

Answer

of the Federal Government

**to the Minor Interpellation tabled by the Members of the Bundestag Luise
Amtsberg, Volker Beck, Marieluise Beck, further Members and the Alliance
90/The Greens parliamentary group**

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Human rights situation in Albania

Preliminary remarks of the questioners

On 20 July 2015, the deadline for transposing Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (Asylum Procedures Directive) expired. Article 37 (2) of this directive contains an obligation to regularly review the situation in third countries designated as “safe countries of origin” under national law. This is designed to ensure that the substantive stipulations of European Union law are met when designating “safe countries of origin”.

Under Annex I of the directive, a country can only be designated a “safe country of origin” “where on the basis of the legal situation, the application of the law within a democratic system and the general political circumstances, it can be shown that there is generally and consistently no persecution as defined in Article 9 of Directive 2011/95/EU (Qualification Directive), no torture or inhuman or degrading treatment or punishment and no threat by reason of indiscriminate violence in situations of international or internal armed conflict. In making this assessment, account shall be taken, inter alia, of the extent to which protection is provided against persecution or mistreatment by

- a) the relevant laws and regulations of the country and the manner in which they are applied;
- b) observance of the rights and freedoms laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms and/or the International Covenant for Civil and Political Rights and/or the United Nations Convention against Torture, in particular the rights from which derogation cannot be made under Article 15(2) of the said European Convention;

- c) respect for the *non-refoulement* principle in accordance with the Geneva Convention;
- d) provision for a system of effective remedies against violations of those rights and freedoms.”

The Act Introducing Expedited Asylum Procedures of 20 October 2015 (Federal Law Gazette I 2015, p. 1722), which led to Albania, Kosovo and Montenegro being categorised as safe countries of origin in autumn 2015, for the first time places the obligation on the Federal Government to present a report every two years on whether the prerequisites for the designation of “safe countries of origin” continue to exist (Section 29a (2a) of the Asylum Act).

The Alliance 90/The Greens parliamentary group continues to believe the instrument of “safe countries of origin” is wrong. It limits procedural rights, legal protection possibilities and since the entry into force of the Act Introducing Expedited Asylum Procedures, also the social and economic rights of nationals from these states seeking asylum. Against this backdrop, the parliamentary group tabling the Interpellation believes that continuous monitoring of the human rights situation in these countries is legally necessary and politically of extreme importance. This Minor Interpellation aims to contribute to this.

1. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their race (cf. Article 10 (1) lit. a of the Qualification Directive), and how has this situation developed within the last year?
2. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by non-governmental actors on the grounds of their race (cf. Article 10 (1) lit. a of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed within the last year?
3. To the knowledge of the Federal Government, to what extent do people in Albania face legal, administrative, police or judicial measures on the grounds of their race (cf. Article 10 (1) lit. a of the Qualification Directive) which are discriminatory or applied in a discriminatory way, and how has this situation developed within the last year?
4. To the knowledge of the Federal Government, to what extent do people in Albania face disproportionate or discriminatory criminal prosecution or punishment on the grounds of their race (cf. Article 10 (1) lit. a of the Qualification Directive) and how has this situation developed within the last year?
5. To the knowledge of the Federal Government, to what extent do people in Albania face denial of judicial protection on the grounds of their race (cf. Article 10 (1) lit. a of the Qualification Directive) and how has this situation developed within the last year?

6. To the knowledge of the Federal Government, to what extent do people in Albania face violations of other human rights, including economic, social and cultural rights, by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their race (cf. Article 10 (1) lit. a of the Qualification Directive) and how has this situation developed within the last year?
7. To the knowledge of the Federal Government, to what extent do people in Albania face violations of other human rights, including economic, social and cultural rights, by non-governmental actors on the grounds of their race (cf. Article 10 (1) lit. a of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed within the last year?

Questions 1 to 7 will be answered together.

Albania is a parliamentary democracy in which fundamental and human rights are enshrined in the Constitution. In the 25 years since the toppling of the repressive totalitarian communist regime under Enver Hoxha the human rights situation has improved significantly. There is no structural repression or discrimination on the grounds of race in Albania.

8. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their religion (cf. Article 10 (1) lit. b of the Qualification Directive) and how has this situation developed within the last year?
9. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by non-governmental actors on the grounds of their religion (cf. Article 10 (1) lit. b of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed in the last year?
10. To the knowledge of the Federal Government, to what extent do people in Albania face legal, administrative, police or judicial measures on the grounds of their religion (cf. Article 10 (1) lit. b of the Qualification Directive) which are discriminatory or applied in a discriminatory way and how has this situation developed within the last year?
11. To the knowledge of the Federal Government, to what extent do people in Albania face disproportionate or discriminatory criminal prosecution or punishment on the grounds of their religion (cf. Article 10 (1) lit. b of the Qualification Directive) and how has this situation developed within the last year?
12. To the knowledge of the Federal Government, to what extent do people in Albania face denial of judicial protection on the grounds of their religion (cf. Article 10 (1) lit. b of the Qualification Directive) and how has this situation developed within the last year?

