

**REGIONAL ROUNDTABLE ON
REGISTRATION OF PLACE OF RESIDENCE**

Tirana, Albania

30 November 2017

ODIHR Meeting Report



**Warsaw
December 2017**

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**REGIONAL ROUNDTABLE ON
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MEETING SUMMARY

The OSCE Office on Democratic Institutions and Human Rights (ODIHR) organized a regional roundtable on registration of place of residence on 30 November 2017 in Tirana, Albania.

The roundtable aimed to provide a platform for discussion on the challenges that authorities in the Western Balkans face in ensuring accurate and timely registration of place of residence. It offered an opportunity for the authorities to identify innovative instruments for accurate reporting of a person's change of address within the country or move to live abroad, also taking into account the regional dimensions of population movements. To that end, discussion at the meeting explored possible modalities for regional co-operation to accurately reflect cross-border population movements in national residents registers. With the understanding that many vulnerable or disadvantaged groups face difficulties with registering place of residence, the roundtable sought to explore specific measures to support Roma, Ashkali and Egyptian communities and facilitate their registration and access to identification documents.

The roundtable gathered 16 participants (8 women and 8 men): representatives of authorities responsible for registration place of residence from the former Yugoslav Republic of Macedonia, Montenegro and Kosovo¹, including representatives of the Albanian State Minister for Diaspora, the Roma Women Rights Centre from Albania and the OSCE Presence in Albania (please see Annex II for the list of participants).

The meeting was structured in three working sessions (please see Annex I for the agenda), in which participants covered: challenges that the authorities face in maintaining up-to-date registers of places of residence, innovative approaches to registration of place of residence, and opportunities for regional co-operation to facilitate registration of place of residence. The obstacles that Roma, Ashkali and Egyptian communities face regarding their registration of place of residence were discussed as a cross-cutting issue relevant in all three sessions.

Participating national authorities presented and shared their experiences on registration of place of residence. These presentations and the subsequent discussion also supported the collection of information on the varying practices employed by national authorities for registration of place of residence, helpful for informing a wider exchange of good practices across the OSCE region in the future.

During the presentations of national experiences, a representative of the Albanian authority in charge of diaspora affairs highlighted the importance of registration of place of residence for exercising the right to vote. To facilitate access to this right the Ministry of Diaspora closely

¹ All references to Kosovo, whether to the territory, institutions or population, in this text should be understood in full compliance with United Nations Security Council Resolution 1244.

collaborates with the Ministry of Interior and the Ministry of Foreign Affairs to facilitate updating and correction of data in the residents register. Albanian authorities plan the scheduled renewal of expired passports to collect and update information on the place of residence of Albanian diaspora while anticipating that this information will also be reflected in the residents register.

The discussions also highlighted that the OSCE played an important role in modernizing the residency registration system in Albania with technical assistance provided during the 2005 to 2009 period by ODIHR and the OSCA Presence in Albania with EU funding. The OSCE supported the digitization of paper-based records on registered places of residence and helped to reform the original paper-based system and introduce electronic recording and storing of residency data.

Representatives of Montenegro stressed the importance of a well-developed legal framework for registration of place of residence. To that end, they highlighted that the Montenegrin Law on Registration of Residence defines the methodology for data collection, the types of data collected and the purposes for which this data can be used. Further to this law, they cited the Law on the Central Population Register and the Law on Administrative Procedures as two other important legislative acts that govern the process of registration of place of residence.

The central population register is an electronic register of all Montenegrin citizens, foreigners living in Montenegro and Montenegrin citizens living abroad. This register is electronically interconnected with other government registers, the main two being the place of residence register and the civil register. The authorities stressed that the aggregation of data through the creation of the central population register resulted in significant improvements in terms of ensuring the registers contain the most up-to-date information.

The authorities also presented the main features of the procedures governing the registration of place of residence in Montenegro. Any change of permanent residence must be reported to the authorities within eight days. If the address is changed within the same municipality, it is sufficient to notify the local authorities. However, if a person moves to another municipality, the reported change of address will require on-the-spot verification by police authorities.

