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REPUBLIKA E SHQIPËRIË

MINISTRIA PËR EVROPËN DHE PUNËT E JASHTME

**ALBANIAN MINISTRY FOR EUROPE AND FOREIGN AFFAIRS**

**OSCE Human Dimension Implementation Meeting  
Warsaw, 11-22 September 2017**

**Working session 10: Tolerance and non-discrimination I, including rights of persons belonging to national minorities, Roma and Sinti issues, including implementation of the OSCE Action Plan on Improving the Situation of Roma and Sinti, preventing aggressive nationalism, racism and chauvinism**

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Madam Moderator,

Fully subscribing to the EU statement, I would like to make a statement in my national capacity. Albania has been traditionally and constantly committed to continuously improve the standards for the protection and respect of human rights and fundamental freedoms, including the rights of minorities. Republic of Albania is a party to a number of human rights conventions within the United Nations, and Council of Europe, including the Framework Convention for the Protection of National Minorities.

The Framework Convention of the Council of Europe for the Protection of National Minorities, ratified by Albania is the basis for the protection of minority rights and for the implementation of minority policies in Albania.

The Albanian Constitution and the national legislation guarantees protection from the discrimination based on ethnicity, the full enjoyment of rights and freedoms, the right of minorities to freely express their ethnic, cultural, religious and linguistic identity by ensuring the appropriate conditions to preserve and develop them. Persons belonging to minorities have the right to learn and be taught in their mother tongue, to join organizations and associations protecting their interests and identity and participating in public and political life at the central or local bodies.

According to the reports of international organizations, a climate of respect and tolerance generally prevails in Albania. Albania has continued its efforts in enhancing the implementation of the international conventions, in undertaking some concrete steps to reinforce protection of minority rights as well as to effectively implement anti-discrimination policies. Concrete measures, to promote the implementation of the Framework Convention and to improve the

existing legal framework for the protection of minority rights are considered as positive steps. As regards respect for and the protection of minorities, overall inter-ethnic relations remained good, but the legal and policy framework can be further improved.

Albanian authorities are firmly committed to adopting a comprehensive legislation on national minorities, to improve the institutional framework for addressing minority issues as well as to enhance dialogue with representatives of minority associations and other relevant stakeholder.

In compliance with the international recommendations on minorities, the main target is to further improve the protection of minority rights and to implement effectively these rights in practice. The adoption of a comprehensive legislative framework on minorities following a broad consultation process that takes into account the recommendations of the Council of Europe is one of our priorities within the EU integration process.

Albanian institutions during 2016-2017 worked on the preparation of a specific law on minorities, based on European standards, best European practices, international expertise taking into account the specific conditions and needs of Albania.

This draft law aims at ensuring the exercising of specific human rights of persons belonging to a national minority which are necessary to protect the distinct identity of national minorities as an essential component of an integrated society and which guarantee non-discrimination and full equality before the law.

**I would like to inform you shortly on the main provision of this draft law:**

- o This draft law provides the definition of a national minority, and the formal recognition of minorities in the draft law as national minorities based upon subjective (self-identification) and objective criteria;
- o For the purposes of this law the national minorities in the Republic of Albania are Greek, Macedonian, Vlach/Aromanian, Roma, Egyptian, Montenegrin, Bosnian and Serbian minorities;
- o Every person belonging to a national minority has the right to freely choose to be treated or not as such and not having any disadvantage from this choice or from the exercise of the rights which are connected to that choice;
- o Persons belonging to national minorities shall exercise their rights and enjoy freedoms guaranteed in this law, individually as well as collectively with others in the entire territory of the Republic of Albania;
- o This draft law provides the prohibition of discrimination, freedom of association and the right to representation, freedom of religion, freedom of expression and information, participation in public, cultural, social and economic life, preservation of cultural identity, education, right to education in the language of a national minority; the cultivation of minority language, etc..
- o This draft law foresees the establishment of the State Committee for Minorities as a mechanism for ensuring the protection and promotion of the rights and interests of national minorities.



The preparation of the draft law on minorities was followed by a broad consultation process involving central institutions, local self-government units, independent institutions, minorities' associations, civil society and international organizations.

With regard to the consultation process in relation to the draft law during 2016 round-tables consultations were organized with experts, academics, and representatives of minorities associations. A Final National Conference is took place in October 2016 with participation of all stakeholders and representatives of international organizations. This conference served as a consultation platform with representatives of central and independent institutions, minority associations, civil society, international organizations and international experts.

The process of preparation of the draft law on minorities was supported by the international expertise of the Council of Europe as well as support for the of activities that are being held under the consultation process.

In view of this I take this opportunity also to thank Professor Rainer Hofmann for the valuable support and professional expertise by provided written opinion on the draft Law on the Protection of National Minorities and advise on the issues to be addressed in the secondary legislation.

Albanian MoFA would appreciate the contribution of the Office of HCNM in providing assistance and expertise on the adequate institutional mechanism and secondary legislation (inputs on specific areas such as education, participation in public life), taking into account Albania's specific circumstances and needs and the best practices in the OSCE area.

On 12 April 2017 Albanian government adopted the draft law on minorities and according to domestic legislation in order to enter into force, it will be adopted by the Albanian Parliament. I am convinced that this comprehensive law on minorities will improve the current domestic legislation in order to guarantee and ensure the implementation of their rights in practice. If this framework draft law would not suffice to cover all the issues, but primarily would add to the improvement of the legal framework, the challenge for Albanian institutions will be the preparation and adoption of secondary legislation in order to ensure the implementation of minority rights in practice.

Thank you for your attention.