13. To the knowledge of the Federal Government, to what extent do people in Albania face violations of other human rights, including economic, social and cultural rights by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their religion (cf. Article 10 (1) lit. b of the Qualification Directive) and how has this situation developed within the last year?
14. To the knowledge of the Federal Government, to what extent do people in Albania face violations of other human rights, including economic, social and cultural rights, by non-governmental actors on the grounds of their religion (cf. Article 10 (1) lit. b of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed within the last year?

Questions 8 to 14 will be answered together.

In Albania there is no structural repression or discrimination on the grounds of belonging to a particular religion. The Albanian Constitution guarantees freedom of religion and belief, the religious tolerance practiced in Albania is considered exemplary in the region. Pope Francis paid special tribute to this practice of tolerance by choosing Albania as the first foreign country in Europe to visit on 21 September 2014.

15. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their nationality (cf. Article 10 (1) lit. c of the Qualification Directive) and how has this situation developed within the last year?
16. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by non-governmental actors on the grounds of their nationality (cf. Article 10 (1) lit. c of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed within the last year?
17. To the knowledge of the Federal Government, to what extent do people in Albania face legal, administrative, police or judicial measures on the grounds of their nationality (cf. Article 10 (1) lit. c of the Qualification Directive) which are discriminatory or applied in a discriminatory way and how has this situation developed within the last year?
18. To the knowledge of the Federal Government, to what extent do people in Albania face disproportionate or discriminatory criminal prosecution or punishment on the grounds of their nationality (cf. Article 10 (1) lit. c of the Qualification Directive) and how has this situation developed within the last year?
19. To the knowledge of the Federal Government, to what extent do people in Albania face denial of judicial protection on the grounds of their nationality (cf. Article 10 (1) lit. c of the Qualification Directive) and how has this situation developed within the last year?

20. To the knowledge of the Federal Government, to what extent do people in Albania face violations of other human rights, including economic, social and cultural rights, by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their nationality (cf. Article 10 (1) lit. c of the Qualification Directive) and how has this situation developed within the last year?
21. To the knowledge of the Federal Government, to what extent do people in Albania face violations of other human rights, including economic, social and cultural rights, by non-governmental actors on the grounds of their nationality (cf. Article 10 (1) lit. c of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed within the last year?

Questions 15 to 21 will be answered together.

Albania is a very homogenous country in terms of nationality. According to the 2011 census, almost 83% of the population described themselves as ethnic Albanians. There is no structural repression or discrimination on the grounds of nationality.

22. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their membership of a particular social group (cf. Article 10 (1) lit. d of the Qualification Directive) and how has this situation developed within the last year?
23. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by non-governmental actors on the grounds of their membership of a particular social group (cf. Article 10 (1) lit. d of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed within the last year?
24. To the knowledge of the Federal Government, to what extent do people in Albania face legal, administrative, police or judicial measures on the grounds of their membership of a particular social group (cf. Article 10 (1) lit. d of the Qualification Directive) which are discriminatory or applied in a discriminatory way and how has this situation developed within the last year?
25. To the knowledge of the Federal Government, to what extent do people in Albania face disproportionate or discriminatory criminal prosecution or punishment on the grounds of their membership of a particular social group (cf. Article 10 (1) lit. d of the Qualification Directive) and how has this situation developed within the last year?
26. To the knowledge of the Federal Government, to what extent do people in Albania face denial of judicial protection on the grounds of their membership of a particular social group (cf. Article 10 (1) lit. d of the Qualification Directive) and how has this situation developed within the last year?

27. To the knowledge of the Federal Government, to what extent do people in Albania face violations of other human rights, including economic, social and cultural rights, by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their membership of a particular social group (cf. Article 10 (1) lit. d of the Qualification Directive) and how has this situation developed within the last year?
28. To the knowledge of the Federal Government, to what extent do people in Albania face violations of other human rights, including economic, social and cultural rights, by non-governmental actors on the grounds of their membership of a particular social group (cf. Article 10 (1) lit. d of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed within the last year?

Questions 22 to 28 will be answered together.

There is no structural repression of or discrimination against people on the grounds of their membership of a particular social group in Albania. Albania is, however, one of the poorest countries in Europe, which is why the social participation of financially worse-off strata of the population is often limited in practice here.

29. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their sexual orientation (cf. Article 10 (1) lit. d of the Qualification Directive) and how has this situation developed within the last year?
30. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by non-governmental actors on the grounds of their sexual orientation (cf. Article 10 (1) lit. d of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed in the last year?
31. To the knowledge of the Federal Government, to what extent do people in Albania face legal, administrative, police or judicial measures on the grounds of their sexual orientation (cf. Article 10 (1) lit. d of the Qualification Directive) which are discriminatory or applied in a discriminatory way and how has this situation developed within the last year?
32. To the knowledge of the Federal Government, to what extent do people in Albania face disproportionate or discriminatory criminal prosecution or punishment on the grounds of their sexual orientation (cf. Article 10 (1) lit. d of the Qualification Directive) and how has this situation developed within the last year?
33. To the knowledge of the Federal Government, to what extent do people in Albania face denial of judicial protection on the grounds of their sexual orientation (cf. Article 10 (1) lit. d of the Qualification Directive) and how has this situation developed within the last year?

