



Human Rights Council
Working Group on the Universal Periodic Review
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Albania

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.¹ It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. The Committee on the Elimination of Racial Discrimination, the Committee on the Rights of the Child and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families encouraged Albania to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.² The Committee on the Rights of Persons with Disabilities made a similar recommendation.³ The Committee on the Elimination of Racial Discrimination also encouraged Albania to accept the amendment to article 8 (6) of the Convention on the Elimination of Racial Discrimination.⁴

3. The Committee on the Rights of the Child recommended ratifying the Council of Europe Convention on the Avoidance of Statelessness in relation to State Succession.⁵

4. The Committee on the Elimination of Discrimination against Women recommended ratifying the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).⁶

5. The Special Rapporteur on the right to development visited Albania from 15 to 24 November 2022.⁷

6. Albania contributed financially to OHCHR in 2023 and 2024.⁸



III. National human rights framework

1. Constitutional and legislative framework

7. The United Nations country team stressed that the European Union accession process had triggered several reforms in Albania.⁹ For instance, a new law on asylum (No. 10/2021) and a new law on foreigners (No. 79/2021) had been adopted in 2021. UNCHR considered those laws to be partially in line with the most relevant European Union asylum acquis and directives regarding the treatment of foreign citizens.¹⁰ The Committee on Migrant Workers recommended taking effective measures to implement all relevant legislation, with clear time frames, indicators, and monitoring and evaluation benchmarks.¹¹

8. The Office of the United Nations High Commissioner for Refugees (UNHCR) reported that the Law on Citizenship (No. 113/2020) had been adopted in 2020 to resolve the civil status of persons at risk of statelessness and to simplify the process of naturalization of foreign citizens.¹²

2. Institutional infrastructure and policy measures

9. The country team indicated that the level of acceptance of the recommendations of the People's Advocate (the national human rights institution) by public authorities remained low. The country team highlighted the termination of the mandate of the incumbent People's Advocate in June 2022 and of the Commissioner for Protection against Discrimination in 2023. None of the positions had yet been filled due to a lack of political consensus.¹³ The country recommended that Parliament fulfil without delay its responsibility to elect the heads of those human rights institutions.¹⁴ The country team and several treaty bodies recommended that Albania provide adequate human and financial resources to strengthen the capacities of the national human rights institution¹⁵ and ensure the systematic and effective implementation of that institution's recommendations.¹⁶

10. The Committee on the Rights of the Child expressed serious concern about the insufficient implementation of the last two National Agendas for Child Rights and Protection and other laws and policies related to the protection of children from violence. It urged Albania to fully implement the current National Agenda for Child Rights and Protection (2021–2026).¹⁷

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

11. The country team, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Special Rapporteur on development pointed to the amendments made in 2020 to the Law against Discrimination which expanded the prohibited grounds of discrimination and its manifestations, strengthened the mandate of the Commissioner for Protection against Discrimination and reversed the burden of proof in favour of the plaintiff.¹⁸ The country team underlined the lack of harmonization of that law with the Code of Civil Procedures, thus creating confusion about the legislation to be applied by courts.¹⁹ The country team and the Special Rapporteur on development recommended revising the provisions of the Code of Civil Procedures on the burden of proof for cases of discrimination and increasing the capacities of the judiciary to enforce anti-discrimination legislation effectively.²⁰

12. The Committee on the Elimination of Racial Discrimination expressed concern about persistent reports of racist hate speech.²¹ It recommended preventing and combating racist hate speech and preventing, sanctioning and deterring any manifestation of racism.²² The country team stated that the new Broadcasting Code included provisions and sanctions to counter discrimination and hate speech in audiovisual media, but that its implementation was

yet to produce results.²³ The country team recommended that the Commissioner for Protection against Discrimination promote the full implementation of anti-discrimination and anti-hate speech legislation and engage in ex officio investigations for cases of discrimination.²⁴

13. The Committee on the Elimination of Racial Discrimination recommended ensuring that all incidents of hate speech were investigated and prosecuted and that perpetrators were punished, regardless of their official status. It also recommended that public authorities distance themselves from hate speech and that they formally and publicly reject and condemn racist hate speech.²⁵

14. The Committee on the Elimination of Racial Discrimination expressed concern about the low number of investigations related to racial discrimination and about unreported cases of racial discrimination. It recommended ensuring that all victims of racial discrimination had access to effective legal remedies, adequate reparations and legal aid services.²⁶

2. Right to life, liberty and security of person, and freedom from torture

15. The Committee on the Rights of Persons with Disabilities expressed concern about the current legislation that permitted the deprivation of liberty, forced hospitalization and forced treatment of persons with intellectual or psychosocial disabilities. It recommended repealing that legislation.²⁷ It also noted with concern reports of violence against and abuse of persons with disabilities in institutions. It recommended establishing an independent mechanism to monitor residential centres for persons with disabilities to prevent and offer protection from acts that might constitute torture or other cruel, inhuman or degrading treatment or punishment.²⁸

16. The Committee on the Rights of the Child expressed serious concern about reports of torture and inhuman or degrading treatment of children by public officials and police officers in residential care and pretrial detention centres.²⁹ The Committee on the Rights of Persons with Disabilities recommended ensuring that persons deprived of their liberty had access to independent complaints mechanisms and that appropriate remedies be provided to victims of abuse.³⁰

17. After its visit, the Subcommittee on Prevention of Torture stated that Albania should make additional efforts to combat prison overcrowding by reducing pretrial detention as a means of preventing cruel, inhuman and degrading treatment.³¹

3. Administration of justice, including impunity, and the rule of law

18. The country team reported that the ongoing justice reform included a vetting process of sitting judges and prosecutors, aimed at uprooting corruption. That reform had brought about a significant reduction in the available human resources, leading to a backlog of cases and lengthy proceedings. The country team recommended that Albania ensure that the judicial/prosecutorial vetting process did not affect the right to speedy legal proceedings and access to justice.³² It recommended closely monitoring the implementation of the new judicial map launched in 2023 to assess its impact on access to justice for children, women and disadvantaged communities.³³

