly evicted from their homes in August 2013 from the area known as "Ish Dekori" in Tirana (UN Sept. 2013, 14). According to the UN report, their homes were demolished by the construction company and families were forced to settle next to the construction site (ibid.). According to Country Reports 2013, the Tirana mayor's office did not assist the Roma families with housing, however the national government "identified a suitable shelter for the families at a renovated former military base, and the families relocated there" (US 27 Feb. 2014, 22).

According to the Commissioner for Protection from Discrimination, some municipalities do not provide social housing, while others do not allocate available social housing to homeless Roma, but

do to the rest of the population (Albania 11 June 2014). The Civil Society Monitoring Report indicates that

Roma families are almost always excluded from the social housing programs. Few of them can benefit from low-cost social housing because the majority of Roma are unemployed and/or do not have regular monthly income, which is a precondition of Banks for financing. (Roma Active Albania et al. 2013, 11)

The UNDP lists the following reasons for the inability of Roma to access low-cost housing and mortgage interest subsidy programs:

Roma do not receive additional points in the selection criteria for being Roma and even if they do, there is not any document that they can provide to prove that [they are Roma];

Roma cannot prove their income, since generally they are not formally employed;

They do not earn at such levels to afford paying a rent or paying back a subsidised loan;

Most or some of them are not registered in the civil registries of local government where they actually reside for years;

They lack information about public policies and also often the required documentation for applying to social housing programs. This is particularly the case with those Roma living in informality and in risk of eviction, [who] are not able to follow the required procedures;

Location is not taken into account when deciding for housing solutions for Roma, [who] are not willing to move to an area without easy access to waste bins and/or begging. (UN Sept. 2013, 13)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

5. Healthcare

Sources report that Roma face discrimination in accessing healthcare (Roma Active Albania et al. 2013, 10; ERRC 28 Aug. 2010). ERRC indicates that

[o]nly 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 children in large Romani families suffer from malnutrition, which affects their overall health and ability to study. (ibid.)

According to Minority Rights Group International, social factors and the mobility of Roma groups makes the lack of access to "health services, especially vaccination, a particular problem" (MRG n.d.a).

The Civil Society Monitoring report indicates that discrimination against Roma in healthcare

is not only related to the common concerns of Albanian society about bribing doctors and nurses, but also takes into account many examples of direct or indirect discrimination regarding inappropriate treatment by healthcare providers, communication barriers and violation of healthcare rights that, together, make the health system and health-care facilities hostile places for Roma. Discrimination discourages Roma communities from immediately addressing their health concerns, and negatively affects the impact of the huge efforts made by NGOs to raise awareness to ensure that this community regularly attends the health checks to prevent diseases and protect their children. (Roma Active Albania et al. 2013, 10)

Moreover,

[o]ne of the main concerns of Roma is lack of Health Insurance Cards. This is related predominantly to employment factors: many Roma are either unemployed or they work without a valid employment contract. In either case they do not pay social security contributions and are thus ineligible for benefits. Roma living on a low income are usually unable to afford health insurance contributions. In addition, many Roma are not aware of the procedures that must be followed to obtain a Health Insurance Card. Thus, Roma face an insurmountable barrier in access to healthcare; the high cost of medical services and medicines are unaffordable for most Roma families. (ibid.)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

6. Treatment by the Police

Without providing details, the official with the International Cooperation and Coordination Directorate of the Albanian State Police indicated that Albanian state police officers receive training on different issues related to vulnerable groups, including Roma (Albania 2 June 2014). The Commissioner for Protection from Discrimination indicated that she participated in a working group which drafted the curriculum for police training (ibid. 11 June 2014).

However, AI reports on the "ill-treatment" of Roma by police and inadequate police protection from threats and attacks (AI 2013, 2). 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).