34. To the knowledge of the Federal Government, to what extent do people in Albania face violations of other human rights, including economic, social and cultural rights, by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their sexual orientation (cf. Article 10 (1) lit. d of the Qualification Directive) and how has this situation developed within the last year?
35. To the knowledge of the Federal Government, to what extent do people in Albania face violations of other human rights, including economic, social and cultural rights, by non-governmental actors on the grounds of their sexual orientation (cf. Article 10 (1) lit. d of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed within the last year?

Questions 29 to 35 will be answered together.

In May 2016, the government adopted the 2016-2020 Action Plan for LGBTTI (lesbian, gay, bisexual, transsexual, transgender, intersexual) people, which the ombudsman and human rights organisations welcome as an important step in terms of further reforms towards equality. EUR 2.2 million is available to implement the action plan. Social attitudes towards LGBTTI people and in particular homosexuals on the part of the general public continue to be problematic; they meet with little tolerance both in general and in their own families, with acceptance in rural areas particularly low. To date same-sex life partnerships are not legally accepted. Attempts to change this in the scope of the reform of the justice system met with resistance and were put on hold in the interests of passing the package of reforms. For politicians it remains difficult to champion LGBTTI rights, there are, however, the first signs of a civil-society process of rethinking these attitudes.

Please also refer to the answer to questions 76 to 76b.

36. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their political opinion (cf. Article 10 (1) lit. e of the Qualification Directive) and how has this situation developed within the last year?
37. To the knowledge of the Federal Government, to what extent do people in Albania face the use of physical or psychological violence, including sexual violence, by non-governmental actors on the grounds of their political opinion (cf. Article 10 (1) lit. e of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed within the last year?
38. To the knowledge of the Federal Government, to what extent do people in Albania face legal, administrative, police or judicial measures on the grounds of their political opinion (cf. Article 10 (1) lit. e of the Qualification Directive) which are discriminatory or applied in a discriminatory way and how has this situation developed within the last year?

39. To the knowledge of the Federal Government, to what extent do people in Albania face disproportionate or discriminatory criminal prosecution or punishment on the grounds of their political opinion (cf. Article 10 (1) lit. e of the Qualification Directive) and how has this situation developed within the last year?
40. To the knowledge of the Federal Government, to what extent do people in Albania face denial of judicial protection on the grounds of their political opinion (cf. Article 10 (1) lit. e of the Qualification Directive) and how has this situation developed within the last year?
41. To the knowledge of the Federal Government, to what extent do people in Albania face violations of other human rights, including economic, social and cultural rights, by the state or parties or organisations which control the state or a significant section of the state territory on the grounds of their political opinion (cf. Article 10 (1) lit. e of the Qualification Directive) and how has this situation developed within the last year?
42. To the knowledge of the Federal Government, to what extent do people in Albanian face violations of other human rights, including economic, social and cultural rights, by non-governmental actors on the grounds of their political opinion (cf. Article 10 (1) lit. e of the Qualification Directive) where the state or other actors are not able or willing to provide protection and how has this situation developed within the last year?

Questions 36 to 42 will be answered together.

In the scope of the approximation of Albanian laws to those of the European Union, there has been significant progress in building a state based on the rule of law and effective protection of human rights in Albania. The country has ratified the key international human rights conventions. No cases of persecution or discrimination on the grounds of political opinion are known.

43. Does the Federal Government consider the measures the Albanian authorities and, if applicable, international organisations may be taking to its knowledge to be sufficient to provide protection for those affected by human rights violations in Albania and to improve the human rights situation in Albania (please explain)?

In the event of human rights violations, these can be referred to an ombudsman who investigates the cases and can initiate legal proceedings. For cases of suspected unequal treatment there is an anti-discrimination co-ordinator. In addition to this there are state institutions which provide protection such as women's shelters and shelters for victims of human trafficking. A safehouse for LGBTTI people is run by a non-governmental organisation.

44. What measures is the Federal Government taking to provide the victims of human rights violations in Albania with protection and to improve the human rights situation in Albania, and to what extent will it be continuing or expanding these measures in the future?

The Federal Government does not conduct any measures in this vein in Albania.

45. To the knowledge of the Federal Government, to what extent do Roma, Balkan-Egyptians and Ashkali have access to the registration system and the possibility of being issued a passport or other identification documents, and how many Roma, Balkan-Egyptians and Ashkali are nonetheless not officially registered to the knowledge of the Federal Government?

According to OSCE experts, Ashkali and Balkan-Egyptians are better adapted and integrated than Roma. The comments made below in relation to Roma therefore only apply to these two groups on a far smaller scale. The group totals between 20,000 (2011 census) and 150,000 people (statements by members of advocacy associations and non-governmental organisations of this group).

Every Albanian has access to the registration system. Registration is a relatively bureaucratic process which is difficult for people with little access to education. Costs resulting from the documents which have to be submitted further complicate registration. One can assume around 7 000 to 8 000 non-registered people. Registration is already problematic at birth if this is outside of hospitals in informal settlements. Civil society and non-governmental organisations are endeavouring to improve registration of children in particular. This is also one of the central points in the 2014 Albanian National Action Plan on Integration.