19. The country team considered corruption as a serious concern in Albania and one of the main challenges in the negotiations for its accession to the European Union.³⁴ It noted that the pledges made by Albania at the seventy-fifth anniversary of the Universal Declaration of Human Rights included a commitment to improve its criminal justice system, increase free legal aid, fight corruption, establish a victims' compensation mechanism and advance gender equality.³⁵ It also noted the establishment of the Specialized Structure against Corruption and Organized Crime (SPAK) and of the State Ministry on Public Administration and Anti-Corruption. The country team recommended that Albania intensify measures to address and prevent corruption at all levels, putting an end to impunity, and strengthen the State Ministry on Public Administration and Anti-Corruption, allowing it greater independence and coordination across government.³⁶ The Committee on the Rights of the Child recommended combating corruption and strengthening institutional capacities to effectively detect, investigate and prosecute any case of corruption.³⁷

20. The country team indicated that a free legal aid system was in place. It recommended ensuring adequate financial and human resources to sustain these free legal aid services, and increasing the capacities of lawyers.³⁸ UNHCR, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of Persons with Disabilities made similar recommendations.³⁹

21. The country team indicated that the Justice for Children Strategy 2022–2026 had a clearer focus on equitable access to justice for children, moving away from criminal justice and seeking to consolidate a child-friendly justice. It recommended providing adequate financing for the juvenile justice reform, taking action to further reduce the number of children deprived of liberty as well as the length of detention, and maximizing the use of diversion and restorative justice for children.⁴⁰ The Committee on the Rights of the Child made similar recommendations.⁴¹

4. Fundamental freedoms and the right to participate in public and political life

22. The country team recommended promoting and protecting independent media and eliminating any form of intimidation against journalists, including women journalists.⁴²

23. The Special Rapporteur on development urged Albania to revise the regime for the establishment of civil society organizations to make it easy, fast and inexpensive so that communities could be better represented in various consultation processes.⁴³ He encouraged actors at all levels of government to involve, at an early stage, civil society and other stakeholders in discussions relating to development plans and policies.⁴⁴

24. The Special Rapporteur on development noted the impressive progress that Albania had made in ensuring and institutionalizing the participation of women in governing and decision-making bodies.⁴⁵ He urged the authorities to continue promoting increased women's representation at all levels of public administration and their participation in the private sector.⁴⁶ The country team also reported that gender-related improvements to the Constitution and the Electoral Code undertaken in 2020 had contributed to an increase in the number of women elected as Members of Parliament in the April 2021 general elections. Yet, gender stereotypes and bias against women candidates continued. The country team recommended addressing harmful gender stereotypes in the political discourse and media.⁴⁷

25. The Committee on the Elimination of Discrimination against Women expressed concern about hate speech and harassment of women politicians and candidates in political discourse. It recommended adopting temporary special measures and a gender parity system to ensure equal participation of women. It also recommended strengthening the mechanisms to prevent hate speech against women politicians and women candidates in political and public discourse.⁴⁸

26. Regarding ethnic minorities, the Committee on the Elimination of Racial Discrimination expressed concern about the limited participation of Roma and Egyptians in public affairs. It recommended ensuring their full participation both in decision-making positions and in representative institutions.⁴⁹

27. The Committee on Migrant Workers recommended ensuring that Albanian migrant workers living abroad could exercise their rights to vote, to be elected and to participate in public affairs.⁵⁰

28. The Committee on the Rights of Persons with Disabilities recommended amending the relevant laws, including electoral laws, and the rules of procedure relevant to the Central Election Commission, to guarantee the right to participate in political and public life for all persons with disabilities.⁵¹

5. Prohibition of all forms of slavery, including trafficking in persons

29. The country team indicated that Albania was a country of origin, transit and destination for trafficking in persons. It recommended intensifying measures for the identification of potential victims of trafficking, including through migration screening.⁵² The Committee on the Elimination of Discrimination against Women recommended that Albania promptly investigate, prosecute and adequately sentence those responsible for trafficking.⁵³

30. The Committee on the Rights of the Child recommended implementing the National Action Plan for the Fight against Human Trafficking 2021–2023 and the Strategy against Organized Crime and Serious Crimes 2021–2025 and its Action Plan.⁵⁴

31. The Committee on the Elimination of Discrimination against Women recommended that Albania significantly increase the number of and funding for inclusive and accessible shelters for victims of trafficking, and ensure free legal aid, interpretation, adequate medical assistance, psychosocial counselling, financial support, education, professional training and access to income-generating opportunities to women and girl victims of trafficking.⁵⁵

6. Right to work and to just and favourable conditions of work

32. The Special Rapporteur on development indicated that, while the education of women and men appeared to be largely equal, the participation of women in the labour force was lower.⁵⁶ The country team highlighted the persistence of the gender pay gap and occupational segregation in informal employment, agriculture and lower-paid jobs, despite most of the country's graduates being women and girls.⁵⁷ The Committee on the Elimination of Discrimination against Women recommended that Albania enforce effectively the principle of equal pay for work of equal value by conducting regular labour inspections, applying gender-neutral analytical job classification and evaluation methods, and conducting regular pay surveys.⁵⁸ The Special Rapporteur on development urged Albania to provide a sufficient number of places in early childhood care institutions and kindergartens to allow women with young children to rejoin the workforce. He also urged Albania to do more to reverse gender stereotypes on housework and to reduce the amount of unpaid work done by women.⁵⁹

33. The country team stressed the high unemployment rate among young and disadvantaged communities. It recommended developing targeted policies to address unemployment among those categories, as well as informal employment, and applying the standards and provisions of the ILO Violence and Harassment Convention, 2019 (No. 190) in both public and private workplaces.⁶⁰

34. The Special Rapporteur on development indicated that the draft by-laws to implement Law No. 15/2019 on employment promotion included the obligation to employ one person with a disability for every 25 employees. However, he noted that those by-laws had not yet been adopted.⁶¹ He urged the Council of Ministers to adopt these by-laws, including a robust enforcement mechanism.⁶² The Committee on the Rights of Persons with Disabilities recommended amending national legislation by adopting effective safeguards to ensure that impairment could not be used to avoid employing persons with disabilities.⁶³

