



ROMA
INTEGRATION

Regional Cooperation Council

ANALYSIS OF
MAINSTREAM POLICIES
TARGETING ROMA
AND EGYPTIANS
INTEGRATION
IN ALBANIA

Title: Analysis of mainstream policies targeting Roma and Egyptians integration in Albania

Publisher: Regional Cooperation Council Roma Integration Action team
Ruzveltova 61, 11 000 Belgrade, Serbia
Tel: +381 (11) 4046 891
Fax: +381 (11) 4046 894
E-mail: romaintegration2020@rcc.int
Website: rcc.int/romaintegration2020/

Authors: Xhenson Cela, Brisilda Taço, Eleni Nanaj, Nersida Arapi and Roxhers Lufta

Editor: Orhan Usein

Consulting editors: Shejla Fidani

Design: Samir Dedić

Print: Kuća štampe, Belgrade

Circulation: 25

ISBN: ISBN-978-86-81358-16-0

Disclaimer: The views expressed in this document do not necessarily reflect the views of the Regional Cooperation Council or of its participants, nor of the European Union and the Open Society Foundations.

ANALYSIS OF MAINSTREAM POLICIES TARGETING ROMA AND EGYPTIANS INTEGRATION IN ALBANIA

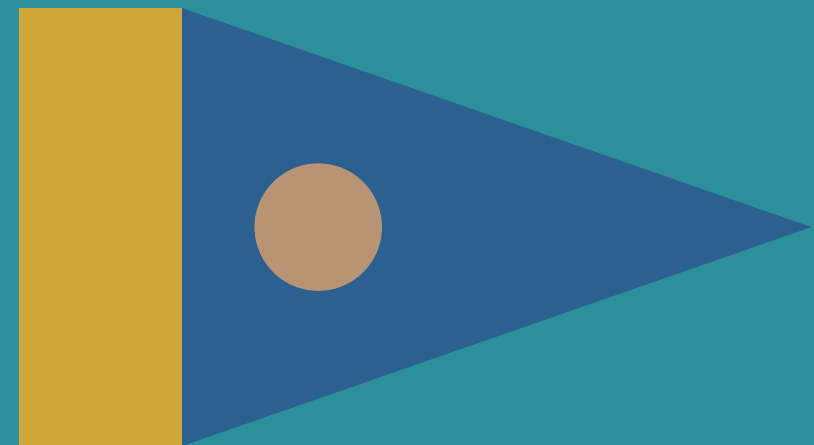
September, 2020



Table of Contents

Introduction	5
HEALTH	8
Recommendations	11
EDUCATION	13
Recommendations	28
EMPLOYMENT	32
Recommendations	38
HOUSING	40
Recommendations	47
ACCESS TO JUSTICE	49
Recommendations	54

INTRODUCTION





Overall, the Government of Albania has made progressive steps in a few areas aimed at improving living conditions of Roma and their overall inclusion.

In the area of *housing*, Roma people with low income can now access housing schemes such as the Rental Subsidy Programme tailored to vulnerable groups or the Improving Housing Conditions for Roma through the Restoration of Houses programme. However, such a measure depends on the ability of the local authority to apply for governmental funds.

In *education* the university quota for Roma students is an ongoing active measure as well as the free textbooks for Roma pupils.

In the area of *employment* positive results were achieved through the implementation of the UNDP project in Albania during the period 2016–2019 aimed at providing active employment programmes such as on-the-job training and subsidised employment. The project was implemented in four cities: Tirana, Durres, Shkoder and Berat.

Access to **health** remains under development. The Ministry of Health and Social Protection has designed a new strategy for universal healthcare and the provision of healthcare at the community level. However, access to healthcare can sometimes be less tangible than other fields. For instance, it is necessary to establish a network of Roma mediators who can facilitate communication and the activities of various healthcare services at the community level.

Beside the progress made, it is evident that inclusion policies require further intervention in terms of the existing policies and laws and in all decision-making and legislative processes. Education: According to the National Action Plan for the Integration of Roma and Egyptians 2016–2020, Roma children have a low primary education completion rate and a high illiteracy score compared to the national average around 40 per cent of Roma are illiterate compared to the national average of 1.6 per cent.

Employment: Roma families generate income through undeclared jobs. According to a study by UNDP Albania, Roma people face either long-term unemployment or work in different informal economy areas. Roma, especially those residing in rural areas or on the outskirts of urban areas, have little or no access to employment promotion programmes. Roma are not also very present as employers in public institutions.

Health: Roma have less access to healthcare services compared to the majority population. Child mortality is higher in Roma communities and there is a lack of medical examinations aimed at preventing disease. A lack of documentation and an inability to transfer their residence from their place of origin to their place of residence impedes their ability to visit a family doctor. Also, there

is a lack of statistics and analysis on the health situation of the Roma community. The health status indicators for Roma and Egyptians are less accessible than those for the general population.

Housing: Roma live in inappropriate housing conditions and usually do not have access to water supply or sewage systems. According to UNDP data, most Roma live in improvised damaged houses (38%) or shacks (21%) and 68 per cent of Roma families do not possess ownership documents for the house in which they live.

Concerning *access to justice*, several factors make access to justice highly challenging for Roma. The Roma community lacks information, has a generally low level of education and suffers from social and economic hardship. According to the study 'Survey on Access to Justice' that was commissioned by UNDP in 2017 more than half of the Albanian population had experienced legal issues in the last five years and due to general lack of awareness as well as low performance of public institutions, people found it difficult to find support. The situation is even worse for vulnerable groups who lack information of this character.

In order to make the central policies more inclusive, the purpose of these analysis is to provide an overview of Roma integration into government policies, programmes, projects and interventions and to identify mainstream central policies that may concern the Roma community. It is also intended to identify possible obstacles that prevent Roma from benefitting from mainstream policies, to identify successful or promising measures, experiences and methods aimed at making mainstream policies, projects and programmes inclusive of Roma to provide input for constructive and evidence based discussion within the frame of the action in the area of health, education, employment, housing and access to justice as a crosscutting issues.



HEALTH



Mainstream policies and actions

The Government of Albania presents universal access to healthcare services as being free for all citizens and financed through general taxation. This development initiated in 2017 supports the houseless adults, children and other vulnerable categories that do not possess the required documents to access the healthcare system.

The Albanian National Health Strategy 2016– 2020 aims to strengthen the health system by improving and promoting the health and well-being of all people. Moreover, it aims to provide qualified health and medical services and to ensure steady progress in public health and medicine. The Strategy focuses on promotion of healthy lifestyle, prevention of diseases, improvement of health literacy and implementation of the strategic document the National Programme of Cancer Control 2011–2020. A positive step forward is the goal of universal health coverage that is accessible and affordable for the whole population.

The Strategy envisage coordination of a number of institutions, enhancing investment in all health related sectors, foresees the establishment of a series of ministerial and cross-sector groups of a decision-making and advisory nature at political and technical level, to render a multifaceted perspective on various issues of public health.

In practice the implementation of the Strategy helps with adaptation measures on climate change, occupational health and safety and conditional cash transfers upon vaccination of Roma children.

Documents:

- ✿ National Health Strategy 2016–2020¹.
- ✿ Action Plan for Health Promotion 2017–2021².

Possibilities to mainstream Roma integration policies

The Health Promotion Action Plan 2017–2021, more specifically objective 2.4, foresees community work skills training of health professionals and engagement of health mobilisers, leaders and mediators. In other words, the strategic objective envisages the creation of resilient communities through the protection and promotion of health and welfare. A positive impact of this objective is the drafting of targeted programmes to increasing the decision-making capabilities

¹ <https://www.rcc.int/romaintegration2020/participants/1/albania>.

² http://www.ishp.gov.al/wp-content/uploads/2017/05/PLANI-VEPRIMIT-PROM-SHEND_2017-2021.pdf.



and participation of communities in activities that promote health and well-being. It also includes the training of community leaders to plan, implement and monitor activities that promote health at the local (community) level.

Roma integration policies and actions

The National Action Plan for Integration of Roma and Egyptians foresees the establishment of mobile healthcare practitioners and the introduction of healthcare mediators from the Roma community in order to improve and facilitate wider access to healthcare for Roma.

Currently, nurses provide home services for newborns and doctors care for patients unable to reach healthcare centres. Nevertheless, considering the limited access that vulnerable groups have to primary and secondary healthcare services, mobile services are crucial for remote and segregated areas.

Good practices: Initiatives by the Ministry of Health and Social Protection 2018–2019
It is important to mention some actions that exclusively target the Roma community:

- › Roma received ophthalmic services;
- › At the French Hospital of QSUT (Mother Theresa Universal Hospital Centre), the University Dental Clinic is open to all categories in need;
- › The Mobile mammography initiative is available to all women;
- › Local healthcare units provide a number of services: free vaccination of children, advice on family planning, cervical cancer screening.

Possibilities to mainstream Roma integration policies

The National Action Plan for the Integration of Roma and Egyptians envisages broad proactive and intensive activities to provide free of charge services for people with disabilities, pregnant women, minor persons and officially unemployed persons. However, a considerable number of Roma and Egyptians work in the services that are considered as undeclared and do not have access to certain free healthcare services or services that are subject to reimbursement. The health insurance should be accessible and provided by the Government free for all.

- ✿ Document: National Action Plan for the Integration of Roma and Egyptians in Albania 2016–2020³.

³ <https://www.rcc.int/romaintegration2020/participants/1/albania>.

Recommendations

In most cases the Roma community does not benefit from mainstream policies and practices, segregated Roma neighbourhoods are neglected when it comes to planning and implementing of certain actions of the National Health Strategy. These are some further recommendations that require attention and intervention.

1. The first response should be **to conduct geographically based studies of all Roma settlements in order to create a roadmap of the health situation**. Disaggregated data on health trends, quality of the environment, including living and housing conditions is lacking. The outcomes of such studies should be integrated into mainstream planning of the foreseen actions.
2. An important issue is the fact that numbers of Roma settlements are located in remote areas close to disused facilities that contain unrestrained waste dangerous to both health and the environment. The abandoned facilities are in a very close proximity to villages mainly populated with Roma such as Fier, is highly contaminated and polluted. It is from crucial meaning **to screen the hazard prone areas, to diagnose and treat people through specialised health packages and most importantly to improve the environment**.
3. There is a need for establishing an **ad-hoc coordination group to work on health problems screening** in informal and countryside settlements.
4. **Roma representation at the national consultations on the implementation of the National Health Strategy** will be very beneficial for implementing the above recommendations.
5. **A health promotion programme** is needed on grassroots level to raise awareness. Currently this is not widespread and it is mostly done by civil society organizations, while it is essential **that the Institute for Public Health in collaboration with the structure of health mediators initiate a widespread awareness raising campaign** that covers all Roma populated settlements.
6. Epidemics and seasonal viruses are common in Roma settlements given the generally poor health condition and poor living conditions. **Health services should be increased in order to make the Roma community less susceptible to disease**. Although a community based activity, **every health centre in the twelve regions of Albania**



should have a health mediator who can help vulnerable groups in need. It has been proven that the assistance provided by Roma health mediators greatly increases access to health services for the Roma community. This approach raises awareness and increases confidence in 'Roma friendly doctors' at health centres.

