

Tirana Legal Aid Society, European Roma Rights Centre, Institute on Statelessness and Inclusion and European Network on Statelessness

Joint Submission to the Human Rights Council at the 33rd Session of the Universal Periodic Review

Albania

Introduction

1. Tirana Legal Aid Society (TLAS), the Institute on Statelessness and Inclusion (ISI), European Roma Rights Centre (ERRC) and European Network on Statelessness (ENS) make this joint submission to the Universal Periodic Review (UPR), on the human rights challenges pertaining to statelessness, with a specific focus on discrimination and exclusion of members of the Roma community in Albania.
2. This submission focuses on various issues relating to the (risk of) statelessness, discrimination and human rights of those within the Roma community in Albania. It draws heavily on the 2018 joint report of the co-submitting organisations: *“Roma Belong: Statelessness, Discrimination and Marginalisation of Roma in Albania”*,¹ with relevant text from the report being reproduced verbatim, and other sections being paraphrased or summarised.
3. TLAS² is an independent non-profit organisation dedicated to fulfilment of the social and legal needs of the people in need: education and increasing of the awareness of the Albanian society on the rule of law and human rights; promotion of improvements in Albanian legislation; progress of the community and strengthening of the democracy in Albania. TLAS overall Objectives are providing legal services to the vulnerable individuals and groups in need, Increasing awareness and publish information on the important legal and human rights issues and undertaking law improvement initiatives for a better solution of the legal and social problems of the people in need.

¹ See http://www.errc.org/uploads/upload_en/file/4993_file3_roma-belong-albania-english-language.pdf. This report is one of the outputs of a research and advocacy project of the ERRC, ISI and ENS in collaboration with partner organisations in Albania (TLAS), Bosnia and Herzegovina (Vaša Prava), Kosovo (Centre for Legal Aid and Regional Development), Macedonia (Macedonian Young Lawyers Association), Montenegro (Mladi Romi), Serbia (Praxis) and Ukraine (Desyate Kvitnya), which aims to better understand and address Roma statelessness in European Union candidate and neighbourhood countries. In particular, it aims to contribute to: 1. Strengthening understanding of Roma statelessness in the research countries; its causes and the obstacles that stand in the way of solutions; 2. Strengthening the understanding, attitudes and capacity of Roma rights NGOs and activists to effectively mobilise to end Roma statelessness; and 3. Strengthening international, regional (EU, Council of Europe and OSCE) and national responses to Roma statelessness.

1. For more information about TLAS mission and activities visit: <http://www.tlas.org.al/en/about-tlas>.

4. The Institute on Statelessness and Inclusion³ is an independent non-profit organisation dedicated to promoting an integrated, human rights based response to the injustice of statelessness and exclusion. Established in August 2014, it is the first and only global centre committed to promoting the human rights of stateless persons and ending statelessness. The Institute has made over 35 country specific UPR submissions on the human rights of stateless persons, and also compiled summaries of the key human rights challenges related to statelessness in all countries under review under the 23rd to the 31st UPR Sessions.⁴
5. The European Network on Statelessness (ENS)⁵ is a civil society alliance of NGOs, lawyers, academics, and other independent experts committed to addressing statelessness in Europe. Based in London, it currently has 130 members in 40 European countries. ENS organises its work around three pillars – law and policy development, awareness-raising and capacity-building. ENS provides expert advice and support to a range of stakeholders, including governments.
6. The European Roma Rights Centre (ERRC)⁶ is a Roma-led international public interest law organisation, working to combat anti-Romani racism and human rights abuse of Roma. The approach of the ERRC involves strategic litigation, international advocacy, research and policy development and training of Romani activists. The ERRC has consultative status with the Council of Europe, as well as with the Economic and Social Council of the United Nations.