46. Are non-registered Roma, Balkan-Egyptians and Ashkali Albanian nationals to the knowledge of the Federal Government, or to what extent do they have the possibility of acquiring Albanian nationality and what is the Federal Government's assessment of this situation from a human rights perspective?

Albanian nationality is not contingent on registration, but the lack of an official place of residence amongst some members of this group complicates the issuance of identity documents.

47. To what extent do non-registered Roma, Balkan-Egyptians and Ashkali face violent attacks to the knowledge of the Federal Government, and to what extent are the Albanian authorities willing and able to provide protection against such attacks?
- a) How many attacks has the Federal Government become aware of since 2011 (please break down by year)?
- b) In how many cases did these lead to criminal proceedings and convictions to the knowledge of the Federal Government (please break down by year)?

Questions 47 to 47b will be answered together.

According to non-governmental organisations, (non-) registration has no bearing on the degree of vulnerability. Violent attacks are prosecuted by the police as a criminal offence. The Federal Government has no further information.

48. To the knowledge of the Federal Government, to what extent do Roma, Balkan-Egyptians and Ashkali, in particular non-registered Roma, Balkan-Egyptians and Ashkali, actually have access to health care for acute treatment needs and chronic suffering?

a) Is the health care free of charge to the knowledge of the Federal Government?

Questions 48 and 48a will be answered together.

All Albanians have access to public healthcare free of charge. The prerequisite for this is registration and proof of paid health insurance, otherwise only emergency treatment is provided. Please also refer to the answer to questions 45 and 46.

b) Is patient-doctor confidentiality upheld in the provision of health care to the knowledge of the Federal Government?

Patient-doctor confidentiality is stipulated by law; non-compliance can result in heavy penalties.

c) What measures is the Albanian government taking to the knowledge of the Federal Government to improve this situation?

In addition to the 2014 National Action Plan on Integration cited in the answer to question 45, which is increasingly being implemented, a new Act on Social Housing is being drafted which should bring about improvements for Roma.

49. How high is the life expectancy of Roma, Balkan-Egyptians and Ashkali compared to the population as a whole to the knowledge of the Federal Government, and what measures is the Albanian government taking to increase this life expectancy?

The average life expectancy in Albania for the population as a whole is 76.1 years for women and 79.4 years for men. There is no data available broken down into ethnic groups.

The Federal Government is not aware of any measures by the Albanian government specifically directed at increasing life expectancy. However, the annual report by the ombudsman in 2015 states that measures are planned in the health sector which may at least indirectly contribute to raising life expectancy.

50. How high is the infant mortality rate amongst the Roma, Balkan-Egyptians and Ashkali compared to the population as a whole to the knowledge of the Federal Government, and what measures is the Albanian government taking to lower this rate?

The infant mortality rate for the population as a whole was 7.8 deaths per 1,000 births in 2015 according to the Statistical Office of the Republic of Albania InStat. There is no data available broken down according to ethnic groups.

The Federal Government is not aware of any specific measures to combat the infant mortality rate.

51. To the knowledge of the Federal Government, to what extent do Roma, Balkan-Egyptians and Ashkali actually have access to schools, universities and other education and training institutions, and to what extent are they obliged to attend school?
52. How high is the percentage of the Roma, Balkan-Egyptians and Ashkali who do not attend school in spite of compulsory schooling to the knowledge of the Federal Government?

Questions 51 and 52 will be answered together.

Access to schools is ensured. The school administration does not enquire about whether the parents of school children are registered or not. The purchase of schoolbooks does, however, constitute an objective obstacle to attending school, as the costs of these can only be reimbursed once they have been purchased. The government intends to tackle this problem. The high rate of Roma children leaving school again at a very early age without completing a higher level of schooling – and as such without any potential vocational or academic further education qualifications - is also problematic.

53. How high is the literacy rate among the Roma, Balkan-Egyptians and Ashkali compared to the population as a whole to the knowledge of the Federal Government?

According to InStat information from 2014, the literacy rate among Roma is 59.7 %, the literacy rate of the population as a whole is 98.4 %. There is no further or more recent data available.

54. To what extent do Roma, Balkan-Egyptians and Ashkali actually have access to social benefits and services and state-subsidised or funded measures to the knowledge of the Federal Government?

Access to social benefits is the same for all Albanians. It is relatively bureaucratic and organised at local level. The applicants have to prove that they have no income of any kind. Then they receive 3 600 Albanian Lek per person and month (approximately EUR 27).

55. To what extent do Roma, Balkan-Egyptians and Ashkali have access to adequate housing to the knowledge of the Federal Government?

There are no fundamental restrictions to access to housing in Albania.

56. How many Roma, Balkan-Egyptians and Ashkali are living in slums and slum-like housing to the knowledge of the Federal Government, and what measures is the Albanian government taking to do away with this situation?

The majority of Roma live in slum-like housing. No further information is available. Please also refer to the answer to question 57.

57. How many Roma, Balkan-Egyptians and Ashkali are living in state-funded housing to the knowledge of the Federal Government, and what measures is the Albanian government taking to increase this figure?

To receive state-funded housing, proof of an income is absolutely necessary. This makes access difficult for the Roma who, if at all, are often employed unofficially. The reason for this situation is the outsourcing of social housing to private building companies. In the future the Albanian government is planning to provide Roma with land to build on free of charge.

58. To the knowledge of the Federal Government, how many people have been affected by forced evictions since 2011 where they were not provided with suitable replacement housing, and how many of these people were

- a) Roma, Balkan-Egyptians or Ashkali,
- b) minors?

The Federal Government does not have data available to it on cases for the entire period. There were forced evictions in 2015 in Selita, to clear the designated section for the future “small ring road” in Tirana. 70 families were affected. As compensation they received a cash payment in the amount of two notional annual rents. A Roma camp in a nearby recreational area was also cleared, affecting 50 families. They were returned to their original places of residence as per their registrations at the expense of the city of Tirana. Some were provided with accommodation in a transitional camp.

59. What is the Federal Government’s assessment of the human rights situation of the Aromanians in Albania, and to what extent is the legal equality of this minority and the preservation of their linguistic and cultural heritage ensured?

60. What is the Federal Government’s assessment of the human rights situation of the Bosniaks in Albania, and to what extent is the legal equality of this minority and the preservation of their linguistic and cultural heritage ensured?

61. What is the Federal Government’s assessment of the human rights situation of the Macedonians in Albania, and to what extent is the legal equality of this minority and the preservation of their linguistic and cultural heritage ensured?

Questions 59 to 61 will be answered together. Please refer to the answer to question 65.

62. What is the Federal Government’s assessment of the human rights situation of the Greeks in Albania, and to what extent is the legal equality of this minority and the preservation of their linguistic and cultural heritage ensured?

The Greek minority in the south of the country – according to the 2011 census approximately 24 000 people – was already recognised as an ethnic group under the communist regime and does not face any discrimination. Bilingualism is ensured to a limited degree in the areas they inhabit. There are school lessons held in Greek provided that there are enough Greek-speaking pupils; the University of Gjirokastra offers Greek-language degree courses. Places are marked with bilingual signs in the Greek settlement areas. Nonetheless there are repeatedly political tensions and clashes. Property disputes are particularly frequent, which the lack of a land register fuels considerably. In summer 2015 there were disputes relating to the demolition without prior consultation of a building which the government described as a garage, the Orthodox Church on the other hand as a church. Following mediation efforts by members of parliament, the government promised to make sure there would be a new worthy church building for the community in question. The party of the

Greek minority has one MP in parliament.

63. What is the Federal Government's assessment of the human rights situation of the Gorani in Albania, and to what extent is the legal equality of this minority and the preservation of their linguistic and cultural heritage ensured?
64. What is the Federal Government's assessment of the human rights situation of the Montenegrins in Albania, and to what extent is the legal equality of this minority and the preservation of their linguistic and cultural heritage ensured?
65. What is the Federal Government's assessment of the human rights situation of the Serbs in Albania, and to what extent is the legal equality of this minority and the preservation of their linguistic and cultural heritage ensured?

Questions 63 to 65 will be answered together.

None of the said groups are recognised as a minority. The 2011 census enquired about "ethnic and cultural affiliation". 5 500 people stated they were Macedonian, 366 Montenegrin. The groups of the Bosniaks, Gorani and Serbs are not listed. 66 people stated that their mother tongue was Serbo-Croatian. Around 400 000 people preferred not to answer the question relating to ethnic-cultural affiliation. An Act on National Minorities is currently in the process of being drafted.

The Aromanians form a relatively large ethnic group, according to the 2011 census around 8 000 people, whose heyday dates back to the 17th and 18th century. In Korça the Aromanians have their own orthodox church, which preserves its own religious traditions. A Romanian honorary consul supports the cultivation of Aromanian identity. The Minorities Act currently being drafted sets forth official recognition as a minority.

66. What is the Federal Government's assessment of the human rights situation of the Christians in Albania, and to what extent is the legal equality of this minority and practice of their religion ensured?

Christians are not recorded as a minority in Albania. They are members of a religious community which accounts for around 30% of the total population. Please refer to the answer to questions 8 to 14.

67. To what extent is positive, negative, individual and collective religious freedom ensured in Albania to the knowledge of the Federal Government?

Please refer to the answer to questions 8 to 14.

68. What is the Federal Government's assessment of the human rights situation of orphans under the age of 18 in Albania, and what measures is the Albanian government taking to improve their situation?

Albanian orphanages for the most part do not meet European standards. Problem situations are addressed in the media from time to time; the education and social ministries are aware of the problem. Human rights organisations which also address the problems of corrupt and illegal adoptions deem orphaned children to be a group at risk of human trafficking.

69. How many cases of sexual violence against women and girls have been reported to the Albanian authorities since 2011 to the knowledge of the Federal Government (please break down by year)?

a) In how many cases did these lead to criminal proceedings and convictions to the knowledge of the Federal Government (please break down by year)?

