



**International Covenant on
Civil and Political Rights**

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**Third periodic report submitted by Albania under
article 40 of the Covenant pursuant to the optional
reporting procedure, due in 2022***

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* The present document is being issued without formal editing.



List of abbreviations

AP	The People's Advocate
BE/EU	European Union
CAT	Committee Against Torture
DPSH	General Directorate of the State Police
DPB	General Directorate of Prisons
KiE/ CE	Council of Europe
KP	Criminal Code
KPP	Criminal Procedure Code
KMD	Commissioner for Protection from Discrimination
MAS	Ministry of Education and Sports
MEPJ	Ministry for Europe and Foreign Affairs
MFE	Ministry of Finance and Economy
MKRDHF	Coordinated Mechanism of Referral of cases of domestic violence
MSHMS	Ministry of Health and Social Protection
OJF	Non-profit organization
OKB	United Nations Organization
QKPA	National Reception Center for Asylum Seekers
UM	Protection Orders
UMM	Immediate Protection Orders
IKDNJ	National Human Rights Institution
GANHRI	Global Alliance of National Human Rights Institutions
BKH	National Bureau of Investigation
IEVP	Institution of Sentence Execution
SPAK	Special Anti-Corruption and Organized Crime Structure
DCM	Decision of the Council of Ministers
NE	Economic Assistance
OBSH	World Health Organization
SCE	State Commission for Elections
MKR	Coordinated Referral Mechanisms
UNDP	United Nations Development Program
PSV	Approval of Standard Operating Procedures
SKBGJ	National Strategy for Gender Equality
Q.K.T.V.DH.F	National Center for the Treatment of Victims of Domestic Violence
UNFPA	United Nations Population Fund
SKV	Special Care Units

Introduction

1. The Republic of Albania has acceded to the International Covenant on Civil and Political Rights with law no. 7510, dated 8.8.1991. It has also acceded to the Optional Protocol to the International Covenant on Civil and Political Rights on October 4, 2007, as well as to the Second Additional Protocol to the International Covenant on Civil and Political Rights, by law no. 9726, dated 07.05.2007.
2. The responses to the list of issues within the 3rd periodic report of Albania have been prepared based on the interest of the relevant Committee, CCPR, for the drafting of periodic reports. The first part consists on general information on the situation of human rights in the country, while the second part presents information on the implementation of articles 1–27 of the Convention. The report contains information on the period 2014–2022.
3. Based on the Prime Minister’s Order no. 112, dated 5.3.2014 “On the establishment of the interministerial working group on the drafting and participation in the review of reports within the framework of international conventions on human rights”, MEPJ coordinates the process of preparing national reports on implementation of human rights conventions. The answers to the list of issues were drawn up as a result of the coordination and inclusion of the contributions of the central institutions.

A. General information on the national human rights situation, including measures and new developments related to the implementation of the Convention

4. As far as the national situation of human rights is concerned, there have been developments in the legislative framework, within the framework of improving the position of the security staff or the treatment of the rights of persons imprisoned in implementation of a criminal court decision. The developments were earlier in partial changes/modifications of the legislative framework, for certain issues, and further during 2020, a complete legal package was operated, which completely replaced the existing legal framework, with new aligned laws with the *acquis communautaire* of the EU.
5. Respectively: During 2020, three new laws were approved regarding the system of execution of criminal decisions: Law No. 80/2020 “On prison police”; Law No. 81/2020 “On the rights and treatment of those sentenced to imprisonment and pre-trial detainees; Law No. 79/2020 on the execution of criminal decisions; By-laws and normative acts in the above areas, where the improvement of the financial treatment of the staff of the penitentiary system is also noted.
6. In its provisions, the law on Prison Police guarantees and sanctions: the creation of a staff with sufficient professional capacities, motivated and with integrity, capable of guaranteeing security in prisons and detention centers; improving the economic, financial and working conditions of Prison Police employees; improving the recruitment, training and promotion procedures of prison police officers, etc.
7. The new draft law “On the rights and treatment of those sentenced to imprisonment and pre-trial detention” brought several innovations such as:
 - The creation of a new type of institution for the execution of criminal decisions, known in the draft law as an institution with an open regime. This multidisciplinary system aims at social rehabilitation for the reintegration of convicts into family, social and economic life, through the placement of convicts in open institutions. The transfer to these institutions of convicts who meet the legal criteria will serve as a preparatory stage for their release. Preparation for reintegration in prisons with an open regime then facilitates the life of convicts in freedom;

- The establishment of the committee to assess the dangerousness of the prisoner, in the General Directorate of Prisons, with the aim of analyzing the assessment of the risk of convicts and pre-trial detainees for escape, the risk of reintroduction to crime and the strengthening of measures for following the procedures during the granting of remunerative permits;
- Harmonization of the draft law with law no. 37/2017, “Criminal Justice for Children Code”, in order to improve the respect of the rights of minors in prisons and the implementation of the standards of their treatment according to the Criminal Justice for Children Code;
- Guaranteeing social rehabilitation and reintegration into the family, social and economic life of adult and juvenile remands and convicts, guaranteeing the latter forms of incentive motivation, in accordance with the principle of protecting the highest interest of minors, social, educational, psychological and physical assistance, in accordance with individual needs and in accordance with his age group, gender and personality;
- Supporting research and evaluation programs about the functioning of the prison system and its role in the reintegration of convicts into society;
- Determining the role of the National Mechanism for the Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment at the Ombudsman, as the structure responsible for protecting the rights of convicts and detainees and supervising the implementation of this draft law.

B. Information on the implementation of the articles of the Covenant on Civil and Political Rights

Article 2 – The legal and constitutional framework in which the Convention is implemented

8. Institutions created for the protection of human rights are important state-forming actors in democratic systems. The Ombudsman as one of them plays an irreplaceable role, being an indicator of the degree of maturity of the political class and the mentality of the society that creates it. In this sense, the establishment, functioning and support of the institution of the People’s Advocate in Albania, as a new institutional and conceptual experience, despite the lack of institutional tradition in this approach, represents an inherent effort to build the rule of law.

9. The creation of this institution in Albania was realized with the provision in the Constitution of the Republic of Albania. Following the classic model of the Parliamentary Ombudsman, the Assembly of Albania adopted the organic law “On the Ombudsman”, in 1999, affirming the institution of the People’s Advocate, as a constitutional guarantee for the protection of the rights, freedoms and legal interests of individuals, Albanian citizens, foreigners, regular residents or not in Albania, refugees, as well as persons without citizens who are located in the territory of the Republic of Albania, from illegal and irregular actions or inactions of public administration bodies. For these reasons, he belongs to those institutions, otherwise known as national institutions for the protection and promotion of human rights, with a non-decision-making but opinion-making nature, guarantors of democracy and human rights.

10. The Ombudsman in the Republic of Albania is both the national human rights institution (IKDNJ) and the “classic” Ombudsman with the task of supervising the implementation of the rule of law and the principles of good governance. The Ombudsman is a member of the Global Alliance of National Human Rights Institutions (GANHRI), where it has been accredited with A status for its full compliance with the UN Paris Principles. In accordance with the Paris Principles, the Ombudsman was given a broad mandate, based on international human rights standards, to promote, prevent violations and protect human rights.

Article 2 and 25 – Anti-corruption measures

11. In function of the effectiveness and the fight against corruption and organized crime, a special structure has been created which includes the courts, the prosecution and the special investigation unit, which are specialized structures, set up as follows:

(a) Special courts, according to Article 135, point 2 of the Constitution, try criminal offenses of corruption and organized crime, as well as criminal charges against the President of the Republic, the Speaker of the Assembly, the Prime Minister, the member of the Council of Ministers, the judge of the Court of the Constitutional Court and the Supreme Court, the Prosecutor General, the High Inspector of Justice, the Mayor, the deputy, the deputy minister, the member of the High Judicial Council and the High Prosecution Council, and the heads of the central or independent institutions defined in Constitution or in law, as well as the charges against the aforementioned former officials.

(b) The Special Prosecutor's Office and the Special Investigative Unit (National Bureau of Investigation) have been established for the prosecution and investigation of criminal offenses of corruption, organized crime and criminal cases according to Article 135, paragraph 2, of the Constitution. This prosecutor's office is independent from the General Prosecutor, while the National Bureau of Investigation is subordinate to the Special Prosecutor's Office.

12. The Special Prosecutor's Office carries out the criminal prosecution and represents the accusation before the special courts, as well as before the Supreme Court. The Special Prosecutor's Office consists of at least 10 prosecutors, who are appointed by the High Prosecutor's Council for 9 years, without the right to reappointment. The head is elected from among the prosecutors of this prosecution with the majority of the members of the High Council of Prosecution, for 3 years, without the right to re-election, according to the law.

13. The candidate for prosecutor, investigation officer, administrative personnel of the Special Prosecutor's Office, the National Bureau of Investigation, as well as his family members, before the appointment, are subject to verification of assets and image, give consent to the periodic control of their bank accounts and personal telecommunications, according to the law.

14. The Special Prosecutor's Office arose as a need to have a specialized structure to efficiently investigate and prosecute difficult cases of corruption and organized crime, as well as crimes committed by important officials, independently and without any undue influence.

15. Special Prosecutors are independent in the conduct of investigations and prosecutions from any other prosecutor, including the Prosecutor General, even from the Director of Special Prosecutions himself and the actions of the National Bureau of Investigation. They have been given independence in making decisions without being influenced by illegal factors. They can even investigate and prosecute their own colleagues or judges of anti-corruption and organized crime courts.

16. Special judges and prosecutors have been given guarantees on their mandate, given that they are appointed by the HCJ and KLP, respectively, and can only be dismissed with 2/3 of their votes for serious disciplinary violations, and for rather, they can appeal against this decision to the Constitutional Court. In addition to procedural guarantees, judges, prosecutors and employees of the National Bureau of Investigation enjoy a more favorable financial treatment compared to their colleagues precisely to guarantee their independence and impartiality.

17. The High Judicial Council, as a governing body of the judicial system in Albania, has demonstrated a particular attention regarding the juvenile justice. In this regard, the HJC has drafted and approved the instruction no. 79, dated 30.05.2019, which set out the rules for the appointment of judges to adjudicate juvenile justice cases. According to this act, courts are required to promote and facilitate the attendance of judges in the continuing training programs in the field of juvenile justice, in order to specialize them on the related field. This act also instructs Courts of First Instance and those of Appeal of general jurisdiction to appoint at least 3 judges for criminal cases with children in conflict with the law or with children that are victims of crime.

18. The HJC in order to maintain and monitor the productivity and courts efficiency collects statistical data related to the number of cases and length of proceedings related to the criminal cases with children in conflict with the law or with children that are victims of crime.

19. At the Courts of First Instance during 2021, were registered 158 cases related to children in conflict with the law or victims of crime. During 2022, 9 judges have been trained on themes related to juveniles in conflict with the law and those who are victims of crimes by the School of Magistrates.

20. The High Judicial Council with decision No. 288, dated 18.12.2019 approved the establishment of the Special Courts Against Corruption and Organized Crime, which are specialized courts to adjudicates criminal offenses of corruption and organized crime, as well as criminal charges against the President of the Republic, the Chairperson of the Assembly, Prime Minister, members of the Council of Ministers, judges of the Constitutional Court and of the High Court, the General Prosecutor, the High Justice Inspector, the Mayor, the Deputy Minister, members of the High Judicial Council and of the High Prosecution Council, or even the accusations against the above former officials.

21. During the reporting period, the High Judicial Council (HJC) has appointed 5 judges in office and 2 assigned by the delegation scheme out of 16 foreseen by the Law 95/2016 and at the Special Court of First Instance Against Corruption and Organized Crime and 8 judges out of 11 at the Special Court of Appeal Against Corruption and Organized Crime. The process for completing these courts is on-going. Completion of these courts has faced many challenges which are related to the lack of applications due to the low interest of magistrates to apply for the announced vacancies in these courts.

22. Additionally, the legal framework in force has attributed to the HJC disciplinary competencies which are fully executed in cooperation with the High Inspectorate of Justice (IHJ) which is the responsible body to initiate the disciplinary procedure against the judge. Therefore, following the submission of requests for initiation of disciplinary proceedings by the IHJ, the IHJ reviews these requests based on the legal provisions governing disciplinary proceedings of judges in Law no. 96/2016, "On the Status of Judges and Prosecutors in the Republic of Albania", amended.

23. Regarding the cases verified and reviewed by the Council that are related to the suspected and ascertained situations for corruption: the HJC has decided the suspension from duty of one magistrate, judge of the Judicial District Court of Durrës, accused of committing the criminal offense of "Passive corruption of judges, prosecutors and other officials of the judiciary", in cooperation, provided by Article 319 / ç and 25 of the Criminal Code; the suspension from office of one magistrate of the Kruja District Court, after the request of the High Inspector of Justice; has accepted the request of the High Inspector of Justice for the dismissal of one magistrate, judge in Durrës the Court of Appeal found guilty for the criminal offense of "Passive Corruption", provided by Article 319 / ç of the Criminal Code.

24. Currently, the Special Prosecutor's Office has 17 permanently appointed prosecutors out of 20 prosecutors approved by the Assembly of Albania. The National Bureau of Investigation is subordinate to the Special Prosecutor's Office as a specialized unit to conduct efficient investigations on cases of corruption, organized crime and crimes committed by important officials, independently and without any undue influence. Like the Special Prosecutor's Office, this unit is also independent from the General Prosecutor. The Director of the BKH is appointed by the High Council of Prosecution with the proposal of the Special Prosecution. The BKH also has in its composition the services of the Judicial Police, composed of officers of the Judicial Police, from the State Police and other relevant institutions with the aim of cooperation and communication between the BKH and other institutions, as well as to help in investigations of the Special Prosecutor's Office, which are carried out by other institutions. BKH employees, after completion of training and appointment to office, remain in office for no less than seven years.

25. All state bodies are obliged to cooperate with the Special Prosecutor's Office and the National Bureau of Investigation for the investigation of criminal cases, according to the legislation in force. The selection process of the Manager and investigators is defined in the law no. 95/2016 "On the organization and functioning of institutions to fight corruption and organized crime".

26. Referring to the fight against corruption, for the reporting period, during 2019, for criminal offenses against corruption, the General Prosecutor's Office in cooperation with law enforcement agencies has conducted proactive investigations in the framework of 91 criminal proceedings. In this activity of proactive investigations, the prosecutors have played an active role in the process by finalizing the investigations with the red-handed arrest or detention of 72 suspected perpetrators involved in the commission of criminal offenses, both corruption and abuse of office, etc.

27. Referring to the statistical data for 2019, it results that the highest percentage in the proceedings registered for criminal offenses of corruption is occupied by Article 259 of the Criminal Code "Passive corruption of persons exercising public functions", namely 33.5% of the total corruption proceedings.

28. For corruption at high levels, for the year 2019, we single out a few cases, such as: the guilty plea and the conviction of 3 (three) former judges of appeal, each, for the criminal offense "Passive corruption of judges, prosecutors and officials others of justice"; the guilty plea and sentencing of 1 former judge of the first instance, for the criminal offense "Passive corruption of judges, prosecutors and other justice officials"; and –: guilty declaration and punishment of 1 former minister (interior), for the criminal offense "Abuse of office".

29. In the period November–December 2019, on the eve of the creation of the Special Prosecutor's Office, SPAK, the General Prosecutor approved the general instruction no. 9/2019, through which, with the creation and start of operation of the Special Prosecutor's Office, the transfer of cases was ensured in a unified manner, guaranteeing the implementation of the principle of legality, respect for the rights and freedoms of the persons under investigation, defendants and victims, maintaining the secrecy of the investigations and the continuity of the exercise of criminal prosecution in the transferred cases.

30. For the year 2020, criminal offenses in the field of corruption have been the subject competence of the Special Prosecutor's Office, in cooperation with both the new institutions of the fight against corruption and organized crime (SPAK), as well as with other specialized agencies relevant law enforcement.

31. From the statistical data, it results that in 2020, 25 criminal proceedings for criminal acts of corruption were registered in the prosecution offices of the general jurisdiction, in relation to 17 defendants. 3 proceedings with 3 defendants were sent to court and 20 defendants were convicted for these crimes.

32. Subject competence for criminal offenses according to articles 244, 245/1, 258 and 259 of the Criminal Code until June 2021 belonged entirely to the Special Prosecutor's Office. Meanwhile, the Criminal Code has undergone changes with the law no. 43/2021, and articles 244, 245/1, 258 and 259 of the Criminal Code have undergone additions. Also, with the changes in Article 39 of Law No. 41/2021 that amended Article 75/a of the Code of Criminal Procedure, entered into force on June 1, 2021, the amended articles (244§1, 245§1 and 3, 258§1 and 259§1 and 3) of the Criminal Code have passed to the prosecutions at the courts of general jurisdiction.

33. As a result, referring to the statistical data for the year 2021, a significant increase is observed for these groups of corruption offenses under the competence of the general jurisdiction. Thus, 100 proceedings with 87 defendants were registered and 54 proceedings with 55 defendants were sent for trial.

34. For the first 3 months of 2022, 48 proceedings were registered for criminal offenses in the field of corruption. 28 proceedings with 30 defendants have been sent for trial.

35. Regarding the phenomenon of the fight against corruption, the General Directorate of Prisons has established and referred to the criminal prosecution bodies, cases on the illegality of the performance of duties by senior officials or staff of institutions of the penitentiary system. The DPB has documented and prosecuted the illegal activity of officials such as: falsification of employment documents of prisoners, misuse of duty, introducing or keeping prohibited items in the IEVP, exercising illegal influence on persons exercising public functions.

36. Regarding the setting in motion of the High Judicial Inspectorate, the High Judicial College and the High Prosecutorial College (or/and other structures), the DPB denounced with specific names of judges and prosecutors for decision-making in favor of prisoners, contrary open with the law, and has even addressed several criminal reports to SPAK against 14 magistrates.

37. DPB has improved inter-institutional cooperation with other law enforcement institutions such as: cooperation and coordination with the General Prosecutor's Office; in the interest of efficient execution of criminal decisions against convicts, in-depth investigation of criminal offenses committed in prisons, access to the database "Management of information of the penitentiary system", cooperation and coordination with the Special Structure of Anticorruption and Crime (SPAK), cooperation and coordination with the State Information Service (SHISH), etc.

Article 4 – State of Emergency

38. Albania has approved the law. No. 15/2016 "for the prevention and fight against infections and infectious diseases". Article 7, point 3 and 4, is somewhat compatible with the Covenant, but with some derogations from the Covenant in relation to the COVID-19 pandemic, such as the complete shutdown for two months in 2020, mandatory masks in open spaces, online schools according to article 7 points 4 and 5 of the law also and according to CCPR/C/128/2, meeting the strict requirements for proportionality with the urgency of the situation regarding duration, geographical space and material extent.

39. On March 24, 2020, a State of Natural Disaster is declared in Albania, based on the situation caused by Covid. The Albanian Government and health authorities took immediate measures to face the outbreak of COVID-19 in the health and economic plan.

40. The Ministry of Health and Social Protection undertook a series of measures, not only to prevent the spread of this virus, but also to help, providing the necessary support for groups in need. All marginalized and vulnerable groups were given priority for testing and treatment during the COV-19 pandemic with the cooperation of local governments.

41. Among the measures taken for communities and large population groups, as far as social protection programs are concerned, were:

(a) Through the cooperation between the central and local governments, it became possible to set up the Inter-institutional Working Group for the implementation of DCM no. 236, dated 19.03.2020 "On taking measures to provide housing assistance to the needy, in the conditions of the epidemic caused by COVID-19". Help for needy families and needy pensioners was the main focus in the early days of the pandemic, where municipalities mobilized widely to assist these social strata.

(b) 233,248 families received food and non-food assistance, such as: the provision of assistance in housing, including the delivery of payments benefited from the social protection program (WE and PAK) and social insurance (disabled workers and pensioners); sending food and non-food packages and reimbursable medicines, as well as the homeless and those who have lost their homes due to the earthquake that hit Albania 1 year ago.

(c) Pursuant to DCM no. 254, dated 27.3.2020, additional payment was made in the form of financial assistance for individuals and families who benefit from economic assistance payment (2 times the NE payment). 63,508 beneficiary families benefited from this measure.

(d) The government supported with financial assistance of 16,000 (sixteen thousand) ALL the families that had applied for economic assistance from July 2019 to April 2020, but that had no beneficiaries from the NE scheme nor from fund 6 percent. Accordingly, 4524 families were treated with this payment based on decision no. 341, dated 23.4.2020 of the Council of Ministers "On some additions and changes to decision no. 305, dated 16.4.2020, of the Council of Ministers, "On the determination of procedures, documentation and the extent of benefiting from financial assistance for current employees and employees dismissed as a result of COVID-19".

(e) In order to minimize the risk of the spread of the epidemic, during the natural disaster, applications for economic assistance were made electronically or through the postal service, and family verifications and 3-month declarations were suspended, based on Order no. 213, dated 31.03.2020 “On taking measures to prevent the infection by COVID-2019 of applicants for economic assistance.

(f) The functioning of the evaluation commissions for disabled persons and work invalids was suspended, and measures were taken for the non-interruption of disability payments and disability pensions until the re-evaluation will take place after the reactivation of the commissions, based on of the Order of the Minister of Health and Social Protection no. 226, dated 02.04.2020 “On the suspension of the functioning of the evaluation commissions for persons with disabilities and work disability.

(g) The government stopped visits to care homes for the elderly without families, having a 24-hour service within residential environments, implementing hygiene measures and self-quarantine of employees of these services within the institutions where they work.

(h) Visits to all other public and non-public residential social care institutions (for children, for PWD) of family members, friends and relatives of the beneficiaries were prohibited, in order to prevent their infection by COVID-19.

(i) The staff of the institutions that self-quarantined, were treated with additional salary based on DCM No. 371, dated 06.05.2020 “On awarding remuneration to personnel serving in Residential Care Institutions, which are under the administrative responsibility of the State Social Service and Municipalities”.

(j) All these measures resulted in no elderly or children in our care institutions being affected by this virus.

(k) Order No. 290, dated 04.05 2020 “On the approval of the protocol for the operation of public and non-public residential centers, which provide long-term housing services for the elderly during the period of natural disaster due to the Covid-19 epidemic” addressed the defense of the most vulnerable category against this condition, the elderly.

(l) Contacts were established with the local health care units for monitoring the health situation of the beneficiaries and following the Protocols Approved by the Ministry of Health and Social Protection and the Institute of Public Health for any suspected case, and hygiene and sanitary measures were added, in implementation of Order no. 157, dated 10.03.2020 of the Minister of Health and Social Protection “On taking measures to prevent infection by COVID-19 of beneficiaries of social care services”, amended.

(m) By Order No. 386, dated 23.06.2020 of the Minister of Health and Social Protection was approved “Protocol for the operation of public and non-public, non-residential centers that provide services for persons with disabilities, during and after the period of the natural disaster, until the end of the measures of physical/social distancing due to the COVID 19 epidemic”. This guidance aimed to ensure continued support for children/youth with disabilities by providing psycho-social support to parents of children/youth in general and in particular, under conditions of increased stress due to COVID-19 and accompanying austerity measures.

(n) The Ministry of Health and Social Protection, following the implementation of the Social Fund program, realized, in April 2020, the disbursement of funds for 14 Municipalities in the amount of 61 ml ALL, thus providing financial support for the establishment or expansion of services, mainly community services for different categories of beneficiaries.

(o) The Ministry of Health and Social Protection in cooperation with the WHO office and the UNICEF office in Albania organized an online training package “Mental Health and Psychosocial Support in Emergency Situations”. These trainings aimed to equip frontline professionals with a basic understanding of the concepts, knowledge and tools to protect and improve people’s mental health and psychosocial well-being during an emergency situation.

(p) Also, regarding psychosocial support in the context of the Covid-19 pandemic, starting from May 2020, the Ministry of Health and Social Protection offered free psychological counseling online, through the green line 0800 40 40.

42. Addressing domestic violence and violence against women: Despite the difficulties created by coping with the COVID-19 pandemic, there have been significant developments to address violence against women and girls and domestic violence, both in terms of improving of the legal framework and policies, as well as in terms of strengthening the capacities of the members of the Coordinated Referral Mechanisms, or increasing public awareness, etc.

43. During the period of restrictions and closure due to Covid-19, the Ministry of Education, Culture, Sports and Science, undertook a series of actions to inform women, young people, girls and the community as a whole about the importance of support and the continuation of services for victims of violence against women and violence in the family, during the entire period of the state of natural disaster.

44. Also, the Ministry of Health initiated the undertaking of joint actions with line ministries and local self-government units to ensure immediate protection of cases of family members who could suffer violence in conditions of isolation due to the pandemic, as well as to adapt and not interrupt services specialized supports.

45. Disability: The Ministry of Health and Social Protection was assisted by UNDP to develop the Protocol for the Operation of Public and Non-Public Residential Centers, the provision of services to Persons with Disabilities, during and after the period of natural disasters, until the end of physical/social distancing measures due to the COVID-19 pandemic, approved by Order of the Minister of Health and Social Protection, no. 381, dated 23.6.2020.

46. The Ministry of Health and Social Protection has collaborated with UNDP to identify areas of emergency support, aiming to reduce the impact on the poorest and most vulnerable groups. This led to the activation of the network of professionals of development centers for children with disabilities to support them with specialized online social services.