7. Right to social security

35. The country team reported that Albania had embarked on a social protection reform and was making progress with the development of a legal and policy framework, yet public spending on social care remained modest. It also expressed concern about the effectiveness of cash benefits to lift people out of poverty. It recommended increasing the budget allocation for social protection and social care services, reviewing the cash assistance schemes and adopting an adequate legal framework to regulate unpaid and care work.⁶⁴ The Committee on the Rights of Persons with Disabilities and the Committee on the Elimination of Discrimination against Women made a similar recommendation.⁶⁵

36. The Committee on Migrant Workers recommended ensuring that all migrant workers and their families could subscribe to a social security scheme.⁶⁶

8. Right to an adequate standard of living

37. The Committee on the Elimination of Racial Discrimination recommended providing access to adequate housing and improving living conditions for Roma and Egyptians, including access to safe drinking water, sanitation and electricity, and ensuring that they had security of tenure and effective legal protection against forced evictions.⁶⁷

38. The country team highlighted the persistent non-execution of court decisions regarding the payment of child support and alimony.⁶⁸ The Committee on the Elimination of

Discrimination against Women recommended adopting civil legal measures to ensure child support payments in cases in which the father failed to comply with court decisions.⁶⁹

9. Right to health

39. The country team underscored the existing challenges in ensuring universal access to high-quality health care, in integrating primary health-care services, in generating data for planning and reporting and in monitoring quality of care. It recommended rolling out network-based patient-centred primary health-care models to improve the quality of care.⁷⁰

40. The Committee on the Elimination of Racial Discrimination recommended ensuring the accessibility, availability, quality and cultural acceptability of health services for Roma and Egyptians. It also recommended ensuring that women belonging to ethnic minorities had access to sexual and reproductive health-care services and information.⁷¹ The Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women made similar remarks.⁷²

41. The Committee on the Elimination of Discrimination against Women expressed concern about the allegations of coercive family planning practices, including prenatal sex-selective abortion, which might amount to inhuman and degrading treatment of women.⁷³ The country team reported that Albania continued to have a skewed sex ratio at birth above the natural ratio, possibly linked to sex-selective abortion. It recommended monitoring abortion services to prevent sex-selective abortion.⁷⁴ The Committee on the Elimination of Discrimination against Women recommended strictly enforcing the prohibition of sex-selective abortions and establishing services for women who were pressured into undergoing sex-selective abortions.⁷⁵

10. Right to education

42. The country team indicated that the level of public spending on education remained low, and inadequate to meet the needs for good-quality, accessible and affordable preschool education. In addition, efforts had been made to combat school dropout through a scholarship system. The country team highlighted the need to increase the scholarships, particularly for the most vulnerable groups.⁷⁶ The country team and UNESCO recommended increasing investments in education, implementing preschool reforms at scale, and ensuring that, through the Youth Strategy and Guarantee Plan, young people were not left out of educational and employment opportunities.⁷⁷ The Committee on the Rights of the Child recommended addressing school dropout rates and their causes and developing and promoting quality vocational training.⁷⁸

43. Several treaty bodies and the Special Rapporteur on development recommended guaranteeing, in practice, that Roma and Egyptian children had access to education without discrimination, addressing the root causes of discrimination and the de facto segregation of these children, and ensuring that they enjoyed equal opportunities in access to quality education.⁷⁹ The Committee on Migrant Workers recommended ensuring access to education for all children of migrant workers, irrespective of the migration status of their parents.⁸⁰

44. The Committee on the Rights of Persons with Disabilities expressed concern about the absence of comprehensive legislation and strategy for quality inclusive education and about the persistence of segregated education for children with disabilities. It recommended repealing and amending laws in order to recognize inclusive education as a right.⁸¹ The same Committee recommended formulating, adopting and implementing a comprehensive and inclusive education policy with strategies for promoting a culture of inclusion in mainstream education.⁸² The Committee on the Rights of the Child recommended increasing budgets to cover inclusive community-based and school-based services with a focus on preventing institutionalization of children with disabilities.⁸³ The Special Rapporteur on development highlighted the preponderance of schools that were not physically adapted to integrate children with disabilities.⁸⁴

11. Development, the environment, and business and human rights

45. The country team underlined the adoption of a policy framework to address climate change and reduce the risk of disasters. Yet, the implementation of specific protection

measures depended on the inclusion of those commitments in local disaster risk reduction plans. The country team recommended ensuring the effective implementation of climate change and disaster risk reduction normative frameworks, and adopting adequate regulations on gender mainstreaming and specific mitigation measures for children, rural women and vulnerable groups.⁸⁵

46. The Special Rapporteur on development underlined that, while women's participation in business in the formal sector had increased, most women-led enterprises were undercapitalized micro or small businesses mostly in the informal and lower-value-added sectors.⁸⁶

B. Rights of specific persons or groups

1. Women

47. The country team highlighted the improvements made to legislation on anti-discrimination and on gender-based violence, the approval of the National Strategy for Gender Equality 2021–2030, and the more robust application of gender-responsive budgeting. However, it recommended strengthening the gender equality framework, addressing harmful gender stereotypes in political discourse and the media, and ensuring that the National Strategy for Gender Equality was implemented as planned.⁸⁷ The Committee on the Elimination of Discrimination against Women and the Special Rapporteur on development recommended revising Law No. 9970/2008 on gender equality in society.⁸⁸ The Committee on the Elimination of Discrimination against Women recommended ensuring the independence of and increase in the human, technical and financial resources allocated to the National Council on Gender Equality. It also recommended enhancing coordination among the different entities of the national framework for the advancement of women, and ensuring a clear division of tasks, defining priorities and cooperation areas.⁸⁹ The Committee on the Elimination of Racial Discrimination recommended including a gender perspective in all policies and strategies for combating racial discrimination.⁹⁰

48. The country team praised the adoption of comprehensive legislation to ensure a coordinated response from all relevant agencies to domestic violence, to expand the local Coordinated Referral Mechanisms to all 61 municipalities, to improve the local information system for registering cases of domestic violence and to increase the monthly cash payments for those under protection orders. However, it highlighted the persistence of sexual violence, dating violence, cyber harassment and blackmailing, stalking and harassment, as well as stigmatization of survivors, lack of information about the effective enforcement of protection orders, and a lack of adequate specialized support services.⁹¹ The Special Rapporteur on development urged a focus on the enforcement of existing measures to combat domestic violence, on systematically applying appropriate sanctions for non-compliance and on investing in building the capacity of first responders to complaints of domestic violence.⁹² The Committee on the Elimination of Discrimination against Women recommended that Albania encourage reporting of domestic violence against women and girls by raising awareness among women and men about the criminal nature of gender-based violence against women, challenge its social legitimization, and destigmatize and protect women from reprisals for reporting incidents of gender-based violence.⁹³