How many of these cases concerned offenders who were related to the victim?

b) How high does the Federal Government estimate the number of unreported cases to be?

c) What is the Federal Government's assessment of the protection the Albanian authorities are providing women against sexual violence, and what measures is the Albanian government taking to improve the situation?

Questions 69 to 69c will be answered together.

The Federal Government has no figures available to it. The ombudsman and non-governmental organisations address violence and sexual violence against women and girls. The problem of domestic violence must also be seen in this context; in rural areas in particular there is still a major lack of awareness that this is wrong. In 2015, the German embassy in Tirana provided funding to a non-governmental organisation project to raise awareness about violence against women and girls. In the scope of the project government institutions were also given training in dealing with victims.

70. How many cases of sexual violence against minors have been reported to the Albanian authorities since 2011 to the knowledge of the Federal Government (please break down by year)?

a) In how many cases did these lead to criminal proceedings and convictions to the knowledge of the Federal Government (please break down by year)?

How many of these cases concerned offenders who were related to the victim?

Questions 70 and 70a will be answered together.

Crimes in this area are subject to the provisions in Chapter II, Section VI of the Albanian Criminal Code (sexual crimes). In 2015, a total of 80 cases were recorded, in the first half of 2016, 27 cases.

Sexual crimes against minors as follows:

No.	Article	Crime	Cases 2015/ 1st half 2016
1	100	Sexual intercourse (homosexual or not) with minors	22/8
2	101	Sexual intercourse by use of force with minors aged 14-18	18/4
3	108	Immoral acts	34/5
4	108/a	Sexual harassment	29/10

All the cases were forwarded to the respective public prosecutor's office.

b) How high does the Federal Government estimate the number of unreported cases to be? The Federal Government does not know the number of unreported cases.

c) What is the Federal Government's assessment of the protection the Albanian authorities are providing to minors against sexual violence, and what measures is the Albanian government taking to improve the situation?

In the area of sexual violence, in addition to conducting investigations, the relevant authorities also work very closely with the child protection units of the municipal administrations to ensure the necessary psychological support is provided and to meet the needs of victims as best as possible and to stabilise them.

Furthermore in cooperation with the Ministry of Education, the cooperation agreement "Education, awareness-raising and reducing the demand for narcotics and other dangerous substances" is being implemented. The programme is designed to educate school pupils – especially between the sixth and ninth grade – about drug abuse and to raise awareness, which is also suited as a prevention measure to reduce cases of violence and sexual abuse against or by minors.

Great attention is being accorded to the training of police officers who deal with cases of sexual violence against or by minors. In 2014, with the support of the International Criminal Investigative Training Assistance Program (ICITAP) and Save the Children, a five-day course on standardised procedures in cases of sexual violence against children was conducted and attended by representatives from the national police, the public prosecution service and the health service.

71. How many cases of forced marriages has the Federal Government become aware of since 2011, and how high does it estimate the number of unreported cases to be?
- In how many cases did these lead to criminal proceedings and convictions for forced marriages in Albania to the knowledge of the Federal Government, and on what legal basis did this happen (please break down by year)?
 - What is the Federal Government's assessment of the protection the Albanian authorities are providing against forced marriages, and what measures is the Albanian government taking to improve the situation?
 - What prevention programmes conducted by the Albanian government is the Federal Government aware of in this area?

Questions 71 to 71c will be answered together.

2.92 % of young people between the age of 15 and 18 were married according to the 2011 census. It has to be assumed that many of these are arranged marriages encouraged to a considerable degree by pressure from the individuals' social surroundings. According to a case study conducted by the Albanian children's rights monitoring agency ODF, this is on the decline, but in the underdeveloped rural environment certainly still to be found. Overall marriages arranged by parents or the social environment are widespread in Albania and socially accepted, which is why it is almost impossible to clearly distinguish forced marriages against this backdrop.

72. How many cases of "blood feud" (cf. www.bamf.de/SharedDocs/Anlagen/DE/Publikationen/Herkunftslaenderinformationen/albanien-blickpunkt-2014-10.pdf?__blob=publicationFile <5.9.2016>) has the Federal Government become aware of since 2011 and how high does it estimate the number of unreported cases to be?
- In how many of these cases did these lead to criminal proceedings and convictions in Albania to the knowledge of the Federal Government (please break down by year stating the legal basis for the conviction)?
 - What measures is the Albanian government taking to provide protection against blood feuds, and does the Federal Government consider these sufficient?
 - What prevention programmes by the Albanian government is the Federal Government aware of in this area?

Questions 72 to 72c will be answered together.

In 2015 there were no blood feud murders to the knowledge of the Federal Government. This does not rule out the possibility of older blood feuds which still continue. Estimates put the figure at up to 300 affected families. The Coordinating Council in Combatting Blood Feud was already established back in 2005. In 2015 it was called on by the government to become more active both in preventing blood feuds but also in looking after families living in blood feuds. In the Albanian Criminal Code, Articles 78a (Murder due to blood feud), 83a (Restriction of the freedom of movement) and 83b (Incitement to blood feud) set forth the relevant statutory offences.

73. How many cases has the Federal Government become aware of since 2011 in which people from Albania have fallen victim to human trafficking (be it for the purpose of sexual exploitation, labour exploitation, forced begging, forced crime, organ theft), and how high does it estimate the number of unreported cases to be?