47. Support has been provided to the Albanian National Association of the Deaf to provide reliable and up-to-date information about COVID-19 in sign language to the hearing-impaired community, as well as to establish and maintain a 24-hour hotline for information/referral services for this community. Daily press releases from the Ministry of Health and Social Protection were accompanied by sign language interpretation.

48. Measures taken for Roma and Egyptian communities:

- Interest and electricity delays were waived for all Roma people and Egyptian families.
- Rent expenses for 385 families benefiting from social housing were covered by the Municipality of Tirana, during the period March–April 2020.

49. Measures taken for children: The Ministry of Health and Social Protection has approved Instruction No. 253, dated 10.04.2020 “On the management of cases of children in need of protection, during the period of natural disaster due to the epidemic caused by COVID-19”. This instruction defines the concrete procedures and actions of child protection structures for the management of cases of children in need of protection during the period of the epidemic caused by COVID-19, where, among other things, the close cooperation of child protection workers is emphasized. children in municipalities or administrative units with health workers and school psychologists to update information about the identification and treatment of suspected cases of COVID-19 in their territory, referral of cases of children who need protection, as well as cases of children who are without parental care because the parent/legal guardian has been hospitalized or passed away as a result of the COVID-19 epidemic.

50. The services that offered remote psychological support were as follows:

(a) The new free psychological service for all citizens and for children who need it in a pandemic situation, published on the website of the Ministry of Health and Social Protection – Green line 0884040 that operates every day from 08.00–22.00;

- (b) National Child Counseling Line free of charge ALO 116 111;
- (c) Online counseling on the platform www.nukjevetm.al. The platform offers counseling through messages, or individual therapy through the chat service;
- (d) The service offered by the Order of Psychologists, through “Albanian Psychologists Online”, which has published on the official website the lists of psychologists available to respond to citizens. (<https://arsimi.gov.al/kontakto-psikologun/>).

Article 2, 20 and 26 – Non-discrimination: Effective legal remedies against rights violations

51. The Constitution of the Republic of Albania clearly defines the principle of equality before the law and the prohibition of unfair discrimination for reasons such as gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic, educational, social status or parental affiliation (Article 18). The constitution and the legal, institutional framework and policies according to the fields are based on the principle of non-discrimination for the reasons also provided by the ICCP Pact, as well as the taking of legal measures or other measures necessary for the implementation of civil and political rights.

52. The Assembly of the Republic of Albania has approved Law No. 10221, dated 04.02.2010 “On protection from discrimination”, amended, which entered into force on March 13, 2010. The purpose of this law is to ensure the right of every person to equality before the law and equal protection by the law, equality of chances and opportunities to exercise the rights and freedoms of the individual as well as effective protection from discrimination.

53. On 15.10.2020, with Law No. 124/2020 “On some additions and changes to Law No. 10 221, dated 04.02.2010 “On Protection from Discrimination”, the legal amendments to the Law “On Protection from Discrimination” were approved. These changes are summarized as follows:

- In Article 1 of the law, where the protected causes for which discrimination is prohibited are presented, discrimination due to citizenship, sex characteristics, living with HIV/AIDS and external appearance was added.
- Addition of new forms of discrimination (such as multiple discrimination, intersectional discrimination, hate speech, segregation, sexual harassment, structured discrimination, incitement and aiding and abetting discrimination and declared intent to discriminate), referring to international practice as well as current social circumstances. There has also been a reformulation of the existing forms of discrimination, such as the case of “victimization”. (Article 3)
- Serious forms of discrimination are provided as a separate provision, which will be considered such in those cases when the discriminatory behavior is motivated by more than one cause, is committed more than once, when it has lasted for a long period of time, or when it has had particularly harmful consequences for the victim. In such cases, the law has provided for a doubling of the sanctions. (Article 3/1 and Article 33)
- The obligation of public authorities to promote equality and to prevent discrimination during the exercise of their functions was emphasized. (Article 7, point 3)
- The conditions to be elected as Commissioner for Protection from Discrimination have been added and reformulated, where, among other things, it is provided that the candidate must have high moral integrity and outstanding activity in the community; to have a second-cycle university degree or a degree combined with it, in accordance with the rules for combining degrees according to the legislation in force; or have work experience of not less than 5 years in the field of freedoms and human rights and the law. (Article 24, letters “a”, “b”, and “c”)
- Some of the powers that the law recognizes to the Commissioner for Protection from Discrimination have been added and changed, where among others we mention the power to examine complaints from persons or groups of persons who claim to have been discriminated against, as provided not only in the Law on Protection from

Discrimination, but now also in the Law “On Gender Equality in Society”. The Commissioner’s right to monitor the implementation of the Law “On Gender Equality in Society” has also been added as a competence. It is determined that the Commissioner has the competence to review complaints from organizations that have a legitimate interest to act on behalf and with the written consent of individuals or groups of individuals who claim that discrimination has occurred or on their behalf for issues related to collective interests. It is worth emphasizing as an achievement the addition to the law of the Commissioner’s right to file lawsuits, in defense of the principle of equality and non-discrimination, for issues related to collective interests, as well as the right to move the Constitutional Court, when in the course of its activity, finds that the law or normative act violates the fundamental rights and freedoms of individuals. (Article 32)

- The obligation of all public institutions and private entities to support the Commissioner, providing him with the information he needs and guaranteeing access to information in the fulfillment of his duties, in accordance with the legislation regulating the right to information and protection, has been reiterated of personal data. (Article 32)
- In order to motivate the increase in the number of complaints related to individuals from the LGBTI community, but also complaints related to reporting cases of sexual harassment in the workplace, the previous law has repealed the provision which sanctioned that the Commissioner does not consider anonymous complaint, which means that now the cases cited above can file anonymous complaints. (Article 33)
- The possibility of complaining entities to address the Commissioner for Protection from Discrimination has been expanded, since the new changes have increased the time limit from one to two years, within which the complaining party can submit the complaint.
- In the legal changes, the active role of organizations with legitimate interests is determined by enabling them to submit complaints directly to the institution, in representation of collective interests or they can present reliable information for the initiation of investigations mainly by the Commissioner. Civil society organizations can now file lawsuits for discrimination in defense of collective interests directly in court. (Article 33 and Article 34)
- One of the innovations of the law changes is the “shifting of the burden of proof”, passing it to the subject who is alleged to have committed discriminatory behavior. (Article 33)
- As a new addition to the law, there is the possibility of obtaining experts when examining the case depending on the complexity of the field being investigated (professional opinion).
- The procedure for the execution of fines and decisions of the Commissioner has been added as a separate provision, according to which the decisions of the Commissioner’s fines, unappealed within the term provided for in the law, are converted into an executive title and are mandatorily executed by the enforcement office, at the request of the Commissioner. (Article 33/1)

54. Law No. 10 221/2010 “On Protection from Discrimination” places the Commissioner for Protection from Discrimination in a broad relationship with the court, providing enough powers regarding the institution’s participation in court proceedings. The decisions given by the Commissioner are appealable in court. In the event that the entity found in violation judicially opposes the Commissioner’s decision-making, the latter is summoned by the court in the capacity of the defendant.

55. Also, the Law foresees the obligation of the court to notify the Commissioner of the filing of any claim for discrimination (Article 36, point 3) and has the right to ask the Commissioner, at any stage of the proceedings, to submit an opinion in writing, the results of his investigation, if the investigation was done, or any other information that is important for the case (Article 36, point 4 and Article 32, point 1/gj). In these cases, the KMD is called by the court, in the capacity of the third person in the trial.

56. Another aspect of the Commissioner's participation in the judicial process is the one where the KMD appears before the court as a petitioner, for issuing execution orders, for executive titles, his fine decisions. In case the court accepts the request of the KMD, the Office of the KMD proceeds with the request for the execution of the executive title, in the relevant executive offices.

57. For the period 2013–2021, the Commissioner for Protection from Discrimination has been called in a total of 537 court proceedings. Of which, in 254 cases, the KMD has been called in the capacity of the defendant, where the annulment or invalidity of the decisions of the KMD is requested, from the entities found in violation of the Law "On Protection from Discrimination", as amended, by decision of KMD. In 220 cases, the KMD has been called as a third party, where discrimination and compensation are sought in court. In these cases, KMD is summoned to trial by the competent Court as a third party, and submits a written opinion to the court. In 63 cases, the KMD has addressed the court as a petitioner, with the aim of issuing an execution order, for executive titles, decisions with fines of the Commissioner.

58. During the reporting period, the principles of equality and the prohibition of any form of discrimination provided for in the Constitution of the Republic of Albania, as provided for in Article 2/1 of the ICCPR Pact, have been included in various legal acts, as follows:

59. Law no. 93/2014 "On the inclusion and accessibility of persons with disabilities", which aims to: a) guarantee the promotion and protection of the rights of persons with disabilities to enable their full and effective participation, the provision of assistance and support, as well as the determination of public and non-public bodies, in the implementation of the principles of inclusion and accessibility.

60. The Evaluation Report on the LGBTI+ Action Plan 2016–2020 noted that Albania has made significant progress in recent years regarding the recognition of the rights of the LGBTI+ people; LGBTI+ has a consolidated and active community in the defense of their rights, while efforts to raise public awareness have continued; the Report also noted that there is still work to be done in terms of raising awareness in society, providing support with services and harmonizing legislation.

61. The Code of Administrative Procedures (approved by law no. 44/2015) provides for the principle of equality and non-discrimination. The public body, while exercising its activity, avoids any kind of discrimination for the specified reasons.

62. Law no. 121/2016 "On social care services in RSH" where the principle of non-discrimination for a set of reasons is listed among the basic principles for the provision of services. The law provides for the provision of specialized services for abused or trafficked women and girls, for pregnant women and girls or single parents with children up to 1 year old, etc.

63. Law no. 65/2016 "On social enterprises in RSH" which, among other things, aims to employ disadvantaged people in the labor market, such as: people who are treated with economic assistance, people with disabilities, orphans/orphans, women victims of violence and trafficking etc.

64. Law 97/2016 "On the organization and functioning of the Prosecutor's Office in RSH" which improves victims' access to information through the appointment of a public relations coordinator in each prosecutor's office, responsible for informing victims.

65. Law 18/2017 "On the rights and protection of the child", where equality and non-discrimination are mentioned in its general principles. The law defines what child protection means, clarifying "protection measures" due to violence, abuse, neglect or exploitation. For the first time, the protection of children in street situations or working/exploited for work is foreseen, addressing various forms of violence against children, such as bullying, violence in schools, in the family, sexual abuse, economic exploitation, children's safety on the Internet, unaccompanied children or victims of trafficking, etc.

66. Law no. 37/2017 "Code of Criminal Justice for Minors" which guarantees the principle of non-discrimination and provides a legal framework for criminal justice for children, promotes the reintegration of the child in conflict with the law, the protection of the

rights of the child victim and/or witness of the crime criminal and prevents re-victimization/secondary victimization of a child who has previously been a victim of a criminal offense.

67. Law no. 111/2017 “On legal aid guaranteed by the state”, is guided by the principle of equality and non-discrimination of individuals regarding the right to legal aid, professionalism in the provision of legal aid services. Among other things, it guarantees free legal aid for special categories: victims of domestic violence, sexual abuse, human trafficking, minors in conflict with the law, children in social care institutions, persons who have been violated and rights through an action or omission that constitutes discrimination, etc.

68. Law no. 96/2017 “On the protection of national minorities in Albania”, where the guarantee of non-discrimination and full equality before the law is given in its purpose.

69. In all strategies and action plans approved by the Government during 2021 such as: National Strategy for Gender Equality 2021–2030, Plan for Equality, Inclusion and Participation of Romani people and Egyptians 2021–2025, National Plan for Persons with Disabilities Limited 2021–2025, the Agenda for Children’s Rights 2021–2026, the National Action Plan for LGBTI+ Persons 2021–2027, it is intended that the fulfillment of measures and actions lead to a society based on justice and equality as well as empowering all individuals of society to enjoy equal rights and opportunities in all areas of life, a society that does not allow anyone to be left behind, and that is based on the principle of zero tolerance against all forms of violence including here also anti-hate language.

70. The Evaluation Report for the LGBTI Action Plan 2016–2020 brought some results showing that Albania has made significant progress in recent years regarding the recognition of the rights of LGBTI+ persons, there is a consolidated and active community in defense of their rights, while efforts to raise public awareness have continued. It also showed that there is still work to be done in terms of raising awareness of society, support with services and harmonization of legislation.

71. By DCM number, dated 18.11.2021, the National Action Plan for LGBTI+, 2021–2027 was approved, which focuses on measures to combat hate speech and discriminatory language used against LGBTI+ persons.

72. Roma and Egyptians: During the period 2021–2025 the National Action Plan for Equality, Inclusion and Participation for Roma and Egyptians defines priorities in the areas of: access to justice, education and culture, employment, housing, social protection, and anti-Gypsyism by respect the principles of equality and non-discrimination, in accordance with international standards, and within the framework of the implementation of conventions and the legal framework for the respect of human and minority rights.