Authorities from the former Yugoslav Republic of Macedonia highlighted the importance of the links between civil registration and registration of place of residence. As an illustration, they cited that each registration of a new-born in the civil register must be accompanied by registration of her/his place of residence. Changes of permanent place of residence should be reported to the Ministry of Interior within eight days by submitting an application accompanied by supporting documentary evidence. Citizens who travel abroad and plan to reside there longer than three months should notify border officials upon leaving the country or consular representatives at their destination. Where the authorities determine that a citizen has moved to reside abroad but failed to report this change, the citizen is registered as living abroad ex-officio.

The government of the former Yugoslav Republic of Macedonia also recently established a task force to explore possible further amendments to the existing law on registration of place of residence. The existing legislation currently provides for only two kinds of document as acceptable legal grounds for registration of place of residence – a lease agreement or proof of

property ownership. The task force so far has concluded that the existing legislation does not help the authorities to maintain a register that reflects the actual situation, as many people do not have these required documents although they continue to reside at the address they wish to register as their place of residence. This in turn has the consequence that the residence register remains inaccurate and some people remain unregistered. The newly drafted legislation therefore proposes that additional or alternative documents are accepted as valid proof for registration of place of residence, including proof of paid property tax or utility bills for a given address, and a contract for care provision citing the address of a social institution for certain social welfare or homeless cases. Another working group has been established and tasked with developing a national diaspora strategy. As part of this process, the authorities will engage in mapping the diaspora, and this might involve collecting detailed information on citizens residing abroad, including their addresses abroad. It is anticipated that the results of this mapping exercise will help update information in the residence register and improve the overall accuracy of the register.

Participating representatives of the Kosovo authorities noted that the OSCE Mission in Kosovo played an important role in designing and implementing the legal and institutional framework for civil status registration, registration of place of residence and issuance of identification and travel documents. All registered information is aggregated in the Central Civil Status Register, and a personal identification number is used to link personal data stored across different types of sub-registers. As is the case across the region, persons residing in Kosovo are required to report a change of permanent residence address within eight days. In terms of proof of place of residence, the legislation allows for a range of documents, including proof of ownership or co-ownership, lease agreements and paid utility bills for the services at the indicated address. Moving to reside abroad for more than three months must also be reported.

However, the Kosovo authorities highlighted that there is low awareness among the population of the requirement to inform the authorities of changes to place of residence, which also affects the quality of delivery of state services. For instance, the population generally expects that voter lists should always reflect their current place of residence even though they often fail to inform the authorities after changing their place of residence.

All participants underlined that the existing rules in practice do not pose any obstacles to registration for a large portion of the population, although challenges remain when it comes to Roma, Ashkali and Egyptian communities. During each of the sessions, participants stressed the importance of developing tailored policies to address the obstacles these communities face when attempting to register their place of residence. Participants described a range of measures already taken to address the lack of registration of place of residence, and all authorities acknowledged that the lack of a legally recognized address of residence is no longer an obstacle to registration. In cases where persons reside in non-legalized constructions or have no fixed residence, they are registered at the address of the institution in charge of social protection in the municipality where they live. The Montenegrin authorities, for example, allow for registration of the “homeless population” either at the address of the institution that provides the individual with social care or the address of a person they are staying with.

Participants also highlighted that they are working closely with civil society and the UNHCR to map individuals that remain without a registered place of residence. After completing the mapping exercise, the authorities will work with these partner organizations to facilitate registration on a case-by-case basis.

The discussions at the roundtable further underlined the regional dimension of challenges to registration of place of residence in Western Balkans. Most of the unregistered population at some point during or after the dissolution of the former Yugoslavia relocated to a state that is no longer the one where they originally resided. As a consequence, they often lack important documents that are legally required for registration of place of residence. Participants stressed that many of these problems had been resolved only because of good co-operation between the authorities in Montenegro, Kosovo and the former Yugoslav Republic of Macedonia.

Participants concluded that:

- Reflecting a change of residence of persons moving to reside abroad remains the most important obstacle to improving the accuracy of the residence register. All authorities recognized that there are insufficient incentives to motivate people moving to live abroad to report this to the authorities. Solutions should be sought through continued mapping of diaspora and offering simplified procedures for reporting a change of address by persons moving abroad.
- National procedures have been or will soon be updated to allow for a wider range of evidence to support registration of place of residence at a certain address. In some cases, such evidence is not even needed if the change of residence is within the same municipality.
- Aggregation of personal information, including on place of residence, within a centralized population register has contributed to better and more accurate, up-to-date personal data to support planning and delivery of services to citizens.
- The lack of registration of place of residence by Roma, Ashkali and Egyptian communities can be addressed by continued mapping of unregistered groups and addressing each case on an individual basis with the support of civil society and the UNHCR.
- Regional contacts, co-operation and exchange of good practices are important in addressing obstacles to the registration of place of residence for individuals changing residence within the region.
- ODIHR-facilitated discussions on good practices in the registration of place of residence should be expanded to other regions within the OSCE area and shared with national authorities to facilitate further improvement of national policies.