7. Yet **there is a need for more Roma health mediators** throughout Albania because more than half of the Roma community continue to suffer prejudice and discrimination that causes them to avoid hospitals/ambulances/health centres. The recent UNDP supported project for health mediators that was implemented at the city clinic 'Mother Theresa' in Tirana from 2018 to 2019 underlined the fact that Roma feel far more confident when asking for health support, advice or medication when supported by a health mediator.
8. Organise **awareness raising campaigns on the importance of monitoring pregnancy and child care** as well as healthcare literacy and advanced healthcare information, with importance to prevention of epidemics, infections and diseases.
9. The **health insurance** should be accessible and provided by the Government free for all, including the **people working in the areas of undeclared economy**.

EDUCATION





Mainstream policies and actions

1. Identification and school enrolment of all children of school age

Each educational institution should implement the nominal list of children sent by the Ministry of Internal Affairs in accordance with Joint Order No. 2, dated 05 January 2015⁴, on “approval of the regulation on the implementation of the Cooperation Agreement, dated 02.08.2013, on the identification and school enrolment of all children of school age.”

This order is aimed at the identification and school enrolment of all children of school age regardless of gender, colour, ethnic origin or religion and increasing the percentage of enrolment at the second level, especially children from rural areas and in particular for girls. This fulfils a priority within the framework of the United Nations Millennium Development Goals and the European Partnership. However, the order does not provide a step-by-step process information for the children of school age not registered as Albanian citizens and therefore these children cannot apply to enrol in any education institution. The order does not accompany an Action Plan for the identification of children of school age not enrolled in school.

- ✿ Document: Joint Order No. 2, dated 05 January 2015.

2. Preschool and compulsory education

The following documents provide regulations for enrolling in preschool and compulsory education by exempting Roma and Egyptian pupils from financial guarantees for food.

- ✿ Decisions of the Municipal Council VKB No. 393, dated 23 April 2018, “For the systematisation of local taxes and tariffs in the city of Tirana.”
- ✿ Decision of the Prime Minister VKM No. 59, dated 30 December 2015, “For the systematisation of local taxes and tariffs in the city of Tirana.”

The latter implies that the nursery and kindergarten fee for the first child is full price, while for a second child there is a reduction of up to 50 per cent in the fee and a 100 per cent reduction for a third child (and further). This Decision applies to all⁵ children.

4 www.ikub.al/LIGJE_CATEGORY/1512160163/Article-PeR-MIRATIMIN-E-RREGULLORES-PeR-ZBATIMIN-E-MAR-ReVESHJES-Se-BASHKePUNIMIT-DATE-2-8-2013-PeR-IDENTIFIKIMIN-DHE-REGJISTRIMIN-Ne-SHKOLLe-Te-T-e-GJITHe-F.aspx.

5 <https://dpttv.gov.al/wp-content/uploads/2018/02/VKNr.59.pdf?fbclid=IwAR0zvJM0ZOIwMKtveSmKmTPpkpA-IjRvRr4tVNLwj5GgNhjLle6dsKQhFFQ>.

According to Decisions of the Municipal Council VKB No. 393, dated 23 April 2018 “For the systematisation of local taxes and tariffs in the city of Tirana”, there are several categories of beneficiaries in relation to the payment waiver for children attending nursery and/or kindergarten.⁶ Roma children are not included directly in this Decision and only benefit from it when considered part of any beneficiary category foreseen in the Law.

Decision No. 59, dated 30 December 2015, applies to every family and therefore provides chances for Roma.

According to Decisions of the Municipal Council VKB No. 393, dated 23 April 2018, Roma children are not included directly. Because of this, many Roma parents do not take their children to the nursery or kindergarten.

An option to mitigate this challenge and provide opportunities and value to the preschool schooling, **the local authorities who finance nurseries and kindergartens, in each municipality should plan in advance the coverage fees for registered Roma children and other vulnerable categories.**

3. Piloting a system of school canteens in order to provide safe and healthy meals for pupils (with public funds for those in social need) and teachers working with schools with large numbers of Roma

One of the barriers to education is poverty and therefore the Ministry of Education, Sport and Youth has studied the possibility of providing school meals for children. A working group has evaluated various options for providing this service. The concept was piloted through a one-meal system at Naim Frashëri middle school (grades 1-9) in the city of Korça, a school with large percentage of Roma pupils, in 2012.⁷ The project was proven a sustainable initiative and was expanded to cover four middle schools in Albania in 2017⁸ but there were no further updates from the Ministry of Education, Sport and Youth as to whether the project was expanded to cover other schools after 2017.

- ✿ Document: ‘Orienting Guide on School as a Community Centre Self-Assessment’,⁹ published by the Institute of Educational Development and the Ministry of Education, Sport and Youth and World Vision in Tirana in 2016.

6 <http://femijetetiranes.al/wp-content/uploads/2018/09/Udhezim-Nr.-393-dt.-23.04.2018.pdf>.

7 <http://femijet.gov.al/wp-content/uploads/2014/02/RAPORTI-VJETOR-2011-2012.pdf>, page 20 – 30.

8 <https://bujqesia.gov.al/ushqim-i-shendetshem-ne-shkolla-nisma-e-perbashket-e-mbzh-r-mshms-dhe-masr/>.

9 www.wvi.org/sites/default/files/Manuali%20per%20SHQK%20World%20Vision%20web.pdf.



4. Establishment and functioning of the boards of educational institutions

On page 2 of Chapter 3 (Board composition) of Official Order No. 25, dated 25 July 2018, on “the establishment and functioning of the Board of the Educational Institution” states that the board should consist of seven members: two parents, one teacher, two pupils, one community member (influencer/businessperson/community leader) and one representative of the respective local government unit. During the creation of the board, special attention is paid to gender and national minority and particular group representation.¹⁰ According to the National Action Plan for Integration of Roma and Egyptians page 71, “63 boards operate in the schools of Roma and Egyptian communities. 98 Roma and Egyptian parents are members of these boards, out of approximately 600 parents in total.” These boards are compulsory for each school and incur no additional costs. However, practice has shown that often these boards are fictitious or do not have any decision-making authority when it comes to the key roles of the board as foreseen by the official Order.

- * Document: Official Order No. 25, dated 25 July 2018, on “the establishment and functioning of the board of the educational institution.”

5. Free textbooks to Roma children

The provision of textbooks to Roma and Egyptian children free of charge is a transitional measure that is intended to be expanded to include all children attending compulsory education, but it is dependent on donor support for secondary education. First to fifth grade pupils will benefit from free of charge scholar textbooks, based on Decision of the Prime Minister VKM No. 563, dated 31 July 2019,¹¹ as an addition to Decision No. 107, dated 10 February 2010, of the Council of Ministers, “Publication, printing, distribution and sale of scholar textbooks of the pre-university education system.”

Based on Decision No.107, dated 10 February 2010,¹² the following points prove that Roma children and youth have free of charge use of school textbooks. Civil society organisations proposed and enforced such a policy by arguing that the Roma minority suffers from a high level of poverty, low income and economic instability.

¹⁰ <https://arsimi.gov.al/wp-content/uploads/2018/07/UDHEZIM-NR.25-DATE-25.07.2018.pdf>.

¹¹ <https://app.box.com/s/l3cmvxj3nl3wo9ldopw5n6q46v8pu6nw>.

¹² https://webcache.googleusercontent.com/search?q=cache%3Ahttp%3A%2F%2Fsporti.gov.al%2Fwp-content%2Fuploads%2F2018%2F02%2FVENDIM_107_dt_10.02.2010_TKSTET_SHKOLLORE_.pdf&fbclid=IwAR00zAiywHzhpbDL-TrVfiUy5uXE7EX45I9NUdqfkOaWqJiePNze9xiD-0S8.

The Ministry of Education, Sport and Youth covers 100 per cent of the purchase price of textbooks for national minority pupils from grades one to nine. Textbooks are sold against bills. The Ministry of Education, Sport and Youth uses funds approved as ‘Transfers to Individuals’ from its budget for categories of pupils who benefit under point 6 of this Decision. Payment is made through the DARZA or school budget accounts, where such accounts exist.

Challenge: reimbursement of the cost of scholar textbooks for beneficiaries is being realised, but is dependent on external donations (National Action Plan 2016–2020). In order to add Roma to this category, there is a need to request increased funds from donors.

Based on Decision of the Prime Minister VKM No. 51, dated 20 September 2013, Roma enrolled in vocational secondary schools benefit from the reimbursement of the cost of purchasing scholar textbooks (point 2.1). Yet Roma are not included in the categories that benefit from the reimbursement of the cost of purchasing scholar textbooks for grades ten to twelve (4/4.1).¹³

Very often the reason for early school-leaving in secondary school is the financial implication for the expense of scholar textbooks. It will be very useful if this is added in the Decision of the Prime Minister VKM No. 51, dated 20 September 2013.

6. Protecting intangible cultural heritage and community-based inventory¹⁴

Objective 4.3 of the National Action Plan for Integration of Roma and Egyptians relates to the inventory and digital registration of the heritage of the Roma and Egyptian communities in order to preserve and transmit the features of their identity to future generations. The Government is committed to envisage and implement policies that feature the preservation of cultural properties of the Roma and Egyptian minority but so far this objective is not realised.

The workshop on Intangible Cultural Heritage that covers safeguarding and inventory at the central level is considered the backbone of the capacity building procedure. It helps participants to gain a broad understanding of the possible activities involved in implementing the Convention for the Safeguarding of Intangible Cultural Heritage. Upon completing the workshop, the participants would be better equipped to engage in designing and conducting community based inventory in their respective communities. Participants would also become familiar with the obligations that signatories undertake when ratifying the Convention, even if the Convention gives them considerable leeway. The latter relates to deciding how certain issues (such as inventory) are undertaken as well as possible ways to implementing it, with an emphasis on intangible cultural

¹³ http://sporti.gov.al/wp-content/uploads/2018/02/UDHEZIM_NR.51_DT_20.09.2013.pdf?fbclid=IwAR2skA16rTB-3BJHHPK-W_n_OfM6c8InE7PDBiZgM8g0sgJ56UxHAYY8o44g.

