



*100 Vjet Pavarësi*

**REPUBLIC OF ALBANIA  
THE OMBUDSMAN**

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**REPORT**

Problems faced by the Roma community during the first 6-months of 2012, and relevant actions by the People's Advocate

Tirana, July 2012

## **I. Introduction**

Albania is at an important milestone in the process of integration into the European Union. On this matter the institution of the Albanian Ombudsman considers that the reforms to be undertaken by the Albanian state institutions, should be linked to the best international standards, thus ensuring implementation of democratic principles of the rule of law and human rights.

Article 15 of the Constitution of the Republic of Albania, defines the rights and fundamental freedoms as "indivisible, inalienable and inviolable, and that they form the basis of all legal order", by sanctioning equality without discrimination of all persons residing in the territory of the Republic of Albania: Albanian, members of national minorities, foreigners or stateless persons.

The Ombudsman, as a constitutional institution, has set as one of the priorities of his work the respect of the rights of the Roma community. Fulfillment of obligations arising from the National Strategy for improving the living conditions of the Roma minority, in order for this community to live by the standards of the rest of the population in our country requires interagency coordination, which is essential for the more effective protection of Roma rights. The Ombudsman notes that the solutions to the problems of this community are neither easy, simple nor quick. They are an integral part of, linked intrinsically with the overall development of Albania, as with the continued strengthening of the economy.

"The poor standard of living and socially disadvantaged situation of Roma residents who live in Albania are a problem that is being paid attention to by the government structures and public opinion. Social indicators for the Roma population are lower than the national average, and a large part of the Roma people live longer in unsafe conditions, unprotected and below the average level of living."<sup>1</sup>

"A characteristic of the Roma community is their unstable living settlements. As a consequence, this constant mobility creates problems for the population and for the state itself. Changing the environments where they live, to move from one school to another, the difficulty to find a new job and integration in another environment, has various consequences."<sup>2</sup>

In this context, the Ombudsman's institution is continuously monitoring the observance of the rights and freedoms of the Roma people in Albania and the measures needed to be taken by appropriate state institutions, in implementing sectoral and cross-sectoral strategies.

## **II. Issues and recommendations for improving the living conditions of the Roma community members:**

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<sup>1</sup>"The social and economic situation of Romas"-National Strategy "On the improvement of the living conditions of the Roma minority," approved by the decision of the Council of Ministers nr. 6333 dated 18.09.2003

<sup>2</sup> On the improvement of the living conditions of the Roma minority"

For the period January-June 2012 at the Institution of the Ombudsman 106 complaints from members of the Roma community have been filed, while 2 cases have been initiated by the Ombudsman. Issues raised, evaluated by us, based on the review of these cases are mainly related to: housing issues, the loss of welfare benefits, employment, etc.

### **The unresolved issue of housing**

All complainants said they live in very difficult economic times, by failing to meet any of the minimum needs of everyday living. Most of them live in barracks, while others have no shelter. Complainants claim that even though they have resided for years in Tirana, they were unable to resolve their housing problem, despite continued requests and submission of documentation to the Municipality of Tirana.

Considering their case as a denial of their right to housing, they turned to the Ombudsman, who decided to accept the complaints and initiate an investigation of this issue, starting the mediation process with the Municipality Tirana. After reviewing their requirements, we asked, after verifying the list of names of members of the Roma community, to be informed regarding the position of the Municipality and the possibility of their involvement in social housing.

The Director of Housing Management and Social Services at the Municipality of Tirana we have been provided explanations regarding the treatment done. From the data provided by the Municipality of Tirana, the following resulted:

- 50 complainants said they were not recorded in the electronic program as homeless. This category should be addressed to the local government unit where they are registered, in order to meet the housing form.
- 20 complainants have completed the form of housing by the municipal units and had to attend the second phase of the application regarding the submission of documentation according to the program chosen.
- 31 complainants have applied for the second phase and then the City Council as a legislative body will decide the beneficiaries.

After this correspondence, we have sent the relevant answers according to the above-mentioned groups, where we have suggested responding solutions, according to the problems.