- a) In how many cases did this lead to criminal proceedings and convictions in Albania to the knowledge of the Federal Government, and on what legal basis did this happen (please break down by year)?

Questions 73 and 73a will be answered together.

In 2015, according to the national police, there were 80 cases of trafficking of humans and minors, in the period from January to September 2016, 47. In all the cases, criminal proceedings were initiated by the respective public prosecutor's office. The legal basis in the Albanian Criminal Code is Article 110a (Human trafficking of adults) and Article 128b (Human trafficking of minors).

- b) What measures is the Albanian government taking to the knowledge of the Federal Government to provide protection against human trafficking, and does the Federal Government consider these sufficient?
- c) What prevention programmes by the Albanian government is the Federal Government aware of in this area?

Questions 73b and 73c will be answered together.

The government of Prime Minister Edi Rama adopted a National Action Plan to Combat Human Trafficking in 2014. In her capacity as National Anti-Trafficking Co-ordinator, the Deputy Minister of the Interior is actively engaged in the fight against human trafficking and organises awareness raising campaigns.

74. To the knowledge of the Federal Government, to what extent do women and girls have access to free gynaecological consultation and treatment (including pregnancy terminations), and to what extent is patient-doctor confidentiality upheld during consultation and treatment?

Women and girls from the age of 12 enjoy independent, free access to gynaecological consultation and treatment as members of the public health insurance system. This also applies in connection with terminations of pregnancies. These only take place if a foetus is deformed or the life of the mother is endangered by the pregnancy. Patient-doctor confidentiality is upheld. Doctors face heavy penalties if they are charged with violating confidentiality and are found guilty.

75. How many public gatherings by or supporting lesbian, gay, bisexual, trans and intersexual people (LGBTI) have taken place in Albania since 2011 to the knowledge of the Federal Government and how many were banned or disbanded by the government authorities?

LGBTI events take place fairly regularly in Albania. In addition to an annual action week in May, there is an annual, relatively small pride parade, a bicycle tour through the city centre of Tirana, and a fundraising event for the LGBTI safehouse "Streha" (roof). To the knowledge of the Federal Government, these events take place without any disruptions.

76. To the knowledge of the Federal Government, to what extent do members of this

group face violent attacks and to what extent are the Albanian authorities willing and able to provide protection against such attacks?

- a) How many attacks has the Federal Government become aware of since 2011 (please break down by year)?
- b) In how many cases to the knowledge of the Federal Government did this lead to criminal proceedings and convictions (please break down by year)?

Questions 76 to 76b will be answered together.

According to a study by the National Democratic Institute in Albania in 2015, 76% of the LGBTTI people surveyed stated that they had already been the victim of verbal attacks. 32% of those surveyed stated they had been the victim of physical violence. The Federal Government has no further information available to it.

77. What media publications dealing with LGBTI issues are publically available in Albania to the knowledge of the Federal Government?

78. To what extent is the Federal Government aware of measures or laws suited to stopping and/or designed to stop such media being produced or sold?

Questions 77 and 78 will be answered together.

All media publications can report on LGBTTI issues and do this on an ad-hoc basis. The Federal Government is not aware of any measures or laws suited to stopping the publication and distribution of such media.

79. Is the Federal Government aware of any legislative proposals aiming to limit the rights of LGBTI people, and if so what is its assessment thereof?

The Federal Government is not aware of any such proposals. The Albanian government adopted the National Action Plan for LGBTTI people for the years 2016 to 2020 in May 2016. A high-profile event took place to mark the start of implementation with the participation of the Minister of Social Welfare and Youth.

80. To the knowledge of the Federal Government, to what extent do LGBTI people actually have access to healthcare for acute treatment needs and chronic suffering?

- a) To what extent is healthcare for members of this group free of charge to the knowledge of the Federal Government?
- b) To what extent is patient-doctor confidentiality upheld in the provision of healthcare to members of this group to the knowledge of the Federal Government?
- c) To what extent do members of this group have access to adequate housing to the knowledge of the Federal Government?

Questions 80 to 80c will be answered together.

Access to healthcare is no different for LGBTTI people than for the rest of the population. Violations of patient-doctor confidentiality are subject to heavy penalties in Albania. The Federal Government has no information on access to housing for LGBTTI people.

81. How many attacks (intimidation, threats, violence) against journalists has the Federal Government become aware of since 2011 (please break down by year)?

In how many cases did they lead to criminal proceedings and convictions to the knowledge of the Federal Government (please list by year in each case)?

The Federal Government is aware of the following attacks on journalists:

2014

June: A journalist from the TV station A1-Report is threatened with a pistol whilst filming a police crackdown on marijuana cultivation in Lazarat.

November: The investigative journalist Genci Angjellari (Agon Channel) and his family are threatened after he uncovers a case of corruption.

2015

March: Journalist Artan Hoxha (News 24) receives death threats by SMS; he had previously reported on the round-up of a cocaine laboratory.

April: Attack on the journalist and cameraman Hamza Hatika who then leaves Albania to seek asylum in an EU country.