¹⁴ 24-28 June 2019.



heritage safeguarding as advocated by the Convention. The concept of community-based inventory and the role that communities have in safeguarding elements of intangible cultural heritage constitute an important part of the workshop. Training the participants to encourage the bearers of intangible cultural heritage (communities, groups and/or individuals) to participate in identifying, safeguarding and inventorying intangible cultural heritage of their own appears to be one of the very basic aims of the workshop.

Within the framework of culture, the National Action Plan foresees the inclusion of Roma and Egyptian history, handicrafts and identity in tourist guides and the production of brochures about this community in Albania. The first step toward fulfilling (4.3) inventory and digital registration of the spiritual heritage of the Roma community in order to preserve and transmit the features of its identity to future generations, concrete actions are yet to be taken. The action foresees funds from the state budget for its implementation, there are no official decisions or official announcements from the programmes described under 4.4 of the Action Plan.

- ✳ Document: Decision of the Prime Minister VKM No. 563, dated 31 July 2019.¹⁵ An addition to Decision No. 107, dated 10 February 2010, of the Council of Ministers on “publication, printing, distribution and sale of scholar textbooks of the pre-university education system.”

7. Promotion and education in the fields of art, culture and intangible cultural heritage¹⁶

The Ministry of Culture announced on 4 December 2018 a call for project proposals for 2019 relating to art and culture and cultural heritage. The Collegium of the Ministry of Culture considered some 300 project proposals from which it selected 151 winning projects.¹⁷

Disseminating the call for proposals of the Ministry of Culture and other related sources of funding to Roma organisations (i.e. sharing the link via email) should ensure that selected projects include Roma and Egyptian organisations and experts in this field.

8. Promoting intercultural dialogue and mutual understanding through school based community development

The standard training curriculum for teachers at all levels of education should be enriched with material on the management of multicultural classes, cooperation with parents from different cultural and socioeconomic backgrounds, promotion of tolerance, interculturalism and equality.

¹⁵ <https://app.box.com/s/13cmvxj3nl3wo9ldopw5n6q46v8pu6nw>.

¹⁶ <https://kultura.gov.al/projekt-propozime-ne-art-kulture-dhe-trashegimi-kulturore-per-vitin-2019/>.

¹⁷ <https://kultura.gov.al/shpallen-projektet-fituese-ne-art-kulture-trashegimi-per-vitin-2019/>.

Roma NGOs have conducted trainings to fulfil this concept. Institute of Romani Culture in Albania -IRCA through the cultural mediators offered and organized 34 trainings¹⁸ for various public officials including police officers, teachers and Albanian students on identity and culture as relevant to policing and teaching. It encouraged educated Roma youth to learn about the Roma language and lobby the respective authorities (Ministry of Education, Sport and Youth and the Ministry of Culture) to introduce these subjects at all levels of education and to recognise Roma culture as part of the cultural heritage of Albania. Despite the fact this activity foresees funding from the state budget, there are no official announcements by the Ministry of Culture. Therefore, the fulfilment is depended on the activities organised by the NGOs.

9. The introduction of auxiliary positions for Roma in preschool and basic education (for homework and study assistance in lower grades one to four)

Official Order No. 38, dated 07 October 2014,¹⁹ “On the criteria for auxiliary positions to assist teachers of students with disabilities in public institutions of pre-university education”. This introduces the criteria for auxiliary teachers in general. Applicants can be Roma and Egyptian teaching graduates. However, it is intended specifically for children with disabilities and not any other category. The Order is general and values each candidate for the position of auxiliary teacher according to their skills as professionals without consideration of their ethnicity, race or gender. This Order is positive since it facilitates the integration of children with disabilities (mental and/or physical) and it is limited to one vulnerable group, children with disabilities.

- ✳ Document: Official Order No. 38, dated 07 October 2014.

10. Roma children to benefit from free transportation to and from school and kindergarten that is available to all children whose school or kindergarten is more than two kilometres

The cost of transporting teachers working outside the urban centres and over five kilometres (daily roundtrip) from their permanent residence as well as the cost of transporting pupils attending basic education over two kilometres from their residence are covered by public funds. Around 8 to 10 per cent of middle school pupils (grades 1 to 9) and around 35 per cent of education system and pre-university education (SAPU) teachers benefit from public funds.²⁰

¹⁸ <http://irca.al/youth-empowerment/>.

¹⁹ www.ikub.al/ligje_category/1412300032/Article-PeR-KRITERET-E-MeSUESIT-NDIHMES-PeR-NXeNeSIT-ME-AFTe-SI-Te-KUFIZUAR-Ne-INSTITUCIONET-PUBLIKE-Te-ARSIMIT-PARAUNIVERSITAR.aspx.

²⁰ https://arsimi.gov.al/wp-content/uploads/2018/07/Strategji_APU_dokumenti_perfundimtar_24_03_2015-I.pdf, page 19.



While actions have been taken to address this issue, the poor transport infrastructure does the fact that many rural schools barely have any children is not in favour of the Roma and Egyptian pupils living in these areas and becomes a factor for early school-leaving.²¹

- ✳ Documents: Development Strategy of Pre-University Education 2014–2020; Decision of the Prime Minister VKM No. 682, dated 29 July 2015.

11. Adult education

- ✳ Official Order No. 17, dated 09 May 2018, on “compulsory school attendance procedures for pupils who have not attended at least two classes of basic education are eligible for part-time basic education.”
- ✳ Chapter 2 states that pupils who have reached the age of 16 but have not completed their full-time basic education are entitled to enroll in part-time primary schools.
- ✳ Official Order No. 21, dated 18 August 2016, on “the organization and functioning of part-time secondary school.”
- ✳ Article 2 states, “Pupils who have reached the age of 21 but have not completed secondary school are entitled to attend part-time secondary school.”²² This official order applies to all Albanian citizens.

12. Review compulsory and secondary education curricula and textbooks to ensure they reflect tolerance and intercultural cooperation and include material on Roma and Egyptian identity

In 2014, the Ministry of Education, Sport and Youth made the following statements:²³

16.6.2.11 - The textbook directly or indirectly influences education for democracy and the values of democratic society, human rights, civic equality, the fight against gender, cultural, linguistic, ethnic, racial, religious and other differences.

16.6.2.12 - The textbook cultivates human and environmental attitudes and values, raises awareness and promotes actions aimed at preserving human and environmental dignity.

16.6.2.13 - The textbook affirms peace, tolerance, understanding, communication, dialogue and solidarity between different generations, cultures, religions, ethnicities and nations.

²¹ https://arsimi.gov.al/wp-content/uploads/2018/07/Strategji_APU_dokumenti_perfundimtar_24_03_2015-I.pdf, page 26.

²² www.ikub.al/LIGJE_CATEGORY/17/12/28/PeR-ORGANIZIMIN-DHE-FUNKSIONIMIN-E-GJIMNAZIT-ME-KOHE-Te-PJESSHME-0050.aspx?cookiesEnabled=false.

²³ https://arsimi.gov.al/wp-content/uploads/2015/03/Standardet_tekstet_shkollore1.pdf.

16.6.2.14 - The textbook promotes values for the development of personal identity, for the care and preservation of health from all forms of risk, through life skills, by finding forms of conflict prevention or peaceful resolution.

Multiculturalism has been mentioned indirectly and attention has been given to fighting discriminatory language, which is positive in terms of revising texts in order to ensure respect for human dignity. It does not explicitly mention Roma, but speaks about respect for human rights. The National Action Plan for Integration of Roma and Egyptians foresees adding curricular material on the Roma identity.

- ✳ Document: Ministry of Education, Sport and Youth ‘Standards for scholar textbooks’.

13. The Second Chance Programme as a transition to mainstream education

Supporting legislation:

- ✳ The first Decision of the Council of Ministers is found in Order No. 34, dated 8 December 2004, on “implementation of the Second Chance Programme aimed at reintegration of this target group into regular classes.”
- ✳ The second is contained in Order No. 31, dated 2 August 2013, on “the procedures for attending basic education for pupils who have not attended at least two basic education classes.”²⁴
- ✳ Within the framework of the Second Chance Programme, a nationwide viable project aimed at educating people who may have early left school, the Ministry of Education, Sport and Youth provided an auxiliary teacher to tutor a couple of special children at their homes. However, data on the number of children that have benefitted from the project is missing.²⁵
- ✳ Order No. 209, dated 30 December 2016, based on the Law on Protection from Discrimination clearly shows that the Second Chance Programme has been reviewed and data has been collected.
- ✳ In accordance with the National Action Plan for Integration of Roma and Egyptians in the Republic of Albania 2016–2020 (page 77), of the 917 children who attended the Second Chance Programme in the 2012/2013 school year 625 were Roma.
- ✳ Order No. 209, dated 30 December 2016, states that according to information obtained during the administrative procedure from the Ministry of Education, Sport and Youth,

²⁴ <https://arsimi.gov.al/wp-content/uploads/2016/01/PermbledhjeLAPU1-I.pdf>.

²⁵ https://resourcecentre.savethechildren.net/sites/default/files/documents/inclusive_education_in_albania_in_albanian.pdf.



a total of that 279 persons (58 of whom were Roma) were enrolled in the Second Chance Programme, while for the 2015–2016 school year a total of 112 persons were enrolled (36 of whom were Roma). During the last two years a total of 195 persons were integrated into the ordinary classroom from the Second Chance Programme of which 48 were Roma.²⁶

Three cases of segregation, based on Order No. 209, dated 30 December 2016, have been reported in the Second Chance Programme,²⁷ which raises the question of how inclusive the programme is in practice.

- ✳ Document: Law No. 10 221, dated 04 February 2010, on Protection from Discrimination.²⁸

14. Preventing segregation

- ✳ Article 19 (page 8) of Law No. 10 221, dated 04 February 2010, on protection from discrimination.

The Law foresees the duties of the director of an education institution. The director of an education institution is responsible for taking measures of a positive nature in the respective institution in order to fight discrimination in connection with the right to education.