49. The country team recommended that Albania take legislative and institutional measures to comprehensively address all forms of violence against women, and particularly femicide, that it invest in specialized services, including legal aid, and that it conduct in-depth analysis of the causes that still limited women's reporting of violence, as well as of the lower number of cases that reached the judicial system for protection measures and the prosecution of perpetrators.⁹⁴ The Committee on the Elimination of Discrimination against Women recommended that Albania adequately fund victim support services, by establishing a sufficient number of shelters and subsidizing shelters run by non-governmental organizations.⁹⁵ Albania reported on the adoption of a new law on free legal aid, and the amendment of the law on violence against women and domestic violence.⁹⁶

50. The country team and the Committee on the Elimination of Discrimination against Women highlighted the need for criminal legislation to be fully in line with international

standards, in particular on the definition of rape.⁹⁷ The Committee on the Elimination of Discrimination against Women recommended amending the Criminal Code to specifically criminalize femicide and cyberviolence and to incorporate a definition of rape based on lack of consent.⁹⁸

51. The country team reported that there were still few women who were registered as co-owners of their property. It recommended that Albania ensure adequate implementation of legislation on property rights and registration.⁹⁹ The Special Rapporteur on development and the Committee on the Elimination of Discrimination against Women made a similar recommendation.¹⁰⁰

52. The country team underlined that rural women's challenges often remained overshadowed by national statistics. It recommended strengthening those national statistics to collect rural-urban sex-disaggregated data to inform gender-sensitive evidence-based policies on rural women.¹⁰¹ The Committee on the Elimination of Discrimination against Women recommended ensuring the effective participation of rural women in the adoption, implementation and economic benefits of rural development projects, and ensuring they had access to health care, social protection and other basic services.¹⁰²

2. Children

53. The Committee on the Rights of the Child, the Committee on the Elimination of Discrimination against Women and the country team expressed concern about the persistence of child marriage, which was disproportionately experienced by Roma and Egyptian communities.¹⁰³ They urged Albania to remove all exceptions that allowed marriage for children under 18 years of age.¹⁰⁴

54. The country team recommended taking measures to fight child poverty, through the child benefit scheme; adopting the new Social Protection Strategy; and drafting the National Child Guarantee Plan.¹⁰⁵ The Committee on the Rights of the Child recommended improving the implementation of such policies and strategies at the central and local levels, providing adequate human, technical and financial resources for their implementation, and improving accountability mechanisms and their regular monitoring and evaluation.¹⁰⁶ That Committee also recommended ensuring that the National Council on Children's Rights and Protection had greater authority over the implementation of the National Agenda for Child Rights and Protection, that the State Agency for Children's Rights and Protection and the Minister of State for Youth and Children had adequate human, technical and financial resources to fulfil their responsibilities, and that the roles and duties of the central, regional and local bodies responsible for children's rights were clarified.¹⁰⁷

55. The Committee on the Rights of the Child also recommended speeding up the deinstitutionalization of children, by shifting planning and budgetary allocations from institutional settings towards community-based and family-based alternative care settings and by ensuring that sufficient such care options were available for children who could not stay with their families.¹⁰⁸

56. The Committee on the Rights of the Child expressed serious concern about the lack of due recognition and the underreporting and insufficient investigation of violence and abuse against children, in particular corporal punishment of children.¹⁰⁹ The same Committee also expressed serious concern about the failure to implement effective procedures to prevent, identify, report and respond to violence against children in a child-sensitive manner.¹¹⁰ The Committee on the Rights of the Child urged Albania to fully implement Law No. 47/2018 on Measures against Violence in Family Relations and the legal provisions prohibiting corporal punishment in all settings and to provide adequate resources for its implementation.¹¹¹ The country team recommended that Albania ensure that the child protection system was further upgraded and adapted urgently to ensure adequate response to the sexual abuse of and violence against children; expand the scope and availability of social care services at the subnational level; and build positive parenting programmes to prevent violence at home. It also recommended supporting parents to identify and report cases of violence against children.¹¹²

57. The Committee on the Rights of the Child urged Albania to amend the Criminal Code to ensure that all children under the age of 18 were protected against sexual exploitation and

abuse, that violence was not a constituent element of the crime of rape and that sexual maturity was not mentioned as a justification, and also urged Albania to establish mechanisms, procedures and guidelines to ensure mandatory reporting, multi-agency intervention, investigation, prosecution and the provision of therapeutic services in all cases.¹¹³

58. The Committee on the Rights of the Child urged Albania to ensure that all cases of child abuse by public officials and the police in residential care facilities and pretrial detention centres were promptly reported and investigated, that the perpetrators were prosecuted and duly punished and that reparations were provided to victims.¹¹⁴ The same Committee also urged Albania to provide adequate resources for the activities of the National Referral Mechanism in all municipalities and of the National Reception Centre for Victims of Domestic Violence.¹¹⁵

59. To tackle child labour, the country team recommended enhancing the interinstitutional cooperation among relevant institutions and civil society organizations.¹¹⁶ The Committee on the Rights of the Child recommended strengthening the implementation of the legal and policy framework to protect children from economic exploitation and strengthening the State Inspectorate on Labour and Social Services. It also recommended prohibiting and eliminating hazardous labour practices involving the exposure of child workers to environmental risk factors.¹¹⁷

3. Persons with disabilities

60. The Committee on the Rights of Persons with Disabilities expressed concern about the lack of a clear prohibition of discrimination on the grounds of disability and the absence of sanctions and remedies in cases of discrimination. It recommended reviewing the legislation of Albania to incorporate a clear prohibition of disability-based discrimination that explicitly included all forms of discrimination on the grounds of disability.¹¹⁸ The Special Rapporteur on development urged Albania to prioritize the implementation of Law No. 93/2014 on Inclusion and Accessibility for Persons with Disabilities and its related by-laws and to impose sanctions on non-compliant public and private actors.¹¹⁹