Regarding housing and the problems of the Roma community we emphasize that the law 9232/2004 "On social programs to accommodate residents in urban areas" (as amended), which provides rules and administrative procedures for security modes, distribution, and management and planning social programs for housing, in order to create opportunities for adequate and affordable housing, based on the solvency of families needing housing and state aid.

The law has undergone some changes over the years, while the change made in 2012 has brought significant changes in its content. According to paragraph 1 of Article 4 of the law, housing can be a benefit for individuals who have reached the age of 18 and families registered in the civil registry offices in the local government units, which, at the time of application, meet the following conditions:

- a) do not own property;
- b) have a living space under the housing standards, according to the social and economic categories, of which these individuals are a part of, or living in substandard housing;
- c) those left homeless as a result of natural disasters.

Moreover, according to paragraph 2 of this article, included in "a", "b" and "c" of paragraph 1 are only those families who have low incomes, according to the provisions of Articles 6 and 19 of this Law.

In Article 5 of Law 9232/2004 (as amended) criteria is established for the selection of families by providing a range of conditions, among which social conditions. In part "c", which deals with categories that have priority under this condition, we find that Roma families are not included. We believe that their inclusion as a priority category within this condition can increase the level of their scores, giving hope for housing benefit. Meanwhile, regarding the requirement "economic situation", the law does not provide priority categories.

Also, according to Article 6, paragraph 1 of Law 9232/2004 (as amended) for the level of income, we note that no less than 80 percent of families that receive social housing should have rental income up to 100% of the median household income of the local government unit concerned, while the rest can be selected within the range of 100 - 120 percent of the median income level. This last category, under the law, pays a higher rent than the other categories, but no more than 30 percent of their monthly income.

Based on the above, a Roma family if it is within one of the categories defined in Article 4 of Law 9232/2004 (as amended), if they want to benefit from the housing scheme, they must have income up to 100 percent of the median household income of the local government unit concerned.

From the above definition of the law it is difficult to determine what constitutes income "... up to 100 percent of the median household income of the local government unit concerned." It is not clear whether the families that have 20% of median household income of the local government unit concerned are included in this group. Moreover this provision has not delegated the regulation of this issue through a bylaw, leaving thus a gap which may become cause for subjective attitudes and abusive local government units, in assessing the fulfillment of this criterion.

Although Article 24 of the Law provides that where social housing rent occupies more than 25 per cent of family net income, according to the letter "a" of Article 5 of this law, the latter receives rent subsidy, and while Roma families have priority in the subsidized rental housing bonus or benefit, again we consider that the provisions of the law will not be able to guarantee in practice the housing of Roma families. Arguments on which this assessment is made are:

- a. Roma families, which face problems, find it difficult to prove they have the monthly income level (since they work mostly informally);
- b. Even if they are able to prove their income (income from wages if they are employed, income from economic aid), their level can not usually reach the percentage of median household income required by the local government unit concerned.

On the above we believe that the law should have provided clearer arrangements for Roma families.

The Ombudsman's institution, taking into consideration all the problems facing the Roma community, as well as a large number of complainants that are not registered with the local government units in Tirana, and also as a result of the fact that they do not have access to legal benefits, on 09.04.2012, he has submitted the following recommendations:

### **1-Recommendation to the Minister of Interior, Mr. Bujar Nishani:**

Given the numerous complaints that have been filed at our institution by members of the Roma community, we conclude that the lack of information or their indifference and negligence has meant that in many cases these citizens do not appear to be recorded in the registry of their residence.

Their registration will enable access to legal benefits. Most Roma families do not benefit from welfare schemes, health and social insurance schemes, they receive no income from unemployment benefits, they can not apply for housing benefits from social programs, as well as many rights enjoyed by the rest of the population.

The loss of these rights is due to their lack of registration at the registry, as well as due to the constant movement from one place to another. Their complaints show that many Roma families are located in Tirana for many years and are not beneficiaries of legal rights, are not registered in the registry at their residence, but appear on the municipal civil registries of other municipalities. Based on the criteria set forth in the bylaws, a Roma family enrolled in the city, should it meet the criteria as set out in the bylaws, each of whom is having an apartment, either owned or rented. For many Roma families it is impossible to have a residence owned or rented. Failure to fulfill this criterion leads to failure to register or transfer them from one local government to another.