The measures that are taken include, among others, the following:

- a. raise awareness about this Law within the institution by, among others, posting the Law in a visible place;
- b. fight against discriminatory behaviour that constitutes or encourages discrimination within the institution;
- c. within one month of being informed about an incident involving discrimination, to take the necessary measures, including disciplinary measures, to protect employees from discrimination and victimisation;
- d. within 30 days from its submission, examine each complaint about discrimination in the institution and instigate effective measures to address the complaint;
- e. proportionate to and in conformity with his/her competency, the director shall impose appropriate disciplinary measures against any person who is proven to have performed a discriminatory act.

²⁶ <https://kmd.al/wp-content/uploads/2019/07/Vendim-209-30.12.2016.pdf>, page 4.

²⁷ <https://kmd.al/wp-content/uploads/2019/07/Vendim-209-30.12.2016.pdf>, page 8.

²⁸ https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_178702.pdf, Article 19, p. 8.

The Decision of the Commissioner for Protection from Discrimination, which is based on the letter No. 1268, dated 18 September 2018, of the European Centre for Human Rights ‘Romëve’ provides information on certain situations related to the segregation of Roma pupils in the city of Shkodra. More specifically, it refers to the nine-year school ‘Liria’.²⁹ In response to letter c of point 1 of Article 32 of Law No. 10 221, dated 04 February 2010, on protection from discrimination, the Commissioner for Protection from Discrimination immediately instigated administrative procedures to examine this issue ex-officio. The Commissioner for Protection from Discrimination stated that according to the information provided in the complaint issued by the association ‘Embroiderers’ and by ‘Romëve’ it is alleged that for several years only Roma and Egyptian minority children were enrolled at the primary school Naim Frashëri. Various international and national organisations have provided food, clothing and material resources for schoolchildren and in particular for children with severe economic and social problems. As a result of the provision of these conditions, the number of children from the Roma and Egyptian communities increased until only children from these two communities attended this school.³⁰ The European Commission against Racism and Intolerance (ECRI) strongly recommends the adoption of the effective legal measures aimed at combating racism and racial discrimination present in the Council of Europe Member States.³¹

15. Strengthening cooperation between schools and social services

The cooperation between the ministries of education, health, internal affairs, social wellbeing and youth and civil society and other stakeholders should be more intensive. A database of children of preschool and compulsory school age (including Roma) should be created to identify all Roma children of mandatory school age at the local level.

Supporting legislation:

- ✳ Joint Order No. 292, dated 28 May 2019, on the approval of the regulation on implementation of the Cooperation Agreement to “identify and enrol in school all children of school age.”³²
- ✳ Article 3 (Children belonging to national minorities) of Law No. 8/2017 on the rights and protection of children³³ states the following:

²⁹ https://kmd.al/wp-content/uploads/2019/06/Vendim-nr.-58-date-08.05.2019-ceshtje-ex-officio-_segregim-i-nxe-nesve-rome_shkolla-liria-shkoder.pdf.

³⁰ <https://kmd.al/wp-content/uploads/2019/07/Vendim-145-22.09.2015.pdf>.

³¹ <https://rm.coe.int/ecri-general-policy-recommendation-no-7-revised-on-national-legislation/16808b5aa8>.

³² www.punetebrendshme.gov.al/wp-content/uploads/2019/07/Udhri-i-3-ministrive-%E2%80%9CP%C3%ABr-identifikimin-dhe-regjistrimin-n%C3%AB-shkoll%C3%AB-t%C3%AB-t%C3%AB-gjith%C3%AB-f%C3%ABmij%C3%ABve-t%C3%AB-mosh%C3%ABs-s%C3%AB-detyrimit-shkollor%E2%80%9D.pdf.

³³ www.drejtesia.gov.al/wp-content/uploads/2017/11/04_Ligj_18_2017_23.02.2017_Per_te_drejtat_dhe_mbrojtjen_e_femijes.pdf.



1. A child belonging to an ethnic, religious or linguistic minority has the right to exercise his/her cultural life, to declare his/her ethnicity, religious beliefs, exercises his/her religious faith as well uses his/her language with other members of the community to which he/she belongs.
2. A child belonging to a national minority has the right to express himself/herself in his/her native language.
3. The manners of exercising the rights provided for in this article are also guaranteed, among others, by respect for child rights.

✿ Article 12 - List of children enrolled in first grade

Within three working days of the start of each school year, the directors of public and private schools shall submit in the electronic official format to the local education institution responsible for pre-university education a list of children enrolled in the first grade.

✿ Article 14 - Cooperation with the local education institution responsible for pre-university education, with the mayor, the chief of the police station and the Prefect.

Each local education institution responsible for pre-university education shall immediately send a list of children not yet enrolled in the first grade together with data for each child in annex, both electronically and in written format, to the head of the local self-government unit (municipality/community liaison/village mayor) and the Chief of the Police Commissariat as well as to the Prefect.

✿ Article 20 - Collaboration on the identification and registration of children of school age

By 31 October each year schools shall cooperate with the Child Protection Units and the Child Protection Officer on the identification and enrolment in school of children who have reached the age of compulsory education but who do not attend school or are economically exploited, including street children.

✿ Article 21 - List of unidentified children

1. By 20 October each year every local educational institution responsible for pre-university education shall draw up a list of children who have not been identified by the heads of the administrative units or district police officers or who transferred and send it to the Educational Services Centre.
2. Each local education institution responsible for pre-university education shall immediately notify the relevant public schools based on the list provided for under point 2 of this article.

The above-mentioned Joint Order No. 292, dated 28 May 2019, on “approval of the regulation on the implementation of the Cooperation Agreement to identify and enrol in school all children of school age” tackles the issues but does not foresee the situation of Roma and Egyptian children who are not registered in the system and therefore automatically have the status of stateless

children, which means that they cannot be traced in order to benefit from the programmes according to the regulations.

Roma integration policies and actions

The National Action Plan for the Integration of the Roma and Egyptians includes key objectives regarding the integration of the Roma community within the Education system, quality education and multiculturalism. Objective 1.1, for instance, is committed to achieving the enrolment of all Roma children into preschool and primary education.

Increasing the number of Roma preschool educators and teachers (men and women) in compulsory education

Based on the National Action Plan for the Integration of Roma and Egyptians in the Republic of Albania 2016–2020³⁴, the number of Roma teachers and educators increased by 5 per cent in 2017 compared to the first evaluation in 2013 when the number was 93. The goal for and post 2020 is to increase the number by 10 per cent compared to 2017 but since there are no supportive policies/programmes aimed at increasing the number of Roma teachers and educators in Albania, this should be a topic for discussion in the new upcoming Action Plans to serve also the objective on education from the Declaration of Western Balkans Partners on Roma Integration within the EU Enlargement Process (Poznan Declaration)³⁵ that the Albanian Government commits to.

The National Action Plan for the Integration of Roma and Egyptians under objective 1.5 provide opportunity for “Organizing after school courses where Roma and Egyptian parents with education deficiencies can be invited to join and learn to write with their children.” The action plan provides for additional classes to support the advancement of vulnerable communities and that the organization of these courses would not only be of value to the parents but also to the children. ³⁶ Above all, it would help to achieve objective no. 1 under Education and Promoting Intercultural Dialogue but so far such sessions haven’t been organized in afterschool programmes. This activity is not mandatory and unless the school staff is willing to include it in their activities plan, similar sessions will not happen.

³⁴ National Action Plan for Integration of Roma and Egyptians in the Republic of Albania 2016-2020, Ministria e Mireqenies Sociale dhe Rinise, December 2015, p. 69.

³⁵ <https://www.rcc.int/romaintegration2020/docs/105/the-poznan-declaration>.

³⁶ National Action Plan for Integration of Roma and Egyptians in the Republic of Albania 2016-2020, Ministria e Mireqenies Sociale dhe Rinise, December 2015, pp. 70-71.



Appointing teachers or final year students as mentors for Roma pupils in vocational schools

Although foreseen in the National Action Plan for Integration of Roma and Egyptians no actions have been taken to delegate students and/or teachers as mentors for Roma pupils in vocational schools.

Organising intercultural extracurricular activities to raise awareness about the Roma identity

Although foreseen in the National Action Plan, there is no budget line in the state budget for this objective and therefore it is based solely on donor and NGO activities who work closely with the Ministry of Education, Sport and Youth and the schools. Up until 2013, a total of 96 schools had organised intercultural activities reaching over 4,200 pupils. Over the period 2011–2013, 60 summer camps were organised for 2,677 children of whom 722 were Roma and Egyptian. Data after 2013 is missing.

The Ministry of Education, Sport and Youth has not allocated a budget line for the schools with the status of ‘schools as a community centre’ in order for them to be able to undertake such initiatives and to help raise awareness about the Roma and Egyptian identity. The organisation of such activities is based entirely on the budget and the focus of civil society organisations.

Raising awareness among Roma parents about the need to enrol their children in compulsory education

Supporting legislation: The ‘Handbook on the Early Prevention System - Training of basic education institutions’ within the framework of the ‘All the kids in school! - Ensure regular attendance and completion of basic education by every child’ project, published by the Ministry of Education, Sport and Youth, the Institute of Educational Development, UNICEF and Albanian Social Services Association.

The handbook states, “Community meetings are useful/needed when parents’ and teachers’ councils raise awareness of specific issues (raising awareness on the importance of education, how to support children’s learning, how to work together with school, such as avoid engaging children in different jobs, even seasonal ones, supporting girls’ education, etc.). Parent meetings can include parents of school pupils and community members who do not have children enrolled in school but who are interested in assisting in the smooth running of school affairs.”³⁷ The handbook was published along with the National Action Plan for Integration of Roma and

37 https://arsimi.gov.al/wp-content/uploads/2017/09/MANUALI_Sistemi_i_Parandalimit_te_Hershem.pdf, page 42.

Egyptians in the Republic of Albania, 2016–2020 and covers issue 3.4 raising the awareness of Roma and Egyptian parents about the enrolment of children in compulsory education. Although the Action Plan specifically targets Roma and Egyptian parents in relation to the enrolment of children in compulsory education, the published handbook generally targets the parents of all children enrolled in school.

Possibilities to mainstream Roma integration policies

Establishing support classes in higher grades (5 to 9) for children with learning difficulties, including Roma

The Development Strategy of Pre-University Education 2014–2020³⁸ specifically states that, “the project of Schools as a Community Centres will enable the provision of quality education for every pupil in environments that enable the cultivation of democratic values, the provision of social, emotional pupil well-being, community engagement and development, shared decision-making, respect for diversity and use of community resources in the service of the school. In this context, priority will be given to building a new inclusive philosophy in educational institutions, ensuring the inclusion of all vulnerable groups in education (disabled, Roma and other minorities, etc.) at all levels of education, especially in preschool and preparatory classes.”