Previous UPR of ALBANIA under the First and Second Cycle

7. Albania was previously reviewed under the UPR in 2010 (under the first cycle) and 2014 (under the second cycle).
8. In the first cycle, (the 13th session of the Human Rights Council, January 2010), there were no recommendations to Albania that were specifically on statelessness. Albania received three recommendations on the treatment of the Roma:
 - I. Fully implement its action plan to improve the living conditions of minorities, especially Roma (Canada – at para 80);
 - II. Increase the involvement of local authorities in the National Strategy on Roma and equip the Strategy with adequate financial means and evaluation mechanisms (France – at para 81);
 - III. Continue fostering educational attainment of Roma children as indicated in the 2004 common country assessment report (Israel – at para 84);

³ For more information about ISI, please see www.institutesi.org/

⁴ For more information on the Institute's UPR advocacy, see <http://www.statelessnessandhumanrights.org/upr-universal-periodic-review/resources-database>.

⁵ For more information about ENS, please see <http://www.statelessness.eu/>.

⁶For more information about ERRC, please see <http://www.errc.org/>.

9. Albania responded that the recommendations by France and Israel had already been implemented or were in the process of being implemented.
10. During the second cycle (the 27th session of the Human Rights Council, July 2014), Albania again did not receive any recommendations on statelessness. However, it received 9 recommendations on the treatment of the Roma. Albania accepted 4 of these recommendations outright, including recommendations from Slovakia to “Step up efforts to implement effectively the National Strategy and Action Plan for the Decade of Roma Inclusion with a view to improving the living conditions of the Roma community and, if necessary, to adopt measures to improve the education of Roma children”(para 104.101) and to “Strengthen efforts to improve access to housing, health services, education and employment for both the Roma and Egyptian communities”, as recommended by Australia (para 104.103).
11. Albania claimed it was already in the process of implementing 4 recommendations, including a recommendation by Spain to “Strengthen the fight against discrimination affecting the Roma minority in access to housing, employment, education, social services and participation in public life” (para 105.12). Albania partly accepted the Swiss recommendation to “End the discriminations against the Roma and Egyptian communities, and grant minority status to the Egyptian community” (para 106.7); stating in response that it did not accept minority status of the Egyptian community. (A/HRC/27/4/Add.1, para 19)

Albania’s International obligations

12. The Republic of Albania is party to the United Nations 1954 Convention Relating to the Status of Stateless Persons (1954 Convention) and the 1961 Convention on the Reduction of Statelessness, both of which it acceded to in 2003.⁷
13. Albania also has a strong record of accession to the core international human rights treaties, which are relevant to the prevention of statelessness and the protection of stateless persons. These include the Convention on the Rights of the Child (CRC), acceded to in 1991⁸, (CRC), the International Covenant on Civil and Political Rights (ICCPR), also acceded to in 1991⁹, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)¹⁰ and the Convention on the Elimination of All Forms of

⁷ Law no. 9057, date 24.4.2003, “On the adherence of the Republic of Albania to the Convention Relating to *the Status of Stateless Persons*”. Law no. 9059, date 8.5.2003, “On the adherence of the Republic of Albania to the Convention on *the Reduction of Statelessness*”.

⁸ Law no. 7531, date 11.12.1991, “On the ratification of the Convention on the Rights of Child”.

⁹ Law no. 7510, date 13.8.1991, “On the adherence of the Republic of Albania to the International Covenant on Civil and Political Rights”

¹⁰ Law no. 7768, date 9.11.1993, “On the adherence of the Republic of Albania to the International Convention on the Elimination of all Forms of Racial Discrimination”.

Discrimination against Women (CEDAW)¹¹, both acceded to in 1993, and the UN Convention on the Rights of Persons with Disabilities (CRPD), acceded to in 2012¹².