61. The Committee on the Rights of Persons with Disabilities recommended harmonizing the legislation to adhere to the Convention on the Rights of Persons with Disabilities, repealing all laws that restricted the legal capacity of persons with disabilities and establishing transparent remedies for persons with disabilities whose legal capacity had been removed.¹²⁰

62. The Special Rapporteur on development underlined the obstacles that persons with disabilities were facing in order to access health care.¹²¹ The Committee on the Rights of Persons with Disabilities recommended ensuring, in practice, access to accessible health-care services for all persons with disabilities without discrimination.¹²²

4. Minorities

63. The Committee on the Elimination of Racial Discrimination expressed concern about the persistent and widespread structural discrimination against Roma and Egyptians.¹²³ The country team highlighted the discrimination, stigmatization, poor economic conditions and limited access to social protection, health care and other services affecting the Roma and Egyptian minorities. It recommended significantly increasing the investments in combating Roma and Egyptian discrimination and exclusion through skills development and employment measures, and fully financing the 2021–2025 action plan.¹²⁴ The Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child made similar observations.¹²⁵

64. The Committee on the Elimination of Racial Discrimination urged Albania to expedite the adoption of the three remaining by-laws to ensure the full and effective implementation of Law No. 96/2017 on the Protection of National Minorities.¹²⁶ The Special Rapporteur on development made similar remarks.¹²⁷

65. The Committee on the Elimination of Racial Discrimination expressed concern about the overrepresentation of Roma and Egyptian children in public care institutions, and recommended combating the discriminatory causes leading to that situation and to provide

adequate financial and social support to Roma and Egyptian families to avoid the institutionalization of their children.¹²⁸

5. Lesbian, gay, bisexual, transgender and intersex persons

66. The country team reported that the LGBTI+ community in Albania continuously faced various forms of discrimination and hate speech, particularly on social media.¹²⁹ It noted the amendments made in 2020 to the Law on Protection from Discrimination, yet underlined the need to amend other legal acts to guarantee the rights of LGBTI+ persons. It recommended eliminating discrimination against LGBTI+ communities by harmonizing the legislation with the Law against Discrimination, and increasing the capacities of the authorities as well as the relevant budget in order to ensure implementation of the Action Plan on LGBTI+ Persons (2021–2027).¹³⁰ The Committee on the Elimination of Discrimination against Women and UNESCO made similar remarks.¹³¹

67. The Committee on the Elimination of Discrimination against Women noted with concern that Albania did not recognize same-sex unions and parental rights of same-sex couples. It recommended recognizing same-sex unions, marriages and registered unions and allowing the adoption of children by women in same-sex marriages and de facto unions.¹³²

6. Migrants, refugees and asylum-seekers

68. UNHCR considered Albania as a transit country, with mixed movements by most refugees and migrants.¹³³ UNHCR expressed concern about the ongoing restrictions in access to the asylum procedure and other appropriate processes. It also indicated that, since 2018, Albania had not granted refugee status to any applicant and had only granted subsidiary forms of protection.¹³⁴

69. The Committee on the Elimination of Racial Discrimination welcomed the preparation of a new action plan (2024–2026) to implement the National Strategy on Migration for 2024–2026.¹³⁵ The same Committee and the Committee on Migrant Workers recommended redoubling the efforts to ensure the effective implementation of the National Strategy on Migration, including through the adoption of the action plan.¹³⁶

70. The Committee on the Elimination of Racial Discrimination expressed concern about the implications of, and the human rights violations against migrants that may result from, the agreement between Albania and another country to establish facilities in Albania for the reception and detention of migrants. That Committee recommended ensuring that the above-mentioned agreement did not undermine the legal obligations of Albania under the International Convention on the Elimination of All Forms of Racial Discrimination and other instruments of international human rights and refugee law.¹³⁷ UNHCR recommended adopting a protocol for implementing the Readmission Agreement with a third country, reviewing the Albanian Border Migration Police's pre-screening procedures and practice, and ensuring that refugees and migrants intercepted in the country were accorded appropriate safeguards and had the ability to appeal to the relevant authorities.¹³⁸

71. UNHCR indicated that determining the refugee status remained a challenge. It recommended improving the identification and referral of people in need of international protection and the quality of first-instance asylum decisions and overall refugee status determination procedures.¹³⁹ The Committee on the Elimination of Racial Discrimination recommended that Albania implement effectively Law No. 10/2021 on Asylum, in particular with regard to the principle of non-refoulement, and ensure that, in practice, migrants and asylum-seekers were allowed to apply for international protection, were referred to asylum authorities and underwent refugee status determination procedures.¹⁴⁰ The Committee on Migrant Workers recommended increasing border management capacity to ensure respect for human rights of all migrants, regardless of their status, and to facilitate the durable reintegration of returning migrant workers.¹⁴¹

72. The country team recommended establishing separate reception facilities for women and unaccompanied or separated children or designating a section of the Reception Centre for Asylum as an interim measure, and developing and implementing standard operating procedures on the interviewing of and the treatment of unaccompanied or separated children. The country team also recommended ensuring that each unaccompanied or separated child

was appointed a guardian and a legal representative, and had access to care and accommodation, education and health care.¹⁴² UNHCR recommended that Albania ensure timely and adequate inclusion of all unaccompanied children in the national child protection system, making sure that they could benefit from the same services provided to nationals, without discrimination. It also recommended establishing age assessment procedures and safeguards for underage separated children.¹⁴³ The Committee on the Rights of the Child recommended that Albania ensure that pre-screening procedures for unaccompanied and separated children were standardized at all border crossing points, implement a proper methodology for age assessment and child registration, and establish a legal status for all unaccompanied and separated children.¹⁴⁴

7. Stateless persons

73. While welcoming the efforts made by Albania to provide access to birth registration for Roma and Egyptian children, the Committee on the Elimination of Racial Discrimination recommended ensuring access to birth registration and identity documents for Roma and Egyptians, other minority groups, Albanians returning from abroad, migrants, refugees and asylum-seekers, in order to prevent statelessness.¹⁴⁵ The Committee on the Rights of the Child recommended ensuring the issuance of birth certificates to all children born in its territory, immediately after birth, regardless of the immigration status of the child or the parents. It also recommended improving collaboration between civil registry authorities and the Ministry of Foreign Affairs to facilitate the registration of children born abroad, and expanding community education and outreach regarding the registration process and legal aid available.¹⁴⁶ The Committee on the Elimination of Discrimination against Women recommended amending the Law on Citizenship to allow for the automatic transfer of nationality from mothers to their children, and strengthening the National Civil Registry.¹⁴⁷