The ‘Orienting Guide on Schools as a Community Centres Self-Assessment’³⁹ published by the Institute of Educational Development, the Ministry of Education, Sport and Youth and World Vision in Tirana in 2016 states that, “pupils’ government of each school can contribute by proposing concrete methods to help the advancement of pupils with learning difficulties, to help integration of first-time pupils of their level of education.

Challenge: The Development Strategy of Pre-University Education 2014–2020 and the Orienting Guide on Schools as a Community Centres Self-Assessment foresees the creation of extracurricular classes in those schools that are part of the project ‘Schools as a Community Centre’ (schools with more than 250 pupils) in order to ensure the conditions for the realisation of quality education of all pupils, regardless of their personal circumstances.

This excludes the majority of rural schools where this project is needed most. There is no other official order to ensure schools to implement extracurricular activities. Moreover, their implementation is based mostly on the pupils’ governments in the selected schools and therefore makes this an optional activity.

38 https://arsimi.gov.al/wp-content/uploads/2018/07/Strategji_APU_dokumenti_perfundimtar_24_03_2015-1.pdf, page 45-46.

39 <https://www.wvi.org/sites/default/files/Manuali%20per%20SHQK%20World%20Vision%20web.pdf>, pages 12-13.



Recommendations

1. Further measures are required in order to **identify all children of school age not enrolled in the education system** and to ensure the right of these children to be involved at all levels of education and training without discrimination.
2. **Provide free transport** for children attending preschool or primary school who reside in an area that is more than two kilometres away from the school or kindergarten (point I.b of the Decision “On the use of public funds for the transportation of working education staff and pupils study outside the settlement.”)
3. **Another beneficiary category should be added to Decisions of the Municipal Council VKB No. 393**, dated 23.04.2018, under point I, in order for Roma and Egyptian children to benefit from the payment waiver. Decision of the Prime Minister VKM No. 59, dated 30.12.2015, “for the systematization of local taxes and tariffs in the city of Tirana” foresees the waiving of fees for nursery and kindergarten services. In principle, it is a promising measure that implies the alleviation of a financial burden on the families. Nevertheless, further regulation is required at the local decision-making level for the municipalities to consider including the Roma and Egyptians explicitly within this category.
4. Decision of the Prime Minister VKM No. 59, dated 30 December 2015, “For the systematisation of local taxes and tariffs in the city of Tirana”, foresees fees for nursery and preschool services. In principle, it is a promising measure that implies the alleviation of the financial burden on families. However, **further regulation is required at the local level for the municipalities to consider including Roma and Egyptian within the categories.**
5. The Ministry of Education, Sport and Youth in collaboration with the Regional Directorate of Education should **create a supportive policy/programme in order to increase the number of Roma and Egyptian graduates as teachers and educators in Albania.**
6. Create a supportive policy such as quota in nurseries, preschool and primary to **increase the number of Roma and Egyptian teachers and educators** in Albania by 10 per cent.
7. The Ministry of Education, Sport and Youth and the Institute of Educational Development should **add mandatory extracurricular courses to all schools listed as ‘School as a community center’**. Among others, Roma and Egyptian parents with education deficiencies could attend and benefit from these measures.
8. The ASCAP (Agency of the Quality Assurance of Pre-University Education) taskforce should assure regular control groups to **monitor and evaluate the authenticity and functionality of the school boards and to ensure the participation of Roma and Egyptian parents**, given the fact they are socially excluded and hesitant to participate in such boards due to fear of discrimination.
9. Roma and Egyptians to be included in addition to Decision of the Prime Minister VKM No. 51, dated 20 September 2013, as categories that can **benefit from reimbursement of the cost of scholar textbooks for grades ten to twelve.**
10. The standard of the transport services should be increased and the infrastructure should be more developed. The municipalities and according to SAPU should create a database to monitor and evaluate the services provided by NGOs. Amendment should also be made to Decision of the Prime Minister VKM No. 682, dated 29.7.2015, “On the use of public funds for transportation of education employees and pupils learning away from their residence”. **Funds should be allocated from the budget of the Ministry of Education, Sport and Youth** to also support the implementation of point I.II. of the National Action Plan on Roma Integration.
11. **Review compulsory and secondary education curricula and textbooks** to ensure they reflect tolerance and intercultural cooperation and include material on Roma and Egyptian identity.
12. **Conduct workshops** on Intangible Cultural Heritage to help the targeted participants (professionals) to become better equipped to engage in designing and conducting community-based inventory in their respective communities.
13. **Instigate a follow-up plan** for the post actions of the participants of workshops actually take in their communities.
14. **Envisage explicit policies** within the National Strategy for Culture 2019–2020 that target the **preservation of Roma and Egyptian cultural heritage, language and culture.**



15. **Appoint Roma and Egyptian professionals in art, culture and anthropology** to work on the collection and preservation of their own cultural heritage. **The Ministry of Culture should make official announcements (if not official decisions) to fulfil this requirement.**
16. **Allocate funds that would support recruitment of Roma and Egyptian experts** to the central and regional institutions of the Ministry of Culture.
17. **Create a network of teachers and/or final year students to volunteer as mentors for Roma and Egyptian pupils in vocational schools.** Teachers would receive academic credit and final year students could use it as their professional experience option during their studies.
18. The Ministry of Culture in collaboration with the Ministry of Education, Sport and Youth and the Higher Education Quality Assurance Agency (ASCAL) should **to take action to fulfil point 2.1** “Enriching the standard **training curriculum for teachers** at all levels of education with material on the management of multicultural classes, cooperation with parents from different cultural and socioeconomic backgrounds, promotion of tolerance, intercultural cooperation and equality.”
19. The Ministry of Education, Sport and Youth should provide funding for schools that have the status of ‘schools as a community center’ and should undertake such initiatives focused on the International Day of Roma and **raising awareness on the Roma identity.**
20. **Raise the transport infrastructure standards and ensure access to rural areas** where Roma and Egyptian pupils live and prevent the issue of difficult commuting to be a factor for early school-leaving.
21. The Ministry of Education, Sport and Youth should implement a **review of the Second Chance Programme** aimed at increasing its efficiency as a transitory system to mainstream education.
22. Based on Law No. 10 221, dated 04 February 2010, on protection from discrimination, the responsible institutions, namely the Ministry of Education, Sport and Youth and the Regional Educational Directorate, should **take the necessary action to identify schools that are on the verge of segregation and to intervene in order to prevent these schools from becoming segregated** by having a high percentage (almost 100% in the above-mentioned cases) of Roma and Egyptian minority pupils.

23. **Draft additions amendment to the existing Order No. 292, dated 28 May 2019** that foresee and regulate the process for the identification and enrolment of all Roma children of mandatory school age in school. This should be done through multi-sector working groups at the local level (including schools, healthcare institutions, the police and social administrators), **considering the children without civil registration and in risk of statelessness.**
24. The Development Strategy of Pre-University Education 2014–2020 and the Orienting Guide on Schools **to consider the schools in rural areas and schools with less than 250 pupils** for creation of extracurricular classes as part of the project Schools as a Community Centers.
25. The Handbook on the Early Prevention System - Training of basic education institutions **to have an additional section tailored** to Roma and Egyptian parents.



EMPLOYMENT



Mainstream policies and actions

The goal of the Law on Employment Promotion⁴⁰ is to determine the regulations and functionality of the public employment services and of active and passive labour programmes as well as the institution in charge of them. Moreover, it aims to increase employability within the workforce through a variety of employment programmes, professional qualifications training and self-employment schemes. The scheme contains some novelties. One example is that an employee can propose the employer to the National Employment Service office (This is a practice followed by the Economic and Social Empowerment of Roma and Egyptians (ESERE) project, under the UNDP programme). In other words, they can choose the employer for the On-The-Job Training (OJT) scheme.

It is recommended to increase the budget for employment programmes in order to reach an employability quota of 8 per cent and achieve a proportionate balance with the overall employment rate. Increase the budget for the measures indicated in articles 47 and 48 of the Law on Employment Promotion. These two articles anticipate an employment promotion programme through on-the-job training. Such an action has been proven suitable for Roma job seekers because many do not have prior vocational training skills.

It is recommended to increase the budget for employment programmes in order to reach an employability quota of 8 per cent and achieve a proportionate balance with the overall employment rate. Increase the budget for the measures indicated in articles 47 and 48 of the Law on Employment Promotion. These two articles anticipate an employment promotion programme through on-the-job training. Such an action has been proven suitable for Roma job seekers because many do not have prior vocational training skills.

The new Law on the Employment Promotion Programme 2019 envisages eight employment programme schemes. However, according to the Ministry of Finance and Economy, there is no separate budget for each of the programmes.

✿ Document: Law No. 15/2019 on Employment Promotion.

Integration of Roma and Egyptians into the labour market through education and vocational training and active labour market policies

Poverty and the urgent need to provide for the basic needs reduce motivation among Roma to attend vocational education training (VET) or professional short-term courses and obliges them instead to pursue alternative solutions, usually in the informal labour market.

⁴⁰ <https://home.kpmg/al/en/home/insights/2019/04/new-law-on-promotion-of-employment.html?fbclid=IwARILB-AQZgylF3v6RVFY5p8Idbk0qVklPUWcsB8EAoM0uhtmqf477r9h9L-w>.



A lack of trust in the employment promotion programmes and previous negative experiences push Roma toward the informal labour sector where they remain for a considerable time and are subject to economic and social insecurity. Their long-term engagement in the informal sector combined with long-term unemployment means that Roma families are twice as vulnerable to poverty compared to families in the general population that live in their proximity. Some Roma and Egyptians manage to find work as small traders and collect recyclable materials. According to the UNDP study Need Assessment of Roma and Egyptians, the **Roma community tends not to work under employment contracts and therefore does not benefit from the payment of health and social contributions.** This endangers their future social protection. Currently, there is no programme to support vulnerable entrepreneurs and self-employed low skilled Roma and Egyptians. Nevertheless, **the new Law on Employment Promotion Programmes foresees support for self-employment programmes. Such a novelty comes as a mainstream policy.**

Roma that live in rural areas often do not have the documentation to prove ownership of their property and land. Sometimes because of urgent circumstances, people sell the agriculture land without properly following the required procedures. Thus, on paper they remain landowners and are therefore unable to benefit from social protection schemes. They also have to pay taxes on the property that they no longer own.

Roma usually lack proper information about the advantages of registering as unemployed and consequently many do not have access to VET and active employment promotion programmes. Most of the VET centres and the administration within the regional employment offices do not have Roma and Egyptian employees and this can cause misunderstandings as well as discriminative attitudes.