14. The obligations of Albania under these treaties include minority rights, statelessness prevention and reduction, notably through documentation and birth registration of all. For example, Article 7 of the Convention on the Rights of the Child obligates states to register every child immediately after birth and to ensure that no child is left stateless. Similarly, Article 5(d)(iii) of the Convention on the Elimination of All Forms of Racial Discrimination prohibits racial and ethnic discrimination in relation to the right to nationality. Consequently, these treaty bodies are relevant mechanisms in ensuring that Albania upholds its obligations under international law.
15. Lastly, since 1996, Albania has been party to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).¹³ Since 2002, Albania has also been party to the 1997 European Convention on Nationality (ECN).¹⁴ However, it has not acceded to the 2006 Convention of the Council of Europe on the Avoidance of Statelessness in Relation to State Succession.
16. The Albanian Constitution provides for the hierarchy, status and effect of legal norms. In particular, Article 4/2 declares that *“the Constitution is the highest law in the Republic of Albania.”* Article 116 of the Constitution reflects the hierarchy of legal norms by providing that *“normative acts that are effective in the entire territory of the Republic of Albania are: a. the Constitution; b. ratified international agreements; c. laws; d. normative acts of the Council of Ministers.”* Therefore, International agreements are second only to the Constitution in the ranking of norms, and ratified international treaties have direct effect in Albania.
17. Article 122 of the Albanian Constitution emphasizes this principle by providing that international agreements, ratified by law, prevail over incompatible laws of Albania.
18. Consequently, the aforementioned international treaties that Albania has acceded to, are considered part of Albania’s legislation. Consequently, a number of important international legal safeguards against statelessness are subject to direct application in the country.

¹¹ Law no. 7767, date 9.11.1993, “On the adherence of the Republic of Albania to the Convention on the Elimination of all Forms of Discrimination Against Women”.

¹² Law no. 108/2012, date 15.11.2012, “On the ratification of the UN’s Convention on the Rights of Persons with Disabilities”.

¹³ Law no. 8137, date 31.7.1996, “On the Ratification of the European Convention on Human Rights”.

¹⁴ Law no. 8942, date 19.9.2002, “On the ratification of the European Convention on Nationality”.

Statelessness in Albanian National Law

19. Article 3.2 of the Albanian law “*On Foreigners*”¹⁵ defines a stateless person as “*a person who is not a citizen of any state*”. This definition falls short of the international law definition of a stateless person as someone who is “*not considered as a national by any state under the operation of its law*”.¹⁶ The failure to include the phrase “*under the operation of its law*” in the Albanian law is a significant gap in the definition. It means that those who under the letter of the law should have a nationality, but have been denied their nationality due to non-implementation (or discriminatory implementation) of the law, may not be considered to be stateless in the country. In the absence of a procedure to identify and protect stateless persons, the impact of this gap may be less obvious in practice, but it is a significant one nonetheless, as it can result in stateless people not being identified and being denied protection.¹⁷ The gap in the definition identified above, together with the lack of a statelessness determination procedure, prevents stateless persons from being recognised as such in Albania, and from the protection and rights this entails, such as the right to a travel document and legal residence.¹⁸

Birth Registration and the Risk of Statelessness

20. According to Albanian citizenship law, the acquisition of Albanian nationality should be automatic.¹⁹ However, in practice, according to the law “*On Civil Status*”²⁰ birth registration is required to be carried out as a necessary precondition for the acquisition of Albanian nationality. This is a requirement that many Roma are unable to fulfil, exposing them to (the risk of) statelessness. Indeed, as evident from the majority of interviews conducted with Roma and other stakeholders (by the co-submitters under the Roma Belong project), the main cause of (risk of) statelessness of Roma relates to the challenges they face accessing civil registration in general, and birth registration in particular. Children who have a clear right to Albanian nationality are denied this because their births cannot be registered.

21. The birth registration process in Albania can be complex and difficult to access. Those who are most likely to be unable to access documentation and registration are the

¹⁵ Law no.108/2013, date 28.03.2013, “*On Foreigners*”.

¹⁶ United Nations Convention Relating to the Status of Stateless Persons, 360 U.N.T.S. 117, 1954, Article 1(1) ^[1]_{SEP}.