73. Albania recently organized the Fifth Albania-EU Political Dialogue Seminar on the inclusion of Romani people and Egyptians and we are in the process of approving joint recommendations.

74. The Ministry of Health and Social Protection cooperates with local units, drawing up social plans, where all groups in need are included. Local plans have been initiated by the Council of Europe for 10 municipalities.

75. The Roma people and Egyptian communities have benefited from the easing of procedures in the implementation of the economic assistance scheme and also from the doubling of economic assistance payments during the pandemic. 2344 Roma people and Egyptian families benefited from the economic assistance scheme in 2019, 3068 families in 2020 and 3339 Roma people and Egyptian families in 2021.

76. Roma people and Egyptian families are beneficiaries of initiatives such as Baby bonus cheque. During 2019, 35,000 mothers benefited; in 2020, 36,161 benefited, and in 2021 there are 43,159 mothers benefiting from this social policy, with a positive impact for Roma/Egyptian mothers and families.

Article 3 and 25–26 – Gender Equality

77. Law no. 9970/2008 “On gender equality in Albania” (Article 15/1) provides that equal gender representation in all bodies of legislative, executive and judicial power and in other

public institutions is achieved when: “a) representation is ensured to the extent of 30 percent for each gender, including in their governing bodies”.

78. In April 2015, legal amendments to the Electoral Code were approved, establishing a quota of 50% men and 50% women in the lists of candidates for councilors in local elections. The changes reflected the new territorial administrative division and addressed an OSCE/ODIHR recommendation to promote women candidates by increasing the gender quotas on the lists of candidate(s) for municipal councils to 50 percent, changing the gender in every second name.

79. With the law no. 101/2020 “On some additions and changes to law no. 10 019, dated 29.12.2008 “Electoral Code” provides for the respect of the principle of gender equality, according to the definitions given to this principle by the legislation in force in Albania. The obligation to respect the principle of gender equality belongs to the electoral subjects, the electoral administration and the court. The Central Election Commission has the right to intervene to stop the violation of this principle and, in case of non-action, to intervene primarily to restore it. The electoral law promotes gender equality for the elected bodies and the electoral administration through: setting gender quotas for the underrepresented gender in no less than 30% of the composition of the Assembly of Albania and the bodies of the basic units of local government; establishing gender quotas for the underrepresented gender in no less than 30% of the composition of all levels of the electoral administration.

80. During the last 5 years, numerous achievements have been evidenced in terms of empowering women, advancing towards gender equality and reducing gender-based violence and domestic violence.

81. The National Gender Equality Strategy 2016–2020 (SKBGJ 2016–2020) showed that it has been implemented in its entirety to the extent of 80%.

82. Concretely related to Strategic Goal 2: Guaranteeing factual and equal participation and engagement of women in political and public decision-making was achieved to the extent of 75.5%, recommending that the positive results achieved should be long-term and sustainable and they also extend to public decision-making and local self-government. These recommendations have been translated into measures and concrete actions in the new National Strategy for Gender Equality 2021–2030.

83. The Global Gender Gap Report 2021 of the World Economic Forum ranked Albania 25th out of 156 countries, with significant progress in the field of political empowerment.

84. The Gender Equality Index in the country, published for the first time in 2020, according to the established European methodology, ranks Albania better than the average of EU members in the field of power and shows that Albania’s progress towards of gender equality marks the value of 60.4 points, i.e. only 7 points less than the average of the Gender Equality Index of the countries of the European Union.

85. The implementation of gender quotas has resulted in a significant increase in the representation of women in political life and decision-making:

- In the X legislature (2021–2025) (parliamentary elections of April 2021), women hold 50 mandates out of 140 in total, or 35.7%. Compared to the 2017–2021 legislature, we have an increase of 3.2% (11 women/girls more). Women candidates during the 2021 parliamentary elections were 732 women/girls out of 1871 candidates in total or 39%.
- The President of the Assembly of Albania is a woman as well as one of the vice-presidents; 4 out of 8 permanent parliamentary committees are headed by women.
- The Albanian government consists of 16 ministers, 12 of whom are women.
- Local government: The results of the 2019 local elections are: 8 mayors out of 61 municipalities are women or 13%. Women councilors make up 44% of the total number of councilors in Municipal Councils.
- In police structures, the number of female employees is very low and there have been no significant changes in the last five years. For 2020, among 10,849 police officers, classified by rank and gender, 14.4% are women.

- The percentage of women in the Armed Forces in 2020 is 20%. The changes are small in the 5-year period, 2016–2020, for both sexes.
- Decision-making and business: In 2020, the percentage of women owners or administrators in active enterprises is 25.5%. The percentage of women owners or administrators in 2020 has increased, compared to 2019.

Article 2–3, 6–8, 24 and 26 – Violence against women

86. With the approval of the amendments to the Criminal Code, domestic violence is envisaged as a separate criminal offense, providing also for special cases of domestic violence. Punishment measures have been toughened and perpetrators face criminal legislation and are punished, regardless of the victim’s withdrawal from the process.

87. In the Criminal Code, domestic violence is defined in Article 130/a:

- Beating, as well as any other act of physical or psychological violence, against a person who is a spouse, ex-spouse, cohabitant or ex-cohabitant, close relative, close relative or in a relationship or former intimate relationship with the perpetrator of the criminal offense, with the consequence of violating his physical, psycho-social and economic integrity, he is sentenced to imprisonment for up to three years.
- Serious threat of murder or serious injury to a person who is a spouse, ex-spouse, cohabitant or ex-cohabitant, close relative or close relative or in a relationship or former intimate relationship with the perpetrator of the criminal offense, resulting in violation of his mental integrity, is punishable by imprisonment for up to four years.
- Intentional injury to a person who is a spouse, ex-spouse, cohabitant or ex-cohabitant, close relative or relative or in a relationship or former intimate relationship with the perpetrator of the criminal offense, which has caused temporary disability at work for more than nine days, shall be punished by imprisonment of up to five years.
- It has also been determined that in case these crimes are committed repeatedly or in the presence of children, the punishment is increased from one to five years of imprisonment.

88. Article 102 of the Criminal Code also provides: “Forcible sexual relations, with adults or between spouses or cohabitants, without the consent of one of them, is punishable by imprisonment from three to ten years.” When sexual intercourse with violence is carried out in cooperation or more than once, or when serious health consequences are caused to the victim, it is punished with imprisonment from five to fifteen years. When the crime resulted in the death or suicide of the victim, it is punished with imprisonment from ten to twenty years.”

89. Measures taken to prevent and fight against domestic violence and gender-based violence:

- (a) Improving the existing legal framework and raising capacities in this direction
 - Approval of Law no. 35 dated 16.04.2020 “On some additions and changes to law no. 7895, dated 27.1.1995, “Criminal Code of the Republic of Albania”, amended. The main change of the Criminal Code consists in the criminalization of psychological violence, the protection of persons in a relationship or former intimate relationship with the perpetrator of the criminal offense, etc., so the content of Article 130/a is harmonized with Article 3 of the Istanbul Convention and changes in the law for domestic violence.
 - Approval of Law no. 125, dated 15.10.2020 “On some additions and changes to law no. 9669, dated 18.12.2006 “On measures against violence in family relationships”, amended. Special attention was given to women, girls, children, the elderly and persons with disabilities; order from the court, as a protective measure of domestic violence, for the immediate removal of the abuser from the apartment for a certain period of time, when the victim and the abuser live in the same shelter; addition of the article on the rehabilitation of offenders; inclusion in the order for the precautionary measures of immediate protection,

of the immediate removal of the abuser from the apartment, when the victim and the abuser live in the same shelter, unless the abuser is a minor, elderly or disabled person – until the court issue the immediate protection order or protection order; etc.

- Regarding the changes in Law No. 9669/2006 “On measures against violence in family relations” amended by Law No. 125/2020, the Ministry of Education, supported by international partners (UNDP) has undertaken training sessions with local coordinators against domestic violence (KVDH) in the country’s municipalities and Coordinated Referral Mechanisms (CRM).
 - Drafting and approval of DCM no. 327, dated 02.06.2021 “On the mechanism of coordination of work between the responsible authorities, for the referral of cases of violence in family relationships, as well as its proceedings, for the support and rehabilitation of victims of violence” .
 - Approval of the Standard Operating Procedures (SOP) in the field of health and social care services for handling cases of domestic violence and in civil emergency situations, approved by Orders 100, 101 and 102 of the Minister of Health and Social Protection.
 - Drafting of three unified protocols in support of the Coordinated Referral Mechanisms (CRM) such as: Protocol for the management of Domestic Violence cases, Protocol for Sexual Violence in adults/adults, Protocol for the management of Domestic Violence cases in the situation emergency, from the members of the Coordinated Referral Mechanisms. In parallel, the local coordinators/coordinators were trained for the implementation of these protocols as well as the members of the MKRs (with the support of UNDP).
- (b) Approval and implementation of Gender Equality policies
- Approval of the National Strategy for Gender Equality, 2021–2030. “SKBGJ 2021–2030” is the fourth of its kind and reflects (like the previous strategies), the priority and special attention that the Government of Albania pays to achieving gender equality, as well as reducing gender-based violence and domestic violence , considering their proper addressing as conditions towards sustainable development.
 - Specifically for violence against women and violence in the family, in the strategic goal III of the Strategy, a set of objectives, measures and actions are foreseen which aim precisely to reduce violence in the family and all forms of gender-based violence. This is also the strategic goal that has the greatest weight in financial terms in the implementation of the strategy, namely 63.8%
- (c) Services for violence against women and domestic violence
- Several specialized support services operate in the Republic of Albania for people experiencing situations of vulnerability to gender-based violence or domestic violence, organized in short-term (emergency) and long-term shelters, counseling centers for women and girls, real victims and the potential of domestic violence or trafficking, which are managed by state structures and NGOs.
 - Among the 27 services that operate in total in Albania for the entities provided by law, with the object of housing, health, legal, psychosocial, protection, security and anti-trafficking services, education, childcare and telephone counseling, 18 of them are classified as shelters, 5 as counseling lines, 1 specialized center for handling cases of sexual violence.
 - Of the 18 shelters that offer services, 7 of them are long-term and 11 are short-term. The management system of shelters and day counseling and training centers is divided as follows: 14 of them are under the jurisdiction of state entities and another 13 under the jurisdiction of NGO structures and are generally distributed throughout the country.

90. Counseling for Women and Girls 116–117, a 24/7 service operating according to standards approved in accordance with the Istanbul Convention, offers psycho-emotional support, primary and secondary legal assistance, referral and counseling. For 2021, there were a total of 3469 phone calls from all over the country and 827 face-to-face counseling sessions were conducted. The calls came from all over the country, but the largest number of calls came from residents of Tirana District. During the reporting period, violence perpetrated against clients who called or received face-to-face counseling was mainly psychological (56%), physical (48%), economic (33%) and sexual (8 cases).

- The National Center for the Treatment of Victims of Domestic Violence and the National Center for Victims of Trafficking deal with the integration and reintegration of women and girls, survivors of domestic violence or trafficking.
- The National Center for the Treatment of Victims of Domestic Violence (under the jurisdiction of the State Social Service), is a long-term residential housing center. During 2020, a total of 60 residents were treated, of which 23 were women and 37 were children. During 2021, a total of 85 cases were treated, of which: 38 women and 47 children of which (28 girls + 19 boys). During the period January 1, 2022–June 1, 2022, a total of 48 cases were treated in Q.K.T.V.DH.F, of which 19 women and 29 children (26 girls + 13 boys). 31 residents entered the center's program, of which 14 women + 17 children (9 girls+8 boys) and 34 residents of which 14 women+20 children (11 girls+9 boys) have graduated from the program. 34 residents (14 women + 20 children) have left the program.
- The LILIUM Center, the first center dedicated to victims of sexual violence, continues to support victims of sexual violence with specialized one-stop services. Since December 2019–May 31, 2022, 106 victims of sexual violence have been treated, over 80% children and over 90% women/girls. For the period January–May 2022, 14 cases, all girls under the age of 18, were treated at this center.
- The Social Fund is an important source of financial support in terms of financing or co-financing of services and projects in the field of violence against women and domestic violence. For 2021, the amount financed by the Social Fund for services for victims of domestic violence and in situations of danger, in four municipalities is 11,258,165 Lek (Gjirokaster, Berat, Kukes and Maliq). During 2021, 125 cases of domestic violence were treated in these services, as well as preventive services of awareness and continuous counseling of groups at risk and the community were offered. The support has continued to guarantee the stability of these services for the year 2022 in the amount of 7,126,725 All.
- The Ministry of Health and Social Protection has supported the provision of multifunctional community services, with a focus on the prevention of problems that cause and promote domestic violence, in 3 municipalities for 2021, in the municipalities of Durrës, Elbasan, Pogradec in the amount of 11,035,627 All and the treatment of psychosocial support and empowerment for 158 cases of girls and women in need of support and empowerment in risk situations.
- The support has continued to guarantee the sustainability of these services even for 2022, for 4 multifunctional services as well as the opening of a new multifunctional service in the Municipality of Sarande and Devoll, in the amount of ALL 16,179,731.
- Support from the Economic Assistance scheme for victims of domestic violence: Victims of domestic violence are defined as beneficiaries of economic assistance, based on the relevant legislation. The amount of economic assistance for victims of domestic violence (including women and girls) who are provided with a Protection Order until the end of December 2021 was 3000 ALL. For the year 2021, there are 694 victims of domestic violence equipped with a Protection Order who benefited from economic assistance in the amount of 3000 ALL.
- In December 2021, DCM No. 898, dated 29.12.2021 “For some additions and changes in DCM No. 597, dated 4.9.2019...” changed the amount of economic aid for some categories. According to this decision, the amount of economic assistance was tripled and victims of domestic violence will benefit from 9,000 ALL from January 2022.