Possibilities to mainstream Roma integration policies

According to the National Strategy on Employment and Skills⁴¹, the system of education and professional skills is not oriented toward the demands of the labour market. A few businesses collaborate with schools in order to organise extra hours of internship for pupils but this has proven to be insufficient or only in the form of pilot initiatives.

The strategy aims to encourage entrepreneurship through improved education on start-ups. According to the strategy, education on entrepreneurship is a priority at the European level. Thus, it should be included in the curricula at all level of education and training should be foreseen in this area.

⁴¹ https://financa.gov.al/wp-content/uploads/2018/09/NESS-ENG-8-I-15_final-version.pdf.

- › Encourage and nurture the culture of entrepreneurship by developing the curricula on entrepreneurship in the primary school programme of at all levels.
- › Develop a curriculum on entrepreneurship, start-ups and training programmes on strengthening entrepreneurial skills in vocational education training through long-term and short-term courses.
- › Develop training programmes for youngsters and women eager to establish start-ups.
- › Conduct periodic evaluations in order to assess the need for training programmes.
- › Create a training programme and modules on entrepreneurship and online training.
- › Revitalise and promote Roma professions through a tailored curriculum, handbook, management skills, and subsidies.
- › Develop the Strategy on Business Development and Investment 2014–2020 through quotas for Roma and Egyptians.

✿ Document: National Strategy on Employment and Skills 2019–2022.

The National Employment Service is a governmental and central institution. It operates through the Regional Employment Service at the local level and through the Vocational Education Centres. The main objectives of the National Employment Service is to fulfil and guarantee the rights of Albanian citizens and other residents through active and passive support channelled through a variety of employment programmes. Foster professional skills and provide proficient administration of programmes and governmental projects on employment. Mediate for jobs between jobseekers and job providers and provide career advice for the unemployed and jobseekers. Collaborate with local authorities on organising public works and engaging job seekers. Provide quality assistance to employers and employees to increase their competencies and cooperation.

The National Employment Service in collaboration with the UNDP ESERE project and the Ministry of Social Welfare and Youth implemented the Employment Mediator Network Project in four cities (Durrës, Tirana, Shkoder and Berat) through the regional employment offices from 2016 to 2019. Such a measure contributed to the employment of hundreds of Roma. With the termination of the project implementation, the network of Roma mediator disbanded.

✿ Decision No. 42, dated 17 November 1998, on approving the status of the National Employment Service was amended through Decision of the Prime Minister VKM No. 263, dated 25 May 2000, Decision of the Prime Minister VKM No. 17, dated 10 January 2003, Decision of the Prime Minister VKM No. 195, dated 2 April 2014,



Several factors, such as the large number of youth and in particular young women that do not engage in searching for jobs in the labour market, influence the low level of demand in the labour market. On the educational scale, children from the Roma community have a higher early school-leaving rate and are endangered by social exclusion. Roma and Egyptian generally have a low level of education, live under severe living conditions and suffer from a high level of unemployment. Usually, they work undeclared in informal ventures such as the recycling of materials and trading. They do not operate under employment contracts and thus have no social or health insurance. Often, their skills do not fit the offer of the labour market because they lack professional skills and adaptability to the needs of the private sector.

The strategy emphasis that Roma and Egyptians participate less and have fewer beneficiaries of the employment services and vocational education training programmes compared to the general population. At the same time, the employment services do not give sufficient consideration to the circumstances, potential and specific needs of Roma. Particular groups like the Roma and Egyptians and people with disabilities are often left on the side by policies that do not grasp and cannot cope with their specific circumstances. These groups require tailored strategies that match their particular needs in terms of education, professional qualifications and employment. Most Roma and Egyptian women at risk are engaged in indoor chores, do not have savings and will not be able to access the pension scheme in the future.

The National Employment Service offers free of charge short-term courses for various vulnerable groups, including Roma and Egyptians. The Service also provides scholarships for pupils attending vocational education training schools.

Existing measures for employment:

Support in the labour market through the introduction of quotas

- › Free of charge enrolment of Roma in vocational education and professional skills training (VET).
- › Provision of scholarships to Roma enrolled in VET at a level that can cover their living expenses, fee and textbooks.

Promote social entrepreneurship and self-employment among Roma through the following:

- › Preparation of a law that would allow the Government to support Roma entrepreneurs through small or social grants and enhanced efforts to initiate tax exemption for self-employed Roma and Egyptian entrepreneurs transitioning to the labour market after a long period of unemployment.

- › Identify and equip spots that could be used to sell goods and conduct a study into the physical position of recyclable material collectors.
- › Grant concessions for areas such as collecting recyclable materials. Control and monitor current regulations on waste treatment in line with adequate parameters. Ensure that potentially harmful waste is secured in order to prevent any harmful activity that could have an adverse effect on human health and the surrounding environment.
- › Employment and professional skills gained through both passive and active employment programmes influence integration into the labour market.

The National Employment Agency offers a **full package of employment schemes** for Roma and Egyptians; however, the participation rate remains low.

- › In order to enhance public security and safety on the roads initiate subsidies to improve or replace the vehicles Roma use.
- › Instigate a campaign to encourage local authorities to reduce local taxes by up to 30 per cent for Roma owned businesses.
- › The Agency for Agriculture and Rural Development should provide information on the small grants and technical assistance that is available to Roma farmers.
- › Provide grants for Roma to develop agriculture and supportive services for qualified Roma to shift from undeclared work to the formal market.
- › Development of a pilot project, initially in four areas, on career development aimed at improving and fostering the necessary skills for Roma to access the labour market through the employment promotion programmes also explored the adaptability of Roma and Egyptians in the workplace.

Increase the capacities and improve the performance of the National Employment Service and the vocational education system to integrate Roma and Egyptians into the labour market:

- › Ensure training for National Employment Service employees on challenges and best practice related to the integration of Roma job seekers and self-employed Roma into the labour market.
- › Distribute informative material on protection from discrimination based on ethnic grounds in the workplace. Employ qualified Roma and Egyptians as specialists or instructors on career consultancy.
- › Determine quotas for the employment of Roma and Egyptians in the public service sector.



Recommendations:

1. **Establish a quota that allows self-employment Roma to benefit from small grants**, administrative support, career advice and exemption from local taxes for a period of three to six months.
2. Organize **awareness raising campaigns that target Roma farmers in rural areas** to inform them about grants provided by the ministry in charge of rural and agricultural development.
3. **Establish tailored training on business development** and skills for self-employed Roma.
4. **Each of the employment promotion programmes should be presented separately in the mid-term budget programme.** Currently, all of the programmes are perceived as a single programme and this makes it difficult to make adequate calculations on the needs and requirements for each separate programme.
5. Although the new Law has foreseen the provision of a self-employment programme, it requires a well-designed approach to make it practical and accessible for particular groups. Thus, **it is necessary to design and provide a budget for a self-employment programme** based on the economic requirements and occupations Roma and Egyptians could carry. The self-employment application will stimulate start-ups and address the issue of undeclared work among Roma.
6. Considering the findings of the National Strategy for the Integration of the Roma and Egyptian Communities in the Republic of Albania and the National Strategy for Employment and Skills 2014–2020, it is crucial to **create a network of employment mediators to monitor Roma and Egyptians and other vulnerable employees.** The necessity and importance of the role of employment mediators in monitoring Roma employees is underlined by the results of the UNDP ESERE project that implemented a similar practice successfully from 2016 to 2019. The **National Employment Service has the prerogative to decide upon such a measure.**
7. Increase labour market opportunities through the **introduction of International Working Standards for the low skilled work force.**
8. Expand the variety of services and active employment policies aimed at reaching **geographically remote areas.**
9. Foster social inclusion and territorial cohesion by expanding the employment services and skills in rural areas and foster the social entrepreneurship and economic **empowerment of women.**
10. **Improve the monitoring process for the evaluation** of measures undertaken in relation to gender issues.
11. **Strengthen the cooperation with the private sector** to support work offers from the private sector.
12. **Increase the number of employees** and thrive to increase the competencies of the VET centers.
13. Instigate active employment policies to **minimize passive social protection schemes.**
14. The National Employment Service, which is under development to shift to an Employment Agency, should **envisage the creation of a network of Roma employment mediators.** Such a measure would contribute to an increase in the employment of Roma, help monitor their performance and adaptability in the labour market and ensure sustainability and cross-sectional support.
15. The National Employment Service should **hold periodic consultation meetings** and draw attention to the recommendations proposed by Roma and Egyptian communities and civil society organisations **concerning the mid-term project budget.**



HOUSING



Mainstream policies and actions

The Social Housing Strategy 2016–2025⁴² guarantees housing and social cohesion predominantly for citizens in need, people with disabilities, single parent families, victims of gender-based violence and Roma and Egyptian families.

The Strategy has the following objectives:

- › Periodically develop the capacities of administrative units to grasp demand and supply in relation to social housing needs.
- › Improve the legal and institutional framework to increase the approach to cover at least 50 per cent of the disadvantaged population.
- › Improve the distribution process of housing programmes through coordinated joint actions to 61 administrative units.
- › Ensure public-private partnership for improving social housing alternatives and increase the number of beneficiaries up to 20 per cent.
- › Expand housing alternatives for low and middle income families, particularly for disadvantaged groups, up to 30 per cent.

The Strategy gives clear advantage and attention to 15 groups among which are Roma and Egyptian families. Moreover, one of the housing programmes within the Law on Social Housing 2019 foresees the improvement of living conditions of Roma and Egyptian minorities through the Restoration of Housing Programme. Approximately 150 families benefited from the Restoration of Housing Programme from 2016 to 2019 and another 500 families will benefit up until 2025. The Social Housing Strategy 2016 – 2025 aims explicitly under objective 1.4 to prioritise investment and the provision of assistance that will facilitate access to housing for the Roma community. Most of the programmes, such as rental subsidy, the Restoration Housing Programme and temporary shelters, are intended to reach low income families.

Furthermore, the Strategy on Social Housing, under objective 5.2, aims to address the housing conditions of the Roma and Egyptian families. As the next step, it seeks to achieve a decrease in the number of families that live in inadequate housing conditions.

Independent institutions, such as the Ombudsman and international organisations, have conducted a review of the legislative framework. They suggest a series of steps to improve the current situation in regard to housing. One such suggestion relates to the proactive inclusion of the Roma and Egyptians in the decision-making process on housing policy.

42 <https://www.al.undp.org/content/albania/en/home/library/poverty/social-housing-strategy-2016---2025.html>.



