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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Forty-seventh session**  
Geneva, 4–15 November 2024

## **Summary of stakeholders' submissions on Albania\***

### **Report of 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 periodicity of the universal periodic review and the outcome of the previous review.<sup>1</sup> It is a summary of 18 stakeholders' submissions<sup>2</sup> for the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

#### **II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles**

2. The People's Advocate (NHRI) indicated that its budget had increased by 29% from 2023 to 2024 and the number of employees in the institution also increased from 59 to 66.<sup>3</sup>

3. On conditions of detention, the NHRI underlined the lack of a special medical institution to accommodate and treat individuals subjected to court-ordered measures of compulsory treatment and temporary placement.<sup>4</sup> The NHRI recommended Albania to establish a special medical institution and increasing the number of medical and support staff.<sup>5</sup>

4. The NHRI reported on the increase in overcrowding due to pre-trial detentions within some penal institutions and the inadequate infrastructure conditions.<sup>6</sup> It recommended to limit the use of pre-trial detention measures and to shorten the time spent by detainees in pre-trial detention.<sup>7</sup> It also recommended taking measures to improve infrastructural conditions to ensure the accommodation of convicts and pre-trial detainees in suitable living environments.<sup>8</sup>

5. On migrants and asylum seekers, the NHRI highlighted the lack of legal procedures and deadlines for deporting foreign nationals, ensuring the rights of irregular foreign nationals, and ensuring the effective legal representation by a lawyer as well as the timely provision of translators.<sup>9</sup> The NHRI recommended improving the provision of information to foreign migrants at border points about their rights and access to the asylum system; training Border Police officers on respecting the rights of migrants; enhancing the process for

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\* The present document is being issued without formal editing.



effectively identifying and providing care for migrants; and improving the reception capacity and treatment conditions for foreign migrants at border points.<sup>10</sup>

6. On freedom of expression and of opinion, the NHRI recommended investigating and punishing police officers who committed violations against journalists and media personnel.<sup>11</sup>

### **III. Information provided by other stakeholders**

#### **A. Scope of international obligations and cooperation with human rights mechanisms**

7. JS1 indicated that Albania was not a party to the European Convention on the Avoidance of Statelessness in Relation to State Succession. It referred to the pledges made by Albania at the UNHCR High-Level Segment on Statelessness in 2019 regarding the birth registration procedures for Roma and Egyptian communities and regarding the alignment of its Law on Citizenship with the key provisions of the 1954 and 1961 Conventions.<sup>12</sup>

8. JS3 informed that Albanian adopted Law No. 13/2022 on the Ratification of Convention 190 "Violence and Harassment Convention" of the International Labor Organization.<sup>13</sup>

#### **B. National human rights framework**

##### **Constitutional and legislative framework**

9. JS3 indicated that the changes introduced in 2018 and 2020 to address violence against women had ensured the alignment of the national legislation with the Istanbul Convention and the Convention on the Elimination of All Forms of Discrimination against Women.<sup>14</sup>

10. JS1 recommended providing the Commissioner against Discrimination and the People's Advocate with the resources they needed to carry out their respective mandates. It also recommended cooperating further with both institutions to implement their recommendations.<sup>15</sup>

#### **C. Promotion and protection of human rights**

##### **1. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

###### *Equality and non-discrimination*

11. Broken Chalk reported that, despite significant progress, gender inequalities were sustained by societal norms, and that Albanian men and boys continued to uphold stereotypical gender norms and traditional and patriarchal customs.<sup>16</sup> Broken Chalk recommended implementing comprehensive programmes to promote gender sensitivity in educational institutions and addressing societal norms that contributed to gender inequalities. This should include educational campaigns and initiatives to challenge stereotypes.<sup>17</sup>

12. ODVV expressed concern about hate speech and expression of hatred against minorities and migrants, stigmatizing and expressing negative feelings towards the people of other nationalities, ethnicities and Albanian minorities, such as the Roma and Egyptians.<sup>18</sup> OSCE-ODIHR stressed the lack of centralized and state-run system of support for hate crime victims in Albania.<sup>19</sup> JS1 reported that the amendments made in 2020 to the Law 10221 on protection from discrimination brought forward specific protections from multiple, intersecting and structural discrimination, hate speech, segregation, and sexual harassment.<sup>20</sup> JS2 stated that, despite this comprehensive law, its implementation fell short,<sup>21</sup> and recommended enacting a law to explicitly criminalize hate speech and hate crimes targeting LGBTI+ individuals and ensuring swift and effective prosecution of perpetrators.<sup>22</sup> OSCE-ODIHR recommended ensuring that issues related to social exclusion, prejudice, anti-Roma

rhetoric and hate incidents and crimes were addressed through appropriate structures and mechanisms.<sup>23</sup> JS2 recommended launching public awareness campaigns to educate citizens about existing anti-discrimination laws and mechanisms, including the role of the Commissioner for Protection from Discrimination.<sup>24</sup>

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

13. AHC Albania reported on overcrowding and infrastructure problems in several detention centres. It recommended implementing softer alternatives to incarceration and the criminal conviction of imprisonment in order to considerably reduce overcrowding in the penitentiary system and to improve the basic infrastructure conditions in places of detention.<sup>25</sup>