For the period January–March 2022, it turns out that 835 victims of domestic violence provided with a Protection Order have benefited from economic assistance.

91. Coordinated Referral Mechanisms (CRMs) have already been established in all municipalities in the country (61 municipalities). Meanwhile, the work is continuing to strengthen and increase their effectiveness and accountability in the way of handling cases, as well as to perform all the functions related to coordination, prevention and information, training and strengthening the capacities of professionals, collection, processing and data analysis, as well as documentation.

92. Trainings accredited by ASPA and UNFPA have been carried out to increase the capacities of local coordinators against domestic violence, with the support of UNDP, in matters of law enforcement, use of the REVALB system, case management during the pandemic, for protocols related to domestic violence and sexual violence.

93. During the last two years, which also coincides with coping with the situation of the COVID-19 pandemic, there have been important developments to address violence against women and girls and violence in family relationships, both in terms of improving the legal framework existing and the adoption of important strategic documents (such as the new National Strategy for Gender Equality 2021–2030), as well as in terms of strengthening the capacities of local coordinators/coordinators against domestic violence and members of the Coordinated Referral Mechanisms, or even in increasing public awareness, etc.

94. During the period of restrictions and closure due to Covid-19, the Ministry of Health and Social Protection, undertook a series of actions to inform women, young people, girls and the community as a whole about the importance of support and continuation of services for victims of violence against women and domestic violence, throughout the period of the state of natural disaster.

95. The respective ministries of Education and Culture also initiated joint actions with line ministries and local self-government units to ensure immediate protection of cases of family members who could suffer violence in conditions of isolation due to the pandemic, as well as to adapt and not discontinued specialized support services.

96. In all the actions undertaken, the Ministry of Health relied on international guidelines and took care to report to the important bodies that take care of maintaining service standards and protecting women and the family from violence. All these initiatives or measures have been undertaken in close cooperation with central and local public institutions, independent institutions, civil society, international organizations that operate in Albania in the field of protecting the rights of women and girls, etc.

97. As main actions we can mention:

- Approval of the Standard Operating Procedures (SOP) in the field of health and social care services to reduce the risk of experiencing domestic violence and gender-based violence, in situations of civil emergencies”, approved by Order No. 102, dated 21.02.2020 of the Minister of Health and Social Protection.
- Approval of the “Protocol for the operation of public and non-public residential centers that provide housing services for victims/survivors of domestic violence and for victims/survivors of trafficking in the situation of the COVID-19 pandemic, by Order of the Minister of Health and Social Protection No. 254, dated April 10, 2020.
- Approval of Instruction No. 253, dated 10.04.2020 “On the management of cases involving children in need of protection during the COVID-19 emergency”.
- Normative Act of the Council of Ministers No. 9, dated March 25, 2020 “On taking special measures in the field of judicial activity, during the duration of the epidemic caused by COVID-19” provided for the suspension of deadlines for filing lawsuits, complaints, as well as for the performance of any procedural action in the process administrative, civil and criminal, according to the provisions of this normative act. But this rule was not applied in cases related to domestic violence, child custody, children’s rights and the adoption process, as well as in some other civil and criminal cases.

- The free green line 08004040 was opened on the website of the Ministry of Education and Culture, which offered counseling and psychological support in case of fear, anger, stress, etc., due to COVID-19, which operated every day from 08.00–22.00, also as a another option that also tracked any potential cases of violence against women and domestic violence.
- The internal regulation of the operation of the “Lilium” Sexual Violence Crisis Management Center was drawn up, a supplementary document alongside the approved Protocol, focused on all the specifics of the services offered to the “Lilium” center during the COVID-19 pandemic.
- With DCM No. 85, dated 10.02.2021 “For an addition to decision no. 597, dated 04.09.2019, of the Council of Ministers, “On determining the procedures, documentation and monthly measure of the benefit of economic assistance and the use of the additional fund on the conditional fund for economic assistance.”, in order to mitigate the effects caused by the Covid-19 pandemic, vulnerable groups including victims of domestic violence provided with UM benefit from doubling the economic assistance for a period of 6 months, the financial effects began as of January 1, 2021.
- Through the financing mechanism of the Social Fund for the year 2021, two counseling lines and 3 services for the prevention of violence in the family, as well as the provision of community services for victims of violence, have been financed.
- Changes/improvements in the legal framework, such as in the Law on domestic violence, the Criminal Code, DCM for MKR, etc.

Articles 3, 6–7 – Voluntary termination of pregnancy and sexual and reproductive rights

98. Ministry of Health and Social Protection (MHSP) has implemented the National Action Plan of Sexual and Reproductive Health 2017–2021, as well as National Action Plan of Contraceptives 2017–2021. During 2021, the programs were evaluated and action plans are being updated.

99. MHSP, in the frame of the Reproductive Health Program, provides universal care to all women in need of abortion, or family planning irrespective of their ability to pay. The family planning service includes advice and provision of contraceptives. All primary health centers in the country are equipped with contraceptives for safe family planning. All aspects of the program, including the purchase of contraceptives, are financed by MHSP budget. The program is coordinated by Institute of Public Health (IPH). Safe abortion services are provided by qualified obstetrician gynecologists in designated clinics, at all regional hospitals. IPH applies a country wide case based abortion surveillance.

100. Evaluation of the program, carried out during 2021, demonstrated that most women using the family planning and other reproductive health care were satisfied with the service. Three main reasons for satisfaction of users were a) service provided by a qualified doctor or midwife, b) easy access and c) contraceptives received free of charge.

101. To improve awareness and literacy about reproductive health and rights among young people MHSP has carried out initiatives in collaboration with Ministry of Education, local governments and UNFPA. Comprehensive sexual education is now part of high school curricula, while a number of youth networks and participatory platforms, that promote sexual and reproductive health and rights, have been supported in Tirana and several other municipalities.

102. The new National Plan for Reproductive Health includes activities for improving continuous education of health staff and education of the communities.

Articles 6,7 – The right to life and the prohibition of torture, cruel, inhuman and degrading treatment or punishment

103. The Constitution of the Republic of Albania and the Albanian legislation in a number of provisions provide that no one can be subjected to torture, punishment or cruel, inhuman or degrading treatment, as well as the prevention of acts of torture or ill-treatment.

104. The Criminal Code, in articles 86 and 87, provides for torture as a criminal offense. Specifically, the intentional commission of acts, through which a person has been caused severe physical or mental suffering, by a person exercising public functions, or with his instigation or approval, open or silent, with the aim of to obtain from him or another person information or statements, to punish him for an act committed or suspected to have been committed by/or another person, to intimidate or put pressure on him or another person, for any other purpose of based on any form of discrimination and any other inhuman or humiliating act are punished, according to the legislation in force, with imprisonment from four to ten years.

105. Torture, as well as any other inhuman act, when it has resulted in mutilation, disfigurement or any permanent damage to the person's health or death, is punishable by imprisonment from ten to twenty years.

106. Article 5 of the Code of Criminal Procedure stipulates that no one can be subjected to torture, punishment or humiliating treatment and that those sentenced to imprisonment are provided with humane treatment and moral rehabilitation.

107. Article 54 of the Juvenile Criminal Justice Code provides for a general ban on the use of force, other means, and firearms. In no case shall physical force and other means be applied in a degrading or humiliating manner and shall not constitute torture or ill-treatment.

108. In Article 3, of Law no. 81/2020, "On the rights and treatment of those sentenced to imprisonment and pre-trial detention" defines the term "torture" providing that torture is any act through which prisoners are intentionally inflicted with severe physical or mental pain or suffering, when these pains or sufferings are caused by the personnel of the institution or another person, acting in the fulfillment of official duties or with his instigation or consent, carried out for one of the purposes provided for in the Convention against Torture and Other Cruel Treatment or Punishment, inhumane or degrading. The law aims to guarantee the conditions for the dignified treatment of detainees and those sentenced to imprisonment, the respect of their rights and fundamental freedoms and the prevention of cruel, inhuman, humiliating or degrading behavior or treatment.

109. Since 2008, based on law no. 8328, dated 16.4.1998 "On the rights and treatment of those sentenced to imprisonment" (amended), the institution of the People's Advocate exercises the functions of the "National Mechanism for the Prevention of Torture, cruel, inhuman or degrading treatment or punishment".

Article 9 – Freedom and security of the person

110. Based on Article 27 of the Constitution, no one can be deprived of their freedom, except in the cases and according to the procedures provided by law. Among other things, it is provided that the person's freedom can be limited, when there are reasonable suspicions that he has committed a criminal offense or to prevent him from committing a criminal offense or his departure after committing it. The person must be brought before the judge within 48 hours, who decides on his detention or release no later than 48 hours after receiving the documents for examination.

111. According to Article 28, the person who is deprived of his freedom has the right to be notified immediately in the language he understands, of the reasons for this measure, as well as of the charge against him, and this person must be notified that he has no obligation to make any statement and has the right to communicate immediately with the lawyer, as well as to be given the opportunity to exercise his rights". The detainee has the right to appeal against the judge's decision. In all other cases, the person, who is deprived of his freedom extrajudicially, can turn to the court at any time, which decides within 48 hours about the legality of this measure (Article 28/4). Every person who has been deprived of his freedom has the right to humane treatment and respect for his dignity (Article 28/5).

112. The Constitution (Article 30) states that "Everyone is considered innocent until proven guilty by a final court decision". According to Article 31, "during the criminal process, everyone has the right to be informed immediately and in detail about the accusation against him, about his rights, as well as to be given the opportunity to notify his family or relatives, to have sufficient time and facilities to prepare his own defense, to have the free help of an

interpreter, when he does not speak or understand the Albanian language, to defend himself or with the help of a legal defender chosen by him; to communicate freely and privately with him, as well as to provide him with free defense when he does not have sufficient means, to ask questions of the witnesses present and to request the appearance of witnesses, experts and other persons who can clarify the facts”.

113. Article 5 of the Code of Criminal Procedure stipulates that a person’s freedom can be limited by security measures only in the cases and ways defined by law. Further, Article 6 provides that the defendant has the right to defend himself or with the help of a lawyer and when he does not have sufficient resources, he is provided free defense with a lawyer in the cases provided by this Code. Pursuant to Article 38, the defendant, even when he is under solitary confinement or has been deprived of his liberty for any other reason, is interrogated freely, except in cases where measures must be taken to prevent the risk of escape or violence. Methods or techniques may not be used, even with the consent of the defendant, to influence the freedom of the will or to change the ability of memory and evaluation of facts.

114. According to Article 8, the Albanian language is used in all stages of the proceedings, while persons who do not know Albanian use their own language and, with the help of an interpreter, have the right to speak and receive information about the evidence and acts, as well as about the development of the proceedings. According to Article 8/a, the facts in the criminal process are proven with any evidence, provided that they do not infringe the fundamental human rights and freedoms and that the prosecuting body must collect and examine both the evidence that incriminates the defendant and those that are in his favor.

Article 7 and 10 – Treatment of persons who have been deprived of their freedom

115. Law no. 81/2020 on the rights and treatment of those sentenced to imprisonment and pre-trial detention provides that prisoners are treated with dignity and respecting basic rights in accordance with the legislation in force, as well as international acts binding on the Republic of Albania. Prisoners are treated equally, without bias and without discrimination for any reason provided by the legislation in force for protection against discrimination.

116. The Albanian penitentiary system has undergone profound transformations in recent years in the physical aspect of prisons, technology, etc., but what is most important in mentality and security.

117. The General Directorate of Prisons, in fulfillment of its mission to guarantee the safety, rights and treatment of prisoners with the main goal of ‘turning criminal punishment into an opportunity for re-education’, has had a main focus on increasing security in prisons, respecting the rights of prisoners and treating them in accordance with all international conventions in force, providing efficient health services, with a special attention to the mental one.

118. The rehabilitation and reintegration of prisoners constitutes the essence of the mission of the prison system. In function of this goal, continuous measures have been taken to make possible the implementation of a meaningful regime of activities for this category, specifically:

- Religious activities take place regularly in special premises.
- Rehabilitation programs are applied to each category of prisoners, which aim to modify criminal thoughts and behaviors.
- In cooperation with the Ministry of Education, Sports and Youth (MASR) it has become possible to expand the map of IEVP (Institution of Execution of Criminal Decision) where the educational process for prisoners takes place.
- The professional training process takes place in several IEVP: “Jordan Misja”, Durrës, Korçë, Rogozhinë, Kavajë, Vlorë, Fushë-Krujë, Berat, ‘Ali Demi’, Lushnjë and Fier.
- Minors and convicted women are activated in employment activities in pyrography, painting and arcraft.

- For the first time in the history of the prison system, the website ‘Made in Prison Albania’ was opened – where convicted women exhibit and sell their hand-made works of art.
- To encourage and promote the employment of convicts by third parties, discussion tables were organized with representatives from the business community and civil society organizations.
- Official communication has been undertaken with all Municipalities to facilitate the preparation for the release and reintegration after the release of the prisoners. We are in the process of establishing cooperation mechanisms in this regard.
- Sports activities are organized daily in IEVP.
- In every IEPP, special facilities have been adapted for the prisoners to develop their artistic and handicraft tendencies.
- Religious activities take place regularly in special premises.

119. Despite the measures taken, the regime of activities for prisoners still remains a challenge for our prison system, in terms of budgeting and increasing the number of prisoners who are motivated to be active in these activities.

120. With the support of the Council of Europe, the project “Strengthening human rights in the Albanian prison system” is being implemented, within the Horizontal Facility II Program. Rehabilitation programs and activities for prisoners are a component of this project. KiE experts are assisting the prison system with the necessary expertise in terms of strengthening the capacities of the prison system for drafting adequate policies for the education, professional training and employment of prisoners.

121. Increasing measures to deal with the situation of the Covid-19 pandemic:

- On 09.03.2020, the protocol “For taking hygienic-sanitary measures to prevent the spread of acute respiratory infections, including COVID-19” was approved. Further, other protocols were approved for the implementation of additional measures to prevent the spread of COVID-19 in the prison system.
- Video call applications were installed in each IEVP, as an alternative measure of communication with the family.
- Since March 2021 onwards, vaccination of all staff and prisoners in the entire prison system has continued (and is still continuing).
- The Council of Ministers has approved Normative Act No. 7/2020 “On granting temporary leave to convicted prisoners, who are allowed to stay at home for a period of three months”.
- 372 convicts have benefited from this act, according to the criteria of low dangerousness and convicts of the age group equal to or over the age of 60, who have been convicted for criminal offenses that do not constitute social danger, and suffer from chronic diseases such that in the conditions of the COVID-19 epidemic, they can pose a risk to life.
- Psycho-social staff have been present every day to the prisoners, offering the necessary psychological assistance and advice on managing the stress caused by COVID-19.

122. One of the main problems of the prison system over the years, which was overcrowding, has been completely eliminated. Currently, Albania is in conditions of underpopulation of prisons.

123. The elimination of overcrowding in prisons has come as a result of concrete measures, whether in investments, such as the opening of new prisons in Shkodër and Fier, investment by the European Union and the Albanian Government, as well as the construction of two new buildings in IEVP Jordan Misja, Tirana, The reconstruction of Buildings 4 and 5 in Lezhë (adapted for the accommodation of citizens with medical measures) investment of the

Albanian Government, as well as through the case-by-case performance of a careful study of the distribution and accommodation of prisoners in IEVP.

124. Prisoners benefit free of charge from all services offered by the health insurance scheme, based on DCM no. 337, dated 06.04.2011, “On the inclusion of persons sentenced to imprisonment and detainees in the economically inactive category” and the Memorandum of Cooperation between the Ministry of Justice and the Ministry of Health.

125. In each IEPP, the medical examination of all newly arrived prisoners is carried out within 24 hours of admission; through the check-up process, the control and voluntary testing for TB, HIV and hepatitis B / C was initiated this year, a process that was carried out by qualified doctors and that will continue to be carried out systematically. All medical examinations of prisoners are carried out in the special premises of the medical staff, out of sight and presence of non-medical personnel. Each IEVP administers a separate trauma register, where, as the case may be, all types of examined injuries are recorded. Medical personnel in prison institutions have a legal obligation to report to the competent prosecutor, within 48 hours, any injuries that indicate ill-treatment.

126. Citizens with acute or chronic health problems in the Prison System are treated with the same standards of public health institutions and are treated according to the recommendations of specialist doctors. 24-hour health service is provided in all Institutions for the Execution of Criminal Decisions.

127. In IEVP, regular visits are made by psychiatrists. Detainees or high security convicts with mental health problems are periodically consulted by psychiatrists of the IEVP and regional hospitals and are treated according to their recommendations in the relevant SKV (Special Care Units) or in separate rooms in the IEVP – where their number is low.

128. Based on the measures undertaken to improve the provision of health care in prisons, a part of the institutions that have SKV have been supplemented with a psychiatrist. All IEPPs that have persons with mental health problems are instructed on how to manage and follow them, in cooperation with regional public mental health structures.

129. The legal framework: foresees and guarantees all the necessary conditions that must be met by the environments where convicts live, the use of clothing and personal belongings, the maintenance of hygiene, adequate food, ventilation in open spaces for no less than two hours in days etc.

130. Law no. 37/2017 “Code of Criminal Justice for Minors” contains special regulations related to the criminal responsibility of minors, procedural rules related to the investigation, criminal prosecution, judicial process, execution of the criminal sentence decision, rehabilitation or of any other measure involving a minor in conflict with the law, as well as a minor victim and/or witness of a criminal offense. This Code also contains regulations for young people from the age group of 18 to 21 years, according to the provisions in its separate articles”.

131. Since October 2009, the full operation of the Juvenile Institute in Kavaja has started. In this institute, minors between the ages of 14–18, who have made a final decision, are treated. The treatment of convicted minors is carried out according to a plan, based on the needs, tendencies, capacities and psychological and health condition of minors, with the aim of facilitating the process of social rehabilitation through the participation of minors in educational activities, professional training, cultural-sports, etc.

132. For minors in the prison system, the following apply: Individual Treatment Program and rehabilitation programs “Introduction of thinking” and “Social Skills”; Educational program for compulsory and secondary education; Professional training program through professional courses and employment; Pro-social skills development program and aggressiveness management; Program of presentation of thinking; Art and sports therapy program; Distance parenting program to strengthen family ties; Program for mediation and resolution of conflicts and prevention of violence; Program for the prevention of radicalism and violent extremism.

133. The staff working with juveniles in prisons are continuously trained, and with the support of international organizations in the country, such as the Council of Europe, to give

the appropriate treatment to juveniles convicted, as well as to help them to re-integrate after the end of the sentence.

134. In order to re-integrate the minor after release, the “Protocol of the Referral System Mechanism” is implemented, through which every minor on the verge of release is addressed as a case to the Child Protection Offices in the Municipality.

Articles 2, 7–8, 24 and 26 – Elimination of slavery, servitude and human trafficking

135. The criminal procedural law has undergone significant changes regarding the subject competence of the investigation and trial of these crimes, as well as guaranteeing a more active role and important rights of the victim in the criminal process.

136. For these criminal offences, the exercise of criminal prosecution is under the competence of the prosecutors’ offices of general jurisdiction and for the trial, the courts of general jurisdiction. In cases where these crimes are committed within a structured criminal group or criminal organization, according to the provisions of the Criminal Code, the competence for their investigation is the Special Prosecutor’s Office, while the trial is the competence of the Court against Corruption and Organized Crime.

137. The prosecution body has paid special attention to the rights of the trafficking victim, where, in addition to what has been mentioned above, the elements related to the creation of suitable conditions for questioning the trafficking victim have been taken into account. Ensuring the presence of the social worker or psychologist, the accommodation of the victim of trafficking in reception centers where they benefit from accommodation, food and other free services, etc.

138. Statistical data show that during 2019, for the criminal offense of “Trafficking of adults”, provided for by Article 110/a of the Criminal Code, 19 criminal proceedings were registered at the prosecutor’s office and 2 proceedings were sent for trial in 2020, 23 criminal proceedings were registered and 1 proceeding was sent for trial, in 2021, 8 criminal proceedings were registered and 5 proceedings were sent for trial, while during the first three months of 2022, 24 criminal proceedings were registered and 2 proceedings were sent for trial for this deed.

139. For the criminal offense of “Trafficking of minors”, provided for by Article 128/b of the Criminal Code, for the year 2019, 6 criminal proceedings were registered at the prosecutor’s office and 1 proceeding was sent for trial, in 2020, 5 criminal proceedings were registered and 1 proceeding was sent for trial, in 2021, 2 criminal proceedings were registered and 25 proceedings were sent for trial, while during the first three months of 2022 there were no proceedings registered for this crime.

140. Regarding training and awareness programs for prosecutors and judicial police officers related to trafficking, in addition to training for the reporting period according to the program at the School of Magistrates, a series of trainings have been developed in cooperation with the support of international missions and projects that assist the prosecution system in order to strengthen the institutional and professional capacities of the prosecution and law enforcement agencies for a better response to trafficking and exploitation of human beings and better protection of victims and in particular women and children.

141. Within the framework of the Memorandum of Understanding no. 627, approved on 13.04.2021, between the General Prosecutor’s Office and the OSCE Presence in Albania “For cooperation and coordination in the implementation of projects and activities in support of the efficiency of the prosecution system Albanian”, its appendix II focuses on “Action against trafficking in human beings in Albania”, which has as its objective the contribution towards a general reduction of the spread of human trafficking in Albania.

142. Law No. 18/2017 “On the rights and protection of the child” Article 2, provides for “the effective mechanisms and operation of the institutions charged with taking concrete measures for the promotion, respect and protection of the rights of the child, as well as for establishing a system of integrated and functional child protection, for the prevention and efficient response to all forms of violence, abuse, exploitation and neglect”. The law is monitored by the State Agency for the Protection of Children’s Rights. At the same time,

DCM no. 129, dated 13.3.2019, “On procedures for the identification, immediate assistance and referral of economically exploited children, including children in street situations”.

Articles 7, 9, 12–13 and 24 – Treatment of foreigners, including immigrants, refugees and asylum seekers

143. Asylum seekers: Law no. 10/2021 “On asylum in the Republic of Albania” has been aligned with international standards and EU legislation on the proper treatment and management of refugees and immigrants entering the Albanian territory, as well as on their integration. The law guarantees that persons seeking asylum have access to the asylum procedure, regulates the conditions for the processing of their requests and provides additional guarantees for the treatment of sensitive categories among asylum seekers – such as unaccompanied minors. The law includes an expedited procedure to assess asylum claims quickly, when the conditions are met. The law stipulates that “Asylum” is the form of international protection that RS grants to refugees and persons under supplementary protection.

144. This law applies to all foreign nationals and stateless persons who have declared their intention to apply for international protection in the territory of the RS, as long as they are allowed to stay in the territory of the RS as applicants for international protection, as well as for their family members.

145. The law (Article 3) expressly provides that “non-refoulement” is the obligation of the prohibition to deport or return the foreign citizen or stateless person in any way to the borders of the territories where his life or freedom is threatened, for reasons of race, faith, nationality, membership in a certain social group or his political beliefs.

146. The principle of non-refoulement (Article 11) provides: 1. The applicant, the refugee, the person with the status of supplementary protection and temporary protection shall not be deported, returned or extradited outside the territory of the RS: a) to a state where the life or freedom of is threatened because of race, religion, nationality, membership in a certain social group or political beliefs; b) in a state where there are credible reasons that he may be in danger of being subjected to torture or inhuman and degrading punishment or any other treatment provided for in the European Convention for the Protection of Fundamental Rights and Human Freedoms, interpreted by the Court European or international agreements/conventions where the Republic of Albania is a party; c) in a country where there are credible reasons that he may be in danger of being subjected to enforced disappearance; ç) in his country of origin, in case foreigners have been granted one of the forms of protection in accordance with the provisions of this law.

147. In the law no. 108/2013 “On Foreigners” as amended, foresees the cases and treatment of foreigners who are subject to deportation from the territory of the Republic of Albania. In article 126 it is determined that at the request of the foreigner, or when determined by a bilateral agreement, through the Ministry of Foreign Affairs, the diplomatic or consular mission of the country of the detained foreigner is immediately notified of his detention, as well as the extension of the ban period. In case the foreigner has requested asylum or enjoys the status of refugee or other protection from the Republic of Albania, this information will not be disclosed to the consular or diplomatic representative of his country.

148. Article 127 of this law provides for the rights of the foreigner detained in the closed center, and specifically the foreigner, who stays in a closed center, according to the provisions of this chapter, is recognized in the language he understands, or at least in the English language, with any action, which is carried out by the competent authorities, for keeping him in the center, as well as enjoying the right to a humane treatment. According to Article 127/3, the foreigner has the right to inform the consular representative about his detention. The foreigner enjoys the right to complain to the court of the judicial district about the violation of the centrality of his fundamental rights. In case of re-admission, the foreigner is informed about the rights and obligations he has under Albanian legislation, in the language he understands, or at least in English (Article 127/5).

149. The case of the Turkish citizen Harun Celik:

- The Turkish citizen Harun Çelik was arrested on 8.07.2019 in flagrante delicto for the criminal offense “Forgery of identity cards, passports or visas”, provided by article 189/2 of the Criminal Code.
- The Court of the Judicial District of Tirana with the criminal decision no. 2933, dated 19.12.2020, decided the guilty declaration of the defendant Harun Çelik for this criminal offense and the sentence of 8 months and 20 days of imprisonment.
- After the appeal of the decision by citizen Çelik, the Court of the Judicial District of Tirana, with Decision no. 1016, dated 01.01.2020, has decided to cancel the security measure “imprisonment”, since the defendant has served the duration of the sentence from the moment of his arrest and ordered his immediate release.
- Citizen Celik was on the way out of the territory of RS at the time of his arrest, a fact that conditions his immediate deportation, after serving his sentence, as it could lead to repetition of illegality. Based on Law No. 108/2013 “For Foreigners”, the Local Authority for Border and Migration in the State Police took the administrative measure of deportation, based on the data that this citizen will use the territory of Albania to transit illegally to another country (to Canada), he was issued Deportation Order no. 2125, dated 01.01.2020.
- His removal from the territory of Albania was executed immediately, in accordance with Article 112/2 of the “Foreigners” law, which provides for the immediate execution of the deportation order in case the presence of the foreigner constitutes a threat to public order and security.
- The Turkish citizen Çelik, after learning about the deportation order, signed it of his own free will and did not express himself against its implementation. The structures of the Migration Sector and Border Police of Rinas Airport have carried out the actions foreseen in the standard procedures for the removal/deportation of foreigners with irregular stay in Albania, through Rinas Airport.

150. The case of Turkish citizen Selami Simsek:

- After the arrest in flagrante delicto dated 8.7.2019, the Turkish citizen Selami Simsek was detained and prosecuted with decision no. 5245, dated 9.07.2019, for the criminal offense “Forgery of passports or visas”, according to Article 189/2 of the Criminal Code.
- By the decision of the Tirana Judicial District Court no. 152, dated 27.01.2020, the citizen Selami Şimsek is declared guilty of the criminal offense, according to article 189/2 of the Criminal Code, “Forgery of passports or visas” and is sentenced to 1 year in prison.
- Tirana Court of Appeal, with decision no. 217, dated 09.03.2021, decided to abolish the measure of imprisonment and his immediate release and proceeded in accordance with the provisions of the law 108/213 “on foreigners”.
- After the release order, at the Border and Migration Directorate in Tirana, Mr. Simsek requested international protection in the Republic of Albania, claiming that if he returned to his country of origin, Turkey, he would be persecuted because of his political beliefs.
- After Mr. Simsek’s request, the Directorate of Asylum and Citizenship issued decision no. 08, dated 9.03.2020 “rejecting the application for asylum” and the Turkish citizen was sent to the Closed Center for Foreigners, in Durrës.
- Citizen Şimsek was guaranteed due process at all stages of the trial and had the right to legal representation. The request for asylum was not handled by the competent bodies at that time, due to the person not appearing before the competent bodies to make the application physically, according to the requirements of law no. 121/2014 “on Asylum in RS”.

- Asylum seeker Şimsek, whose application for asylum was rejected, submitted the appeal to the National Commission for Asylum and Refugees.
- The National Commission for Asylum and Refugees, with decision no. 18 dated 10.09.2020, based on article 47 point 2 of Law no. 121/2014 “On Asylum in the Republic of Slovenia”, expressed “Rejection of the appeal and leaving it in force of the decision of the Asylum Directorate “, and the decision has been communicated to the appellant in the language he understands.
- Based on Article 47/2 of Law 121/2014 “On asylum in the RS, the decision of the National Commission for Asylum and Refugees has been appealed by the Turkish citizen Şimsek to the Administrative Court of the First Instance, for taking the measure of securing the lawsuit , suspending the execution of the decision on “Rejection of Asylum Application”.
- The Administrative Court of the First Instance of Tirana with the decision no. 31155-04825-80, dated 9.11.2020, rejected the request for securing the lawsuit of the Turkish citizen Şimsek.
- With Decision no. 3431, dated 21.12.2020, the Administrative Court of the First Instance has decided to dismiss his lawsuit on the annulment of the decisions of the Directorate of Asylum and Citizenship and the National Commission for Asylum and Refugees.
- The Tirana Administrative Court of Appeal, with decision no. 127, dated 25.02.2021, has decided: the amendment of Decision no. 3431, dated 21.12.2020 of the Administrative Court of the First Instance of Tirana; partial acceptance of Mr. Simsek’s claim-lawsuit; ascertaining the absolute invalidity of decision no. 18 dated 10.09.2020 of the National Commission for Asylum and Refugees; rejection of the lawsuit for other requests; the right to appeal to the Supreme Court within 30 days.
- On June 15, 2021, Mr. Selami Simsek, in the presence of his legal representative, has declared of his own free will that he wants to give up his request for asylum in the Republic of Albania.
- On June 17, 2021, the Authority Responsible for Asylum and Refugees in the Ministry of the Interior decided to “Suspend the Review of the Request for International Protection for Mr. Simsek”. Regarding this decision, the Turkish citizen, Simsek, was notified by the competent authority in an official way, within the legal deadlines.
- On June 20, 2021, Mr. Simsek voluntarily left the premises of the National Reception Center for Asylum Seekers, after seeking international protection in one of the EU countries.
- Through the mediation of the Office of the High Commissioner for Human Rights and Special Procedures Mechanisms of the UN, Mr. Selami Simsek, has used his right to asylum in another country, Sweden, based on international rules, by traveling in the direction of this country during the month of June 2021, accompanied by two Swedish officials.
- The competent authorities in undertaking concrete actions and measures throughout the handling of the case of the Turkish citizen, Selami Simsek, have acted in accordance with the internal legislation, in compliance with the final court decisions as well as international norms and conventions for the protection of human rights.

Article 14 – Access to justice, judicial independence and fair trial

151. In 2017, Law no. 111/2017 “On legal aid guaranteed by the state”, which expanded the circle of beneficiary subjects, considering as beneficiaries of legal aid not only economically disabled persons, but also persons who benefit from this aid in the capacity of special categories. Already in the capacity of special categories, regardless of their income or assets, the following also benefit: victims of domestic violence, sexually abused victims, trafficking in human beings or minor victims, increasing access to justice for as many categories as possible. Free legal aid is divided into two types:

152. Primary legal aid: It consists in providing information about the legal system of the Republic of Albania, the normative acts in force, the rights and obligations of the subjects of the law and the methods for exercising these rights in the judicial and extrajudicial process, legal advice, advice on mediation procedures and alternative dispute resolution, assistance in drafting and compiling the necessary documents to set the state administration in motion or to request secondary legal assistance, representation before administrative bodies, as well as providing all forms other necessary legal support that do not constitute secondary legal aid. This type of assistance is provided by Primary Legal Aid Service Centers in major cities, by Law Clinics operating near Higher Education Institutions, as well as by NGOs authorized to provide legal aid. In the conditions of the pandemic (Covid-19), free legal aid is offered online through the juristionline.al platform, as well as a green telephone line has been made available to which citizens have free access at any time.

153. Secondary legal aid: Consists of drafting the necessary acts to set the court in motion, as well as providing advice, representation and defense before the court in administrative, civil and criminal cases, for which mandatory protection does not apply, according to the provisions of the criminal procedural legislation. This assistance is provided by lawyers who are included in the list approved by the National Chamber of Advocacy, based on the request of the person who enjoys the right to the benefit of secondary legal aid and in addition to representation with a lawyer, citizens have the opportunity to benefit from exemption from the payment of fees and court expenses, as well as from the prepayment of the decision execution fee at the judicial enforcement service.

154. In 2016, several amendments to the Constitution of the Republic of Albania were unanimously approved with the aim of deep and comprehensive reform of the justice system, restoring public trust in this system, as well as addressing issues related to corruption, its lack of professionalism, accountability, transparency and efficiency. The changes affect some key issues that break down and apply the principles of independence and impartiality of the judiciary and aim to address the problems identified through increasing access and effectiveness in the justice system by carrying out a deep reformation of the system, as well as procedural rights and guarantees.

155. The main changes are related with the following:

- (a) reducing the powers of the President of the Republic and the Minister of Justice in matters of justice in order to cut off any political influence in the system;
- (b) the method of appointment and responsibility of judges of the Constitutional Court and the Supreme Court;
- (c) expanding the role of the Constitutional Court in the protection of human rights by not limiting it only to issues related to the violation of the right to a regular legal process;
- (d) reducing the role of the Supreme Court in a court that works mainly through the creation of precedents;
- (e) the creation of new bodies and the strengthening of the self-governance of the judicial system and the prosecution through the creation of the High Judicial Council, the High Council of Prosecution, the strengthening of the status of magistrates, the reconceptualization of the system and disciplinary procedures against magistrates, as well as the creation of the conditions for the advancement of meritocracy in the careers of magistrates;
- (f) the introduction of special structures for the investigation and trial of criminal offenses of corruption;
- (g) the introduction of a temporary and extraordinary system for verifying the integrity and professionalism of magistrates (vetting).

156. The Constitutional Court: has undergone several changes which focus on:

- the independence and effectiveness of the Constitutional Court by reformulating the rules and criteria for the selection of CJC judges, where 1/3 of the members are chosen by the President of the Republic, 1/3 by the Assembly with a qualified majority of 3/5 of the votes and 1/3 from the body of the Supreme Court, among the 3 candidates proposed by the Judicial Appointments Council;

- the collegial functioning of the Constitutional Court and the avoidance of too long a stay in office;
- respecting the duration and inviolability of the constitutional mandate (9 years);
- creation of clear modalities and deadlines for issues related to the dismissal and termination of the mandate of judges, as well as their disciplinary responsibility;
- the creation of mechanisms for more accurate identification of issues related to the jurisdiction of the Constitutional Court, aiming to avoid it as a fourth degree of judgment in function of judicial economy and efficiency.

157. As a result of carrying out the process of re-evaluation of judges where many of them did not pass the vetting currently, the Constitutional Court consists of 8 members and in the future the 9th member will also be elected.

158. The Supreme Court underwent changes regarding issues related to its competence and composition. Now, the judges of the Supreme Court are appointed by the President of the Republic, on the proposal of the Supreme Judicial Council, for a 9-year term, without the right of reappointment. The constitution provides that one fifth of the judges in this court (4 out of 19 members) are selected from the ranks of prominent jurists with no less than 15 years of experience. As a result of carrying out the process of re-evaluation of judges, currently, the Supreme Court has 13 members out of 19 members in total.

159. The justice system has been restructured including the establishment of new bodies such as the High Judicial Council, the High Prosecution Council, the High Inspector of Justice and the Judicial Appointments Council.

Article 18 – Freedom of Religion and Belief

160. The Constitution of the Republic of Albania, with articles 10 and 24, guarantees the right to freedom of belief and ensures the separation and independence of the state from religion.

161. At the same time, the supporting laws in this area increase the effectiveness and become a strong proof of the implementation of these rights in life. This is evidenced by the diverse religious panorama of our country, where different religions and religious traditions are combined, where, in addition to 5 religious communities, which have ratified agreements with the Albanian Government, exercising their mission, dozens of foundations, organizations or associations with character religious.

162. The following religious communities: 1) the Muslim Community of Albania, 2) the Autocephalous Orthodox Church of Albania, 3) the Catholic Church in Albania, 4) the World Bektashi Patriarchate and 5) the Evangelical Brotherhood of Albania, have signed agreements on mutual relations with Council of Ministers. These agreements have been ratified in the parliament with the relevant laws: Law no. 8902, dated 23/05/2002, Law no. 10056, dated 22/01/2009, Law no. 10057, dated 22/01/2009, Law no. 10058, dated 22/01/2009, law no. 10394, dated 10/03/2011, regulate the relations between the state and religious communities.

163. Four of these communities (KMSH, KOASH, KKSH, KBB), since 2009, have been financially assisted by the Albanian state, pursuant to Law No. 10140, dated 15.05.2009 “On funding from the state budget of religious communities that have signed an agreement with the Council of Ministers”. These agreements have not undergone changes since the moment they were signed.

164. In addition to the above-mentioned religious communities, in the Republic of Albania, associations/organizations/foundations with a humanitarian-religious character, are registered in the Judicial District Court, pursuant to Law No. 8788, dated 07.05.2001, “On non-profit organizations”.

165. The State Committee for Cults, is a central institution, subordinate to the Prime Minister, exercising its activity according to DCM No. 459 dated 23.09.1999 (amended). In exercising its duty, the KSHK is subject to the implementation of the constitutional right to freedom of religion and belief and international conventions ratified by the Albanian state in

this field. The State Committee for Cults has as its main function: “The realization of relations between the state and religious communities and non-profit organizations of any kind, which have an object of activity and pursue religious goals”.

166. In the context of religious-based violent extremism, the State Committee for Cults, as a state institution that coordinates relations with religious institutions in the country, offers its contribution through inclusion in the “National Strategy Against Violent Extremism” (2015–2021 and 2021–2026) and, in this regard, pays special attention to preventive aspects, being careful not to violate the right to exercise freedom of belief and protecting basic human rights and the rule of law.

Article 19 and 20 – Freedom of expression

167. Freedom of expression is guaranteed in Article 22 of the Constitution of the Republic of Albania, which states that: Freedom of expression is guaranteed. Freedom of the press, radio and television is guaranteed. Prior censorship of means of communication is prohibited.

168. The guarantee of freedom of expression cannot be understood separately from the guarantee of a number of other freedoms and rights provided for in the Constitution, such as the freedom of the press, radio and television, as well as the right to information (Article 23 of the constitution).

169. Albania considers freedom of the press as a pillar of democracy and remains committed to guaranteeing that this right is exercised fully and without obstacles, by all segments of society.

170. Albania is an active member of the group of friends for the safety of journalists at the UN, HRC, UNESCO, OSCE and works closely with like-minded countries in support of journalists who risk their lives, in the service of the general public, to support a free, independent, varied and diverse press.

171. The inviolability and safety of journalists, especially female journalists, remains high on our agenda. During the Albanian Chairmanship of the OSCE (2020), Albania aimed to approve a decision of the Ministerial Council for Access to Information, with the aim of strengthening the focus on access to information within the body of OSCE engagements, as well as strengthening the role of the Representative of the OSCE on freedom of the media (RfoM).

172. For the year 2021, three cases have been registered in the prosecutor’s offices of general jurisdiction, based on the reports of journalists, related to the alleged physical attacks committed against them during the exercise of their duties. For one case, proceedings have been registered and are in the stage of preliminary investigations, for one case it has been decided not to start the criminal proceedings and for 1 case the criminal file has been sent to the Court with a request for the suspension of the criminal proceedings.

173. For the period January–March 2022, the Prosecutor’s Office at the Court of First Instance of Tirana has registered a criminal report for the criminal offense “Abuse of duty” provided for by Article 248 of the Criminal Code and after carrying out verifications according to legal provisions dated 22.02.2022 it was decided not to start the proceedings for this report.

174. The Ombudsman, within the framework of the joint program of the EU and the Council of Europe – “Horizontal Instrument for the Western Balkans and Turkey 2019–2020”, in 2019 signed the Cooperation Agreement for the creation of the “Alliance against hate speech”. During 2020, the Alliance against hate speech has continued activities to sensitize and raise public awareness on raising awareness, informing and contributing to dialogue, especially among young people, on the fight against hate speech. Declarations and joint positions of all members of the Alliance against hate speech have been published and made known to the entire public, whenever sexist attitudes or the use of misogynistic or discriminatory language by public figures have been found, such as in various television shows, in their writings or speeches to the media. Within the framework of membership in the alliance, the People’s Advocate together with its other members, supported by the Council of Europe, have published sensitization spots where they explain what hate speech is and the legislation that protects individuals from this language.

175. The Institution of the People's Advocate, in fulfillment of its constitutional mission, has continuously monitored the numerous discussions in the Albanian state bodies as well as the recommendations and comments of interest groups and international partners regarding Law no. 91/2019 "On some changes and additions to law no. 97/2013 "On audiovisual media in the Republic of Albania", as amended.

Article 21 – The right to peaceful assembly

176. The right to peaceful assembly and organization is a right provided in the Constitution of the Republic of Albania. Specifically, Article 9 provides for the creation and organization of parties policy, as follows:

- Political parties are created freely and their organization must comply with the democratic principles
- Political parties and other organizations whose programs and activities are supported in totalitarian methods that incite and support racial, religious, regional or ethnic hatred, who use violence to seize power or to influence state policy, such as even those of a secret nature are prohibited by law.

177. In the Article 47 of the Constitution of the Republic of Albania" as amended, it is determined that the right of assembly is guaranteed, more specifically it is determined that:

- The freedom of peaceful and unarmed assemblies, as well as of participation in them, is guaranteed.
- Peaceful gatherings in squares and places of public transit are held according to the procedures provided by law.

178. Of particular importance is the role of the State Police, which, based on Article 5 and Article 6 of this law, receives the appropriate information and undertakes the necessary organizational and security-related actions in order to guarantee and protect the right to assembly.

179. Pursuant to this law, the duties and responsibilities of the State Police in relation to gatherings have been fulfilled to guarantee and protect the right of every person to organize and participate in peaceful and unarmed gatherings and that the arrest or dispersal of a gathering is carried out only in cases provided for in this law.

180. Referring to Article 47 of the Constitution, the right to peaceful assembly and organization is included in the category of rights that can be limited in accordance with the law. The restriction is made based on the criteria provided by Article 17 of the Constitution, according to which the restriction of human rights is established only by law for a public interest or for the protection of the rights of others.

181. In this sense, according to law no. 8773, dated 23.04.2001, "On gatherings", this right is limited only in case of endangering national security, public security, protection of order and prevention of crime, preservation of health or morals, or protection of the rights and freedoms of others. In itself, this provision constitutes a guarantee for the protection of the right to peaceful assembly, thus providing protection for civil society organizations, non-governmental organizations, non-profit organizations and other social movements, whether organized or spontaneous.

182. The right to peaceful assembly and organization is a right that is protected and guaranteed by criminal legislation. Article 262 of the Criminal Code provides for the right to gather and demonstrate in public places of passage in accordance with the conditions and rules provided in the request based on which the organization of this gathering or demonstration was allowed.

183. In case of non-compliance with the conditions and rules defined in the request based on which the assembly was allowed, the corresponding criminal sanctions defined in this article are taken.

Article 23–24 and 26 – Rights of the child

184. Law no. 18/2017 “On the rights and protection of the child” defines the rights and protection enjoyed by every child, the mechanisms and responsible authorities that guarantee the exercise, respect, promotion of these rights, as well as the special protection of the child. The law foresees the duties and strengthens the institutions, structures and mechanisms that will guarantee and ensure the respect of children’s rights by individuals, the family and the state. The law expands the horizon of children’s rights, while emphasizing the strengthening of the system of protection of children from violence, abuse, exploitation and neglect, including at the local level in particular. The law provides for interaction between services for children and social protection services.

185. “Code of Criminal Justice for Minors” (approved by law no. 37/2017) strengthens the justice system in accordance with other international standards and norms, which aim to protect children in contact with the law based on their best interests high. Juvenile Justice Strategy and Action Plan 2018–2021” made possible the effective promotion and protection of rights and needs in judicial processes and alternatives to these procedures, for minors in conflict with the law, victims, witnesses of criminal offenses, minors under the age to be prosecuted and minors participating in judicial processes, mainly criminal ones, through the implementation of national and international standards of children’s rights.

186. Article 11 provides that: “The rights arising from this Code are guaranteed without any kind of discrimination to any minor in conflict with the law, victim or witness, regardless of gender, race, color, ethnicity, language, gender identity, orientation sexual, political, religious or philosophical beliefs, economic, educational or social status, pregnancy, parental affiliation, parental responsibility, family or marital status, marital status, residence, health status, genetic predispositions, disability, belonging to a special group and any other condition of the minor, the minor’s parents or legal representatives.

187. In 2017, the National Agenda for Children’s Rights 2017–2020 (AKDF) was approved, which is based on three strategic pillars: (i) good governance for the promotion, implementation and protection of children’s rights, with the aim of strengthening the regulatory and institutional framework for children’s rights and protection; (ii) elimination of all forms of violence against children; and (iii) appropriate systems and services for children and adolescents, mainly development and education, justice, health and nutrition, and social protection. The agenda is multisectoral and intersectoral, and includes all other sectoral action plans related to children.

188. National Agenda for Children’s Rights 2021–2026, approved by DCM no. 659, dated 03.11.2021, has a cross-sectoral nature that includes goals, objectives and measures, which aim to: a) Influence the lives of children, improving the quality of services at all levels; b) To promote a culture of children’s rights and lay the foundations for the meaningful participation of children in Albania; c) Enable protection from all forms of violence; ç) To provide quality data to improve the policies and programs designed for them; d) To carry out education to protect children online, thus guaranteeing the well-being and a better future for children.

189. The State Agency for Children’s Rights and Protection, pursuant to DCM No. 636, dated 26.10.2018, collects and processes data on issues related to children’s rights and protection. The Ministry of Health and Social Protection is currently improving some of the indicators for children.

Article 25 and 26 – Participation in Public Works

190. In the law no. 101/2020, dated 23.7.2020, it is determined that elections are held by free, secret, equal and direct voting, according to the rules provided in this Code. Voters freely exercise their right to vote.

191. Every Albanian citizen who has reached the age of 18, even on election day, regardless of race, ethnicity, gender, language, political belief, faith, physical ability or economic status has the right to vote and be elected, in accordance with the rules provided in this Code.

192. Institutions of public administration, of any level, with their activity, should not interfere with the conduct of elections. The State Police performs its duties in the service of

the elections in complete impartiality towards the electoral subjects. Its activity is developed according to the rules defined in this law and in the by-laws approved by the SCE.

193. The Central Election Commission is the institution responsible for the organization and administration of elections and referendums, which directs and supervises the activity of the electoral administration, monitors the activity of electoral subjects, state bodies and institutions and the media in relation to the elections, as well as resolves administrative route requests or complaints related to the electoral process.

194. The governing bodies of the SCE are:

(a) The State Commissioner of Elections – exercises executive powers, directs the administration of the SCE and represents the SCE in relations with third parties.

(b) Regulatory Commission – is the competent body for approving acts with a normative character in the field of elections and establishing rules for elections.

(c) Appeals and Sanctions Commission (KAS) – is a competent body for examining administrative appeals and imposing sanctions for violations of the electoral law.

195. The SCE has the power to explore, experiment and decide on the use of information technology systems and/or equipment in elections, to cover specific aspects and/or procedures of the electoral process, to engage foreign consultancy for this purpose, as well as to procure information technology systems or equipment or even their operation service. The SCE is obliged to implement the use of information technology systems and/or equipment in elections through pilot projects, in no less than 10 percent of the number of voters for each stage of implementation

196. SCE has the power to install and use video monitoring systems in the voting centers, as well as when the manual counting of votes is done, in the VNV, to monitor and prove the regularity of the process in their internal environments. The video monitoring system cannot be installed in the polling stations in such a way as to compromise or endanger the secret voting.

197. The SCE leads and supervises the process for the preparation of the conditions and the implementation of the measures that enable voting from abroad in the elections for the Assembly, for voters who have permanent residence outside the territory of the Republic of Albania, are registered in the National Register of Status Civil address of permanent residence abroad.

198. In Article 108, it is specified that: the voter, who for physical reasons is not able to carry out the voting procedures himself, can ask for the help of a relative or another voter, who is on the list of voters of that area of the voting center. Both voters must be present at the polling station when this procedure is used.

199. In the case of blind voters, the chairman of the local government unit notifies the SCE of the number of blind voters and their voting centers. The SCE, in accordance with the procedures and deadlines for the distribution of election materials, equips the commissions of these voting centers with special voting tools, which allow voters to read or understand the ballot and vote independently. The blind voter is informed by the KQV about how to vote with special voting tools and, upon his request, is provided with them. Otherwise, the voter votes in accordance with points 1 and 3 of this article.

200. During the period January–December 2021, measures were taken to guarantee the right to vote for everyone. The SCE has collected data from the municipalities on the location of the QV, their number, the type of disability and the number of blind voters of the local self-government unit.

201. For the 2021 parliamentary elections, each polling station, where visually impaired (blind) voters were registered, was equipped with braille templates in order to enable these voters to read the ballot paper independently. There have been no reports of technical difficulties in its use, since the manuals approved by the SCE also explain how to use this alphabet. Materials adapted in sign language to help the hearing impaired to understand voting procedures at the polling station.

202. In the premises of the Central Election Commission, meetings were held with the visually impaired (blind) and the disabled, where the findings of their post-election report and the possibility of easing their conditions were discussed voted.

203. The SCE and stakeholders have done a good job in the recent elections in Albania regarding personal voter education programs, tailored to the needs of national minorities, Romani people and Egyptians. Electoral materials continue to be published in the languages of national minorities, to make them more accessible to them and to facilitate the voting process for these minorities.