June: The journalist Aurora Koromani (Gazeta Shqiptare) receives threats on Facebook from suspected Islamists.

2016

August: The News Director of A1-TV Alida Tota is sacked; she accuses the Mayor of Tirana of being behind this. She had previously reported on his alleged involvement in a corruption affair.

October: The broadcast of the investigative programme “publicus” on the station Vizion Plus is cancelled at short notice. A report had been scheduled to be shown on a suspected corruption scandal involving a waste recycling company which has concluded an agreement with the city of Tirana and is said to enjoy the backing of Mayor Veliaj.

The Federal Government has no information on proceedings or convictions.

82. What measures is the Federal Government aware of which restrict the freedom of the press in Albania, and what is the Federal Government's assessment of this situation?

The Federal Government is not aware of any measures directly restricting the freedom of the press in Albania. The Constitution guarantees free and independent media. Restrictions of the freedom of the press and of actual media pluralism in practice arise instead as a result of the ownership structure of the media companies and journalists' working conditions. Influential business people are behind most of the media whose political opinion is then accordingly reflected in the media in question. Furthermore, professional journalism skills and ethics are underdeveloped and many journalists work in precarious conditions (no permanent contracts, irregular pay, chronic understaffing). This situation means that reporting does not meet the quality standards of developed media markets and Albania often ranks middle to low in international press freedom indexes too. There is generally no direct censorship.

In this context, the marginalised position of the public broadcaster RtSH/TvSh, which does not fulfil its role as the broadcaster of record, does not help either. There is a journalists' association, but this does not have any real influence.

83. How many attacks (intimidation, threats, violence) against opposition politicians has the Federal Government become aware of since 2011 (please break down by year)?

In how many cases did they lead to criminal proceedings and convictions to the knowledge of the Federal Government (please list by year in each case)?

In 2014, a member of parliament from the governing parliamentary group physically attacked a member of parliament from the opposition in the parliament building. The attacker was prosecuted.

84. How many attacks (intimidation, threats, violence) against human rights activists has the Federal Government become aware of since 2011 (please break down by year)?

In how many cases did they lead to criminal proceedings and convictions to the knowledge of the Federal Government (please break down by year)?

The Federal Government is not aware of any attacks on human rights activists.

85. In how many cases to the knowledge of the Federal Government has police or military force been used since 2011 in the context of gatherings and demonstrations (please break down by year), and to what extent does the Federal Government consider these cases reconcilable with the stipulations of the European Convention on Human Rights?

The Federal Government is not aware of any cases of the use of police or military force in the context of gatherings and demonstrations after 2011 (cf. answer to question 86).

86. To the knowledge of the Federal Government, in how many cases were there deaths in connection with gatherings and demonstrations (please break down by year), and what conclusions, including in terms of action to be taken, does the Federal Government draw from this?

During a demonstration against the Berisha government on 21 January 2011, four demonstrators were shot dead from the window of a government building. The case remains unsolved to this day and has been broadly debated in society. There were accusations of state security forces being involved, but this could not be corroborated to date.

87. To the knowledge of the Federal Government, what is the current status of the investigations into the case of Aleks Nika, who according to the information in the Country Report on Albania (2015) by Amnesty International was shot dead in January 2011 whilst participating in protests against the government in the capital of Tirana, and what conclusions, including in terms of action to be taken, does it draw from this?

Please refer to the answer to question 86; Aleks Nika was one of the four people who died.

88. What cases is the Federal Government aware of in which people faced police or judicial measures due to their political work, and what is the Federal Government's assessment of this situation?

The Federal Government is not aware of any cases in which people faced police or judicial measures due to their political work.

89. Is the Federal Government aware of any cases or accusations of abuse on the part of the Albanian security forces or in Albanian prisons, and what is the Federal Government's assessment of the way the Albanian government and justice system deals with such cases or accusations?

In 2015, the relevant ombudsman issued nine recommendations to initiate criminal proceedings against police officers on the basis of such complaints; eight for arbitrary treatment and one for physical violence. In 2016, so far three such recommendations have been issued by the ombudsman. He examines all incoming complaints, more than half of which prove to be unfounded on average, however. The Federal Government does not know how the Albanian government and justice system deal with such cases.

90. Does the Federal Government consider the steps to deal with cases of people being “disappeared” in Albania through criminal proceedings, legal compensation and from a general political perspective to be sufficient (please explain)?

Dealing with cases of people being disappeared from the period when Enver Hoxha was in power is in its infancy on all counts. The embassy in Tirana and political foundations, in particular the Konrad Adenauer Foundation, are supporting this process.

91. Does the Federal Government believe that the Albanian government is treating former prisoners of conscience and dealing with their societal and social situation properly (please explain)?

Are former prisoners of conscience properly compensated to the knowledge of the Federal Government?

Former prisoners of conscience are an officially recognised group with whom the embassy in Tirana and the Konrad Adenauer Foundation are cooperating in projects to deal with the past. The state pays compensation but this is low. The implementation of the Act to open the files of the Albanian state security service Sigurimi adopted in 2015, whose creation the embassy in Tirana actively supported in concert with foundations, still has yet to happen.