14. AHC Albania reported that Albania had not respected the obligation to create a separate and specialized institution for sheltering individuals with a mandatory medication or placed under physical restrictions.<sup>26</sup> AHC Albania recommended building a specialized institution for patients with health conditions and promoting the recruitment of relevant qualified human resources.<sup>27</sup> It underlined that lack of periodic monitoring by medical personnel of the health condition in places of detention and of immediate follow-up to concerns expressed by persons deprived of liberty.<sup>28</sup>

*Administration of justice, including impunity, and the rule of law*

15. JS3 stated that the lack of judges and absence of a justice reform had led to overly long judicial proceedings requesting protection orders, putting domestic and gender-based violence victims at risk of continued violent behaviour by perpetrators.<sup>29</sup> This situation had been exacerbated by the implementation of the new judicial map in the country, as it reduced the number of general jurisdiction courts and merged appeal courts into a single Appeal Court operating in Tirana.<sup>30</sup> JS3 recommended Albania to ensure the timely reasoning of judicial verdicts.<sup>31</sup>

16. JS5 underlined that, despite some progress, access to justice for children and young people remained a major challenge because both the legal framework and implementation of laws remained weak.<sup>32</sup> JS5 recommended applying new models of administration, restorative justice and diversion measures in the new Juvenile Justice Code and Law on the Rights of the Child.<sup>33</sup>

17. Several contributions underlined that free legal aid was introduced with the entry into force of the new Law “on Legal Aid” in June 2018. However, people belonging to Romani and Egyptian minorities were not included under the specific beneficiary category of the law.<sup>34</sup> JS3 recommended informing women and girls (especially in rural areas) about the law and procedures to benefit from the state guaranteed legal aid.<sup>35</sup>

18. AHC Albania welcomed the decision of the Specialised Structure against Corruption and Organised Crime (SPAK and SCCOC) to pursue high level public officials for corruption despite the limited impact of the legal framework on whistleblowers. It recommended addressing corruption through a multi-faceted and inclusive approach, including through further legal reforms and increasing the budgets for responsible institutions and actors.<sup>36</sup>

*Fundamental freedoms and the right to participate in public and political life*

19. OSCE-ODIHR considered that preventing the misuse of administrative resources and vote-buying practices, ensuring voting secrecy, reviewing defamation laws, safeguarding media editorial freedom, and enhancing the effectiveness of election administration should be priorities. It suggested bringing the electoral process in line with OSCE commitments and international standards and considered it was a potential area for collaboration with national institutions.<sup>37</sup> AHC Albania recommended implementing OSCE-ODIHR recommendations in the next elections and reiterated its recommendation to ensure a broad political consensus and dialogue, transparency and inclusivity in future electoral reforms.<sup>38</sup>

20. EAJW reported that Jehovah’s Witnesses had not been able to register as an official “religious community”.<sup>39</sup> As a result, Jehovah’s Witnesses were obliged to operate as a non-governmental organization and were discriminatorily deprived of valuable rights and privileges afforded to registered religious communities.<sup>40</sup> EAJW informed that the absence of

a formal registration as a religious community had emboldened the media to publish misinformation and defamatory statements about Jehovah's Witnesses.<sup>41</sup> EAJW recommended ensuring that Jehovah's Witnesses are able to register as a religious community with the same rights and privileges as other registered religious communities; ending discriminatory taxation of property owned by Jehovah's Witnesses of Albania; and countering persistent and unjustified stigmatization of Jehovah's Witnesses in the national media.<sup>42</sup>

*Prohibition of all forms of slavery, including trafficking in persons*

21. ECLJ reported that human traffickers largely trafficked women and children from Albania to other countries in Western Europe or used Albania as a transit route.<sup>43</sup> ECLJ and JS5 highlighted the lack of efforts from the government to effectively combat trafficking in persons based on the lack of allocation of adequate resources to law enforcement to screen and identify potential victims of human trafficking and the lack of specialized training regarding human trafficking. This resulted in few convictions for human trafficking and human traffickers being convicted of a lesser crime.<sup>44</sup> ECJL recommended allocating resources and training for authorities at the border to identify cases of human trafficking and train and educate police and prosecutors on human trafficking so they can thoroughly and effectively prosecute such cases.<sup>45</sup>

*Right to work and to just and favourable conditions of work*

22. Despite Albania having signed the 2023-2026 ILO Decent Work Country Programme, JS4 pointed at the persisting challenges to enforce workers' rights, particularly with regards contract issues, overtime work and annual leave.<sup>46</sup> JS4 recommended strengthening the enforcement of labour laws and regulations, with a particular focus on ensuring equal pay, enforcing working hour limits, and improving contract enforcement.<sup>47</sup>

23. JS4 recommended bolstering the capacities and expanding the human resources of the State Inspectorate of Labor and Social Services to conduct more frequent and stringent inspections in the garment industry, ensuring compliance with labour regulations.<sup>48</sup>

24. According to JS4, women and girls encountered gender-specific issues like wage disparities and unsafe conditions. Violence against women and girls in the workplace was manifested in various forms, including pressure on wages, increasing unpaid hours, psychological pressure.<sup>49</sup> JS4 underlined the importance to revise the national legislation in conformity with the ILO Convention 190 on "Violence and Harassment in the World of Work". JS4 recommended enhancing measures to prevent and address workplace violence and harassment, including the effective implementation of existing laws and policies to create safer work environments for all employees.<sup>50</sup> It also recommended monitoring gender equality measures, closing the real gender pay gap, promoting work-life balance and investing in childcare infrastructure.<sup>51</sup>

25. JS2 indicated that the Labour Code amended in December 2015 prohibited discrimination in employment and professions on the grounds of sexual orientation, gender identity, gender expression and sex characteristics. JS2 reported that, in reality, LGBTI individuals confronted significant inequalities and discrimination within the professional sphere.<sup>52</sup> JS2 recommended strengthening enforcement mechanisms to ensure compliance with anti-discrimination laws in the workplace and holding accountable those who engage in discriminatory practices.<sup>53</sup>

*Right to an adequate standard of living*

26. APG reported that, although Albania had developed a social housing policy and strategy 2016–2025 and a Law on Social Housing,<sup>54</sup> there were no hostels for homeless persons in Albania.<sup>55</sup> APG recommended establishing additional state residential structures for the homeless, with the aim of satisfying basic needs and supporting reintegration processes into society.<sup>56</sup> JS3 reported that most of the municipalities had not been able to implement the Law on Social Housing because they lacked specific plans or budgets for social housing for victims of domestic violence.<sup>57</sup>

27. JS2 indicated that the Law on Social Housing was one of the most important national remedies for members of the LGBTI+ community as the Law considered them as a group of

interest. However, challenges in securing housing persisted due to the ongoing discrimination against the LGBTI+ community.<sup>58</sup> JS2 recommended to effectively implement the existing Law on Social Housing as well as the policies to protect this right of LGBTI+ individuals and to work with local municipalities to ensure that social housing programmes are accessible and confidential for LGBTI+ individuals.<sup>59</sup>

28. ERRC stressed that many Roma suffered disproportionately from the failures of public authorities to secure access to water and sanitation.<sup>60</sup> ERRC recommended adopting laws explicitly recognising the human right to water and sanitation as well as developing and adopting a comprehensive strategy and work plan that includes specific actions for implementing the right to water. It also recommended providing socially excluded neighbourhoods with public water and sanitation infrastructure and ensuring that conditions of informal housing do not prevent people from enjoying the right to safe drinking water and sanitation. ERRC also recommended allocating resources to connect Romani settlements to public drinking water and sewage systems.<sup>61</sup>

#### *Right to health*

29. ECLJ noted the high rates of sex-selective abortions in Albania.<sup>62</sup> ADF stressed the urgent need to eradicate the practice of prenatal sex selection and to address the root causes of son preference.<sup>63</sup> ADF indicated that the National Strategy for Gender Equality 2021–2030 did not contain any specific reference to expected outcomes, measures or indicators dedicated to the prevention and elimination of sex-selective practices.<sup>64</sup> ECLJ underscored the lack of enforcement regarding limited provisions that permitted abortion up until the 22<sup>nd</sup> week of pregnancy.<sup>65</sup> ECLJ reported that it was still very easy to get an abortion after the twelve weeks of pregnancy due to corruption among doctors.<sup>66</sup> ECLJ recommended reforming the law to protect women and preborn children.<sup>67</sup> ADF recommended ensuring the effective enforcement of laws prohibiting prenatal sex selection, including by amending Law No. 8876 on Reproductive Health and adopting effective measures to combat the culture of son preference, with special emphasis on the prevention of prenatal sex selection.<sup>68</sup>

30. JS5 reported that access to free universal health care for children and young people was not guaranteed despite major investments in primary health care.<sup>69</sup> APG highlighted the cost for children to access healthcare services.<sup>70</sup> JS5 recommended ensuring free universal health care to every child and young person in Albania.<sup>71</sup>

31. JS2 underlined that the law on reproductive health did not explicitly address the prohibition of discrimination of persons due to their sexual orientation, gender identity and expression or sex characteristics, nor did it address any issues resulting from discrimination or differentiated treatment of LGBTI+ individuals by medical staff. This created ambiguity and space for violations.<sup>72</sup> JS2 recommended developing and implementing protocols to address discrimination and ensure culturally competent care for LGBTI+ individuals in healthcare settings.<sup>73</sup>

32. JS2 reported that, currently, it was not possible to undergo hormonal therapies or sex reassignment surgeries.<sup>74</sup> JS2 added that a series of laws stipulated that persons undergoing surgical interventions in Albania must give their expressed consent, but in the case of intersex infants the interventions were performed at a very young age, when the individual did not have the legal capacity to give this consent. In 2020, the Ministry of Health and Social Protection approved the "Medical Protocol for the Assessment of Children with Atypical Genital Development". This Protocol did not provide adequate protection against the challenges faced by intersex individuals in the country because Albania lacked a law that enforced a blanket ban on non-consensual and non-therapeutic surgeries on intersex infants.<sup>75</sup> JS2 recommended strengthening the protection for intersex individuals by enacting legislation to introduce a blanket ban on non-consensual and non-therapeutic surgeries on intersex infants and ensuring their right to bodily autonomy and integrity.<sup>76</sup>

33. JS2 underlined that the lack of retroviral medications remained a problem in Albania due to the inability to buy and import the necessary retroviral drugs on time, negatively affecting HIV patients whose deaths in the country was alarming.<sup>77</sup>

*Right to education*

34. Broken Chalk stressed that the Albanian education system was under-funded and under-resourced compared to OECD average.<sup>78</sup> Broken Chalk indicated that educational attainment and performance continued to be strongly influenced by student's backgrounds characteristics, due to low funding and unstable governance.<sup>79</sup> It underlined that regional disparities, socioeconomic status, disabilities, gender, and ethnic background contributed to inequalities in Albanian educational institutions.<sup>80</sup> Broken Chalk recommended increasing Albania's public expenditure on education, aiming to reach or exceed the EU average of 4.6% of GDP.<sup>81</sup>

35. APG and Broken Chalk highlighted that the Law 69/2012, supplemented by decisions of the Council of Ministers in 2023, provided compulsory education for children from 6 to 15, free of charge and regulated the use of public funds for transportation. However, distance from school, poor conditions in some school premises and combined classroom teaching were the major disincentives for poorer families.<sup>82</sup> APG recommended promoting funding for local public transportation, including for high schools, especially in peripheral areas and during school start and end times.<sup>83</sup>

36. ODVV expressed concern about the long history of discrimination against minorities, including primary school children.<sup>84</sup> Several contributions indicated that vulnerable groups such as Roma children and children with disabilities were facing barriers and could not enjoy their right to education.<sup>85</sup> ERRC indicated that Albania had one of the lowest degrees of social diversity within schools. In response, authorities introduced measures such as increased enrolment in pre-school and compulsory education, yet the gap remained unacceptably wide, and most Roma aged 18-21 had not completed a basic level of education.<sup>86</sup> Broken Chalk recommended to develop and implement measurable and targeted support programmes to address specific barriers faced by vulnerable groups, such as Roma children and children with disabilities, ensuring their full and equitable access to education.<sup>87</sup> JS5 recommended that the Ministry of Education urgently address issues of violence, bullying and discrimination especially against persons with disabilities, Roma and LGBTIQ children and youth in all education institutions by developing a National Action Plan against Violence and Discrimination in Schools.<sup>88</sup>

37. Broken Chalk underlined the persistence of cases of segregation and other forms of discrimination against members of Roma and Egyptian minorities.<sup>89</sup> Several contributions referred to the landmark school segregation case by the European Court of Human Rights in 2022.<sup>90</sup> ERRC recommended authorities to provide a detailed account of concrete steps taken to fully implement the European Court of Human Rights judgment, desegregate schools and ensure sustainable solutions to prevent segregation in schools in the future; devise a comprehensive, time-bound and fully-costed action plan to finally and fully eradicate segregation and all forms of anti-Roma discrimination in education; and expand accessibility to inclusive preschool education to cover all Romani children.<sup>91</sup>

38. Broken Chalk highlighted corruption as a significant problem in the education system of Albania that affected quality education and undermined democracy and good governance.<sup>92</sup> Broken Chalk recommended improving transparency in allocating education funds, focusing on addressing socio-economic disadvantages and prioritising initiatives that positively impact student outcomes. It also recommended implementing measurable and comprehensive anti-corruption measures to combat bribery, favouritism and other forms of corruption within the education system.<sup>93</sup>

## **2. Rights of specific persons or groups**

*Women*

39. APG reported that domestic violence against women in Albania was a phenomenon with deep roots in patriarchal traditions and customs.<sup>94</sup> JS3 stressed that the lack of services close to marginalized communities and the lack of dialogue between victims and elected local officials were challenges for victims of domestic violence.<sup>95</sup> It reported the alarmingly low employment rate among survivors of domestic violence. JS3 also highlighted the lack of harmonization in the implementation of the current legislation that ensured financial support

to victims of domestic violence.<sup>96</sup> In particular, JS3 highlighted that the Social Fund supporting the provision of funding for new services at the municipality level had been implemented mainly in large municipalities and not across all Local Government Units and social services budgets.<sup>97</sup> APG highlighted the important change made to the Penal Code with the approval of Law No. 35 in 2020 that criminalised psychological violence.<sup>98</sup> JS3 recommended reviewing the Criminal Code to include concrete legal provisions related to the criminalization of femicide and gender-based murder.<sup>99</sup>

40. JS3 indicated that the Law No. 47/2018 gave the State Police the possibility to issue an Immediate Preliminary Measures Protection Order (IPMPO) when assessing a situation that may present a high risk to the life, health and freedom to the domestic violence victim. The lack of sufficient information and training resulted in the situation that no IPMPO had been issued in some regions.<sup>100</sup> JS3 recommended providing training for police officers to develop capacities to recognize domestic violence, conduct relevant risk assessment and develop and issue IPMPO.<sup>101</sup>

41. To ensure the operational effectiveness of the Coordinated Referral Mechanism (CRM), JS3 reported that the adoption in 2021 of the decision No. 327 assigned each municipality a local coordinator to coordinate cases of violence against women with NGOs, the State Police, healthcare services, courts, the Probation Service and legal aid services.<sup>102</sup> JS3 underlined that the functioning of the CRM structures remained a challenge because its steering committee did not meet quarterly as stipulated by law in any of the municipalities and because none of the structures reported to the Ministry of Health and Social Protection.<sup>103</sup> JS3 recommended strengthening the role of the Local Domestic Violence Coordinator.<sup>104</sup>

42. APG recommended establishing an explicit monitoring and supervision framework for the protection of women victims of domestic violence, the provision of more state-run shelters for girls and women victims of domestic violence, and centres specialised in prevention, diagnosis, treatment, and rehabilitation for women, girls, and mothers victims of domestic or other types of violence. It also recommended establishing public facilities for the rehabilitation and treatment of abusers that become an integral part of judicial provision.<sup>105</sup>

43. The Council of Ministers adopted the "2021–2030 National Gender Equality Strategy" (NGES) and its Action Plan in 2021, reinforcing the Albanian Government commitment to strengthen gender equality by fulfilling the economic and social rights of women from all vulnerable groups.<sup>106</sup> JS3 reported that the Inter-institutional Gender Statistics Group was yet to be established and made operational, even though it was foreseen in the mentioned strategy.<sup>107</sup>

#### *Children*

44. JS3 indicated that the Family Code stipulated the age to marry at 18 years. However, exemptions could be authorized by a relevant court as stipulated in the Civil Code. Early marriages were a matter of concern, especially among girls living in rural areas.<sup>108</sup> JS3 recommended taking legal initiatives to review the Family Code to remove any exception to the minimum legal age of 18 and to prohibit forced marriages.<sup>109</sup>

45. As a State Party to the Convention on the Rights of the Child, ADF underlined that Albania had an obligation to protect and respect the right to life of all girl children without discrimination, and that pre-natal sex selection constituted an egregious violation of the dignity and human rights of girl children.<sup>110</sup>

46. APG reported that, although the Law No. 18/2017 on the rights and protection of children established the protection of minors from all forms of violence, various forms of violence were still commonly accepted in society and were often underreported. Corporal punishment was still widely practised and considered acceptable by a large portion of the population.<sup>111</sup> JS5 reported that violence in schools had a tremendous impact on the quality of education.<sup>112</sup> APG recommended implementing awareness campaigns aimed at healthcare professional, educators and local communities to inform them about the legal and moral obligation of all citizens to report instances of violence against minors.<sup>113</sup>

47. JS5 reported that the lack of action from Albania to alleviate child and youth poverty contributed to an increase their exploitation, economic migration towards EU countries and

youth disenchantment.<sup>114</sup> The lack of programmes to alleviate child poverty and the lack of implementation of the Youth Guarantee programme made children and their families living in poverty dependent on the aid given by civil society and religious organizations for their survival.<sup>115</sup> APG reported that many students between the ages of 14 and 17 worked continuously to help their families, even though they had not reached the minimum age to work.<sup>116</sup> Most of that child labour occurred in the agricultural and domestic sectors.<sup>117</sup> Broken Chalk recommended introducing financial assistance programmes to alleviate the economic burden on vulnerable families, ensuring that all children, regardless of background, have access to educational resources and opportunities.<sup>118</sup> JS5 recommended establishing a national programme to support children and youth living in poverty.<sup>119</sup>

48. JS5 reported that internet safety for children and youth remained extremely weak and that authorities were not able to respond to online bullying or sexual exploitation. In addition, the ability of the police to identify and bring perpetrators to justice was very low.<sup>120</sup> JS5 recommended to openly and strongly support the work of civil society organizations to inform and keep children and young people safer online.<sup>121</sup>

49. JS5 indicated that the Child Protection System remained very weak and lacked resources to protect children. The delivery of social care services was almost fully dependent on foreign funding.<sup>122</sup> JS5 recommended supporting and developing social care services for children and youth across the country, in cooperation with the Municipalities.<sup>123</sup>

50. JS5 reported that Roma, disabled and LGBTIQ children and young people were often victims of open bullying, violence and discrimination. The Government had taken steps to address these shortcomings in several policies, but so far it had been unsuccessful.<sup>124</sup>

#### *Persons with disabilities*

51. APG highlighted the National Action Plan for Persons with Disabilities 2021–2025.<sup>125</sup> APG stressed that companies did not respect Law No. 15/2019 "On the promotion of the occupation", referring to the employment of people with limited capacities through the quotas system. APG recommended amending Law No. 15/2019, subsequently integrated by Law No. 47/2023, to maintain the disability pension to effectively facilitate the compatibility between the right to disability pension and the right to work for individuals with mental, intellectual, or motor disabilities.<sup>126</sup> It also recommended extending and improving the monitoring of companies' compliance with Law No. 15/2019 according to the quota system.<sup>127</sup>

52. APG reported that, despite improvements in removal of architectural barriers, many children with disabilities did not attend school.<sup>128</sup> APG recommended adopting measures to ensure a greater number of psychologists in schools and support teachers for children with disabilities or neurodivergent disorders in pre-university public institutions, as provided by Law No. 69/2012 and subsequent amendments. APG also recommended implementing plans for improving school infrastructure, with particular attention to architectural barriers.<sup>129</sup>

#### *Minorities*

53. ERRC highlighted the disproportionate number of Romani children placed in care institutions and the failure to provide guidance or procedures to facilitate their return to their families. Many families have to travel considerable distances to visit their children who have been removed, making extremely difficult to maintain relationships with children who have been placed in institutions.<sup>130</sup> According to ERRC, one of the major reasons for continued institutionalisation was the lack of adequate support provided to poor families with children, in particular Roma, which contributed to the abandonment of children by their parents.<sup>131</sup> ERRC highlighted the lack of social and economic assessments of families to envisage the return for the Romani and Egyptian children on a regular basis. Without such assessments, courts will not transfer custody from the institution to the biological parents or relatives.<sup>132</sup> ERRC recommended providing a detailed update on progress made with regards to Romani children in state care; investing in prevention and avoid deprivation of parental rights and expand coverage of family social services to all geographical areas; introducing a gatekeeping system with regard to alternative care; and ensuring that poverty, disability or ethnic origin are not accepted as valid reasons for the removal of children from their biological families.<sup>133</sup>



*Lesbian, gay, bisexual, transgender and intersex persons*

54. JS2 indicated that Albania's Constitution lacked dedicated provisions safeguarding the rights of LGBTI individuals.<sup>134</sup> JS2 recommended amending it to explicitly include protections based on sexual orientation, gender identity, and expression and sex characteristics.<sup>135</sup> JS2 also recommended enacting a law ensuring legal recognition of gender identity based on the self-determination principle, allowing individuals to update their official documents to reflect their gender identity without unnecessary medical or legal barriers.<sup>136</sup>

55. JS2 highlighted that the revisions to the Criminal Code had yielded advantages for the LGBTI+ community by rectifying deficiencies found in its prior iteration. However, JS2 noted that the term 'homosexual' appeared in the Albanian penal code more than 21 times, creating a legal framework that categorized individuals based on their sexuality and inadvertently contributing to the perpetuation of their societal othering.<sup>137</sup>

56. JS2 indicated that LGBTI individuals often faced hurdles in accessing education due to their sexual orientation, gender identity, and sex characteristics.<sup>138</sup> JS5 recommended having a pro-active approach towards the respect for LGBTIQ rights for children and youth.<sup>139</sup>

57. Regarding health education, JS2 reported a significant dearth of information concerning the sexual and reproductive health of LGBTI+ individuals, putting LGBT youth at heightened risk of contracting sexually transmitted diseases, infections, and engaging in unsafe sexual behaviours. JS2 underscored the urgent need for healthcare reforms to ensure equitable access and culturally competent care of LGBT individuals.<sup>140</sup>

58. JS2 reported that the Albanian Constitution did not prohibit same-sex marriage. However, stated it stated that the Family Code defined marriage as a union between a man and a woman. In addition, no law recognized partnership or cohabitation between persons of the same sex, bringing many practical difficulties for gay and lesbian couples.<sup>141</sup> JS2 added that Albania had not amended the Family Code regarding the cohabitation of LGBTI individuals.<sup>142</sup> JS2 recommended enacting a law to legally recognize same-sex partnerships, providing couples with rights and protections similar to those afforded to heterosexual couples and to ensure equal parenting rights for same-sex couples.<sup>143</sup>

59. JS2 recommended ensuring the rigorous implementation of the National Action Plan for LGBTI+ Persons 2021–2027, with dedicated resources, monitoring mechanisms, and accountability measures to track progress and address challenges effectively.<sup>144</sup>

*Migrants, refugees and asylum-seekers*

60. JS5 reported that Albania faced an increasing influx of migrant and refugee children. However, there was a constant lack of care for children and youth who crossed into Albania.<sup>145</sup> JS5 indicated that authorities made clear that no children and young people were hosted in the Accommodation Centre, therefore making unclear where children and youth are officially cared for.<sup>146</sup>

61. ODVV expressed concern about legality and effectivity of the agreement signed by Albania and another country to detain asylum seekers in two detention centres in Albania.<sup>147</sup> ODVV called to provide migrants and asylum seekers with adequate and timely remedy and redress, while preventing the violation of a range of human rights from taking place against them, especially their deprivation of multiple liberties because of that agreement.<sup>148</sup>

*Stateless persons*

62. JS1 highlighted the efforts to address statelessness such as the National Action Plan for Equality, Inclusion, and Participation of Roma and Egyptians 2021–2025.<sup>149</sup> JS1 highlighted the need to monitor in practice the implementation of the instruction to implement and regulate the statelessness determination procedure based on a law adopted in 2021.<sup>150</sup> ERRC and JS1 pointed at the difficulties faced by children of parents that are undocumented or with irregularities in their documentation, mainly from the Romani and Egyptian communities.<sup>151</sup>

63. OSCE-ODIHR recommended making more efforts to address the persistent statelessness, lack of civil registration, and unresolved legal status of Roma.<sup>152</sup> ERRC

recommended strengthening cooperation with other states on the issue of birth registration for Albanian nationals whose children are born abroad; designating a lead authority with a mandate for preventing and reducing statelessness and identifying and protecting stateless persons in Albania; and providing effective remedies for all those seeking to resolve their documentation status.<sup>153</sup> JS1 recommended mandating rigorous and continuous professional development for all State officials, such as registry office staff, social and health workers, and consular officials, who have a role to play in civil registration procedures.<sup>154</sup>

## Notes

<sup>1</sup> A/HRC/42/4, A/HRC/42/4/Add.1, and A/HRC/42/2.

<sup>2</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org) (one asterisk denotes a national human rights institution with A status).

### *Civil society*

#### *Individual submissions:*

ADF	ADF International, Geneva (Switzerland);
AHC Albania	Albanian Helsinki Committee, Tirana (Albania);
APG	Associazione Comunitá Papa Giovanni XXIII, Rimini (Italy);
Broken Chalk	Broken Chalk, Amsterdam (Netherlands);
EAJW	European Association of Jehovah's Witnesses, Kraainem (Belgium);
ECLJ	European Centre for Law and Justice, Strasbourg (France);
ERRC	European Rome Rights Centre, Brussels (Belgium);
ODVV	Organization for Defending Victims of Violence, Tehran, Iran (Islamic Republic of);
SOS CV	SOS Children's Villages Albania, Tirana (Albania).

#### *Joint submissions:*

JS1	<b>Joint submission 1 submitted by:</b> European Network on Statelessness, Tirana Legal Aid Society and Roma Active Albania. London, (United Kingdom of Great Britain and Northern Ireland);
JS2	<b>Joint submission 2 submitted by:</b> Aleanca LGBTI and ILGA World. Tirana (Albania);
JS3	<b>Joint submission 3 submitted by:</b> the Monitoring Network Against Gender Based Violence; Center for Development of Rural Women (Cdrw) Organization Different&Equal (D&E) The Center for Gender Justice in Albania (CGJA), "Woman to Woman" organisation (WtW), Woman Forum Elbasan (WFE), The Women' Center "Light Steps" (WCLS), Child Rights Center Albania CRCA/ECPAT, The Center "Shelter Edlira Haxhiymeri" (SHE), Gender Alliance for Development Centre (GADC), The National Centre for Community Services (NCCS), Community Development Center "Today for the Future" (CDC-TFF), Center for Legal Civic Initiatives (CLCI). Tirana (Albania);
JS4	<b>Joint submission 3 submitted by:</b> Sexual Rights Initiative, Gender Alliance for Development Center (GADC) Ottawa (Canada);
JS5	<b>Joint submission 3 submitted by:</b> Children Rights Centre Albania, Human Rights House, National Platform for Safer Internet in Albania, Albanian Coalition for Education, Albanian National Youth Network and PINK Embassy Albania, Tirana (Albania);
JS6	<b>Joint submission 3 submitted by:</b> Save the Children, Child Leg Groups Voice 16+, Children's Governance and Eco Clubs, Tirana (Albania).

#### *National human rights institution:*

NHRI	People's Advocate, Tirana (Albania).
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#### *Regional intergovernmental organization(s):*

COE	Council of Europe Strasbourg (France);
OSCE-ODIHR	Organization for Security and Co-operation in Europe and

Office for Democratic Institutions and Human Rights, Warsaw  
(Poland).

- 3 NHRI p. 2.
- 4 NHRI p. 3.
- 5 NHRI p. 4.
- 6 NHRI pp. 3–4.
- 7 NHRI p. 4.
- 8 NHRI p. 4.
- 9 NHRI p. 5.
- 10 NHRI p. 5.
- 11 NHRI pp. 7–8.
- 12 JS1 paras. 13–14.
- 13 JS3 para. 5. See also JS4 para. 11.
- 14 JS3 paras. 2–4.
- 15 JS1 para. 48.
- 16 Broken Chalk para. 12.
- 17 Broken Chalk para. 28.
- 18 ODVV para. 6. See also JS2 pp. 7–8 and OSCE-ODIHR para. 12.
- 19 OSCE-ODIHR paras. 13–14.
- 20 S1 paras. 45–46. See also JS4 para. 13; AHC Albania p. 5.
- 21 JS2 p. 7. See also ODVV paras. 7 and 17–18.
- 22 JS2 pp. 10–11 and 16. See also AHC Albania p. 5; JS5 p. 10.
- 23 OSCE-ODIHR para. 19.
- 24 JS2 p. 16. See also OSCE-ODIHR para. 13 and AHC Albania p. 5.
- 25 AHC Albania pp. 2–3. See also NHRI p. 3.
- 26 AHC Albania p. 2. See also NHRI p. 3.
- 27 AHC Albania p. 3.
- 28 AHC Albania pp. 1–2.
- 29 JS3 para. 36.
- 30 JS3 para. 38.
- 31 JS3 para. 59.
- 32 JS5 pp. 4 and 7–8.
- 33 JS5 p. 11.
- 34 JS1 para. 47; ERRC p. 3; JS3 para. 33 and JS5 p. 8.
- 35 JS3 para. 49.
- 36 AHC Albania pp. 4–5. See also SOS CV p. 5.
- 37 OSCE-ODIHR paras. 9–10.
- 38 AHC Albania pp. 2–3.
- 39 EAJW paras. 2 and 10–12.
- 40 EAJW paras. 4 and 6.
- 41 EAJW paras. 13–18.
- 42 EAJW para. 28.
- 43 ECLJ para. 19.
- 44 ECLJ para. 22 and JS5 pp. 6 and 8.
- 45 ECLJ para. 24.
- 46 JS4 para. 12.
- 47 JS4 p. 9.
- 48 JS4 p. 9.
- 49 JS4 paras. 31–35.
- 50 JS4 p. 9.
- 51 JS4 p. 9.
- 52 JS2 pp. 15–16.
- 53 JS2 p. 17.
- 54 Law No. 22/2018.
- 55 APG p. 4. See also SOS CV p. 3.
- 56 APG p. 4.
- 57 JS3 paras. 26–27.
- 58 JS2 pp. 14–15.
- 59 JS2 p. 17. See also JS3 para. 54.
- 60 ERRC p. 6.
- 61 ERRC p. 7.
- 62 ECLJ paras. 3; 12–13 and 17.

- 63 ADF paras. 2–7 and 14–17. See also ECLJ paras. 12–13.  
64 ADF para. 20.  
65 ECLJ para. 14.  
66 ECLJ para. 14.  
67 ECLJ para. 23. See also ADF para. 28.  
68 ADF para. 13 and 28.  
69 JS5 p. 4. See also SOS CV p. 5.  
70 APG p. 2.  
71 JS5 p. 11.  
72 JS2 p. 12.  
73 JS2 p. 17.  
74 JS2 p. 12.  
75 JS2 p. 13.  
76 JS2 p. 16.  
77 JS2 p. 13.  
78 Broken Chalk paras. 5, 21 and 24. See also JS5 p. 5.  
79 Broken Chalk paras 5–6.  
80 Broken Chalk para. 11.  
81 Broken Chalk para. 35.  
82 APG p. 2; Broken Chalk para. 2.  
83 APG p. 3.  
84 OVDD para. 8.  
85 Broken Chalk paras. 2–3; JS5 p. 9; Broken Chalk para. 13; JS6 p. 6.  
86 ERRC p. 4.  
87 Broken Chalk para. 25.  
88 JS5 p. 11. See also SOS CV pp. 3–5.  
89 Broken Chalk para. 14.  
90 ERRC p. 5; Broken Chalk para. 14–15; ODVV para. 8.  
91 ERRC p. 5. See also JS1 para. 48; Broken Chalk para. 27.  
92 Broken Chalk para. 22.  
93 Broken Chalk paras. 32–33.  
94 APG p. 3. See also JS3 paras. 4 and 22–24.  
95 JS3 paras. 22 and 41.  
96 JS3 paras. 24–25.  
97 JS3 paras. 22–23 and 42.  
98 APG p. 3. See also JS3 paras. 4 and 22–24.  
99 JS3 para. 61.  
100 JS3 paras. 31–32 and 46.  
101 JS3 paras. 55–56 and 63.  
102 JS3 paras. 7; 28–29 and 43–45.  
103 JS3 paras. 28 and 35.  
104 JS3 para. 51.  
105 APG p. 4. See also JS3 para. 35.  
106 JS3 para. 8.  
107 JS3 para. 30.  
108 JS3 paras. 20–21. See also JS5 p. 8.  
109 JS3 para. 48.  
110 ADF paras. 23 and 25.  
111 APG p. 1. See also JS5 p. 6.  
112 JS5 p. 5.  
113 APG p. 3.  
114 JS5 pp. 3 and 5.  
115 JS5 p. 5.  
116 APG p. 2. See also JS5 p. 6.  
117 APG p. 3.  
118 Broken Chalk para. 26.  
119 JS5 p. 11.  
120 JS5 pp. 3–8.  
121 JS5 p. 11.  
122 JS5. p. 3.  
123 JS5 p. 11.  
124 JS5 p. 9.

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- 125 APG p. 5. See also SOS CV p. 3.  
126 APG p. 5.  
127 APG p. 5.  
128 APG p. 2.  
129 APG p. 3.  
130 ERRC pp. 2–4.  
131 ERRC p. 3.  
132 ERRC p. 3.  
133 ERRC p. 4. See also SOS CV p. 4.  
134 JS2 p. 6.  
135 JS2 p. 16.  
136 JS2 p. 16.  
137 JS2 p. 9.  
138 JS2 pp. 10–11. See also JS5 p. 10.  
139 JS5 p. 11.  
140 JS2 pp. 13–14.  
141 JS2 pp. 9–10.  
142 JS2 p. 10.  
143 JS2 p. 16.  
144 JS2 p. 17.  
145 JS5 p. 10.  
146 JS5 p. 10.  
147 ODVV para. 17.  
148 ODVV para. 19.  
149 JS1 paras. 22 and 42.  
150 JS1 paras. 15 and 17. See also OSCE-ODIHR para. 17.  
151 ERRC p. 8; JS1 paras. 14; 21–22; 29 and 30.  
152 OSCE-ODIHR para. 19. See also ERRC p. 9 and JS1 para. 48.  
153 ERRC pp. 9–10. See also JS1 para. 48.  
154 JS1 para. 48.
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