One of the drawbacks to its implementation is the disparity between the foreseen plan and the lack of institutional capacity of administrative units at the local level. The municipalities have to report on the needs to the Ministry of Finance and Economy. However, the reports change with the change in staff at the municipalities.

The Strategy on Social Housing 2016–2020 requires periodic review in terms of mid-term budgetary planning. It also requires a budgeted action plan, more detail in terms of data, further evidence of the needs and the required means to address these needs.

The new Law on Social Housing, which was amended in 2019, takes into consideration socially deprived families who for various reasons encounter obstacles when attempting to access housing programmes. The main objective of the Law on Social Housing was to envisage rules, administrative procedures and the planning, administration, coverage and distribution of social housing programmes aimed at providing equal and affordable opportunities by taking into account the capacities of families in need and to help the responsible authorities.

The Law on Social Housing was amended recently. Civil society organisations participated in the consultation process. The housing programmes that started before the amendments are currently under implementation. It should be discussed how the implementation of the Law with the amendments will proceed. The amended incorporates promising regulations that offer better protection for families, bans forced eviction, temporary or permanent eviction of families or entire communities from their place of residence, formal or informal houses, or from shelters that do not classify as house units. Eviction is forbidden unless accompanied by a regular and transparent consultation process.

The former Law on Social Housing did not sanction such measures. Thus in 2013 Roma people at Rruga e Kavajes faced forced eviction by a private company. Roma were among the 37 families that after two months of protesting were sheltered at a transitory centre for emergencies erected for that purpose. In 2016, Roma at Selita were among more than 60 families that faced eviction by the public authorities in order to develop the public investment. Through the housing programme, the Government of Albania offered subsidised rent to these families. Another example is the displacement of Roma from the dry lake in Tirana in 2016.

Under these circumstances, activists and civil society organisations advocated for years to change the status quo and to instigate a ban on forced eviction in order to prevent similar scenarios that would place Roma and Egyptians as well as non-Roma people in a precarious situation.

Moreover, the new Law allows returnees, such as asylum seekers and migrants, to benefit from housing programmes and policies. This is a positive measure, considering the flux of migrants and asylum seekers from Albania, during the period 2014–2017.

In relation to the objective to improve the approach toward deprived groups, through a revision of the current legislation on housing, the Government has come up with new regulations that explicitly target vulnerable groups. It is pivotal that mapping of the needs and suitable alternatives leading to permanent housing solutions will be conducted.

Lastly, a pivotal question is the projection of the budgetary programmes on housing. It requires an increase in budget starting in 2020. There are a few new programmes foreseen in the Law on Social Housing (2019) that require a budget and financing of current plans that are being implemented to match the needs of the population.

The housing programme builds synergies with the Employment Promotion Programme, which also envisages Roma and Egyptians as categories.

The subsidised rent programme allows any interested person or family that fulfils the criteria to apply to the administrative unit or the municipality for subsidised rent by submitting certain documents, such as a notarised housing contract. However, the notarised agreement bears a specific financial cost and often applicants do not want to provide such document and such obstacles hinder their chances of accessing the subsidised rent programme. The new measure that allows for the status of ‘social owner’ means that an investor or even individuals can invest or build homes destined for the social housing fund. This eliminates the need for notarised rent contracts.

The Social Housing Programme includes the Soft Loan Programme, which is subsidised by the government. This option is affordable for middle-class families that have regular employment, regular income and pay social and health contributions. The counter argument could be that impoverished and low income families have various alternative options. The challenge is when the Ministry of Finance and Economy plans the mid-term or yearly budget programme. The budget is distributed into the various aspects of the programmes and products. The Soft Loan Programme receives a considerable amount from the budget but seldom reaches families in most need. Consequently, other social housing programmes obtain less money and shrink.

The Rental Subsidy Programme

Regarding rental subsidy, the municipalities have to grasp the purpose of rental houses. Rental subsidy represents one of the most popular forms of housing schemes.

The programme for improving the existing houses up to the level of brand new constructions represents an impactful measure. This measure has provided assistance and improved living conditions for many. It can be said that such a programme is a mainstream policy. However, there are two main challenges.



The first is that not all people or families in need qualify for such interventions. People or families who live in shacks and insecure tenure do not qualify. If, for instance, they do not possess a certificate of ownership or they reside in areas that do not classify for the legalisation process as envisaged by the Law then they are not eligible to profit from this programme.

The second, certain small municipalities lack the human resources and adequate competencies many applicants fail to submit completed applications to the Ministry of Finance and Economy as the institution that allocates the budget for most social housing programmes.

Yet the municipalities could use their budget in order to sustain specific social housing programmes. This could include initiatives to develop areas destined for housing or investment to develop the infrastructure.

Challenges:

- › Two to three families live under the same roof and lack appropriate space per person.
- › The allocation of the mid-term budget programme by the Ministry of Finance and Economy to the various social housing programmes is not planned accordingly. This relates to both the allocation of funds and the scarcity of funds.
- › The data on the Roma and Egyptians are not disaggregated or sufficiently detailed. This means that local and central authorities cannot measure the needs or the fulfilment of objectives and therefore lack the statistics to allocate funds for different programmes based on the requirements.
- › The programme for improving housing conditions through the restoration scheme has been applied as an intervention even for houses under the legalisation process. The municipality is informed about the status of the houses prior to the intervention. However, according to the definition contained in the Law on the Legalisation, Urbanisation and Integration of Non-Formal Objects, no intervention has been provided for houses in areas that are under development through urban plans.
- › The reconstruction of houses under the programme to improve living conditions also foresees infrastructural and environmental development. The institutions in charge of executing the Law are also responsible for monitoring the implementation of the restoration scheme.

Possibilities to mainstream Roma integration policies

The Law on the Legalisation, Urbanisation and Integration of Non-Formal Objects has the following objectives:

1. To legalise irregular constructions and formal objects that have unregistered annexes.
2. Resolve the issue of ownership for land on which illegal objects reside.
3. Complete the urbanisation of areas where illegal constructions are present and their integration into the territorial and infrastructural development of the Republic of Albania in order to improve living conditions.
4. Define the procedures for the legalisation of such irregular constructions and their annexes within the existing Law and establishment the authorities responsible for conducting this process.

The above-mentioned Law has several positive aspects:

- › It envisages clear regulations and procedures for citizens to initiate the legalization process for irregular constructions erected without the permission of the local authority.
- › If the construction meets the criteria and is eligible for legalization then the territory beneath the structure and the surrounding land automatically becomes the property of the householder. Tenure is secured when the householder becomes the landowner. In the event that a public investment affects this tenure, the owner will receive compensation.

There are also a few challenges to consider. According to the definition provided in the Law, only genuine constructions are considered as buildings or homes. A shack or shelter does not qualify as such, which means that it is not subject to protection or guarantees. If an area or camp comprised of shelters/shacks cannot be legalised and the territory is subject to a public investment project then the people residing there have to apply for social housing programmes. Another concern is that temporary shelters do not qualify for the programme on improving living conditions. Because of the status of their tenure, these people do not qualify for investment as they do not have a certificate of ownership and are not landowners.

- ✳ Document: Law No. 9482, dated 03 April 2006, on the Legalisation, Urbanisation and the Integration of Irregular Constructions (amended by Law No. 9786, dated 19 July 2007, Law No. 9895, dated 09 June 2008, Decision of the Constitutional Court No. 3, dated 02 February 2009, Law No.10 099, dated 19 March 2009, Law No. 10 169, dated 22 October 2009, Law No.10 219, dated 4 February 2010, Law No. 141/2013, dated 02 May 2013, Law No. 50/2014 and Law No. 62/2015).

The Law on Law No. 139/2015 on Local Self-Government

As a promising step toward transparency, each local unit must appoint a Transparency Coordinator and approve the Transparency Programme targeting access for vulnerable and needy groups under the Law on the Right to Information.



Citizens have a variety of tools to access information and file complaints if they are adversely affected by the actions or passivity of the local authorities.

Only a few municipalities update information on their websites. Some of them have not updated their websites since 2009. Yet it is not sufficient merely to publish information online, due to barriers to accessing technology, primarily the Internet, and the use of sophisticated language make it almost impossible for particular groups to access information.

Therefore, a proactive stance should be adopted to ensure access to information and transparency. Based on the Law on the Right to Information and Data Protection, local authorities should aim to reach people by organising periodic and up-to-date activities and awareness raising campaigns on legal education. Information should be made available to all groups and presented in the most straightforward language and activities aimed at empowering communities to grasp the Law on the Right to Information and the Transparency Programme initiated.

✿ Document: Law No. 139/2015 on Local Self-Government.

Low cost rental housing within the Social Housing Programme

Local authorities can purchase a building in the private sector for social housing purposes.

Local authorities can also revitalise former facilities and turn them into social housing, i.e. low cost rental houses. In addition to local authorities, the National Housing Authority, a governmental agency under the supervision of the Albanian Ministry of Infrastructure and Energy, can build and offer low cost social housing buildings under its administration.

The Social Housing Law targets families who do not possess housing. Those families that live in housing that provides a low living standard in terms of square metres per person and poor infrastructure can also benefit from this programme. Applicants should have incomes up to the limit approved by the authorities that provide low-cost rental houses.

The programme suits families that have financial capacity to cover the rental cost, which should not extend 35 per cent of the total income of a family.

Rental Social Houses are among the most costly programmes and require a significant maintenance budget.

✿ Document: Decision No. 148, dated 13 February 2008, on the procedures for purchasing low cost houses through the market.

Recommendations

1. When planning the midterm budget programme, the Government of Albanian should **foresee funds in accordance with the needs of the social housing programmes**. The budget for 2020 has decreased housing programme funds at a time when many of the municipalities are struggling with debt and cannot afford to fund housing programmes. In addition, the amended Law on Social Housing includes a number of new social housing schemes that require additional funds.
2. **Acquire more funding for the improving housing conditions programme**. This successful programme was used to target the Roma community, yet under the new amendments to the Law this programme now includes more categories.
3. **Increase funding for the Revitalisation of former State-owned Facilities into Social Housing Programme** to help the municipalities to address the housing issue and improve the living conditions of their residents.
4. **Increase funding for the Temporary Shelter Programme**. This programme will continue to address the need for emergency alternative housing until a permanent housing programme is available.
5. The scheme to provide land with infrastructure requires a high level of implementation from the municipalities. The initial step is to **complete the urban development plan** and therefore there should be a proactive approach at the local level.
6. Each municipality in Albania should have and **implement the program of temporary shelters**.
7. **Acknowledge or legalise non-formal objects**. According to the Census of Housing and Population conducted in 2014, approximately 68 per cent of Roma and Egyptian lived under insecure tenure and 15 per cent lived in improvised houses. Based on the same census, 30 per cent of the houses were not connected to the sewage system, 23 per cent did not have access to the water supply and another 30 per cent lacked sanitary/hygiene properties.
8. **Collect accurate data on the housing conditions and legal status** in relation to house tenure for the Roma community. Once reliable data is available, concrete interventions can proceed.