Pursuant to Article 15 of the Constitution of the Republic of Albania, which defines the rights and fundamental freedoms as "indivisible, inalienable and inviolable and that they form the basis of all legal order", so sanctioning the equality from discrimination of all citizens living in the territory of the Republic of Albania, as well as the implementation of the National Action Plan 2010-2015, on the identification and registration of unregistered Roma community members, in order to protect their rights and access in services, *we recommended:*

***Taking measures for the registration of members of the Roma minority in civil registers and the facilitation of the procedures of transfer of registry data in the local units where they have a new residence.***

In response to this recommendation, we were informed by the Ministry of Interior that the Roma community, like any citizen, has the same rights as in any field and in the civil status service. According to the Ministry of the Interior, through all legal routes, it is engaged to register those children who for many different reasons, have not been registered by their parents at the registers. With the creation of the National Registry of Civil Status, the procedure for the change of address has been facilitated and become shorter. Citizens must be

registered to the civil status service officer of the area where they want to move their residence with all the necessary legal documents and at that moment the civil status service officer carries out the change of residence. This procedure provides the sanctions approved without creating any kind of discrimination regarding equality of all citizens living in the territory of the Republic of Albania.

Despite incentives offered to all citizens of the Republic of Albania the Ombudsman insists that in the absence of information or also due to the indifference of some members of the Roma community, the registration of the families in new residences remains an unresolved issue, a consequence of which, as mentioned above, is not having access to legal benefits.

## **2-Recommendation to the Minister of Education, Mr. Myqerem Tafaj:**

From complaints filed with our institution by members of the Roma community, we found that most of them were illiterate or had only primary education, and that children do not attend school.

An important area of application of child rights is education and schools. Education of members of the community should be seen not only as a constitutional obligation, but as one of the most effective ways for their full integration into society. A low level of education is a serious problem that impedes the integration of this community with society. Most Roma children are illiterate because of language difficulties that children in first class have, the very difficult economic situation of their families, settlements that are far from educational institutions as well as the mentality of parents.

Roma families living conditions have a significant impact on children; they are not participating in education, do not fit the requirements of the labor market and the possibilities for them are much more limited than the rest of the population and as a result, lead to a financial inability to survive, as well as to a range of social problems.

Their frequent movement from one settlement to another makes them unable to make use of the social protection system, more children of this community, not only abandon schools but are also exploited by begging on the streets or doing common work.

Law No.7952 dated 21.06.1995 "On pre-university education in the Republic of Albania", as amended, in section 3, provides for the equal right of citizens of the Republic of Albania to education at all levels of university education, regardless of their social status, nationality, language, sex, religion, race, political beliefs, marital and economic health.

Based on the above, in order to achieve the continued education of members of the Roma community, based on the constitutional principle that everyone has the right to education, enshrined in Article 57 of the Constitution of the Republic of Albania; Article 1 of the "Universal Declaration human rights ", in which it is stated that:" all human beings are born free and equal from the perspective of rights and dignity" as well as Article 10 of Law no. 7952 dated 21.06.1995 "On university education in the Republic of Albania", as amended, which determined that "To ensure an active and equal participation in the economic, social, political and cultural life of the Republic of Albania, the state creates conditions so that minority adults learn the Albanian language, history and culture, " we recommended:

***Taking measures for the establishment of preparatory classes for preschool education, the Albanian language, with the aim of the participation of Roma children in all levels of education and the coordination of work with the Regional Education Departments, in order to raise awareness to the members of the Roma community so that their children do not abandon school.***

In response to this recommendation, the Ministry of Education and Science informed that there is a detailed action plan for priority inclusion of Roma and Egyptian children in kindergartens and schools. The "Action Plan for Roma Children's Education" has been reviewed and been assigned a budget and for its implementation, the Regional Education Departments and Education Offices periodically report to the MES. During the following periods (and at the beginning of the school year), the institution of the Ombudsman shall monitor the implementation of this action plan for the education of Roma children.

