

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

Resolution ResCMN(2005)2 on the implementation of the Framework Convention for the Protection of National Minorities by Albania

*(Adopted by the Committee of Ministers on 11 May 2005
at the 926th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”);

Having regard to Resolution (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention, in particular Rule 39¹ of Resolution (97) 10;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;²

Having regard to the instrument of ratification submitted by Albania on 28 September 1999;

Recalling that the Government of Albania transmitted its state report in respect of the first monitoring cycle under the Framework Convention on 26 July 2001;

Whereas the Advisory Committee accepted the invitation of the Government of Albania to send a delegation to gather further information in Albania; this visit taking place from 29 April to 3 May 2002;

Whereas the Advisory Committee’s opinion on the implementation of the Framework Convention by Albania was adopted on 12 September 2002 and then transmitted to the Permanent Representative of Albania and communicated to the Permanent Representatives of all member states and to the representative of a non-member state Party as document CM(2002)150 and subsequently made public by the Albanian Government;

Whereas the Government of Albania submitted its written comments on the opinion of the Advisory Committee, these written comments having been communicated to the delegations of all member states and a non-member state Party as an addendum to document CM(2002)150 dated 10 February 2003;

Having examined the Advisory Committee’s opinion and the written comments of the Government of Albania;

Having also taken note of comments by other governments;

1. Adopts the following conclusions concerning the implementation of the Framework Convention by Albania:

¹ According to Rule 39 of Resolution (97) 10, “the Committee of Ministers shall invite a representative from each non-member Party to attend the meetings of the Committee of Ministers whenever it exercises its functions under the Framework Convention, without the right to participate in the adoption of decisions”.

² In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”.

- Albania has, in many respects, made commendable efforts in the protection of national minorities, including in the field of education and the provision of schools and classes for certain national minorities in set areas. It can also be noted that, in general, a spirit of tolerance prevails in Albania.
 - Further efforts are required to complete the legal and administrative framework and to ensure its full realisation in practice, including in relation to the use of minority languages in relations with administrative authorities and the display of traditional local names, street names and other topographical indications.
 - There is a need for accurate statistical information concerning national minorities and the issues affecting them as this lack of information seriously hampers the monitoring and the design of policy and practice in relation to national minorities. Such information is also required in order to assure the effective participation of persons belonging to national minorities in economic life and in public affairs.
 - The personal scope of application of the Framework Convention merits further consideration by the Government of Albania with those concerned.
 - Supplementary measures are required to improve, in particular, access to sound radio and television broadcasting for persons belonging to national minorities. Further measures are also required to extend minority language education, where there is a need and a demand.
 - Notwithstanding steps to establish a national strategy for Roma, there is an increasing socio-economic gap opening up between the Roma and the rest of the population and problems remain for certain Roma in terms of discrimination and prejudice in a number of societal settings.
2. Recommends that Albania take appropriate account of the conclusions set out in section 1 above, together with the various comments in the Advisory Committee's opinion.
3. Invites the Government of Albania, in accordance with Resolution (97) 10:
- a. to continue the dialogue in progress with the Advisory Committee;
 - b. to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in section 1 and 2 above.