Notes

- ¹ [A/HRC/42/4](#), [A/HRC/42/4/Add.1](#) and [A/HRC/42/2](#).
- ² [CERD/C/ALB/CO/13-14](#), paras. 40 and 41; [CRC/C/ALB/CO/5-6](#), para. 47; and [CMW/C/ALB/CO/2](#), para. 15. See also the United Nations country team submission for the universal periodic review of Albania, pp. 3–5.
- ³ [CRPD/C/ALB/CO/1](#), para. 10.
- ⁴ [CERD/C/ALB/CO/13-14](#), paras. 40 and 41.
- ⁵ [CRC/C/ALB/CO/5-6](#), para. 21.
- ⁶ [CEDAW/C/ALB/CO/5](#), para. 34.
- ⁷ See [A/HRC/54/27/Add.1](#).
- ⁸ See <https://www.ohchr.org/sites/default/files/documents/hrbodies/about-us/fundingbudget/VoluntaryContributions2023.pdf> and <https://www.ohchr.org/sites/default/files/documents/aboutus/fundingbudget/voluntarycontributions2024.pdf>.
- ⁹ United Nations country team submission, para. 9; and UNHCR submission for the universal periodic review of Albania, p. 1.
- ¹⁰ UNHCR submission, p. 2.
- ¹¹ [CMW/C/ALB/CO/2](#), paras. 13, 35, 36, 57 and 58.
- ¹² UNHCR submission, p. 2.
- ¹³ United Nations country team submission, paras. 3 and 4.
- ¹⁴ *Ibid.*, para. 4.
- ¹⁵ *Ibid.*, paras. 2–4; [CMW/C/ALB/CO/2](#), para. 22; and [CRC/C/ALB/CO/5-6](#), para. 17. See also [CEDAW/C/ALB/CO/5](#), paras. 17 and 18; [E/C.12/ALB/Q/4](#), para. 2; and [CCPR/C/ALB/QPR/3](#), para. 3.
- ¹⁶ United Nations country team submission, para. 4; [CRC/C/ALB/CO/5-6](#), para. 17; [CEDAW/C/ALB/CO/5](#), paras. 17 and 18; [E/C.12/ALB/Q/4](#), para. 2; and [CERD/C/ALB/CO/13-14](#), paras. 10 and 11.
- ¹⁷ [CRC/C/ALB/CO/5-6](#), paras. 24 and 25. See also [CRPD/C/ALB/CO/1](#), paras. 15 and 16.
- ¹⁸ United Nations country team submission, para. 5; UNESCO submission for the universal periodic review of Albania, para. 13; and [A/HRC/54/27/Add.1](#), para. 38.
- ¹⁹ United Nations country team submission, para. 5; UNESCO submission, para. 13; and [A/HRC/54/27/Add.1](#), para. 38. See also [E/C.12/ALB/Q/4](#), para. 7.
- ²⁰ United Nations country team submission, para. 8; and [A/HRC/54/27/Add.1](#), paras. 68 and 78.

- 21 [CERD/C/ALB/CO/13-14](#), para. 12.
- 22 *Ibid.*, para. 13.
- 23 United Nations country team submission, para. 6.
- 24 *Ibid.*, para. 8.
- 25 [CERD/C/ALB/CO/13-14](#), para. 13. See also [CCPR/C/ALB/QPR/3](#), para. 7.
- 26 [CERD/C/ALB/CO/13-14](#), paras. 36 and 37. See also [CMW/C/ALB/CO/2](#), para. 30.
- 27 [CRPD/C/ALB/CO/1](#), paras. 27 and 28. See also [CCPR/C/ALB/QPR/3](#), paras. 11–13.
- 28 [CRPD/C/ALB/CO/1](#), paras. 29–32.
- 29 [CRC/C/ALB/CO/5-6](#), para. 24.
- 30 [CRPD/C/ALB/CO/1](#), paras. 29–32.
- 31 See <https://www.ohchr.org/en/press-releases/2024/04/albania-high-number-pre-trial-detainees-access-healthcare-matters-concern-un>.
- 32 United Nations country team submission, paras. 22 and 27.
- 33 *Ibid.* See also [CRPD/C/ALB/CO/1](#), para. 26; and [CMW/C/ALB/CO/2](#), paras. 30 and 34.
- 34 United Nations country team submission, paras. 9–12. See also [CMW/C/ALB/CO/2](#), paras. 25 and 26; and [CCPR/C/ALB/QPR/3](#), para. 6.
- 35 United Nations country team submission, pp. 3–5.
- 36 *Ibid.*, paras. 9–12. See also [CMW/C/ALB/CO/2](#), paras. 25 and 26; and [CCPR/C/ALB/QPR/3](#), para. 6.
- 37 [CRC/C/ALB/CO/5-6](#), para. 9 (c). See also [CCPR/C/ALB/QPR/3](#), para. 4.
- 38 United Nations country team submission, paras. 23 and 27. See also [CEDAW/C/ALB/CO/4/Add.1](#), para. 1; and [CERD/C/ALB/CO/13-14](#), paras. 35 and 36.
- 39 UNHCR submission, p. 4; [CEDAW/C/ALB/CO/5](#), para. 14; and [CRPD/C/ALB/CO/1](#), para. 26.
- 40 United Nations country team submission, paras. 24 and 27. See also [CCPR/C/ALB/QPR/3](#), para. 15.
- 41 [CRC/C/ALB/CO/5-6](#), para. 44.
- 42 United Nations country team submission, paras. 35 and 36. See also UNESCO submission, paras. 35 and 36.
- 43 [A/HRC/54/27/Add.1](#), paras. 56 and 57.
- 44 *Ibid.*, para. 67. See also [CRC/C/ALB/CO/5-6](#), para. 13; and [CEDAW/C/ALB/CO/5](#), para. 10.
- 45 [A/HRC/54/27/Add.1](#), para. 29.
- 46 *Ibid.*, para. 76.
- 47 United Nations country team submission, paras. 14 and 18. See also [A/HRC/54/27/Add.1](#), para. 30.
- 48 [CEDAW/C/ALB/CO/5](#), paras. 27 and 28.
- 49 [CERD/C/ALB/CO/13-14](#), paras. 26 and 27.
- 50 [CMW/C/ALB/CO/2](#), paras. 55 and 56.
- 51 [CRPD/C/ALB/CO/1](#), paras. 47 and 48. See also [CMW/C/ALB/CO/2](#), para. 42.
- 52 United Nations country team submission, paras. 32–34. See also [CRC/C/ALB/CO/5-6](#), para. 42; [CEDAW/C/ALB/CO/5](#), para. 25; and [CMW/C/ALB/CO/2](#), paras. 69 and 70.
- 53 [CEDAW/C/ALB/CO/5](#), para. 26. See also United Nations country team submission, paras. 32–34; and [CMW/C/ALB/CO/2](#), paras. 69 and 70.
- 54 [CRC/C/ALB/CO/5-6](#), para. 42.
- 55 [CEDAW/C/ALB/CO/5](#), para. 26. See also [CMW/C/ALB/CO/2](#), paras. 69 and 70.
- 56 [A/HRC/54/27/Add.1](#), paras. 32–35.
- 57 United Nations country team submission, para. 16. See also [CEDAW/C/ALB/CO/5](#), para. 33.
- 58 [CEDAW/C/ALB/CO/5](#), para. 34. See also [E/C.12/ALB/Q/4](#), paras. 8 and 13.
- 59 [A/HRC/54/27/Add.1](#), paras. 33–35, 75 and 76. See also [CEDAW/C/ALB/CO/5](#), para. 34.
- 60 United Nations country team submission, paras. 41–46. See also [E/C.12/ALB/Q/4](#), paras. 9 and 11.
- 61 [A/HRC/54/27/Add.1](#), para. 48.
- 62 *Ibid.*, para. 69. See also [CRPD/C/ALB/CO/1](#), para. 6.
- 63 [CRPD/C/ALB/CO/1](#), para. 44.
- 64 United Nations country team submission, paras. 37–40.
- 65 [CRPD/C/ALB/CO/1](#), paras. 45 and 46; and [CEDAW/C/ALB/CO/5](#), para. 38.
- 66 [CMW/C/ALB/CO/2](#), para. 44.
- 67 [CERD/C/ALB/CO/13-14](#), paras. 20 and 21. See also [E/C.12/ALB/Q/4](#), paras. 21 and 22.
- 68 United Nations country team submission, para. 25.
- 69 [CEDAW/C/ALB/CO/5](#), para. 48.
- 70 United Nations country team submission, paras. 53 and 57. See also [CMW/C/ALB/CO/2](#), paras. 45 and 46.
- 71 [CERD/C/ALB/CO/13-14](#), paras. 22 and 23.
- 72 [CRC/C/ALB/CO/5-6](#), paras. 33 and 34; and [CEDAW/C/ALB/CO/5](#), paras. 31 and 32.
- 73 [CEDAW/C/ALB/CO/5](#), para. 35.
- 74 United Nations country team submission, paras. 17 and 18. See also [CCPR/C/ALB/QPR/3](#), para. 10.
- 75 [CEDAW/C/ALB/CO/5](#), para. 36.