### **3. Recommendation to the Minister of Labor, Social Affairs and Equal Opportunities, Mr. Spiro Ksera**

Regarding the Roma community, in order to integrate them into the social life, cooperation and an awareness of their rights and the path to follow to achieve them is required.

A large part of the Roma population in working age suffers unemployment. Some of them are mainly employed with common work, but this way of earning income for survival is temporary. Therefore, from the implementation of the National Strategy for the improvement of the living conditions of the Roma minority and the National Action Plan 2010-2015, the issue of the employment of members of the Roma minority in accordance with current requirements of the labor market emerges as an immediate need. This would lead to an improvement of the economic situation of families and their integration into society and would guarantee equal opportunities.

Also, it is necessary to ensure the social inclusion of the Roma minority in Albania as a component of the National Strategy for Development and Integration.

Given that Law Nr.7795 dated 20.09.1995 "On the promotion of employment," as amended, in section "20" of Article 2 provides for the obligation of the inclusion of Roma in employment promotion programs, as special job-seekers, the Council of Ministers decision no.48 dated 16.1.2008 "For the size and requirements of the program on promoting employment of unemployed workers in need", in paragraph 3, letter "e", defines as unemployed job-seekers in need, members of the Roma community, and in order to meet one of the social objectives of the Albanian state, enshrined in the letter "a" of Article 59 of the Constitution of the Republic of Albania, we recommended:

***Taking measures for the continued inclusion, with priority to members of the Roma community, in vocational training programs and continuous employment, with priority to persons of working age of the Roma minority, in order to integrate them in society and improve their social and economic conditions, so that this minority does not feel discriminated against.***

In response to this recommendation, the Ministry of Labor, Social Affairs and Equal Opportunities informed us that it has taken concrete initiatives for drafting incentivizing

policies for the Roma community, with the aim of promoting their employment and qualification, training and integration into the labor market.

This policy has always been a priority in the framework of the implementation of the objectives of the National Strategy "For the improvement of the living conditions of the Roma minority." In 2011, compared with 2010, the number of unemployed workers from the community has grown by 10%, a figure that shows that awareness on presenting themselves at employment offices and taking advantage of various services offered especially for specific groups, of which the Roma community are a part, has been raised.

Currently 2 programs are being implemented that have as a priority hiring unemployed workers from specific groups:

1. Decision no.48 dated 16.01.2008 "Employment promotion programs for unemployed persons in need." Under this program, employers who hire on a year-long contract unemployed persons in need may receive funding for a year, in the amount of 100% of the compulsory social insurance contributions of the employer a financing for four months in the amount of 100% of the minimum wage at national level. The category of unemployed workers in need includes also members of the Roma community.
2. Decision No.27 dated 11.01.2012 "On employment promotion programs for women from specific groups." This program aims to promote Albanian leaders and managers make an effort to hire unemployed women from specific groups. This support consists of funding for social security payments and four minimum wages (national level). Women from the Roma community are also part of the women from special groups.

Order No.782 dated 04.04.2006 "On vocational training fees", as amended, provides that registration fees for unemployed job seekers registered at employment offices and who want to pursue professional training courses provided by the Regional Directorates of Public Vocational Training, are free for special groups, including Roma unemployed job seekers.

According to labor market statistics over the years for unemployed jobseekers Roma and Egyptian, which are sent to us, we find that in 2011 the number of unemployed Roma and Egyptians enrolled in the Regional Employment Offices has been higher than in 2010. Specifically in 2010 it was 6970, while in 2011 there were 7666 participants. 217 persons (an increase from 62 for last year) were trained at public centers for free in 2011.

**Despite increasing demands from the Roma community for registrations as unemployed persons by the Employment Offices, the Ombudsman finds that the number of unemployed Roma in 2011, including employment promotion programs, decreased compared to 2010. Specifically in 2011 the number was 6 people, compared to 2010, when the number was 28 people.**

### **III. