



RECOMMENDATIONS FROM THE POLICY MEETING

PERMET
9th of September 2016

Results from the meeting:

The main topics discussed during the meeting were: (i) recommendations of the CoE monitoring structures and of the EU progress report on the issue of minority rights in Albania (ii) the situation with the legal and policy framework and how were they reflected at the local level so that they could enhance effective participation of minorities in the social, economic and political life, their education in the minorities language, preservation of culture and employment generation so that young generation and (iii) the need for awareness raising of minorities to be part of policy making process.

The small projects were of a symbolic budget, nevertheless it should be noted the positive and concrete results that they achieved to reach, such as in preserving national languages i.e. in Rrethinat and Shijak municipality, in providing embroidery trainings coupled with accounting lessons for running their own business for young girls and women in Dropull municipality, or investing in equipment for kinder gardens (Fier and Permet municipality), schools (Rrethinat) and multicultural center (Shijak). These interventions did improve issues faced by these minorities, such as language and culture preservation, as well as improved skills of young people to start their own business on producing the traditional costumes and how to enter the local and regional market.

The short-term impacts of the small grants relate mainly to the awareness raising, increased cooperation among the staff of municipalities, the staff of de-concentrated institutions at the local level and minority representatives, tangible interventions that support the minorities to preserve their culture, language, better knowledge how to run a business etc.

The long-term implications of these results relate mainly to the tools that these small grants have provided to minorities living in these municipalities, in order to ensure to them increased access in the local decision-making process, preserving their culture through being entrepreneurs, preserving their language through books and equipment, etc. Nevertheless, minorities' willingness to continue fighting for their rights will be key to the sustainability of these interventions.

Results of the small grants projects do relate closely to other adjacent local government unit, mainly because they were implemented during the implementation of the territorial reform. The projects have become part of bigger administrative units, as was the case in Dropull and Rrethinat. This has helped the extended municipalities and their staff to become part of these projects. At a larger scale organisation of "Open Days" event

provides municipalities' staff a forum where to discuss and exchange ideas how to better deal with this issue.

Compliance of the Small Project Results with the last findings of the Framework Convention for protection of National Minorities (FCNM):

The small municipal projects focused on central areas of the FCNM including, but not limited to, education (Articles 12 and 14), cultural heritage (Articles 5 and 6) and participation in public life (Articles 6 and 15).

The Advisory Committee Opinion on Albania and the Committee of Minister's Resolutions recommended Albania to take several measures to improve further the implementation of the Framework Convention. The small project results and their activities have facilitated the implementation of FCNM on the ground. They encouraged and promoted conditions for maintaining minorities culture (Rrethina, Dropull, Shijak); ensured social inclusion and increased access of Roma and Egyptian communities in entire community in Fieri and Permet municipalities; created the conditions necessary for the effective participation of persons belonging to national minorities in public affairs (Shijak, Permet) as well as fostered knowledge of and right to learn his or her minority language (Shijak and Rrethina). In this way, the implemented projects at the local levels created synergy effects that contribute to increased compliance of Albania with the FCMN.

During the meeting it was emphasized the need to sign and ratify the ECRML, which is not yet done by Albania.

Main strategic/legislative and institutional framework dealing with minorities in beneficiary

Albania still lacks a comprehensive single law on national minorities. There is an extensive list of primary and secondary legislation which does cover the issue of protection of minority rights in different areas of political, social and economic life. The Ministry of Foreign Affairs has taken the lead to set up an inter-ministerial working group to address this issue. The draft-law is prepared and is in the consultation process.

The recent developments, mainly the new territorial and administrative reform and the changes in the Law "On the Organization and Functioning of Local Government", provide more possibilities of structured cooperation between the central and local government. The increased responsibilities of the local governments, have not been accompanied by the necessary amendments to the existing legal framework, to better implement their competences. The issue of minority rights protection is indirectly affected by this situation especially in the area of education and social housing.

In the policy framework, last year finalisation of the "National Action Plan for Integration of Roma and Egyptians 2016-2020", approved by DCM No. 1072, dated 23.12.2015, of the "National Crosscutting Strategy for Decentralization and Local Governance (NCSDLG) 2015-2020", approved by DCM No. 691, dated 29.07.2015 and recently of the "Social Inclusion

Policy Paper 2016-2020", approved by DCM No. 87, dated 3.02.2016 provide a more structured policy framework where cooperation with the local level is considered thoroughly and preparation of local plans for Roma and Egyptians is recommended

The institutional framework for addressing minority issues at the central governmental level are the State Committee on Minorities, Ministry of Foreign Affairs, Minister of State for Local Issues as well as the de-concentrated structures of line ministries which have shared functions with the local governmental level (municipalities) in education system, social services, primary health and protection of civil order and security. The Office of the Commissioner for Protection from Discrimination and Office of the People's Advocate, are independent institutions which oversee the protection of human rights, including minority ones.

The inter-relation among the abovementioned institutions is provided in the Annex I.

Compliance of the Small Project Results with the minority policies in beneficiary

As mentioned during the meeting, Albania lacks a comprehensive single law on minorities, and the protection of minority rights is ensured by an extensive list of primary and secondary legislation. Nevertheless, project results have ensured further compliance with the existing legal framework and have even identified issues where the need for further improvement of the existing legal framework is needed, such as in the education and social housing areas. Almost, all of the small grant projects have had activities which aimed at increasing of knowledge, information on their rights, as well as on their access of to social and health care services.

The Plans for Territorial Development of (new) Municipalities are under development, and a key element in the preparation of these plans is the participative approach. This approach has been very present throughout all projects' activities. Additionally, the national policy framework - National Action Plan for Integration of Roma and Egyptians 2016-2020 – its methodology and recommendations have been closely followed and mirrored while preparing the Local Action Plan for Roma and Egyptians in the municipality of Fier.

Policy Recommendations

The steps required to implement the recommendations, and the resources needed are as follows:

- finalise and adopt the law on minorities, to facilitate the monitoring of the effectiveness of the measures taken by the Albanian government to protect minority rights in line with CoE monitoring structures recommendations;
- further support municipalities to implement their increased competences through the necessary revisions of the existing legal framework so that they can ensure proper protection of minorities' rights especially in the areas of social housing, health, education and employment;

- invite to comment and consult with those municipalities where minorities live, the Country Report submitted to CoE monitoring structures;
- continue with awareness-raising programs for the municipalities' staff, general public and specific groups, such as law enforcement officials, on human rights, including the rights of persons belonging to national minorities;
- provide for awareness raising of minorities' NGOs to serve as "watch dogs" of their rights implementation monitoring;
- take a strategic approach in providing capacity building activities that raise capacities of the municipalities staff by preparation of national curricula and hands on trainings especially on:
 - the overall project cycle management, project' budgeting and implementation related issues such as narrative and financial reports' preparation;
 - increasing the civic engagement and involvement of minority representatives in public-decision making at the local level;
- further promote the presence and cultural heritage of minorities in the country by organising an annual event for the promotion of minorities in one of the municipalities where minorities live

Improved legal framework would make involved institutions, as well as municipalities, better and easier accessible institutions for minorities. Capacity building measures taken at the central level can ensure a "strategic approach" through a wider programme aiming at capacity building of municipalities' capacities; such a programme can be easily replicated in those municipalities that have minorities. Making municipalities partners in preparing the Country Reports would make them more responsible for the people they represent and would make them more pragmatists when it comes to protection of minority rights in their boundaries.

Most of the above recommendations can be easily endorsed and implemented if there is willingness to cooperate and avoid overlapping. Albanian School of Public Administration and the Agency for Implementation of the Territorial Reform can prepare national wide curricula that can be implemented at the local level as per their needs. Donor supported projects in these areas, and their planned training activities can become part of such a programme and can ensure a longer sustainability of prepared and delivered trainings.

Recommendations for the relevant institutions in the beneficiary

The main recommendations that best support the main Projects' results are:

Ministry of Foreign Affairs

- involve and consult municipalities with minority communities when preparing the Country Report
- organise an annual event for the promotion of minorities in one of the municipalities where minorities live
- when possible lobby and use the good results of small grant projects to pull further funding for similar initiatives
- coordinate with Ministry of Local Issues and Albanian School of Public Administration to prepare a national curricula on awareness raising and capacity building of local government institutions on minority rights

State Minister for Local Issues

- provide the necessary support to municipalities to implement their increased competences through
 - pushing for the necessary revisions of the existing legal framework so that they can ensure proper protection of minorities' rights especially in the areas of social housing, health, education and employment;
 - provision of capacity building activities on their functions and competences

Albanian School of Public Administration

- run a training needs assessment on the need for capacity building in the minority area – this can be included as part of any running need assessment for the local government trainings
- develop in close cooperation with the two mentioned institutions a national training programme on minority rights

Annex I: inter-relation among the institutions responsible for protection of minorities in Albania