Sources report that in 2011, some Romani families were forced to move from their homes near the Tirana railway station after an arson attack (UN Sept. 2013, 14; AI 2013, 2). According to AI, eight families were temporarily moved to the Ombudsperson's Office and later transferred to military barracks (ibid.). However, "their very poor accommodation and inadequate police protection from threats and attacks by the neighbouring community obliged them to leave" (ibid.). Further information on the incident could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

AI reports that in July 2011, approximately 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" (ibid.). According to AI, Roma reportedly received "ill-treatment" by police officers and "excessive... force" was used against them (ibid.). The report further notes that the Ombudsperson opened an inquiry into "excessive use of force and

ill treatment by police during this operation" (ibid.). Further or corroborating information on the incident could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

7. Government Policies and Initiatives on Roma

ERRC reports that in 2003, the Albanian government approved a National Strategy for Improving Roma Living Conditions, including housing, unemployment and "low educational attainment" (ERRC 28 Aug. 2010). MRG similarly reports that the government adopted a national action plan for Roma in 2003 that aimed to improve Roma involvement in public life, mitigate poverty and preserve Roma identity (MRG n.d.a). Roma Active Albania et al. states that the implementation of the national action plan "was criticized for being slow due to insufficient human and financial resources, inadequate institutional coordination at the national and local level, and deficiencies in the monitoring and evaluation mechanisms" (Roma Active Albania et al. 2013, 20). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to ERRC, in 2006, the Ministry of Tourism, Culture, Youth and Sports adopted an action plan for Roma with regard to culture, youth and sports with the aim to "raise awareness of Romani traditions and create equal opportunities for the integration of Romani youth in society" (ERRC 28 Aug. 2010). Sources indicate that the Albanian government adopted a national action plan as part of the Decade of Roma Inclusion (UN 30 Apr. 2014, para. 13; ERRC 28 Aug. 2010, 1) in 2008 (ibid.; Albania June 2011, 2). The plan aims to improve the Roma situation with regard to education, employment, social protection, housing and health, among others (ERRC 28 Aug. 2010, 1). According to the Draft Report of the Working Group for the UN Universal Periodic Review, the Action Plan for 2010-2015 focuses on improving the socio-economic status, social inclusion, and integration of the Roma in Albania (UN 30 Apr. 2014, para. 13). Information on the implementation of the National Roma Integration Strategy and Decade Action Plan in 2012 in Albania can be found in the Civil Society Monitoring Report (Roma Active Albania et al. 2013). A copy of the report is attached to this Response.

According to sources, a new law on protection from discrimination entered into force in March 2010 (Albania June 2011, 6; Albania 11 June 2014). A progress report of the government of Albania on the decade of Roma inclusion states that

[t]he law prohibits discrimination on several grounds including ethnicity and language, in the area of employment, education and services. The education chapter III prohibits discrimination in education institutions, and authorizes temporary 'special measures' to overcome historical discrimination and promote equality in education. (Albania June 2011, 6)

According to the same report, "so far there has been no case law in the Albanian courts to show how effective these norms are" (Albania June 2011, 6). However, without providing details, the Commissioner for Protection from Discrimination stated that the law has been implemented once in a decision of discrimination by an Albanian court (Albania 11 June 2014). Further information on the court decision could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Attempts to contact the following individuals and organizations were unsuccessful within the time constraints of this Response: Country Facilitator for Albania and Kosovo, Roma Education Fund; European Roma Grassroots Organisations Network; European Roma Rights Centre; Roma Active Albania in Tirana; World Roma Organization - Rromanipen.

Internet sites, including: Albania - General Directorate of State Police; Albanian Times; Albanian National News Agency; Albanian News Agency; Center of Documentation and Information on Minorities in Europe - Southeast Europe; ecoi.net; European Roma Grassroots Organisations Network; European Roma and Travellers Forum; Factiva; Human Rights Watch; International Federation for Human Rights; International Roma Youth Network; Lexadin.nl; Open Society Foundation; Radio Free Europe/Radio Liberty; Roma Active Albania; Roma Education Fund; Sophia Echo; Southeast European Times; tdh.ch; Tirana Times; United Nations - Refworld, UNICEF; World Roma Organization - Rromanipen.

Attachment

Roma Active Albania, The Human Development Promotion Centre, O Avipe I Romegno, Romano Sezi, Roma Union of Berati (Roma Active Albania et al.). 2013. Civil Society Monitoring Report on the Implementation of the National Roma Integration Strategy and Decade Action Plan in 2012 in Albania. [Accessed 5 June 2014]

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