9. In the event that the object does not comply with the definition of the Law for the Legalisation, Urbanisation and Integration of non-Formal objects, **at least the land beneath the object should be acknowledged.**
10. Prior to the legalisation of the land beneath the house, the **local authorities should implement a thorough study and issue a decision on how they will develop areas under residential development.** This would benefit the inhabitants of informal areas.

ACCESS TO JUSTICE





Mainstream policies and actions

The main objective of the Law on the Protection of National Minorities is to provide a framework for minorities to exercise their rights, based on the Convention of the Council of Europe on the Protection of National Minorities. Moreover, it is aimed at achieving the practical realisation of the specific rights of minority groups that are essential for preserving its identity and guaranteeing non-discrimination and full equality. The Law was initiated at the request of the minorities as well as by the requirements the Republic of Albania undertook as signatory to international treaties.

The law states, any person who belongs to a national minority has the right to choose to be treated as such without experiencing any disadvantages and has the right to self-identification. The Law also bans any discrimination based on ethnicity.

Public and local institutions approve the necessary measures for the following:

- › guaranteeing economic, social, political and cultural equality for minorities and the majority population;
- › protection against threats, discrimination and violence based on the distinct identity of a person;
- › support for intercultural dialogue;
- › fostering mutual respect, cooperation and empathy between all citizens in Albania.

The Law guarantees the right of organisation and representation in the following areas:

- › ensuring freedom of conscience and religion;
- › participation in public, cultural, social and economic life, especially when the expression of this right relates to the preservation, protection and promotion of cultural and traditional identity;
- › people from minority groups and the organisations that represent them have the right to apply for funds from cultural institutions in order to promote, preserve and protect their traditions, culture, identity and language;
- › minority groups have the right to learn and be informed in their ethnic language;
- › public radio and television broadcasts informative and cultural programmes in the ethnic language of the minorities;
- › minorities have the right to have their media and to share information in their ethnic language;

- › guarantee if 20 per cent of the inhabitants of a locality are from a minority group, local authorities will issue a decision to include the minority language on topographic infrastructure signs.

✿ Document: Law No. 96/2017 on the Protection of National Minorities.

The Law on Free Legal Aid

On the basis of certain selection criteria, free legal aid is intended for those who cannot afford to pay for primary and secondary legal assistance. The Law focuses on specified categories in need that are registered and able to prove their inability to pay for legal services. Primary legal aid focuses on free consultancy, guidance and information on legal and administrative procedures. Whereas secondary legal aid focuses on the provision of more specialised assistance for accessing the courts through a certified lawyer and other costly specialised services such as expertise in a particular field of civil, administrative, family, property or criminal cases.

The Law on Free Legal Aid is in general promising and foresees the alleviation of the financial burden on individuals in need of free primary and secondary legal aid. Yet it does not specifically refer to the Roma minority. In order for Roma and other minorities and vulnerable groups to gain access to secondary legal aid, they must comply with the economic criteria for accessing this form of legal aid.

Due to the low level of education Roma and other vulnerable groups often have difficulties to access independent institutions such as the Commissioner for Protection from Discrimination, the Ombudsman and local authorities. **Roma require specialised assistance in cases such as divorce, adoption and public services.**

A considerable number of Roma do not benefit from social assistance because they work undeclared in the informal sector and lack regular sustainable income. This means that their ability to apply for and benefit from secondary free legal aid is questionable.

Local legal clinics

The Law foresees specific regulations about the functionality of local legal clinics, the procedures for offering first legal aid on the basis of the equality for all people, professionalism, quality, efficiency and with respect for the confidentiality of personal data.

Local legal clinics operate in six cities in Albania and offer services and information on the legal system in Albania, laws and legal acts, rights and obligations and the tools to fulfil these rights in



the court, assistance in drafting administrative bills and other consultancy services for people in need, assistance for citizens in completing requests to access secondary legal help and documents attached to the standard application. Unlike secondary legal assistance, primary legal aid does not require any supporting documentation or evidence to prove the economic status of citizens in order to benefit from it. It is usually accessible and operates in cities with a considerable number of Roma and Egyptians.

However, it has a few disadvantages that require further regulation. Local legal clinics, for instance, do not receive funding from the state budget. Mainly donors such the Open Society Foundation of Albania support the legal clinics.

Legal clinics do not cover all administrative units in Albania and municipalities that have a considerable number of Roma and Egyptians, such as Lushnja, Berat and Elbasan, that would benefit from access to legal clinics.

- ✿ Document: Order No. 225, dated 25 March 2019, on “approving the questionnaires on free legal aid guaranteed by the state.”

Inter-Sectorial Strategy for Justice 2017–2020

The Inter-Sectorial Strategy for Justice 2017–2020 aims to improve the functioning of the court system by enforcing its efficacy, transparency and by approaching European standards.

Implementation of this objective is foreseen through the creation of a just and functional legal aid system that is available to people in need.

The aim to improve the relationship between the media and the courts will help ensure that the public has the right to access information of public interest. This will improve the justice system and the institutions under its jurisdiction and competence.

The Strategy foresees creation of an official and stable network of pre-legal aid practitioners within the courts and inclusion of a specialised legal practitioner to monitor the performance of pre-legal aid practitioners based on measurable indicators that will serve in preparation of annual monitoring reports on the progress of such a policy.

- ✿ Document: Inter-sectorial Strategy for Justice 2017–2020.

Strategy on Minors 2018–2021

The Strategy highlights three leading directions for the protection of child rights. Among others, it envisages improved access to justice for children, legal education for children, prevention of minors coming into conflict with the law, the reintegration and rehabilitation of minors that came into conflict with the law and guaranteed access to the justice system for minors through raised awareness in the relevant institutions.

- ✿ Document: The Strategy on Minors 2018–2021.

The National Strategy on Integration and Development 2015–2020

The core principle of the National Strategy on Integration and Development 2015–2020 is the consolidation of good governance and the legal state. The main objective is to provide innovative public services that focus on the needs of citizens. The central pillar is the widening of communication streams of information to citizens and the monitoring of the distribution of services in order to improve them. Moreover, it aims to enforce and improve access to the current legislation for people.

The Strategy envisages enforcement and consolidation of good governance and the justice system. It foresees a widening of the streams of information distribution to educate the public and provide legal information, offer innovative public services and ensure regular monitoring of the performance of distribution in order to further improve service distribution, shape the information distribution mechanism in line with the profile, the level of education and the level of understanding of the Roma minority.

- ✿ Document: The National Strategy on Integration and Development 2015–2020.

National Agenda on Child Rights 2017–2020

The National Agenda on Child Rights 2017–2020 stipulates the necessity of providing legal education to children during their early childhood by improving the curriculum at all levels of education. In order to achieve the envisaged objectives, the Government foresees the implementation of various specific activities that are measurable in terms of the performance indicators. Children from the Roma communities are often subjected to discrimination, exclusion and inequality because of social, economic and ethnic factors that are passed from one generation to next.



- ✿ Document: The National Agenda on Child Rights 2017–2020 approved by Council of Minister Decision No. 372, dated 26 April 2017.

Resolution of the Assembly: Condemnation of violence against women and girls

The aim of this Resolution is to engaging all state structures to change the current mind-set and raise awareness of the population about inequality and harmful stereotypes on gender. Particular negative perceptions are the strata of gender-based violence.

The Resolution encourages the Government of Albania to allocate adequate funding for organising widespread awareness raising campaigns on the external causes of gender-based violence against women and girls, especially family-based violence.

This would inform the public about the mechanisms in place to address gender-based violence against women and girls at the local level and strengthen the capacities of the mechanism to manage cases of violence.

- ✿ Document: Resolution of the Assembly, dated 4 December 2017, on “condemnation of violence against women and girls and increasing the effectiveness of the legal mechanisms for its prevention.”

Recommendations

1. The Law on the Protection of National Minorities should **make explicit reference to Roma and Egyptians as a specific category.**
2. The Ministry of Justice should **implement projects to empower Roma communities** to gain access to justice and free legal aid.
3. Widespread campaigns led by civil society organisations at the grassroots level should be organised to **empower people to access their rights practically.**
4. **Strengthen the referral mechanism on free legal aid** in relation to cases brought by civil society organisations.

5. **Legal clinics should be established** in other major municipalities that have Roma communities. Moreover, the Government should plan state budget funds to support local legal clinics.
6. **Initiate concrete activities with children** based on their level of education and the language they understand and offer education on human rights, fundamental freedoms and child rights.
7. Vulnerable women from the Roma communities live in areas and settlements that are usually segregated and have no contact with public services and are usually poorly educated or even illiterate. The mind-set in such communities on subjection is stronger. **Access to mental health and physical protection must be ensured,** institutions have to operate in such areas and projects on prevention of violence must be introduces in the settlements.
8. The Government of Albania should **envisage proactive policies** that address the situation of women and girls in relation to gender-based issues such as violence.
9. **Conduct a need assessment report** to evaluate the dynamic of the issues to which they are exposed and take action to change the mind-set of both Roma women and men.
10. **Organize campaigns** focused on brave role models that have raised the above subject.



Roma Integration Action Team Office

Ruzveltova 61, 11000 Belgrade, Serbia
T: +381 (11) 4046 891 F: +381 (11) 4046 894



rcc.int/romaintegration2020



[RomaIntegration2020](https://www.facebook.com/RomaIntegration2020)



[RomaIntegration](https://twitter.com/RomaIntegration)



RegionalCooperationCouncil

Regional Cooperation Council Secretariat

Trg Bosne i Hercegovine 1/V
71000 Sarajevo, Bosnia and Herzegovina
T +387 33 561 700 F +387 33 561 701 E rcc@rcc.int



rcc.int



[RegionalCooperationCouncil](https://www.facebook.com/RegionalCooperationCouncil)



[rcc.int](https://twitter.com/rcc.int)



[RCCSec](https://www.youtube.com/RCCSec)



[RegionalCooperationCouncil](https://www.linkedin.com/company/RegionalCooperationCouncil)

Co-funded by
the European Union



**OPEN SOCIETY
FOUNDATIONS**