¹⁷ ENS, Protecting Stateless Persons from Arbitrary Detention: An Agenda for Change, 2017, p. 11, available here:<http://www.statelessness.eu/resources/protecting-stateless-persons-arbitrary-detention-agenda-change>; UNHCR, *Handbook on Protection of Stateless Persons under the 1954 Convention Relating to the Status of Stateless Persons*, Geneva, 2014. Available at: http://www.unhcr.org/dach/wp-content/uploads/sites/27/2017/04/CH-UNHCR_Handbook-on-Protection-of-Stateless-Persons.pdf.

¹⁸ See articles 3(5), 16(3) and 38(2) Law no. 108/2013 “*On Foreigners*”.

¹⁹ See article 1 of the Law no. 8442/1999, date 21.01.1999, “*On Some Changes in Law no. 8389, dated 5 August 1998 “On Albanian Citizenship”*” that provides that “*Article 7 of Law no. 8389, dated 05 August 1998 “On Albanian Citizenship” is changed as follows: “Whoever is born from at least one parents of Albanian citizenship, obtains automatically the Albanian citizenship.”*”

²⁰ Law no. 10129/2009, date 11.5.2009, “*On Civil Status*”.

children of parents who already lack the documentation needed to fulfill the legal requirements for civil registration in general, including registration of births, deaths, marriages, legal residency transfers, divorces, and child custody.

22. While the challenges identified above are not exclusive to Roma, they disproportionately affect Roma. Lack of resources, economic migration, life in informal housing, and marginalisation more generally, are all factors impacting significantly on their ability to register the births of their children. This problem is further exacerbated by the law and policy framework, which makes it extremely difficult for undocumented parents with no permanent residence to acquire nationality for their children. Hence, there is an intergenerational aspect to the risk of statelessness.
23. Without birth registration, Roma face barriers in obtaining other documents from the civil registry office and identity documents when they become adults. Furthermore, as Roma are less likely to have property ownership records or housing lease agreements, they face many barriers at the civil registry office when changing or registering their residence.
24. Albanian authorities are generally conscious of the challenges faced by Roma related to accessing civil registration. There have been initiatives to address the problem, such as encouraging early registration through the provision of financial support.²¹ However, despite this, access to civil registration in Albania is still unsatisfactory and there are still many cases of late registration of births among Roma in Albania.
25. According to the Ministry of Interior, in cooperation with civil society organisations, 148 Romani children had their births registered as late registrations and 500 Roma individuals were provided with civil registration assistance in 2014.²²
26. TLAS' own statistics for 2015 showed 515 unregistered children, of which 60% were Roma. In the first six months of 2016, 274 unregistered children were identified by TLAS, of which, again 60% were Roma. In the second half of 2016, the organisation helped 408 unregistered children of which 270 were Roma.²³
27. Other barriers to birth registration that were identified include:
 - I. Communities living in rural areas far from health care centres leading to women giving birth at home;

²¹ Article 41 of Law no. 10129, date 11.5.2009, "On Civil Status" amended that provides that parents who register births inside Albania within 60 days, and births outside Albania within 90 days, receive monetary rewards. For more insight on initiatives undertaken to resolve the issue, see also Decade for Roma Inclusion, *Civil Society Monitoring Report on the Implementation of the National Roma Integration Strategy and Decade Action Plan in 2012 in ALBANIA*, pp. 27-28, 2013. Available at: http://www.al.undp.org/content/dam/albania/docs/misc/Roma%20decade%20_civil-society-monitoring-report_en.pdf.

²² National Action Plan for Roma and Egyptians in Albania, available at: <http://www.al.undp.org/content/albania/en/home/library/poverty/national-action-plan-for-integration-of-roma-and-egyptians-in-th.html>. ^[1]

²³ These statistics are from TLAS' internal casework management database. The data is collected based on self-declaration and any available legal documentation, as well as information from civil status offices or other organisations in some cases.

- II. Lack of information or awareness about the registration process among Roma;
- III. Prejudicial attitudes among officials and other stakeholders resulting in a lack of action to identify Roma who are unregistered and at risk of being stateless.

28. It is well documented that Roma in Albania are a target of antigypsyism. In 2011, the UN Committee on Elimination of Racial Discrimination, in its Concluding Observations, expressed concerns that “members of the Roma minority, especially the young, face ethnic profiling and are subjected to ill-treatment and improper use of force by police officers.”²⁴ Hate speech and hate crime incidents have also been reported by civil society. However, according to ECRI, until 2015 the Albanian police have recorded only one hate crime in a case pending before the European Court of Human Rights²⁵, and the Albanian courts have never made use of Article 50 of the Criminal Code providing for increased punishment for racist motivation.²⁶
29. Government institutions’ failure to provide accurate statistical data for the Roma community, as well as a tendency to shift responsibility from one Ministry to another, and the lack of proactive work to mainstream activities on these issues, can also be interpreted as symptomatic of institutionalised prejudice against Roma communities.

Legalisation of Documents of Children Born Abroad

30. Complexity and challenges related to birth registration are exacerbated in cases of children born abroad, especially for children whose parents live abroad irregularly. Such children are likely to not have their births registered, or only receive a birth notification which does not include the basic information (including name) required by the Albanian authorities to register their birth. In 2014, the Ministry of Interior, in collaboration with civil society organisations, identified more than 200 such cases.
31. To register the birth of a child born abroad, a birth certificate must be obtained from the country of birth and must be in the form prescribed by the law: a legalised act, translated into Albanian and notarised. This document must be verified by the Foreign Ministry and the Ministry of Interior of the foreign country (in most cases, but verification may vary from country to country). It must then be legalised at the Albanian Consulate in the foreign country. This document needs to be translated and the translation notarised. Once this has been done, the child can be registered with the civil registry office in Albania.²⁷

²⁴ CERD Committee, *Concluding observations: Albania*, CERD/C/ALB/CO/5-8, 14 September 2011, para.15. Available at: <http://www.crca.al/sites/default/files/publications/Concluding%20observations%20of%20the%20Committee%20on%20the%20Elimination%20of%20Racial%20Albania%282011%29.pdf>. ^[1]_[SEP]

²⁵ *Hysenaj v Albania*, App. No. 78961/11 (EctHR); See ERRC, *Third-party intervention in Hysenaj v Albania*, App. No. 78961/11 (EctHR). Available at: <http://www.errc.org/article/hysenaj-v-albania-third-party-intervention-pending/4511>. ^[1]_[SEP]

²⁶ ECRI, *ECRI Report on Albania (fifth monitoring cycle)*, adopted on 19 march 2015, para. 48. Available here: <https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Albania/ALB-CbC-V-2015-18-ENG.pdf>. ^[1]_[SEP]

²⁷ Until January 2017 it was possible to register the birth of the child in the Albanian consulate at the place of birth.

32. The bureaucratic requirements of this procedure are taxing, and often impossible to fulfil, particularly for undocumented women who give birth in foreign countries. Due to their own lack of documentation and irregular status, they often don't give birth in hospitals, and therefore, do not always receive birth certificates. At best, birth notifications are received, that do not contain all the information that the Albanian authorities require. Many parents do not manage to address all the bureaucratic hurdles linked to the legalisation of birth certificates in the foreign country and travel back to Albania before obtaining a certificate in the form required by the Albanian authorities. In such cases, the certificates are not legalised, and the children's births are not registered in Albania regardless of whether the parents are Albanian. Very often they are unable to return to the country where their children were born to resolve the issue, so there is a higher risk of statelessness among these children.
33. Under a 2012 agreement between TLAS and the Albanian Ministry of Foreign Affairs, TLAS notifies the Ministry of cases of citizens who require legalisation of their documents, but who do not have the economic or physical means to carry out this process themselves. This is a free service offered by TLAS, which has served thousands of primarily Romani beneficiaries, who would otherwise have remained at risk of statelessness. However, as this is not a state-run service, there is likely to be a multitude of Albanian citizens who are powerless in the face of a similar situation.
34. This problem is particularly significant for Roma children born in Greece where the authorities refuse firstly to issue a full birth certificate to those irregularly living in the country, and secondly to verify it for legalisation purposes with the Albanian authorities, who in turn refuse to acknowledge simple foreign acts for civil registration purposes.
35. According to a recent report by TLAS and UNHCR, at least 1,031 persons are at risk of statelessness in Albania, mostly due to difficulties in having their nationality confirmed. The total number is likely to be higher, as persons at risk of statelessness often remain invisible and are hard to identify. According to the report, 97% of those recorded as being at risk of statelessness in Albania are children. The primary causes reported are: being born outside of Albanian territory (53%); being born to parents who are not married (12%); being born at home and not in hospital (10%); or being born in hospitals or maternity units that hold incorrect personal data about the mother (9%). Among those at risk of statelessness who were born outside Albanian territory, the majority were born in Greece. Romani and Egyptian communities are particularly affected by this phenomenon. As the report states:

"Members of Roma and Egyptian communities are disproportionately affected; and they make up half of all recorded cases at risk of statelessness despite representing between 0.4% and 3.3% of the total Albanian population".²⁸

²⁸ TLAS and UNHCR 2018 report Mapping the Population at Risk of Statelessness in Albania", May 2018 available here <http://www.un.org.al/sites/default/files/Mapping%20of%20the%20population%20at%20risk%20of%20statelessness%20ENGLISH.PDF>

Discrimination against (at risk of) stateless Roma

36. Antigypsyism may also increase the risk of statelessness, when some personnel from civil registries refuse to register or issue documents to Roma individuals with the pretext that they do not pay their taxes. This practice is, of course, forbidden by a specific Ministry of Interior instruction.²⁹
37. In 2013 the People's Advocate (Ombudsperson) proposed amending the Law on Civil Status, raising awareness about the fact that many Roma and Egyptians live in informal settlements and cannot enjoy political, social or economic rights as citizens, for the reason that they are not officially registered as residents in local and municipal administrations.³⁰
38. Members of Albanian civil society and Roma individuals interviewed for the Roma Belong report suggested that the main obstacles to civil registration for Roma people is a lack of awareness about the required documentation, a culture of mobility, social and economic vulnerability, and widespread discrimination in daily life including in their treatment by the authorities. In addition, considering the high level of corruption in Albania, vulnerable Roma people might have faced more difficulties in getting through the birth registration procedure.
39. Furthermore, antigypsyism in Albania is often an incentive for migration, which can in turn further complicate access to citizenship rights based on residence criteria, thus constituting a vicious circle.
40. Sometimes the law itself does not appear discriminatory, but its implementation and effects, in reality, have a discriminatory impact. Because the Albanian Government does not take into account the specific circumstances of the Roma, they are disproportionately affected by statelessness compared to the general population. In cases where citizenship is acquired through an application procedure or naturalization, access issues, the criteria set, and discretion in decision-making permitted to the authorities, all leave room for discrimination.

²⁹ Milena Isakovic Suni, *Comparing Approaches to Combating Statelessness in Albania and Serbia*, June 2015, p4, available at: <https://www.statelessness.eu/sites/www.statelessness.eu/files/2015-05-14%20Comparing%20Approaches%20Albania%20and%20Serbia.pdf>^{ALB}

³⁰ Milena Isakovic Suni, *Comparing Approaches to Combating Statelessness in Albania and Serbia*, June 2015, pp8-9, available at: <https://www.statelessness.eu/sites/www.statelessness.eu/files/2015-05-14%20Comparing%20Approaches%20Albania%20and%20Serbia.pdf>

Conclusion

41. While the legal framework in Albania is largely non-discriminatory, pervasive negative stereotypes of Roma continue to undermine social and official attitudes towards Roma. Consequently, there is a pattern of institutional racism against Roma, which is reflected both in the way the inclusion of Roma is perceived and pursued by state authorities and by the lack of urgency to address some of the most critical challenges that are disproportionately faced by this community. Furthermore, the legal framework itself is not equipped to address multiple discrimination, a key shortcoming given the various grounds on which Roma are likely to experience harassment, prejudice and disadvantage.
42. Another challenge relates to the gap between Albania's legal framework (including its international obligations which have the force of law) and the bureaucracy that is mandated to implement the law and guarantee rights. Albania's international and national law obligations related to non-discrimination, birth registration, the right to nationality, the prevention of statelessness and the identification and protection of stateless persons are all undermined by an inadequate policy framework and a burdensome bureaucracy. Indeed, it is fair to say that statelessness is not recognised as a significant issue by authorities and stakeholders in Albania. It is significant that there is no one state entity with the mandate to address statelessness. Although the Directorate for Nationality and Directorate of Civil Status are the relevant authorities dealing with granting of nationality, little attention is given to the prevention and reduction of statelessness and the protection of the rights of stateless Roma persons.

Recommendations

43. Based on the above information, the co-submitting organisations urge reviewing States to make the following recommendations to Albania:
 - I. Ensure that all international and regional obligations related to the right to nationality, prevention and reduction of statelessness, protection of stateless persons, non-discrimination, and birth registration are fully incorporated into domestic law and implemented in practice. In particular, Albania should introduce a procedure in law to identify and protect stateless persons in line with the 1954 Convention and UNHCR's Handbook on Protection of Stateless Persons.
 - II. Take steps to guarantee access (in law and practice) to fundamental rights for all Romani people on their territory, irrespective of documentation or citizenship status, including to education, healthcare (including reproductive rights and maternity care for women), shelter, work, freedom of movement, liberty and security of the person, equal participation in social and political life, and freedom from violations of rights such as child and early marriage.
 - III. Take steps to reform law and practice that impedes the enjoyment of Albanian nationality by those entitled to it. In particular, Albania must safeguard every child's right to a nationality, irrespective of the status, documentation, or actions

of their parents. This should be integrated into the Government's work towards the Sustainable Development Goals (SDGs), including in its SDG National Action Plan, to ensure that "no one is left behind" in the pursuit of Target 16.9 to "by 2030, provide legal identity for all, including birth registration".

- IV. Address structural discrimination against Roma, including prejudicial attitudes and negative stereotypes, to ensure that Roma are not directly or indirectly discriminated against in their access to documentation, enjoyment of their right to a nationality, and all other human rights. The Government must ensure that the Albanian legal framework is equipped to identify and prevent multiple discrimination faced by stateless Roma.
- V. Ensure that all civil registration and documentation procedures, including birth registration, are universally accessible by simplifying complex procedures and eliminating barriers related to cost, time, distance and bureaucracy. A central, computerised registry system should be established to enable automatic birth registration by healthcare institutions, facilitate efficient case resolution through sharing of information across different registry offices on the number of people affected by registration problems, and actions required to remedy these.
- VI. Strengthen cooperation with other states on the issue of birth registration for Albanian nationals whose children are born abroad. There should be improved joint-working between the Ministries of Internal Affairs and Foreign Affairs to address bureaucratic challenges related to recognition of Albanian citizenship of children born to Albanian nationals abroad. State funded legal aid should be made available to those affected to ensure their births are registered and citizenship recognised.
- VII. Designate a lead authority with a mandate for preventing and reducing statelessness and identifying and protecting stateless persons in Albania. Their role should include awareness raising across government departments and institutions, including immigration and asylum, citizenship, and civil registry authorities. The National Human Rights Institutions and Ombudsperson should have a mandate to monitor and report on these issues.
- VIII. Make available effective remedies for all those seeking to resolve their documentation status, including high quality, state-funded legal aid (that does not require the very documentation they have been denied in order to access it), the removal of barriers such as court fees or fees for DNA testing, judicial oversight, and robust complaints and compensation mechanisms.
- IX. Strengthen the collection and monitoring of disaggregated data (including by ethnicity, age, and gender) and conduct a comprehensive mapping on statelessness, the risk of statelessness, and Roma populations in Albania, with appropriate safeguards in place to ensure anonymity.