- ⁷⁶ United Nations country team submission, paras. 47 and 50.
- ⁷⁷ *Ibid.*, paras. 47–51; and UNESCO submission, paras. 7, 25 and 29. See also [E/C.12/ALB/Q/4](#), para. 25.
- ⁷⁸ [CRC/C/ALB/CO/5-6](#), para. 39.
- ⁷⁹ [CERD/C/ALB/CO/13-14](#), paras. 18 and 19; [E/C.12/ALB/Q/4](#), para. 25; [A/HRC/54/27/Add.1](#), paras. 32 and 84; and [CRC/C/ALB/CO/5-6](#), para. 38.
- ⁸⁰ [CMW/C/ALB/CO/2](#), para. 52.
- ⁸¹ [CRPD/C/ALB/CO/1](#), paras. 39 and 40.
- ⁸² *Ibid.*, para. 40.
- ⁸³ [CRC/C/ALB/CO/5-6](#), para. 32.
- ⁸⁴ [A/HRC/54/27/Add.1](#), para. 45.
- ⁸⁵ United Nations country team submission, paras. 19 and 21. See also [CRC/C/ALB/CO/5-6](#), para. 37; [E/C.12/ALB/Q/4](#), para. 3; and [CRPD/C/ALB/CO/1](#) paras. 21 and 22.
- ⁸⁶ [A/HRC/54/27/Add.1](#), paras. 41 and 76. See also [CEDAW/C/ALB/CO/5](#), paras. 37 and 38.
- ⁸⁷ United Nations country team submission, paras. 13 and 18. See also [CEDAW/C/ALB/CO/5](#), paras. 21 and 22; [CRPD/C/ALB/CO/1](#), para. 13; [CCPR/C/ALB/QPR/3](#), para. 8; and UNESCO submission, para. 16.
- ⁸⁸ [CEDAW/C/ALB/CO/5](#), para. 12; and [A/HRC/54/27/Add.1](#), paras. 37 and 40.
- ⁸⁹ [CEDAW/C/ALB/CO/5](#), para. 16.
- ⁹⁰ [CERD/C/ALB/CO/13-14](#), para. 29. See also [CRPD/C/ALB/CO/1](#), para. 14.
- ⁹¹ United Nations country team submission, paras. 28–31. See also [CEDAW/C/ALB/CO/4/Add.1](#), paras. 21–26.
- ⁹² [A/HRC/54/27/Add.1](#), para. 88.
- ⁹³ [CEDAW/C/ALB/CO/5](#), para. 24. See also United Nations country team submission, paras. 28–31. For the responses from Albania, see [CEDAW/C/ALB/CO/4/Add.1](#), paras. 21–26.
- ⁹⁴ United Nations country team submission, paras. 28–31. See also [E/C.12/ALB/Q/4](#), para. 8.
- ⁹⁵ [CEDAW/C/ALB/CO/5](#), paras. 23 and 24. See also [CEDAW/C/ALB/CO/4/Add.1](#), para. 36.
- ⁹⁶ [CEDAW/C/ALB/CO/4/Add.1](#), paras. 1 and 36.
- ⁹⁷ United Nations country team submission, para. 29; and [CEDAW/C/ALB/CO/5](#), para. 23.
- ⁹⁸ [CEDAW/C/ALB/CO/5](#), para. 24.
- ⁹⁹ United Nations country team submission, paras. 16 and 18.
- ¹⁰⁰ [A/HRC/54/27/Add.1](#), para. 80; and [CEDAW/C/ALB/CO/5](#), para. 38.
- ¹⁰¹ United Nations country team submission, paras. 15 and 18.
- ¹⁰² [CEDAW/C/ALB/CO/5](#), para. 40.
- ¹⁰³ [CRC/C/ALB/CO/5-6](#), para. 28; [CEDAW/C/ALB/CO/5](#), para. 47; and United Nations country team submission, paras. 59, 62 and 63. See also [E/C.12/ALB/Q/4](#), para. 19; and UNESCO submission, para. 5.
- ¹⁰⁴ United Nations country team submission, paras. 58–63; [CRC/C/ALB/CO/5-6](#), paras. 15 and 28; and [CEDAW/C/ALB/CO/5](#), para. 48.
- ¹⁰⁵ United Nations country team submission, paras. 58–63.
- ¹⁰⁶ [CRC/C/ALB/CO/5-6](#), para. 7.
- ¹⁰⁷ *Ibid.*, para. 8.
- ¹⁰⁸ *Ibid.*, para. 30. See also [CRPD/C/ALB/CO/1](#), paras. 33 and 34.
- ¹⁰⁹ [CRC/C/ALB/CO/5-6](#), paras. 24 and 38. See also United Nations country team submission, para. 60.
- ¹¹⁰ [CRC/C/ALB/CO/5-6](#), para. 24.
- ¹¹¹ *Ibid.*, para. 25.
- ¹¹² United Nations country team submission, paras. 60 and 63.
- ¹¹³ [CRC/C/ALB/CO/5-6](#), paras. 26 and 27.
- ¹¹⁴ *Ibid.*, para. 25.
- ¹¹⁵ *Ibid.*, para. 25.
- ¹¹⁶ United Nations country team submission, para. 63.
- ¹¹⁷ [CRC/C/ALB/CO/5-6](#), para. 41.
- ¹¹⁸ [CRPD/C/ALB/CO/1](#), para. 12. See also [A/HRC/54/27/Add.1](#), para. 72.
- ¹¹⁹ [A/HRC/54/27/Add.1](#), para. 72.
- ¹²⁰ [CRPD/C/ALB/CO/1](#), paras. 23 and 24.
- ¹²¹ [A/HRC/54/27/Add.1](#), para. 44. See also [CRC/C/ALB/CO/5-6](#), para. 32; and [CRPD/C/ALB/CO/1](#), para. 41.
- ¹²² [CRPD/C/ALB/CO/1](#), para. 42.
- ¹²³ [CERD/C/ALB/CO/13-14](#), paras. 16 and 37.
- ¹²⁴ United Nations country team submission, paras. 66 and 69. See also [E/C.12/ALB/Q/4](#), para. 9.
- ¹²⁵ [CERD/C/ALB/CO/13-14](#), para. 17; and [CRC/C/ALB/CO/5-6](#), para. 33. See also [CERD/C/ALB/CO/13-14](#), para. 38.

- ¹²⁶ CERD/C/ALB/CO/13-14, para. 9. See also UNESCO submission, para. 9.
- ¹²⁷ A/HRC/54/27/Add.1, paras. 51–55, 82 and 89.
- ¹²⁸ CERD/C/ALB/CO/13-14, paras. 30 and 31.
- ¹²⁹ United Nations country team submission, para. 6.
- ¹³⁰ Ibid., paras. 67 and 69. See also UNESCO submission, para. 14.
- ¹³¹ CEDAW/C/ALB/CO/5, paras. 41 and 42; and UNESCO submission, para. 14.
- ¹³² CEDAW/C/ALB/CO/5, paras. 47 and 48.
- ¹³³ UNHCR submission, p. 1. See also CMW/C/ALB/CO/2, para. 3.
- ¹³⁴ UNHCR submission, p. 1. See also CMW/C/ALB/CO/2, para. 28.
- ¹³⁵ CERD/C/ALB/CO/13-14, para. 34.
- ¹³⁶ Ibid., paras. 34 and 35; and CMW/C/ALB/CO/2, paras. 16, 67 and 68.
- ¹³⁷ CERD/C/ALB/CO/13-14, paras. 33 and 34. See also CMW/C/ALB/CO/2, paras. 61 and 62.
- ¹³⁸ UNHCR submission, p. 5.
- ¹³⁹ Ibid., p. 4. See also CEDAW/C/ALB/CO/5, paras. 45 and 46; UNHCR submission, pp. 3 and 4; and CMW/C/ALB/CO/2, paras. 35, 36, 59 and 60.
- ¹⁴⁰ CERD/C/ALB/CO/13-14, paras. 34 and 35. See also CMW/C/ALB/CO/2, paras. 32 and 72.
- ¹⁴¹ CMW/C/ALB/CO/2, paras. 32 and 68.
- ¹⁴² United Nations country team submission, paras. 68 and 69. See also UNHCR submission, pp. 3 and 4; CMW/C/ALB/CO/2, paras. 35, 36, 59 and 60; and CRC/C/ALB/CO/5-6, para. 40.
- ¹⁴³ UNHCR submission, p. 3.
- ¹⁴⁴ CRC/C/ALB/CO/5-6, para. 40. See also CMW/C/ALB/CO/2, paras. 35 and 36.
- ¹⁴⁵ CERD/C/ALB/CO/13-14, paras. 24 and 25. See also CRC/C/ALB/CO/5-6, para. 21; CEDAW/C/ALB/CO/5, paras. 29 and 30; and E/C.12/ALB/Q/4, para. 17.
- ¹⁴⁶ CRC/C/ALB/CO/5-6, para. 21.
- ¹⁴⁷ CEDAW/C/ALB/CO/5, para. 30.
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