



REPUBLIC OF ALBANIA
OMBUDSMAN



SPECIAL REPORT

ON PROBLEMS AND SITUATION OF THE ROMA MINORITY IN ALBANIA



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Save the Children

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Save the Children - Rr. "Komuna e Parisit", Lagjia 8, Pallatet 1 Maji, Vila "Lami";

P.O. Box 8185, Albania

Tel: +355 4 2261840 / +355 4 2261929 / +355 4 2266227, Fax: +355 4 2263 428

Email: info.albania@savethechildren.org, Web Page: albania.savethechildren.net

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1. Introduction

Existence of minorities in Albania is a historical as well as an actual reality, which has been paid special attention in order to enable a good relationship, where tolerance, co-existence and understanding between members of the respective minorities and the rest of the population are clearly expressed. This attention cultivated in the mentality of the Albanian society, bearing diversity elements as important parts of cultural heritage, has reflected a harmonious and tolerant co-existence, without any presence of ethnical, racial or religious conflicts.

Upon establishment of democracy in the country, the addressing of minority issues has acquired a new dimension, which is clearly seen in engagements undertaken by the Albanian state in this respect. The Constitution of the Republic of Albania has sanctioned the principle of equity to law and non-discrimination, regardless of the individual's membership to the respective minority group. Furthermore, in its Law no. 20, it is explicitly envisaged that people who belong to a national minority can exercise their rights and freedoms in complete equity to the law. They enjoy the right of expressing their ethnical, cultural, religious and linguistic belonging freely as well as the right to preserve and develop them further, without being banned or obliged. The Constitution has also recognized their right to learn and be taught in their native language, as well as to join organizations and associations to protect their interests and identity.

Albania's membership in a number of international organizations and organisms whose scope of activity is the protection of human rights, as well as ratification, or signing of a series of international acts aiming at affirmation and protection of human rights, especially referring to minority groups, ratification of the Frame Convention "On Protection of Minorities", confirm the serious institutional engagement in this respect.

Positive development has been identified in the framework of fulfilment of requirements from the Stabilization-Association Agreement, while another significant institutional step is the establishment of the State Committee of Minorities, as a central institution of a consultative nature, subordinate to the Prime Minister.¹

Nowadays, the Albanian society has effectively established a positive balance in terms of this issue and respect towards the minorities' rights, being ranked among the states which have been engaged in fulfilment of international standards in this area. Implementation into practice of what has been envisaged in fundamental acts, but, also implementation of international acts and especially of definitions of the Frame Convention of the Council of Europe "On protection of minorities", have a direct impact on the improvement of the minorities' rights.

But despite legal forecasts we are all aware that there is a lot more to be done in order to guarantee in practice the respect of rights, social integration and inclusion for the minorities residing in our country. In this context the Ombudsman plays a special role.

Special attention has been paid to the rights of the Roma minority, residing in Albania, which is considered as an ethno-linguistic minority. In the majority of cases, the Roma population do not exist in the register

1. This committee is established on basis of forecasts in DCM no.127 dated 11.03.2004. The Council of Ministers decided to establish this committee to further promote participation of people, belonging to minorities, in the public life, as well as to suggest actions to exercise protection of their rights and freedoms.

of the Registrar' Office, a phenomenon which has been widespread for people born after the '90s.

Interventions on the part of the Ombudsman to support this community' rights have been constant throughout the years, but meanwhile it is worth emphasizing that in recent years this minority's rights, addressed from a multi-plan viewpoint have been a priority for this institution.

This survey has concluded in a number of recommendations directed to public administration bodies, both locally and centrally, as well as the elaboration of a special report directed to the Assembly, related to Roma community problems in Albania.

The Ombudsman's vision has embraced a wide and close cooperation with NPOs operating in the country, in the framework of Roma people's rights.

Initiatives undertaken by the Ombudsman in this respect, are related to;

- wider inclusion of members from the Roma minority into vocational training and employment programs;
- amendments in the normative legal basis for definition of criteria, procedures and economic assistance action, focusing on Roma community;
- amendments in the existing legislation concerning housing of residents in urban areas, with special focus on Roma minority;
- action taking for registration of members of the Roma community in the Registrar's Office and facilitation of procedures for transfer of these data to local units where they are actually residing, or to their new residence.
- Facilitation of enrollment and school attendance for Roma minority children as well as development of actions which would permit a better access to education for these children.
- improvement of living conditions in the present locations of the Roma minority, such as the premises of the former Military Unit located in the Sharra area, in Tirana.
- Provision of shelter for members of the Roma minority by the local government units (Municipality of Tirana).

Recently there have been developed three new recommendations for protection as well as promotion of the Roma minority in the country, in the framework and as a continuation of recommendations that ECRI has submitted to Albania in this respect.

More concretely, the recommendations were: improvements in Law no. 69, dated 21.06.2012 "*On Pre-university Education System in the Republic of Albania*" which shall guarantee integration of Roma children in education, from the pre-school level up to the higher education levels; concrete actions, foreseen in the National Strategy for Improvement of Living Conditions of the Roma Minority and the National Action Plan 2010-2015, "Decade of Inclusion of Roma People" to improve living conditions of the Roma minority; the endorsement of a law where the definition and the criteria of "de jure" recognition of minorities are

determined, in line with the forecasts of the Frame Convention of the Council of Europe “On protection of minorities”.

Besides the institutional impact, one of the most positive indicators achieved through these interventions is definitely the society and media awareness, with regard to problems which, nowadays are the main concerns for the Roma minority in Albania. The most meaningful action taken by the Ombudsman in order to raise awareness on the situation of this minority’s rights was the symbolic housing of a few Roma families in the premises of the Ombudsman’s institution, at the beginning of 2012. Although it appears to be a controversial action, it is the first act which clearly manifests the role of the institution, the ways it can use to protect the rights of individuals with a membership to minorities and the real angle from which must be coped with, the problems of this minority.

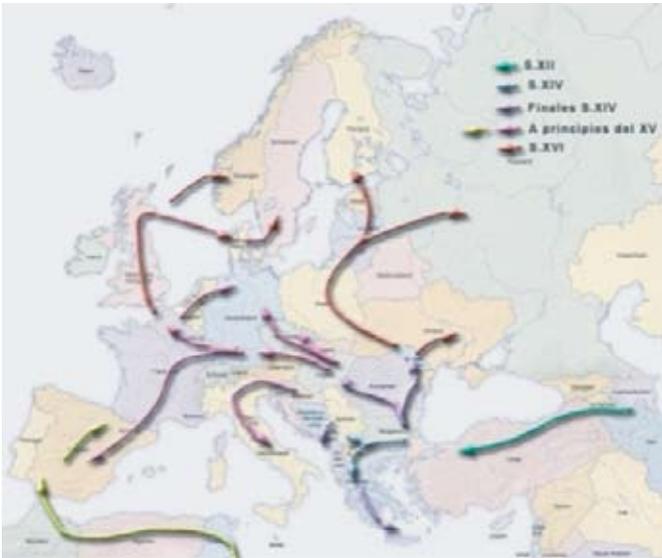
In all its initiatives and recommendations, the Ombudsman has emphasized that the main elements for solution of issues that Albanian society is coping with today, is the constructive and continuous dialogue, as well as inter-cultural cooperation between state institutions, civil society and citizens in order that the problem addressing, their analysis and solution can be as comprehensive and shared as possible. This way of thinking and acting brings us closer to the European community, where we aspire to adhere.

One of the priorities of the Ombudsman’s work, as a constitutional institution, is respect of the rights of the Roma minority, living in extreme poverty.

In order to fulfil these obligations which result from the National Strategy for improvement of living conditions of the Roma minority, so as this community have the same living standards as the rest of the population, there is need for inter-institutional coordination focusing on effective protection of rights of the Roma community as their fundamental priority.

In the context of his daily activity related to Roma minority rights, and in the framework of the elaboratin of this report, during July, August and September 2013, the Ombudsman established an “*ad hoc*” working group which, besides identification of problems as a whole, has also inspected a number of Roma minority sites in our country.

2. What do Roma people represent?



The Roma people are a unique ethnical group, settled in Albanian territories for years and who have succeeded in preserving their language and culture. According to historical and linguistic sources, they immigrated from the northern areas of India from the IX century to the XIV century. Several historical documents explain that the Roma came to Southern Europe through Persia, Caucasus, and the Byzantine Empire. In some of the sources, it is said that the Roma could have arrived in the Balkans around the XIV century (Kolsti, 1991) and settled in the Albanian territories around the XV century (Koinova, 2000).

Even though the term “Roma” was decided in the first Congress of Roma in 1971, nowadays in Albania they are recognized by different names¹. In the north of the country they are recognized as “*gabelë*”, in the south as “*arixhinj*” and in south-east as “*kurbatë*”.²

Depending on the way Roma entered Albania, as well as on their socio-economic situation, language dialects, living style, profession, skills, customs, etc. they are organized into tribes³ which, in Albania are known as: *meçkar*, *çergar*, *arlinj*, *bamillë* and *kurtofë*.

Meçkars are the biggest and the oldest Roma tribe in Albania. They live in cities such as: Tirana, Durrës, Lushnja, Fieri and Vlora and have traditionally worked in agriculture and cultivation in farms. **Çergars** arrived in Albania from two directions: one group from the present-day Macedonia, who first settled in Korça city, and later on in Peqin where the majority of them are still found to-date; the other group came from Montenegro and Serbia who settled in Shkodra city around the year 1920. In the central areas of Albania, çergars were engaged in horse trading, and production of artisan goods (such as: raki stills/containers, copper kettles, or sieves), which afterwards were sold in the surrounding villages. **Arlinjs** immigrated from Turkey to Greece, and afterwards to Albania, during immigration of the population in the '20s. Initially they settled in Korça city and later migrated to Pogradec, Elbasan, Durrës, Tirana and Fushë-Kruja. Arlinjs were small tradesmen, and their traditional skills included horse trading, artisan work and basket weaving. **Bamills** are another tribe, who came from Çamëria territories together with çam people and it is also thought that they came from some Greek cities, too. Nowadays, they can be found in Gjirokastra city, partly in Levan and in the Roma village in Fier⁴. The majority of Bamill families are distinguished for their musical heritage. **Kurtofs** came to the city of Fier from today's Macedonian territory about 60 years ago. Now they are found in a neighbourhood called Zinxhiraj, in the city of Gjirokastra, but in different periods they immigrated to the neighbouring state of Greece for seasonal employment. Their occupations included small-scale trade and artisan work.

The Roma have traditionally led a nomadic life, but since the '30s the

1. Terms “*gabel*”, “*arixh*”, “*evgjil*”, “*jevg*” have historically been used to refer to respectively Roma and Egyptians as inferior communities and this is the reason why, even today, in the general meaning, these names are considered offensive for the above-mentioned communities and, as a result their use must be avoided. (Taho 2002).

2. According to Marsel Courthiade-s, “*gabel*” means “stranger/foreigner” whereas “*kurbat*” is connected the turkish word “*kurbet*” (e.g. migration)

3. Study on the origin of Roma people, Marsel Kurthiade.

4. Otherwise known as Driza.

majority of Roma tribes have become semi-nomadic or totally stable. Others settled in permanent locations during the socialist period¹.

In Albania there has never been conducted an official registration of the number of population with membership to Roma community, except for self-declaration in 2011, which generated contestable results. In the Strategy for improvement of conditions of the Roma community, endorsed in 2003, the Albanian government quotes various sources which estimate the Roma population to be around 60,000 to 120,000².

Although the Roma people have traditionally been known as nomadic, starting from the '30s of XX century, most of their tribes gradually turned into semi-nomadic, or totally sedentary (Hasluck, 1938). This nomadism and their pluricentennial mobility had an economic function, and they were partly structural and closely linked to their culture. (Liegeois, 2009). Finally, they settled in permanent residences during the time period 1960-1970.

During the post-socialist transition period, due to collapse and closure of state enterprises and because of their character and skills, their low level of education, not excluding prejudices and discrimination, the Roma have passed from a relatively good situation into extreme poverty. At the moment, they can be regarded as the poorest and the most excluded/isolated ethnical group in Albania.

It is worth mentioning that the history of Roma is mainly introduced through perceptions of non-Roma researchers. Due to socio-economic conditions and discriminating attitudes, the Roma were obliged to lead a nomadic life for a much longer time than other ethnical groups, thus not allowing for the state administration to document the history of their population³. This is why part of the Roma history was written by non-Roma people, based on their image and perception of the Roma people, other than on historical research work. For centuries, historians copied each-other sharing the same perception for Romas as a population with no culture and nomadic, until the recent years when some researchers analysed and rejected the centennial historical hypothesis and provided new explanations on the Roma's history, explanations which confirmed the thesis launched by linguists a few decades ago.

The previous hypothesis according to which the Roma were nomads who came in successive groups do not stand to the analysis based on historical facts which proves that the Roma were forcefully moved from India and arrived in the Balkans as one single group.

In any case, this situation shows the power of images and stereotypes in the public opinion, to the extent of dominating history for centuries. Both their history and image are built and used by the majority, but also by the Roma population⁴.

1. National Strategy for Improvement of Roma Living Conditions, 2003.

2. Based on French sources, in 1980 there were about 62 thousands Roma in Albania. In 1995, the International Group for Minority Rights estimated the number of Roma population in Albania between 90,000 to 100,000. Also in 1995, the Maryland University estimated that there were 120,000 Roma residing in Albania.

3. Regardless of their origin from India, the Indian state does not recognize its Roma as co-citizens.

4. During World War II, almost half a million Roma from different countries in Europe were executed, or killed in Nazi concentration camps (Ringold et al., 2003). In Albania, they are treated better than in the neighbouring countries, where besides exile in Nazi camps, Roma had to cope with ethnical extermination.

3. Roma community sites in Albania



Regardless of the high frequency of mobility in all Roma dwelling places and sites having the highest concentration of Roma population in Albania, the working group established by the Ombudsman's institution visited the Roma sites in Tirana, Lezha, Mamurras, Fushë-Kruja, Nishtullë in Durrës, Rogozhina, Peqin, Cërrik, Rrapishta in Elbasan, Pogradec, Korça, Bilisht, Levan, Roma village in Fier, Grabian in Lushnja, Kuçova, Berat, etc.

Also, it is worth underlining that there are other stable sites, developed lately, after the 90's. Here we can mention Shkodra, Gjirokastra, Delvina, Beltoja, Ura e Drojës (Droja's Bridge), Kukës, Peshkopi, Shupenza in Peshkopia, Milot, Ura e Dajlanit (Dajlan's Bridge), Vrion in Saranda, Kthesa e Ariut in Durrës, Fushë Alie, etc.¹

Unemployment, low income and poverty are the main instigators of the internal migration process. Almost half of the Roma are long-term unemployed. Due to lack of work in the formal sector, they work in the informal sector, with the second-hand clothes trading being their main source of family income, since their tradition as small traders. Meanwhile, since 2005, a few researchers warned that *"this income was going down"* and if *"no sustainable alternatives are developed, their economic welfare will be at risk"* (De Soto et al., 2005). In recent years, when income sources for many families have plunged, a lot of Roma people opt for migration to other cities to find other employment opportunities, which leads to creation of new sites with Roma community members. This type of internal migration makes the Roma approach to public and social services more difficult, and moreover, because it is informal (not accompanied by transfer of residence) it leads to exclusion of a number of Roma families from basic services, with children, the elderly, etc. being the most disadvantaged and endangered.

Data surveys conducted by UNICEF indicate that in the first years of post-socialist transition, 17.4% of Romas and 16.2% of Egyptians - influenced by economic and social factors, or instigated by the majority of population- changed their dwelling place. So, Roma from Halil village migrated to Fushë-Kruja; from the city of Berat to Elbasan; from other cities to Tirana, etc. This migration has kept its intensity even over the last 10-year period. Referring to the same survey, 30.3% of Roma and 14.6% of Egyptians have migrated to Tirana, Shkodra, Milot, Kukës, Peshkopia, Kavaja, Saranda, Gjirokastra, Përmet, Himara, etc. A lot of these families are currently living in camping sites, lacking the necessary infrastructure and in very hard socio-economic conditions. Others move within the district, from village to city or from village to village. Consequently, the Roma are spreading all over the country and they have modified the map of their locations. (UNICEF, 2012).

1. Decade of Roma Inclusion, National Action Plan 2010-2015, 2011

4. Legal basis

For the definition of legal basis related to Roma minority rights in Albania, we shall refer to the basic normative acts which generally regulate and position minorities in our country, specifically to acts which address the Roma minority issue. More concretely, the legal basis includes the following main acts:

International Conventions, (other international acts).

- Constitution of the Republic of Albania
- Universal Declaration on Human Rights (United Nations, 1948);
- International Convention on Civil and Political Rights;
- International Convention on Economic, Social and Cultural Rights;
- European Convention of Human Rights (Council of Europe) amended, based on Protocol n°11 accompanied by Annex Protocol and Protocols n° 4, 6 and 7.
- Law no. 8496 dated 3.06.1999 "On ratification of "The Frame Convention of the Council of Europe on Protection of Minorities".
- International Convention on Elimination of all forms of racial discrimination (1969);
- International Convention on Civil and Political Rights (1966);
- International Convention on Economic, Social and Cultural Rights (1976);
- International Convention on Elimination of all forms of Discrimination towards Women (1980);
- Convention on Children's Rights (1989);
- Convention against Discrimination in Education (1960);
- Charter on Fundamental Rights of the European Union;

Legal acts for national minorities:

- Decision of the Council of Ministers, no.127 dated 11.03.2004 "On establishment of the State Committee on Minorities", amended.
- National Plan of ASA - Minority rights and protection of minorities (approved by DCM no. 463, dated 5.07.2006, amended by DCM no. 577, dated 5.9.2007).
- DCM no. 396 dated 22.08.1994 "On education in mother tongue of minority people".

Legal acts for the Roma minority:

- National Strategy on improvement of living conditions for the Roma minority.
- Decade for inclusion of Roma people - National Action Plan, 2010-2015.
- Decision of the Council of Ministers no.51 dated 2.02.2012 "On transference of administration responsibility from the Ministry of Defence to the Ministry of Labour, Social Affairs and Equal Opportunities of some objects and functional land, with a total of 45 000 m2 surface area, part of property no. 117 named

5. Ombudsman's recommendations for 2012-2013 and the Special Report on Roma minority directed to the Assembly of the Republic of Albania

"Kompania e zbulimit, raketave Kt, të BRRSH", located in Sharra area in Tirana, and on an amendment of the Decision of the Council of Ministers no. 515, dated 18.07.2003 "On endorsement of the list of inventory of statal real estate properties, which are transferred under administration responsibility of the Ministry of Defence", amended.

- **Recommendation** to the Minister of Labour, Social Affairs and Equal Opportunities for inclusion in vocational training programs and employment of Roma minority members (no.K1/L15-5 dated 9.04.2012). The purpose of this recommendation was the integration of Roma minority in the social life, which requires their cooperation and awareness for their rights and ways to achieve them. An immediate issue which has arisen during the implementation of the National Strategy for improvement of Roma minority living conditions and of the National Action Plan 2010-2015 is the adapting of Roma minority members to contemporary requirements of the labour market. It would lead to the improvement of the economic situation of families and their social integration, thus guaranteeing equal opportunities. (It is still to be proved how effective policies implemented to-date have been, as actually the Roma minority is facing serious employment problems).
- **Recommendation** to the Minister of the Interior on "steps to be taken for registration of Roma minority in the Registrar's Office and facilitation of procedures for transference of data from the Registrar's Office to local units which administer their new residence" (no.K1/L15-6 dated 9.04.2012). The purpose of this recommendation is to facilitate the registration of Roma minority members in registers of the Registrar's Office.
- **Recommendation** to the Minister of Education and Science on "actions to be taken which would permit a better access to education of Roma minority children in Albania" (no. K1/L15-7 dated 9.04.2012). This recommendation was based on complaints filed in our institution by Roma community members, according to which the majority were unschooled, or had only attended primary school and their children did not attend school at all. School and education are important areas for implementation of children's rights. Education for these minority members shall be considered not only as a constitutional obligation, but also as one of the most efficient ways for their complete integration in the society. Their low education constitutes a very serious problem which hinders integration of this community in the society. (The Minister of Education and Science replied and informed us, in document no. 2344/1 dated 8.05.2012, that this ministry has developed a thorough action plan for priority inclusion of Roma and Egyptian children in nurseries and schools. We have also been informed that "The Action Plan for Roma Children's Education" has been reviewed and budgeted).



- **Recommendation** to the Minister of Labour, Social Affairs and Equal Opportunities, on “provision of suitable living conditions in the premises of the former military unit located in Sharra, Tirana where a number of Roma minority families were expected to be sheltered”. (K3/M71-2 dated 30.04.2012). Replicated in document no.K1/N32-4 dated 4.09.2012. This recommendation was initiated after an inspection in the premises of the former Military Unit in Sharra, Kombinat area, by a group of experts of the Ombudsman’s Institution, as these families were expected to be sheltered there for a long period of time. On verification of the physical state of these premises, it resulted that some construction work had been going on there in order to adapt and convert them into suitable shelters for Roma families. Nevertheless, there were problems with the standard of the premises to provide normal living conditions.
- **Recommendation** to the Regional Education Directorate in Tirana on “actions to be taken for enrollment of Roma minority children, residing in the former military unit premises, in Sharra, Tirana, in the 9-year school (compulsory education) in the vicinity of their dwelling place”. (no.K1/L15-9 dated 22.05.2012). On 18.05.2012, Ombudsman’s experts conducted an inspection in premises of the former military unit in Sharra, Tirana, where 8 Roma families were sheltered. Inspection found out that their children did not attend school. From interviews it was found that the number of children was 35, out of which 20 from 1 to 5 years of age, and the rest (15 children) up to 14 years of age. None of these children had been registered in schools to attend the compulsory education. The frequent mobility of Roma minority members, from one location to another, has excluded them from the state social protection system, and moreover, not only this community’s children have dropped out school, but they are also exploited for mendicancy or to do odd jobs.
- **Ombudsman’s Special Report** to the Assembly of the Republic of Albania: “Problems of Roma community during the first 6 months of 2012 and the way they were addressed by the Ombudsman”. This report (document no.198 dated 16.07.2012) identified problems on the Roma minority rights and gave recommendations which define the necessary actions to be taken to improve the Roma minority situation.
- **Recommendation** to the Minister of Public Works and Transport, on amendments in Law 9232/2004 “On social programs for housing of inhabitants/residents in urban areas”, amended. (no.221 dated 10.08.2012). This recommendation was replicated in document no. 221/2 dated 15.10.2012. The purpose of this recommendation was fulfilment of the right for shelter and good living conditions of the Roma minority individuals, by considering and adapting requirements related to this community’s quality of life and culture.



- **Recommendation** to the Minister of the Interior on “actions to be taken for registration of Roma minority members in the Registrar’s Office in the local units which administer their current dwelling place” (no. 222 dated 10.08.2012). The purpose of this recommendation is related to facilitation of registration of Roma minority members in registers of the Registrar’s Office in local units which administer their actual dwelling place. Failure to register is due to lack of information, negligence and indifferentism of this minority’s members, as well as lack of financial resources to follow the legal registration procedures. In such a context, a number of changes have been proposed to the Law no.10129 dated 11.05.2009 “On Civil status” upon submission of a concrete draft.
- **Recommendation** to the Minister of Labour, Social Affairs and Equal Opportunities, on amendments to DCM 787/2005, “On definition of criteria, procedures and economic assistance action” (no. 223 dated 10.08.2012). The purpose of this recommendation was fulfilment of obligations by relevant/responsible public administration institutions, obligations which derive from the National Strategy for improvement of Roma minority living conditions so as this community live up to the standards of the rest of the population in our country.
- **Recommendation** on actions to be taken for improvement of the living conditions of the Roma ethno-linguistic minority. Fulfilment of obligations deriving from the National Strategy for Improvement of Roma Minority Living Conditions so as this community live up to the standards of the rest of the population in our country, constitutes the main focus in the activity of the Ombudsman. Although rights of Roma are guaranteed in the Constitution of the Republic of Albania and in the local legislation in force, one of the most sensitive aspects of the current situation of Roma minority in Albania is related to living conditions of Roma communities in those areas which, nowadays are well-known as dwelling places for this community in different parts of the country. It is worth mentioning that the Ombudsman’s Institution has continuously been following this problem, which encompasses a number of fundamental rights and which finally is configured with the term “quality of life” which affects directly the fundamental right of men, known as “the right to life” stipulated by article 21 of the Constitution.



During visits and inspections conducted by our Institution in these centres, as well as from complaints submitted to us by this minority’s individuals, it results that living conditions in these centres are hard, because of lack of connection with electricity and water supply, with the sewerage system and because of lack of an internal road system. This fact was also identified in a study conducted by UNICEF for the Ministry of Labour, Social Affairs and Equal Opportunities, at the end of 2011, in 108 Roma communities present in Albania. Today, the main centres of the Roma community are: Fushë-Kruja, Tirana, Rrapishta in Elbasan, Gosë village in Kavaja,

Roma village in Fier, Peqin, Cërrik, Berat, Rrogozhina and fewer in Korça and Bilisht.

In the Ombudsman's opinion, lack of minimum living conditions for this minority in these dwelling places, but which does not exclude other Roma community dwelling places, constitutes a serious problem not only for these communities, but also for the government and society approach to full integration of the Roma in the society. Such a situation makes this minority feel discriminated and unequal to the rest of the population as well as hopeless about its future.

Strategic documents elaborated to this purpose, such as the National Action Plan 2010-2015, "Decade for Roma Inclusion" give recommendations on sustainable improvement of housing conditions of the Roma population. For instance: prioritized funding of water supply and sewerage systems in areas populated by Roma; prioritized funding of secondary road infrastructure in areas populated by Roma, actions which are in line with the fulfilment of the political criteria the European Union has set for our country, as a pre-condition for the process of integration into EU. However, it is estimated that little has been done to fulfil these responsibilities, which require an efficient coordination between public administration bodies, both at central and local levels, without excluding the irreplaceable role of the interested Roma communities themselves.

Referring to the above-mentioned factors, in order to better guarantee a quality of life for Roma minority in our country, specifically in areas of residence for Roma communities, we have recommended to the Minister of Public Works and Transport: "To take concrete steps as envisaged in the National Strategy for Improvement of Living Conditions of Roma Minority and in the National Action Plan 2010-2015, "Decade for Roma Inclusion", to ensure improvement of living conditions of Roma minority as soon as possible.

- **Recommendation** on some improvements in law no.69 dated 21.06.2012 "On Pre-university Education System in the Republic of Albania". One of the fundamental rights of the ethno-linguistic Roma minority, which is protected and guaranteed as part of the catalogue of economic, social and cultural rights, article 57 of the Constitution of the Republic of Albania, as well as other different international acts, stipulates the right to education. Particularly in the case of Roma minority in Albania, exercising and respect to this right bears special significance, especially concerning access to the education this minority's children need to have. This is because, formal equity sanctioned in provisions of the Constitution is translated in reality as inequity because of the existence of a number of objective and subjective circumstances, which condition effective realization of formal equity and which might lead to indirect discrimination of this minority's members. Complaints submitted to the Ombudsman by Roma community members indicate that most of them are unschooled, or have attended only primary education and that Roma children did not attend school at all. Meanwhile, a study

conducted by UNICEF for the Ministry of Labour, Social Affairs and Equal Opportunities, at the end of 2011, in 108 Roma communities currently in Albania, there is place for concern.

The legal framework in force has been lately completed in this respect, with the new Law no.69 dated 21.06.2012 “On Pre-university education system in the Republic of Albania”. But do Roma children actually have access to this type of education and can they attend it considering the current situation of their families? Is the legal basis sufficient enough to ensure integration into education for the Roma children, from pre-school levels to higher education levels? Of course not. And in these conditions it is the state’s obligation to undertake positive actions, to ensure factual and effective equity of the Roma minority members for access to the national education system, starting from pre-school and further on. Based on this experience, we consider that pre-school education and mastery of the Albanian language are important elements which can further facilitate education for Roma community children. Early inclusion of children in the pre-school education system must be universal for all children and a priority for education policies. In regard to the above-mentioned, The Minister of Education and Science was recommended that: “In compliance with alinea 1, article 81, of the Constitution of the Republic of Albania to undertake the legislative initiative in view of some improvement in Law no.69 dated 21.06.2012 “On Pre-University education system in the Republic of Albania” which must include and guarantee Roma children’s integration in education, from pre-school up to higher education levels”.

- **Recommendation on some improvement in law no.10221 dated 4.02.2010 “On protection from discrimination”.** One of the fundamental rights, guaranteed in article 18 of the Constitution of Albania, as well as in other different international acts is equity to law and ban of discrimination, a provision which, in the framework of equity bans unjust discrimination, because of gender, race, religion, ethnical group, language, political, religious or philosophical beliefs, education, economic or social situation, or parent belonging. Law no. 10221 dated 4.02.2010 “On Protection from Discrimination” and the other legislative acts in force, not only guarantee and protect freedom and the fundamental right of equity to law and banning of discrimination, but also provide opportunity and space for interaction between a number of stakeholders, in the area of protection of human rights. Based on this approach, it is worth highlighting that, during 2012 and onwards, in the Ombudsman’s Institution there have been registered and addressed a great number of complaints from individuals belonging to vulnerable communities, such as: Roma minority members and disabled people, which result to be the groups which are more exposed to the discrimination phenomenon. Although these individuals claimed violation of a certain right, the reviewed cases contained elements of violation of equity, or elements of negative discrimination, which had led to the violation

of other rights as claimed by the complainant. Although the Law “On protection from discrimination” foresees a wider range of causes than the Constitution, which can lead to discrimination, the causes identified based on complaints are not explicitly expressed, or even in cases made public by the media, especially during these last years they are based on: *nationality; a certain declared intention to discriminate; instigation, support or encouragement of discrimination*, which can lead to certain forms of discrimination.

This legal gap of specific legislation might bring to problems in terms of implementation of the principle of equity and non-discrimination in front of the law, in terms of exercise of guaranteed rights and as a consequence to the unfulfilment of the purpose of the law against discrimination and impunity of discriminating behaviour. This may put the competent state authorities for law implementation, in impossibility to achieve purposes and objectives of the law. For this reason the Minister of Justice, the Minister of Labour, Social Affairs and Equal Opportunities were recommended that: In conformity with alinea 1, article 81, of the Constitution of the Republic of Albania to deliver the legislative initiative for some improvements on article 1, of Law no.10221, dated 4.02.2010 “On protection from discrimination” by including in this article as causes of discrimination: nationality, declared intention to discriminate, instigation, support and encouragement of discrimination.

6. “Special Report directed to the Assembly of Albania on problems faced by Roma community during the first 6 months of 2012, and how they were addressed by the Ombudsman” (dt.16.07.2012).

In this report, the Ombudsman highlights the fact that, since solution of problems for this community is neither easy or simple, nor quick, but an integral part, inextricably linked with the general development of Albania and as a consequence with the continuous strengthening of economy, we need to have clear strategies which shall guarantee improvement of the living conditions for this community. The report includes the following recommendations:

- *Amendment in law 9232/2004 “On social programs for housing of residents in urban areas” (amended), to provide clearer and more accurate regulations for Roma community families. Furthermore, we suggest their inclusion as a priority category within the social condition of housing benefit.*

Explanation: Law 9232/2004 “On social programs for housing of residents in urban areas” (amended) defines rules and administrative procedures for provision, distribution, administration and planning of social programs for housing, in order to allow for suitable and affordable housing, based on financial ability of families in need for shelter and state assistance.

In years this law has had minimal changes, while amendment made in 2012 brought fundamental changes in its content. According to point 1, article 4 of this law, housing beneficiaries can be individuals

who have already turned 18 or families which have registered with the Registrar's Office in the local government units. At the moment of application, they need to fulfil the following criteria:

- a) no ownership on a dwelling place;
- b) own living surface area smaller than established housing norms for that social and economic category or live in places which don't meet the approved standards;
- c) are homeless because of natural disasters.

Whereas, according to point 2 of this article, only families with insufficient income as defined in articles 6 and 19 of this law, are included in one of the letters "a", "b" and "c" of point 1.

Article 5 of law 9232/2004 (amended) defines the selection criteria for families, foreseeing a number of conditions, social conditions among others. Letter "c", which addresses priority categories based on this condition, does not include Roma community families. Meanwhile, as regards the "economic situation" condition, the law has foreseen no priority categories.

Also, according to article 6, point 1, of law 9232/2004 (amended) on income level, it is emphasized that no less than 80 per cent of families accommodated in rented social buildings must have income of up to 100 per cent of the average income of families administered by the respective local government unit, and the rest can be selected within the interval of 100-120 per cent of the average income level. The latter category, by law, pays higher rent than other categories, but no more than 30 per cent of monthly income.

Article 24 of the law foresees that when the rent of the social building constitutes more than 25 per cent of the family net income, according to letter "a" of article 5 of this law, the family benefits subsidy of the rent. Roma families have priority as far as rent subsidy and shelter bonus are concerned. Nevertheless, in our opinion, what the law foresees can not practically guarantee housing of Roma community families. Our estimation is based on the following arguments:

- a) The problematic part of Roma community families can not prove a monthly income level (as they are mostly working in informal economy);
- b) Even though they are able to prove their income (from salary if they are employed, or whatever form of economic assistance), this level might not reach the required percentage of the average income received by families in the respective local government unit;

- ***Actions for registration of Roma minority members in registers of the Registrar's Office and facilitation of procedure for transference of the Registrar's Office data to***

local units which administer their new dwelling place (to the Minister of Internal Affairs).

Explanation: Because of lack of information, negligence and indifferentism of Roma community members, in many cases, they do not appear as registered in the Registrar's Office which covers their dwelling place, thus, not allowing them to have access to legal benefits. Such benefits include: economic assistance scheme, social security and health insurance scheme, unemployment benefits. Due to that, they can not apply for social programs on housing and can not enjoy many other rights like the rest of the population.

In response to this recommendation we were informed by the Ministry of Home Affairs that Roma community, like any Albanian citizen, enjoy rights in every area, including the civil office service. According to this Ministry, they are engaged to register even those children who, for various reasons have not been registered by parents in the Registrar's Office.

- ***Continuation of attempts for well-functioning of preparatory Albanian language classes for pre-school education aiming at participation of Roma children in all education levels and coordination of work with Regional Education Directorates to raise awareness among Roma community members so as they do not remove their children from school (to the Minister of Education and Science).***

Explanation: The low education level is a serious problem which hinders the social integration of this community. The majority of Roma children are illiterate because of language difficulties found since the first class, because of the extremely hard economic conditions of their families, distance of their home to school institutions as well as because of their parents' wrong mentality.

The characteristics of the Roma family way of living affect children considerably. Because of absence of the right education, they are not able to adapt themselves to the labour market requirements, because opportunities are more limited for this category and as a result, it leads to economic impossibility to cope with life and to a number of social problems.

Law no.7952 dated 21.06.1995 "On Pre-university Education in the Republic of Albania" amended, in its article 3, sanctions the equal right of citizens in the Republic of Albania to be educated in all levels of pre-university education, regardless of their social condition, nationality, language, sex, religion, race, political beliefs, health or economic level. In response to this recommendation, the Ministry of Education and Science informed us that they have a detailed action plan in place for priority inclusion of Roma and Egyptian children in nurseries and schools. The "Action Plan for education of Roma children" has already been reviewed and budgeted and Regional Education Directorates report their work to MoES periodically.

- ***Actions on continuous priority inclusion of Roma minority members of working age in vocational training and employment programs, aiming at their integration in social life and improvement of their socio-economic conditions so as they do not feel discriminated (To the Minister of Labour, Social Affairs and Equal Opportunities).***

Explanation: A great part of the working age Roma population are unemployed. Some of them mainly do odd jobs, but even this way of income earning for survival can be temporary. An immediate issue which has arisen during implementation of the National Strategy for improvement of Roma minority living conditions and of the National Action Plan 2010-2015 is employment of Roma minority members to adapt to contemporary requirements of the labour market. It would lead to improvement of economic situation of families and their integration in the society, thus guaranteeing equal opportunities.

As a consequence, Law no. 7795 dated 20.09.1995 "On Employment Promotion", amended, in alinea "20" of article 2, foresees the obligation of Roma minority inclusion in employment promotion programs, like specific jobseeker groups, and also DCM no.48 dated 16.1.2008 "On actions and criteria for inclusion in employment promotion programs of vulnerable unemployed jobseekers", in point 3, letter "e", has defined the Roma community members as vulnerable unemployed jobseekers, and in order to fulfil one of the social objectives of the Albanian state, sanctioned in letter "a" of article 59 of the Constitution of the Republic of Albania: employment in suitable conditions of all people able to work, are on the basis of this recommendation.

In response to this recommendation we were informed that the Ministry of Labour, Social Affairs and Equal Opportunities has undertaken concrete initiatives in order to develop and encourage facilitating policies for Roma community, aiming at their employment promotion as well as their qualification, training and integration in the labour market. In 2011 as compared to 2010, the number of unemployed jobseekers from this community has increased by 10 per cent, a figure which demonstrates their awareness to present themselves to employment offices and benefit from different services provided especially for specific groups, including the Roma community.

Currently, 2 programs, which have as priority unemployed jobseekers from vulnerable groups, are being implemented:

1. DCM no.48 dated 16.01.2008 "Program for employment promotion of vulnerable unemployed jobseekers". According to this program, employers who hire unemployed jobseekers in difficulty on a one-year-long contract, can benefit funding for one year to the extent of 100 per cent of the compulsory social security of the employer's contribution; funding for 4 months to the extent of 100 per cent of the minimum wage in national scale. According to this program, Roma community people are considered to be vulnerable unemployed jobseekers

2. DCM no.27 dated 11.01.2012 “Program for employment promotion of females with a membership to specific vulnerable groups”. This program aims at encouraging Albanian managers to employ unemployed females, members of specific groups. This support consists of disbursement of social security obligations and four minimum wages at national scale. Roma females are part of females with membership to vulnerable groups.

Order no. 782 dated 04.04.2006 “On Vocational Training Fees”, amended, foresees that there are no registration fees for unemployed jobseekers of specific groups, registered with employment offices and willing to attend a vocational training course, provided by the Public Regional Vocational Training Directorates.

Despite the increasing demand from Roma community to be registered as unemployed jobseekers with the Regional Employment Offices, the Ombudsman notices that the number of Roma unemployed jobseekers, involved in employment promotion programs in 2011 decreased, as compared to 2010. In concrete terms, in 2011 it was 6 people, and in 2010 it was 28 people.

- ***Taking all possible organizational actions for preparation of temporary shelters for groups in emergent need, such as Roma community members, tramps or homeless people and whomsoever turns to local government units for help, aiming at prevention of situations which might put their life and health at risk, especially their children’s. (To the General Director of Civil Emergencies, as well as to mayors and Heads of Municipality Councils throughout the country).***

Explanation: Due to developments as a result of removal of some Roma families from their temporary shelter in Babrru, Tirana, the Ombudsman’s Institution initiated re-examination of this case on 01.02.2012.

Because of the extremely cold weather during those days and low temperatures forecast for the days to come, it became urgent to take action to help other population categories, like tramps or the homeless, in order to prevent situations which might jeopardize their life or health, especially their children’s life.

- ***Recommendation to the Minister of Labour, Social Affairs and Equal Opportunities, Mr Spiro Ksera, to take actions for:***
 - a) *Hydro-insulation of buildings to be converted into dwelling places;*
 - b) *Placement of doors and windows in the three buildings;*
 - c) *Provision of necessary furniture to convert these premises into normal living places;*
 - d) *Functioning of electric and hydraulic systems;*

- e) *Installation of showers and hydro-sanitation equipment in common toilets;*
- f) *Arrangement of common areas around the buildings.*

Explanation: For 12 consecutive days, starting from 1 February 2012, 8 Roma community families composed of 59 members, among which 30 children of 0-7 years of age, were housed in emergency conditions in the premises of the Ombudsman's Institution. These families were warned of eviction from the area where they had erected their tents within 1 February 2012. The Roma families who were sheltered in the Ombudsman's premises from 1 February 2012 left these premises at midday on 12 February to be accommodated in the premises of "Romani Baxt Albania" association, where they were supposed to stay until completion of construction work in the pre-defined premises by the Ministry of Labour, Social Affairs and Equal Opportunities in a month's time. After a three-month stay in this centre, on 8 May 2012, these 8 Roma families were taken to premises of a former military unit in Sharra, Tirana, under supervision of the Ministry of Labour, Social Opportunities and Equal Opportunities and escorted by police forces.

Ombudsman's experts conducted an inspection in the premises of the former military unit in Sharra, Kombinat area in Tirana, where these families were expected to be sheltered for a relatively long period of time. Inspection concluded that the MoLSAEO had used three buildings of the above-mentioned military unit, previously functioning as warehouses, to establish a temporary centre, where to house the Roma community families. Problems identified in terms of living conditions were related to: *Living premises, internal furniture, non-functional electrical and hydraulic network, state of common toilets, also state of common areas.*

Concerning this recommendation, we have had no response or information yet on the approach and actions undertaken by the MoLSAEO for its implementation.

- ***"Taking the necessary actions to provide uninterrupted supply with potable water in the premises of the military unit in Sharra, Kombinat, Tirana where a few Roma community families were sheltered (To Director of Waterworks and Sewerage Enterprise s.a.)."***

Explanation: This recommendation was a follow-up of a number of attempts for improvement of Roma community living conditions. In response to this recommendation, we were informed that the Waterworks and Sewerage Association, upon verification of the situation in the premises of the former military unit in Sharra, concluded that for the moment being, it was impossible to provide water to these families from the waterworks network, as there is no network at all in that area. This association will take action to provide a 5000-litre tank within the area these families are living, which will temporarily be refilled by a water autotanker, until a definite solution will be found. According to

their response, following-up investments planned by Waterworks and Sewerage Enterprise, there is a plan to provide water supply in this area, which would also benefit these families.

Another recommendation was issued due to the finding that Roma community children failed to attend school:

“Taking actions which allow for enrollment of Roma community children, residing in the former military unit in Sharra, Tirana in the 9-year schools in vicinity of their current residence.”

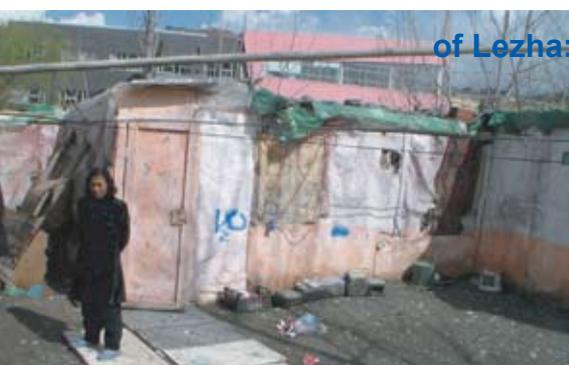
- **Endorsement of an action plan for implementation of recommendations from the workshop of December 2011 on “Rights of Roma minority” (Mr. Pier Mirel) by the Council of Ministers, as well as implementation of Ombudsman’s recommendations, legal and implementing actions for solution of problems Roma citizens cope with, starting from registration, housing, employment, education, economic assistance benefit, etc.**

7. Problems identified by inspections conducted by the Ombudsman in Roma sites.

Identification of problems was realized through field trips conducted by the working group during August-September 2013 in almost all sites where Roma communities reside, and contacts through individual or focus group meetings, as well as in meetings with local representatives of the civil society.

Special assistance for data collection was given by the group of coordinators from Roma organizations, who using answers provided by questionnaires specially prepared to this end, offered a detailed overview of the Roma community living conditions, education and health situation, infrastructure, etc. The relevant problems are ordered by site.

Problems faced by Roma community in the city



of Lezha:

a) Education: Massive school drop-out by Roma children, mainly in the eighth and ninth classes is a major concern. This is due to two reasons:

- Parents remove female children from school, as they think they have reached majority and in many cases they give them to marriage at a very early age. There have been identified 8 of such cases.
- In case of male children, parents remove them from school to become a workforce to collect recyclable waste or for other types of self-employment.

This has also affected further school attendance, with a small number of students attending studies in high school.

b) Vocational Training: There is no vocational training centre in Lezha, capable of preparing Roma youth for a certain profession. Lack of such a centre has led to the deterioration of the unemployment situation for the Roma community youth. Currently, public vocational training service in Lezha is provided by the Vocational Training Centre in Shkodra. Because of distance and transport fees, the Roma community youth in Lezha is not able to attend these courses, meaning that they

Problems faced by Roma community in the city of Korça:



cannot be professionally skilled.

c) Housing: Roma Community living conditions appear to be very hard. They squatter in huts/barracks, warehouses (former state warehouses), in very amortized buildings, very old houses, which are over-crowded because of too many family members.

d) Failure to pay off electricity and water bills remains a major concern. This is because the majority of these people live on economic assistance which in itself is lower than the amount of electricity and water bills.

a) Housing: In the Housing Office in the Municipality of Korça are registered more than 200 homeless Roma families, from which more than 120 families who used to live in houses of former owners. From all these families which have been registered as homeless, only 5 have benefited from the social buildings constructed for the homeless.

b) Registration with the Registrar's Office. Families in need, because of frequent mobility encounter problems with registration in the Registrar's Office. At the same time employees in the Registrar's Office demonstrate negligence dealing with these people as they do not give the necessary information on procedures they need follow to this purpose.

c) Economic assistance. A very small number of Roma community benefit the economic assistance. For more than 15 Roma families, the economic assistance was stopped following an order, according to which, if the economic assistance payment is cashed and not received within the month by the beneficiary, the latter is automatically removed from the economic assistance scheme. The reason for this problem is that more than 60 Roma families lead a nomadic life and the cost of travelling from Gjirokastra to Korça to receive the economic assistance would be the similar amount of money.

d) Employment: Roma community members have been trained and they have benefited from vocational training programs, but they have not been employed by either private or public institutions because of racial and ethnical discrimination of this community.

It has been suggested that the state should not invest in vocational training delivery, but in Roma youth opening self-employment opportunities for them.

e) Infrastructure: There is no problem with road infrastructure, but houses where Roma live are in a miserable state, with no doors, windows or roofs.

Problems faced by Roma community in Cërrik:

a) Housing: For this community the housing problems are really serious. Members of this community have applied for shelter provision but these requests have had no response from the Municipality. In total, there are 200 families which are not housed in regular buildings.



Problems faced by Roma community in Kurbin District:



b) Registration in the Registrar's Office. A great number of children have been registered with the Registrar's Office, but there are still unregistered children. This is because of problems with data transference.

c) Education: Children attend 9-year education, but no further. One of the problems is that they find it hard to complete documentation required by education institutions in the region.

d) Employment: Members of this community are involved in certain projects, as well as in vocational training courses, but unemployment remains high. It is almost zero. Whereas self-employment does not reach 5 per cent of the community families.

e) Living conditions are miserable. There is no road infrastructure, no road illumination or construction, especially in quarter no. 3 where the majority of Roma community live. Also there is no sewerage system for both clean and waste water.

f) Failure to pay off electricity and water bills. A considerable part of Roma community are financially unable to pay off electricity and water bills.

g) Health service: There is no equipment for medical tests, radiography or x-ray in the town hospital. The hospital suffers from a shortage of beds, and in quarter no. 3 of the town there has been no family doctor for a long time.

h) Parents do not receive payment they are entitled to on children's birth, because of lack of documentation.

a) Housing problems for Roma community in Kurbin District are serious and in some cases alarming. These problems have been presented to the Municipality, but the allocated funds are insufficient to buy living premises.

b) Education: Roma children in Kurbin District attend school regularly, mainly compulsory education (9 years). During 2012-2013 there have been cases when children have abandoned school because of extreme poverty.

c) Employment. Employment opportunities are almost zero. There is no evident and direct racial discrimination, but the high number of the unemployed in this community shows the opposite.

d) Living conditions in some specific areas as in Zheja and Gurëz villages are on the edge of extreme poverty and misery. There are no minimum living conditions and these people have not benefited from any type of economic assistance from the state for years, or any humanitarian assistance from non-profit organizations.

e) Infrastructure: There is lack of infrastructure, water and energy supply in neighbourhoods populated by Roma people.

Problems faced by Roma community in the city of Pogradec:



a) Housing: Roma community cope with housing problems mainly in two areas, with a considerable number of Roma families, such as the one in the former military unit and in Guri i Kuq. The local government or the inhabitants themselves can not afford the conversion of these buildings into homes. Besides this, it is a well-known fact that Roma community do not fulfil the criteria for receiving bank loans from second-level banks.

b) Registration in the Registrar's Office. Part of Roma community, residing in Greece, are unregistered in the Registrar's Office, due to lack of documentation (Birth certificate for children born there) and they need to receive it from state institutions in Greece.

c) Economic assistance: People considered as "self-employed" do not benefit economic assistance, regardless of the odd/ordinary jobs they do to earn a living and support their family.

d) Education: Children attend school up to the ninth class and afterwards they drop it out, as they need to strive for a living. But there are also cases of children who do not attend school at all. There is no obstacle for children enrolment in the 9-year schooling.

e) There are no specific projects aiming at professional training of this community's members, which affects negatively their integration in the labour market.

f) Housing and infrastructure: The most problematic situation is identified in the area of the former military unit, where there is lack of potable water, road infrastructure and of the sewerage system. Whereas in the area of Guri i Kuq they cope with extreme poverty problems, due to lack of adapting the existing buildings and their conversion to houses for Roma families.

Problems faced by Roma community in Rrogozhina:



a) Housing: In the town of Rrogozhina several families live in the same household. This needs an urgent solution, since the growing number of their family members will soon be degraded and they will end up to be homeless people.

b) Economic assistance: only a small part of the Roma community benefit from economic assistance, whereas the other part, although in extreme need, either do not benefit it all or they are removed from the scheme since they moved to Rrogozhina after 1991. Even in cases when they re-applied for it, they were short of the necessary documents, due to lack of information on procedure to be followed, and also due to frequent transference of their civil situation.

c) Education: School attendance is another matter of concern for the members of this community, as they only attend it up to the fourth class. Parents do not allow their children to attend school further than the fourth class (school drop-out continues up to the ninth class). There has not been any obstacles for them concerning their children's enrolment in schools. The 9-year school in Rrogozhina is divided into two parts, the town school and the village school. This is the reason why teaching qualities in these schools are different from each other.

Problems faced by Roma community in Bilisht:



d) Vocational training and employment: In the town of Rrogozhina none of the Roma community members is involved in vocational courses. This fact has largely contributed to their considerable unemployment. Besides that, employment opportunities in Rrogozhina are scarce.

e) Infrastructure: Infrastructure is generally good in Rrogozhina, because of investments made by the residents themselves. There is no sewerage system. There is no continuous water supply, whereas electricity supply has been satisfactory so far.

a) Housing: Roma community cope with a lot of housing problems. They have made a lot of requests in the Municipality but they have received no response. As a consequence the majority of Roma community members live in tents or huts.

b) Registration in the Registrar's Office: There are many unregistered individuals in the Registrar's Office, especially children. The main reason is lack of legal marriage of biological parents, which conditions the child's registration. Also, in order for the child to be registered, both parents need to be present, but because the majority of children are single parent children they can not be registered.

c) Employment: So far, no one from the Roma community has been involved in vocational courses. They face numerous problems of unemployment as most Roma people are illiterate.

d) Living conditions for this community are really hard. Roads are in a very bad state. There is no sewerage system and no water supply, and in areas dominated by Roma population there is no electricity or water, either.

Problems faced by Roma community in Driza Village (Fier):



a) Housing: In this site of the Roma community, one can find a lot of inhabitants who own no house or property. They live in huts as in ancient times.

b) Registration in the Registrar's Office: There are unregistered individuals, including older ages. They have faced problems with registration, because some children were born in Greece and left this country without a birth certificate, simply to avoid the financial obligations of the hospital.

c) Education: Roma community children attend primary education up to the fourth class. Because schools are in a distance of about 2.5 km from their dwelling place, in the national road Fier-Vlora, Roma children find it hard to attend school regularly.

d) Infrastructure: Living conditions are extremely bad. There is no infrastructure or no sewerage system. Roma community have complained to local government units many times, but no solution was found because of racial discrimination. Water can not be used for daily consumption as it is undrinkable.

Problems faced by Roma community in “Kinostudio” Area (Tirana):



a) Housing: Roma community in Kinostudio area cope with housing problems. A lot of them still live in huts, whereas some others live in unlegalized houses.

b) Registration in Registrar’s Office: Problems with their registration are present here as well, especially in cases when they change residence, because of the documentation required in order to start the transference procedure.

c) Economic assistance: There are members from Roma community who do not benefit from economic assistance, as the majority of them are inhabitants who arrived here in 1991.

d) Employment: Although Roma community members have completed vocational courses and have been certified by the Ministry of Labour, they can find no employment opportunities in the labour market. This is related to the fact of being Roma. Currently when Roma people go to employment offices to be registered as jobseekers, there has been procrastination of procedures and discrimination manifested by the respective employees.

f) Infrastructure is in a good state, with built roads, but there are still problems with the water discharge system. In case of heavy rain there have been a few floods in a few areas of the neighbourhood. There are also problems with supply of drinkable water during summer. Electricity supply is an issue in this area, because the majority of the community do not pay for the energy supplied.

Problems faced by Roma community in Lapraka (Tirana):



a) Housing: In this area reside about 200 Roma families. They are located in some areas such as: “Institut”, “Tresh”, “Breg Lumi” near “Kolë Jakova” school, and in “Breg Lumas”. About 50% of these families have built their own houses and have applied for their legalization, but a few of them, because of lack of information, can not prepare documentation for this purpose, also because of being uneducated. Some of them have been approved for legalization but the value of land (although near the river) is very high, which can not be afforded by Roma families.

There are also some families, which squatter the state buildings (in Institut) in very difficult and completely unsafe conditions, as well as a number of families living in huts on the river bank, or near the railway. The latter are constantly at risk, with accidents being very frequent in this area. The majority of families living in this area settled there years ago. They are registered and have applied for accommodation, but there have been no beneficiaries so far.

b) Registration in Registrar’s Office: Another evident problem related to transference of Roma families is prolongation of the process which is time-consuming and also of financial cost. Moreover, offices delay their service in time, and it takes them many days to receive a document, etc.

c) Economic assistance: There are very few Roma families, who benefit economic assistance. Some of the reasons are:

- Have registered their place of residence in the Registrar’s Office in Tirana, after 1991.

- Families arriving after 1991, who were treated with economic assistance in their towns or villages, could not withdraw their transference documents in time.
- They do not meet the criteria e.g. they do not benefit economic assistance if one family member is living abroad, although this person is not providing them with any income.
- Corruption (They claim that some families have benefited without deserving it, but because they acted on bribery. On the other hand other families who are really in need have been left out of the scheme).

d) Education: The majority of children attend school up to the fourth or fifth class. The reason for school drop-out is poverty Roma families experience. Many children are forced to work or beg in order to earn their daily living. School drop-out is a sharp problem especially in case of female Roma girls, because of fanaticism, and a fear from “being kidnapped” mostly, and in a few cases because of early marriages.

Frequently they find it difficult to enrol their children in schools closer to their homes. Upon excuses that there are no more places left, Roma children are taken to “Gjergj Fishta” school, which in reality is being called as the school of the “*gabels*”, and due to that the non-Roma parents are reluctant to enrolling their children in this school.

e) Employment: There have been a number of initiatives from different organizations which have supported young boys and girls to attend various vocational courses, but upon completion of these courses none of them was employed. This fact has discouraged the other community members who refuse to become part of these courses although they are offered free of charge. In this area, unemployment is the main concern. Almost 99% of them are unemployed. Directly or indirectly a great number of them are refused because of their ethnicity and because of prejudices non-Roma people have for them.

f) Infrastructure: In some areas, such as in Institut (in the so-called students’ building and the bachelors’ blocks of flats) as well as in Breg Lumas, infrastructure is completely destroyed. There is no drinkable water supply, no functional waterworks system etc.

a) Housing: The main concern here is related to housing problems. In a few areas in Selita, this problem has been presented to the local government and not only, but there has been no preliminary action taken to help these families in need.

b) Registration in Registrar’s Office: In general families have become aware of the importance of registration with the Registrar’s Office, but there are still some individuals who are not registered due to migration reasons. The main hindrances consist in lack of information on procedures to follow, especially in cases of data transference and negligence on the part of employees working in this office towards Roma families.

c) Economic assistance: Only a small part of Roma community receives the economic assistance, whereas the rest, although in extreme

Problems faced by Roma community in Selita (Tirana):



need, are not entitled to any type of assistance. Even when they applied for it, they faced a number of difficulties such as: failure to complete the necessary documentation, lack of information, etc. Another reason is that because of migration from one place to ther, they find it hard to follow the necessary procedures to get this assistance.

d) Education: The main problems faced regarding children's enrolment in schools are lack of documentation and discrimination.

e) Vocational Training and employment: Unfortunately, only a small number of this community members have been involved in vocational courses due to lack of information. In terms of employment, this figure is zero with discrimination being one of the reasons in some cases.

f) Infrastructure and living conditions: Living conditions of some Roma community families are extreme. Also, there is total lack of road infrastructure. Concerning water and electricity supply, it should be emphasized that it is a problem for the whole area as they can not afford to pay off the bills.

Problems faced by Roma community in Fushë-Kruja:



a) Housing: The community in Fushë Kruja cope with a lot of housing problems, because whole families live under one roof and in very hard conditions. Even in places where this situation was solved, they face another yet unsolved problem which is related to land ownership. This community is composed of 30 families, who live in a warehouse lacking the minimum living conditions. Out of 250 families in the Roma neighbourhood, 87 houses have no titles of property.

b) Registration in Registrar's Office: A number of individuals are not registered yet, as they still result as registered in their previous location in Halil village. The numerous problems they face are related to delays in registration, lack of documentation on the part of the community, misconduct and negligence on the part of employees in local institutions.

c) Economic assistance: Statistics show that only 5% of Roma community members receive state economic assistance, while the rest is completely out of this scheme. The main hindrance is the residence permit, because the majority of this Roma community seems to have properties in Halil village. Currently, they do not live in this village and their properties have been forcefully occupied by incoming people from other areas. Until now, no state institution has specifically addressed this issue: verification of properties of ownership of Roma community in Fushë-Kruja.

d) Education: School lists show that the number of children enrolled in schools is 160, but actually only 20 of them attend school. The rest dropped out school years ago, because they either got married, went away or left the country. Children's enrolment in schools and school attendance constitute a really difficult process and it still remains a great challenge. 2012 marked the first year of Roma children's integration in public schools leading to serious problems with the pedagogical staff and school as a whole. Education institutions have participated in meetings, but very rarely

they have taken any actions to solve the problems discussed.

e) Vocational training: Only two people from Roma community in Fushë-Kruja have participated in vocational training programs. The reasons for this are: occasional jobs, poor attendance, patriarchal mentality which forbids girls and women to go out of the community alone, distance from vocational centres (Kruja or Tirana), etc.

f) Infrastructure and living conditions: Living conditions of the Roma community in Fushë-Kruja are extreme and deteriorating. In some cases, the whole extended family live in one house. There are families who only live in one room. On average there are six people living in one room. Infrastructure has been improved lately, as the main road has been built. Anyway, this road does not meet the standards and this is the reason why during winter houses are flooded. There is no drinkable running water, as the community do not pay off the bills. The same situation is true for electricity bills. Families have dug wells in their yards to get water which comes mainly from the nearby river. Concerning electric power, the inhabitants make illegal connections by themselves, thus putting their life to risk.

Problems faced by Roma community in Peqin:



a) Housing: There are 24 Roma families in the town of Peqin registered as homeless. As such, they have applied to the municipality bodies, but they do not meet the necessary criteria, being unemployed.

b) Registration in Registrar's Office: There are still unregistered children in the Registrar's Office. The main problem is related to numerous documentation the Registrar's Office requires (because of procedures), but also mismatch of documents.

c) Vocational training: None of the members of this community in the town of Peqin have been involved in vocational training programs.

Problems faced by Roma community in Nish-Tullë, Durrës:



a) Housing: Nish-Tulla is an area which is made up of 130 houses, out of which 50% new houses, but with nobody owning a title of property, since the legalisation proces is stil underway. Whereas 40 % of them are old houses, built in the '60s, registered in the real estate Registry of Durrës, so they need to make a request to the municipality to transfer these buildings under their ownership. Because of lack of documentation, very few people have managed to do this. The poorest part of Roma families (10 %) live in huts and in very difficult conditions.

b) Economic assistance: Only 2-3 families from this community receive economic assistance. There have been no hindrances in this respect, but family members themselves have neglected it, because of a lot of bureaucracy and documentation to be completed.

d) Education: 95 % of this community's children attend school, but no further than the fourth class, and beyond this class some others drop

out for different reasons such as work or mendicity. Even in cases when family members emigrate, they leave school. Currently, the number of children attending 9- year school is 80.

e) Vocational training: Very few Roma youngsters are involved in vocational training courses, 4-5 people. This is because even those who have completed such a course have not found a job. This makes them more sceptical about chances to get employment after a vocational course.

f) Living conditions and infrastructure in this community are extremely bad. In the last 20 years there has been no investment to improve road infrastructure by the local or the central government. Besides this, lack of waterworks system makes things worse. Any time it rains, these areas experience floods and many children can't go to school because of the grave infrastructure situation. Lack of waterworks and sewerage systems is the main cause for spread of diseases and epidemics in this area. There is no regular energy supply and its distribution infrastructure is problematic and risky for their life.

Problems faced by Roma community in Elbasan:



a) Housing: The city of Elbasan cope with serious housing problems. Despite the commitment of local authorities to provide shelter to Roma communities, this problem remains unsolved because of failure to fulfil the necessary housing criteria on the Roma people side.

b) Registration in Registrar's Office: Children of 01-15 years of age appear to be unregistered with the Registrar's Office. Considerable work has been done for children's registration in the framework of projects such as TLAS (Free legal service) and UNDP. But, because the projects were relatively short in timeframe, their outcomes were insufficient, leaving many children and other members of this community unregistered. Here, you can also find cases of adults, over 25 years of age (married) who are still unregistered.

c) Economic assistance: About 160 families receive economic assistance, but there are still some families who do not benefit it because of the distribution scheme of 1991. There is no information as to the exact number of these families.

d) Education: The main problem in education is related to girls who, because of mentality, do not attend school further than the sixth class, whereas boys do attend it but they have to repeat classes because of poor performance at school, lack of interest on the parents' side, etc.

e) Living conditions of Roma families are bad. Their source of economic income is self-employment in the second-hand clothes market, collection of scrap metals, etc. Road infrastructure is far from good. Lack of sewerage system cleaning of the main duct for water discharge, as waste water flows into a sewer, which does not comply with the minimum rules of hygiene and health, becoming consequently a source of different diseases.

Problems faced by Roma community in Kuçova:



a) Housing: About 25 families from Roma community are homeless and are sheltered in common buildings where live a lot of families at the same time. Although requests have been made to the municipality of Kuçova to solve this problem, nothing has been done so far. In general, the municipality pays no attention to the housing problem or renovation of buildings where the Roma people live.

b) Vocational training: In the town of Kuçova the Roma youth have been participating in vocational training programs for the last two and a half years. But unemployment still remains a major problem, especially in the private sector, because of prejudices and other forms of discrimination. A successful approach in vocational training is the self-employment method adopted by the vocational training programs, supporting the youngsters with business miniplans, work tools as well as with other forms of marketing and promotion.

c) Living conditions of Roma Community in Kuçova are below the living standards, due to unemployment and bad conditions of life. In a neighbourhood of Roma families, apart the the inappropriate conditions of the buiding there are problems with the main waste water collector, which causes the whole neighbourhood to flood during winter, with dirty water entering the houses. Lack of proper sewerage system remains one of the main problems for this community.

Problems faced by Roma community in Grabian (Lushnja):



a) Housing: Roma community in the Commune of Grabian does not meet the criteria necessary to follow application procedures for the status of homeless people, or to benefit from bank loans.

b) Registration in Registrar's Office: There are many unregistered inhabitants in the Commune of Grabian, especially children who were born in Greece. Upon return in Albania, their parents realized that they did not possess the necessary documentation for their registration.

c) Economic assistance: None of the Roma community members receive economic assistance, since they have benefited from the Law for land division. At the same time, these inhabitants are not able to exploit the land and make a living out of it, because of financial reasons.

d) Education: At the moment children in the commune of Grabian attend school, but in the future it appears to be difficult for their parents to pay for school textbooks and other tools, because of poverty.

e) Vocational training: No individual from the Roma community has been involved in any of the vocational training programs, because of lack of information in this respect.

f) Infrastructure: In a number of neighbourhoods, road infrastructure is not complete and there are no foreseen projects or funds in order to repair it. Water and electricity supply do not represent a problem, except for the families who can not afford to pay off bills for these services.

8. Strategy and Action Plan

The Albanian Constitution guarantees the general principle of equity to law and protection from discrimination because of race, ethnic origin, language, religion, social status, or origin (article 18).

Albania has ratified almost all United Nations' Conventions on protection of human rights. Also, Albania has signed all documents of the Organization for Security and Cooperation in Europe (OSCE) and a number of important documents approved by the Council of Europe (CoE).

In order to guarantee the fundamental rights and freedoms of minorities, Albania has approved a series of legal and sub-legal acts of high importance, which not only envisage the recognition and protection of rights of the minority group members, but also foresee concrete steps for their integration in the public life of the country, as well as preservation and development of cultural values and their ethnic identity. The law against discrimination, approved in 2010, among others, provides opportunities for equal protection from both State acts and private individual acts, in the area of employment, education and services.

Besides the legal basis, a number of positive steps have been undertaken by the local government in the framework of social policies related to promotion and protection of rights of the Roma community in Albania.

In September 2003, the Albanian Government endorsed the National Strategy "For improvement of living conditions of the Roma community" and approved it by Decision of the Council of Ministers no. 633, dated 18.09.2003. This strategy opened perspectives for social integration and improvement of living standards for this community, traditionally long-suffering and marginalized. Furthermore, the National Action Plan 2010-2015 was approved, in the context of inclusion in the "Roma Decade 2005 – 2015", as a political commitment of the Albanian government in view of reducing the disparity in the human and economic development of Roma people through implementation of reforms and political programs. This Action Plan aims at improvement of Roma community situation in major areas such as: education, health, employment, housing and social protection.

Although the government's engagement in development of policies for inclusion of the Roma people is an important and progressive step forward, implementation of these policies into practice faces a number of challenges. Despite the actions taken so far, many Roma or Egyptian people in Albania have been affected in different degrees by social exclusion, discrimination and stigma.

Romas and Egyptians have experienced extreme poverty and social and economic marginalization. The Roma community is still one of the most marginalized population groups in Albania. Inadequate housing, limited access to the labour market, education, health care services, as well as to other social services continue to be the main problems facing this community. Reports monitoring implementation of the National Action Plan on Inclusion of the Roma Decade confirm the unchanged situation of the Roma community in Albania. Discriminating practices

towards this community are still present in our society. The number of Roma children who attend school remains very low compared to the number of children belonging to the majority of the population. The overwhelming majority of Roma children drop out school before reaching their minimum legal age. This phenomenon makes them more vulnerable to other social problems. The greatest number of families belonging to the Roma community live in unsafe conditions, in locations with no access to water supply or sewerage systems and frequently in areas with no access to an electricity supply system. An extremely high number of unemployed Roma youngsters have to cope with direct and straightforward discrimination.

Aiming at orientation of policies at a local level in order to improve the situation of the Roma community, in the framework of the Project “*The best practices for Integration of Roma people*”, an initiative was undertaken for the elaboration of Local Action Plans for integration of Romas and Egyptians in 6 pilot areas, including the Municipality of Lushnja.

The Action Plan is based on the National Action Plan developed by the Albanian Government in the framework of the Decade for Roma Inclusion. It totally reflects standards of human rights foreseen in both Albanian and international legislation.

The action plan includes a number of foreseen activities for the time period 2013 – 2015, divided into 6 main areas, as follows:

- Education;
- Employment and Social Protection;
- Housing and infrastructure;
- Health;
- Social Inclusion and Equal Opportunities;
- Cultural Heritage.

Housing and infrastructure

Housing conditions of Roma have been evaluated as unsatisfactory. Their living premises are mainly degraded or huts; there is not enough space for big families; they lack facilities, because drinkable water, frequently, is outside the house; they do not meet the minimum hygienic requirements in terms of toilets and waste water discharge and they are also located in urban outskirts, where there is lack of the main communal services, with unpaved roads as the most evident one.

Criteria for distribution of social buildings is defined on social and economic basis and not on basis of ethnical belonging, or minority membership. Nevertheless, the main problem in this respect is the fact that the criteria of verification of the income source can not be met by the majority of Roma people. Work in informal sector or informal work in formal sectors is the main hindrance for Romas to meet the main criteria to benefit social housing. In these cases an alternative solution needs to be considered to regulate this gap, also in areas such as transference of residence or of free legal assistance.

Discrimination towards the Roma community is manifested in their extreme living conditions, increasing seclusion, violent evictions, as

well as in lack of property titles and unfinalized legalization attempts. As a result, the general perception of Romas is that no one is seriously engaged to solve their housing problems.

Health

While in Albania, it is difficult to find official data on the status of health care to Roma community and their access to this service, it is certain that, during the transition period, health situation of Roma people has deteriorated to a greater extent than that of the rest of the population. The Roma feel they are openly discriminated by health service providers compared to the non-Roma population. This is not only related to common concerns of the Albanian society concerning bribery of doctors and nurses, but also to cases of direct or indirect discrimination because of inappropriate treatment by health care providers, communication barriers, violation of rights on health care, which synthesized make the health system and health care centres unfriendly places for the Roma. Discrimination discourages the Roma community to immediately address their health problems.

One of the major concerns for the Roma people is lack of health insurance record. This is mainly related to factors related to unemployment: a lot of Romas are either unemployed or work without a valid work contract. In both cases the result is that they do not pay social security contributions, meaning that they are entitled to no benefits. Romas living on low income can not afford to pay social security contributions. Besides this, a lot of these individuals are not informed on procedures they need to follow to receive a health insurance booklet. Thus, for the Roma, access to health care is an insurmountable obstacle: they can not afford the high cost of medical services and medicine. As a result, in general they are very negligent to their health and only require medical help in a very advanced stage of the disease.

Health care services are free of charge for children. However, many Roma parents require medical treatment for their children only at a very advanced stage of the disease. Furthermore, most of the Roma parents can not afford the high price of a lot of medications, or specific medical tests which are not provided by public health institutions for different reasons, but anyhow required by the medical staff.¹

Social Protection

Level of poverty of Roma families is very high and the gap between them and the majority of the population is growing. Poor and very poor Roma families are confronted with higher levels of exclusion, because they are less able to afford the everyday life needs and have fewer opportunities to participate in processes which impact their life, such as employment and education.

Due to poverty, many Roma families live off other alternative income sources such as economic assistance, pensions for the elderly, unemployment benefits, disability payments and pensions for orphans. On one hand, these government funds are insufficient to fulfil the family needs, and on the other hand, many Roma families are excluded

1. Progress Report on the National Strategy for Roma

from state assistance benefits or have received it for as long as it was considered necessary.

So, unemployment benefits are given only for one year, although unemployment among Romas is long-term. Because of lack of work in the formal sector, many Romas do occasional jobs in the informal sector, meaning that they can not pay social security, which excludes them from old age pension benefits in the future. Economic assistance is limited, which means that not every Roma family in need can benefit from it. Consequently, we remain in the paradigm of social assistance, with the latter being pre-defined for the poor, but very often “the poorest of the poorest” can not obtain it.

Employment

Employment is the main concern of the Roma community in Albania, which is related to the economic situation of these families and which can be described as extreme poverty. The poorer they are the more difficult it is for them to find formal and informal employment.¹

This is because most of them are not able to get employment because of vocational skills shortage, limited opportunities for employment after the structural changes of the economy, mismatch with the new labour market needs, discrimination by employers and because of lack of specific policies to address the unemployment issue among the Romas. The government provides economic assistance and unemployment benefits for some poor families and unemployed people, as well.

Currently, a very small number of Roma receive such financial support and a lot of them have been excluded from the economic assistance scheme, or from receiving it for as long as it is necessary. This happens mainly because of a number of criteria defined by state institutions, which are not properly harmonized with the Roma community.

Education

Due to poverty, many Roma pupils do not have suitable conditions in their homes to study and prepare school work. In addition, low education level of parents means that they can not count on their help for school work preparation, like their pupils belonging to the majority of the population. Others are obliged to work so as to contribute to financial income in the family. Therefore, there is need for specific programs in schools where Romas study, so as pupils (of all ethnical groups) can study after school in the school premises and under the supervision and assistance of devoted and qualified teachers. A new practice would be engagement of teacher-to-be students to work with groups of pupils. Conditions as well as qualified assistance would help Roma pupils and the ones belonging to the majority of the population to overcome their backwardness and achieve better school results.

Textbooks and other school materials should be free of charge for the Roma people. Although this practice first started in 2011-2012, this year it appeared to be impossible and as a consequence the number of drop-outs will increase. Also, some villages, or urban outskirts where Romas are dwelling, are distant from schools, so there is need for

1. Need assessment study of Roma and Egyptian communities in Albania, UNDP, Tirana 2012.

guaranteed and regular free transport for Roma pupils.

There is still need for strengthening the cultural identity of Roma pupils, which would help them to a better integration. This is why, during extra-curricular activities, trained and well-prepared teachers must speak about the history and culture of Roma people in Albania. Also, some school textbooks, like geography, history, literature, etc. should include information and materials about the Romas. This would increase respect to diversity and would raise awareness of pupils belonging to different ethnical groups on each-other's culture. Meanwhile, consolidation of cultural identity of Roma pupils would make school a more friendly environment for them. It has been practised in a few schools in Korça and Gjirokastra, but such an experience needs to be extended further.

Curricula development and teachers' preparation on Roma history and culture starting from schools where Romas study is a necessity.¹ This can be achieved short-term through intensive training with experts. Whereas mid-term and long-term it can be solved by introducing new programs and subjects in faculties preparing future teachers.

According to quantitative and qualitative data received from parents and pupils, some school teachers do not treat Roma children the same way they treat children belonging to the majority group of the population. Consequently, education policies must aim at teacher training and qualification so as they can work with multi-cultural classes, get to know cultural values of other ethnical groups, know and understand needs of marginalized groups and treat all pupils equally.

In the present conditions, for many Roma parents, long-term benefits deriving from education are still uncertain, as compared to immediate benefits they get from removal of children from school and their employment in the informal sector. This low perception of long-term benefits, as a consequence of scarce opportunities for employment in the public sector and in the formal private sector, demotivates Roma pupils to achieve results in their education. One of the possible policies, in this case, would be to promote the successful cases of individuals from these two communities with pupils and their parents. University students, Roma experts and professionals from the public and private sector would serve as examples for pupils and their parents, by showing achievements, education, employment and their aspirations.

Talented Roma pupils coming from poor families should be supported with scholarships so as they can attend studies in secondary and higher education.² These scholarships, which need to be administered and monitored by public institutions, would motivate talented and successful pupils (starting from higher classes of primary education) and would help them in difficult socio-economic conditions.

Meanwhile, scholarships for university studies- where public institutions could collaborate with international organizations³ – would have quite an impact on creation of Roma elite. Some of these scholarships can be granted for branches like medicine, teaching, etc. where Roma community needs are higher.

Pre-school education must be further extended for Roma children, aiming at inclusion of all children free of charge and possibly in boarding

1. Institute for Pedagogical Research is in the process of preparing a training manual for teachers who will work with Roma and Egyptian pupils.

2. Based on data from Amaro Drom association, in Albania during 2008-2009, only 42 Roma pupils attended high school and 15-17 others attended university studies (Amaro Drom, Roma Voice, Buletin V, October-December 2008).

3. During 2008 – 2011, Roma Education Fund (REF) has awarded 68 scholarships of a value of about 69.500 euros for Roma and Egyptian students to study in public and private universities

nursery schools. In these nursery schools, Roma children can learn Albanian from devoted Roma teachers/educators. In some localities, (such as in Shkodra, Kukës, Peshkopi, Shupenzë, Milot, Gjirokasta, etc.) these institutions need to bear in mind the difficult living conditions of Roma children and provide the necessary infrastructure.

Cultural Heritage

Roma culture possesses a great number of elements which easily distinguish it from the Albanian culture. Roma language is the main factor which expresses this community's identity. According to a study by the World Bank, Roma people have very distinct cultural features such as language, music, community celebrations, family ceremonies, handicraft and women's garments¹. Considering these assets of this minority's culture and tradition, the Albanian state has developed policies and has defined concrete actions which aim at preservation, transmission and deeper cognition of this culture and tradition by the non-Roma population and by the Roma youth themselves.

Compared to other communities, Roma do not have any institution capable of taking care and preserve their culture. A few local organizations with a cultural profile, perform their activity mainly in Tirana and Korça, but their activities are very rare. There are very few artists from the Roma community and in most cases they are not known by the rest of the population. With exception of a few musical shows, cultural activities of the Roma which give voice to their culture are limited. Culture constitutes a very important element for emancipation of this community and it should be seen as closely linked with educational activities and participation of Roma in public life.²

1. Hermine de Soto, Sabine Beddies, Ilir Gëdeshi: Roma and Egyptians in Albania, World Bank, 2005,

2. Decade of Roma Inclusion, National Action 2010-2015, 2011.

9. Conclusions and Recommendations

1. Upon establishment of democracy in the country, minority treatment has gained a new impetus, which can clearly be seen in engagements undertaken by the Albanian state. Implementation into practice of the decisions of the fundamental acts, but also implementation of international acts and particularly of definitions of the Frame Convention of the Council of Europe "On Protection of minorities". In this respect, the Ombudsman takes special significance.
2. Romas are a unique ethnical group, settled in Albanian territories a long time ago and who have succeeded in preserving their language and culture. Although Roma have traditionally been known as nomadic, starting from the 30's of the XX century, the majority of their tribes gradually turned into semi-nomadic or totally sedentary. This nomadism and their pluricentennial mobility had an economic function, they were partly structural and closely linked to their culture. During the post-socialist transition period, due to collapse and closure of state enterprises and because of their character and skills, their low level of education, not excluding prejudices and discrimination, the Roma have passed from a relatively good situation into extreme poverty. At the moment, they can be regarded as the poorest and the most excluded ethnical group in Albania.
3. The main Roma sites are found in Tirana, Lezha, Mamurras, Fushë-Krujë, Nishtullë in Durrësit, Peqin, Rrogozhinë, Peqin, Cërrik, Rrapishta in Elbasan, Pogradec, Korçë Bilisht, Levan, Roma village in Fier, Grabian in Lushnja, Kuçovë, Berat, etc. Meanwhile, it is worth underlying that there are other stable sites, created after the 90's, such as in Shkodra, Gjirokastra, Delvinë, Beltojë, Ura e Drojës, Kukës, Peshkopi, Shupenzë in Peshkopi, Milot, Ura e Dajlanit, Vrion in Saranda, Kthesa e Ariut in Durrës, Fushë Alie, etc. The process of internal migration because of the economic situation, has contributed to spread their dwelling places throughout Albania, thus changing the map of their locations.
4. Ombudsman's recommendations, during 2012-2013 were sent to the public administration bodies centrally and locally. These recommendations were related to:
 - broader inclusion of Roma community members in vocational training and employment programs;
 - changes in the legal normative basis for definition of criteria, procedures and economic assistance action, focusing on Roma minority;
 - changes in the existing legislation for housing of inhabitants in urban areas, focusing on Roma minority;
 - actions for the registration of Roma community members in registers of the Registrar's Office, and facilitation of procedures for data transference to the local units where they are currently residing, or in their new dwelling place;
 - facilitation of enrolment and school attendance by Roma minority children and taking actions which would affect a better access to education for these children;
 - improvement of living conditions, in general as well as in the

Roma minority concrete dwelling places, such as the premises of the former Military Unit, in Sharra, Tirana;

- provision of shelters for Roma minority members by local government units;
- positive actions undertaken by the state to provide factual and effective equity of Roma minority members in terms of access they need to have to the education system in the country, starting from pre-school and on;
- realization of the legislative initiative for a number of improvements in article 1, of Law no.10221, dated 4.02.2010 “On protection from discrimination”, including in this article the causes of discrimination; nationality, declared intent to discriminate, instigation, assistance and encouragement of discrimination;
- In September 2003, the Albanian government endorsed the National Strategy “For improvement of Roma community living conditions” and it was approved by DCM no. 633, dated 18.09.2003. As a follow up, in the context of inclusion of Roma Decade 2005 – 2015, the National Action Plan 2010 – 2015 was approved, which aims at the improvement of the situation of the Roma community in the main areas, such as: education, health, employment, housing and social protection. However, although the government’s commitment to develop policies for Roma inclusion constitutes a significant step forward, implementation into practice of these policies faces a number of challenges. Despite the actions taken, many Roma in Albania have been affected in different degrees by social exclusion, discrimination and stigmatization.
- Problems appear to be in housing and infrastructure, in health care provision, in provision and benefiting from social protection, in employment and in education access.

Based on the above-mentioned findings on the Roma community in the country, it is necessary to:

- make improvements in the Albanian legislation, in terms of criteria to be fulfilled so as to benefit from opportunities offered by central and local government for problems, such as: housing, education, health, etc. particularly for the Roma community;
- simplify application procedures for Roma community in the state offices, to ensure a wider access and facilitation for completion of documentation, regarding problems related to housing, education, health, economic assistance scheme, etc.
- Through sublegal acts of the Council of Ministers, to establish an inter-institutional working group and in close cooperation with local government for registration with the Registrar’s Office of Roma community members who still result to be unregistered or lack documentation, especially for children who were born abroad;
- In planning of budgetary and donors’ funds, competent state structures locally and centrally must include as prioritized project funding for the improvement of living conditions and road

infrastructure in Roma sites;

- State structures legally in charge, need to operate accountably and timely, in cases of reports from the Roma community members of racial discrimination at work, school and public places, of occupation of their land or violation of their houses illegally by different physical or juridical entities, of use of violence towards them, as well as to take to court people manifesting them.
- To increase access of this community to schools, to raise young people's awareness to attend school or vocational training courses, increasing their participation and inclusion in the labour market and in the state sector.
- Education policies must aim at teacher training and qualification so as they can work with multi-cultural classes, get to know cultural values of other ethnical groups, know and understand needs of marginalized groups and treat all pupils equally.
- Talented Roma pupils coming from poor families should be supported with scholarships so as they can attend studies in secondary and higher education. These scholarships, which need to be administered and monitored by public institutions, would motivate talented and successful pupils (starting from higher classes of primary education) and would help them to surmount the difficult social-economic conditions.

In order to resolve the main problems that Albanian society is facing today, including issues of the Roma minority, we think that we must proceed to a constructive, continuous, as well as inter-cultural cooperation between state institutions, civil society and citizens, so as addressing of problems and the process of analysis and their solution can be as all inclusive and shared as possible. Fulfillment of Albania's obligations in the framework of respect towards minority rights, Roma minority in particular, so as this community live up to the standards of the rest of our population, requires inter-institutional coordination, which is fundamental for the effective protection of their rights.