ANNEX 1: AGENDA



Regional Roundtable on Registration of Place of Residence 30 November 2017 Tirana, Albania (Hotel Rogner)

Agenda

Friday, 30 November 2017

- 09:30-9.45 **Introductory remarks**
- 9:45-11:00 **Session I: Challenges authorities face in maintaining up-to-date registers of place of residence, including in the context of registration of place of residence of vulnerable population groups**
Introductory presentations:
Mr. Zoran Doković, Adviser on Migration, Freedom of Movement and Human Contacts
Ms. Rashid Khasanov, Assistant Programme Officer, ODIHR
- 11.00-11.30 **Break**
- 11:30-13:00 **Session II: Innovative approaches to registration of place of residence**
Introductory presentations:
Ms. Remzija Ademovic, Head of the Section for Personal Documents and Residence, Ministry of Interior of Montenegro
- 13:00-14:00 **Lunch**
- 14:00-15:45 **Session III: Exploring opportunities for regional co-operation to facilitate improved accuracy of registration of place of residence**
Introductory presentations:
Mr. Abedin Mehmeti, Director of Production of Documents, Ministry of Internal Affairs of Kosovo²
Ms. Slavica V Mihajlovska, Ministry of Interior, the former Yugoslav Republic of Macedonia
- 15:45-16:00 **Closing remarks**

² “All references to Kosovo, whether to the territory, institutions or population, in this text should be understood in full compliance with United Nations Security Council Resolution 1244.”

ANNEX 2: LIST OF PARTICIPANTS



List of Participants

Albania

Ms Erta Skora

Ministry of State for Diaspora

Ms. Manjola Veizi

Roma Women Rights Center

Kosovo³

Mr. Blerim Camaj

Director of Civil Status
Ministry of Internal Affairs
Kosovo

Mr. Abedin Mehmeti

Director of Production of Documents
Ministry of Internal Affairs
Kosovo

Mr. Arben Osmani

IT Expert
Ministry of Internal Affairs
Kosovo

The former Yugoslav Republic of Macedonia

Ms. Slavica Mihajlovska

Head of the Department for Registration of Temporary and Permanent Place of Residence, Identity Cards and Travel Documents
Ministry of Interior

Mr. Hamdi Demiri

Adviser
Department for Registration of Temporary and Permanent Place of Residence, Identity Cards and Travel Documents
Ministry of Interior

³ “All references to Kosovo, whether to the territory, institutions or population, in this text should be understood in full compliance with United Nations Security Council Resolution 1244.”

Montenegro

Ms. Remzija Ademović

Head of the Section for Personal Documents and Residence
Ministry of Interior

Ms. Milanka Baković

Directorate for Civil Status and Personal Documents
Ministry of Interior

Mr. Miloš Đuričković

Department for Privileges, Immunities and Legalization
Ministry of Foreign Affairs

Ms. Jelena Grbović

Chief of the Section for Privileges and Immunities
Directorate General for Consular Affairs
Ministry of Foreign Affairs

OSCE Presence in Albania

Ms. Mira Xhamallati

National Border Management Officer

Mr Florian Hobdari

National Electoral Reform Officer

OSCE ODIHR

Mr. Zoran Đoković

Adviser on Migration, Freedom of Movement and Human Contacts, Democratization Department

Mr. Rashid Khasanov

Assistant Programme Officer, Contact Point for Roma and Sinti Issues

Ms. Joanna Fomina

Migration Expert

Ms. Rita Stafejeva

Administrative Assistant, Democratization Department

ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is the OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

The OSCE/ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 130 staff.

The OSCE/ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE Commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the OSCE/ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programs annually, seeking to develop democratic structures.

The OSCE/ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights** and fundamental freedoms consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked persons, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, the OSCE/ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. The OSCE/ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

The OSCE/ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihhr).