



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Albania and welcome the constructive engagement of your Government during the 33<sup>rd</sup> session of the UPR Working Group in May 2019.

As the final outcome report on the review of Albania has been recently adopted by the Human Rights Council at its 42<sup>nd</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Albania – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 66 delegations and the presentation made and responses provided by the delegation of Albania. I have also considered the actions taken by the Government to implement the 161 recommendations fully supported as well as those that were partially accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I am particularly encouraged by the ongoing judicial reform, namely the adoption of the Law no. 76/2016 on addenda and amendments to the Constitution and of the seven organic laws guaranteeing the independence, impartiality, professionalism and integrity of judges, as well as the improved accountability and monitoring mechanisms for the judiciary. I also welcome other legislative developments, including Law 47/2018 “On Measures against Violence in Family Relations” and Law 18/2017 “On the Rights and Protection of the Child”.

I also welcome the adoption in 2018 of the Action Plan and Online Platform on Human Rights and encourage Albania to continue implementing it effectively in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate the preparations for Albania's fourth cycle of the UPR. My advice to all Member States is to implement national action plans in close consultation and cooperation with all stakeholders, in particular, the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

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H.E. Mr. Edi Rama  
Minister for Europe and Foreign Affairs  
Republic of Albania

I also encourage Albania to establish a national mechanism for comprehensive reporting and follow-up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking this to the Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at: [http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf).

Please, kindly note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can contribute positively to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I welcome both that Albania submitted a mid-term report following the second cycle as well as its commitment to submit a mid-term report on follow-up to the third cycle of the review. I encourage the Government of Albania to do so, by 2022.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist Albania in relation to the areas identified in this letter and its annex.

Please, accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet  
High Commissioner for Human Rights

cc: H.E. Ms. Artemis Dralo  
Deputy Minister for Europe and Foreign Affairs  
Republic of Albania

## **Annex**

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

- Ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

### **National human rights framework**

- Providing sufficient human, technical and financial resources to the Office of the People's Advocate and the Commissioner for Protection from Discrimination to guarantee their full independence in the fulfilment of their mandate.

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

#### **A. Cross-cutting issues**

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

- Eliminating discrimination against minorities, including Roma and Egyptian minorities, including by ensuring their full access to public services, education and employment.
- Taking further measures to fight discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, including through implementation of the National Action Plan for LGBTI Persons 2016–2020.
- Taking measures to prevent and punish all forms of hate speech and hate crimes against minorities, LGBTI persons, refugees and migrants.

#### **B. Civil and political rights**

##### *Right to life, liberty and security of person*

- Reforming the penitentiary system, by ensuring decent living conditions and access to medical care for detainees, in line with international norms and standards.
- Initiating prompt and effective investigations into all allegations of torture or ill-treatment, and ensuring that those responsible are punished with sanctions commensurate to the gravity of the crimes.
- Taking effective measures to uproot the phenomenon of blood feud, including through implementation of the Action Plan on the prevention, detection, documentation and fight against criminal activity committed for blood feud and vengeance; and ensuring that those affected, in particular women and children, are provided with adequate protection.

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

- Strengthening further judicial reform and effectively fighting corruption in public administration, through the newly established anti-corruption institutions.



- Ensuring effective implementation of the 2017 Code of Criminal Justice for Children and the 2018 Justice for Children Strategy.
- Adopting comprehensive legislation to ensure the right to truth for families of forcibly disappeared persons during the communist regime.

#### *Fundamental freedoms*

- Taking effective measures to strengthen the freedom of opinion and expression and independence of the media and to ensure a safe environment for journalists.
- Ensuring the equal enjoyment of the right to freedom of religion or belief for all individuals, including those who do not adhere to the officially recognized religions.

#### *Prohibition of all forms of slavery*

- Further strengthening efforts to fight trafficking in human beings and increasing measures to prevent and detect cases of trafficking in human beings during border controls, with particular attention to unaccompanied children.
- Implementing the standard operating procedures approved in 2018 for the protection of victims and potential victims of trafficking, and strengthening the capacities of relevant officials in this regard.
- Ensuring effective and timely investigations, prosecution and conviction of perpetrators of trafficking in human beings, including complicit State officials, in line with the relevant provisions of the Criminal Code.

### **C. Economic, social and cultural rights**

#### *Right to an adequate standard of living*

- Strengthening social policies and programmes to combat poverty, including by promoting employment and education, and providing social assistance to national minorities and other vulnerable groups.
- Implementing Law No. 22/2018 on Social Housing, intended to provide a tailored approach to the specific housing needs of persons with disabilities, elderly persons, children and members of minority groups.
- Taking measures to expedite the restitution of properties, including those of religious communities, and ensuring that the process is carried out in a fair and transparent manner, with the engagement of all stakeholders.

#### *Right to health*

- Increasing financial allocations for the health care sector, including for the implementation of the National Health Strategy 2016–2020 and the strategic document and action plan for sexual and reproductive health 2017–2021.
- Strengthening efforts to prevent mother-to-child transmission of HIV through regular screening, early diagnosis and free distribution of antiretroviral medicines.



- Improving access to health care services and to sexual and reproductive health care information and services, including for persons belonging to minorities groups.

#### *Right to education*

- Facilitating further access to compulsory and full-time education for all children, in particular girls belonging to minority groups, children with disabilities and those living in rural and remote areas, and taking measures to reduce drop-out rates among such children.

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

#### *Women*

- Taking additional measures to align national legislation with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), including by revising the definition of rape and integrating protection, rehabilitation and reintegration measures for victims of all forms of sexual violence.
- Ensuring the full implementation of Law 47/2018 “On Measures against Violence in Family Relations”, through development of by-laws, allocation of sufficient resources, and training of relevant staff to ensure adequate support to victims of violence.
- Prohibiting all harmful practices, including the practice of families choosing husbands for their female relatives and killings or other crimes committed in the name of so-called honour.
- Promoting the participation of women, especially those belonging to disadvantaged and marginalized groups, in political and public life, and removing any obstacles, such as civil registration requirements or physical barriers, that prevent women from exercising their right to political and public participation.

#### *Children*

- Ensuring effective implementation of the National Agenda for Children’s Rights 2017–2020, especially with respect to eliminating all forms of violence against children and prohibiting corporal punishment in all settings, including at schools and in public institutions.
- Providing with appropriate funds and resources all mechanisms and State institutions mandated by Law No. 18/2017 to promote, protect and fulfil the rights of children.
- Implementing the plan for the deinstitutionalization of children and reuniting them with their biological families or providing with placement in family-type settings.
- Prohibiting marriages of children below the age of 18 years without any exceptions; criminalizing violations of such prohibition; and raising awareness among children, parents, community and religious leaders and the general public of the negative impact of child marriage on the health and development of children, particularly girls.



### *Persons with disabilities*

- Ensuring effective implementation of national legislation, including the Law on Social Care Services, to address structural problems in providing social care services and access to quality education and employment for persons with disabilities.
- Ensuring effective implementation of the National Action Plan on Persons with Disabilities for 2016–2020.
- Guaranteeing the respect for the rights of persons with intellectual and psychosocial disabilities, in line with the Convention on the Rights of Persons with Disabilities, and developing supported decision-making systems.
- Increasing investments for inclusive education of children with disabilities and taking measures to ensure appropriate infrastructure, assistive devices and technology to enhance their learning opportunities.

### *Minorities*

- Taking further measures to fully implement Law No. 96/2017 on Protection of National Minorities, ensuring that the rights of persons belonging to national minorities are protected, including their rights to self-identification and to learn and use their mother tongue.
- Implementing measures to facilitate access to employment and other income generating programmes, and providing adequate resources for the implementation of the National Action Plan for the Integration of Roma and Egyptians for 2016–2020.
- Ensuring that the law on the 2020 census does not reintroduce a fine for self-identification statements that do not correspond with civil registry data.

### *Refugees and asylum seekers*

- Providing refugees and persons who have been granted subsidiary protection with travel documents and identity cards, and developing technologies and mechanisms to provide asylum seekers and refugees with access to basic services.
- Extending services provided under the Law on Social Assistance and Services to asylum seekers.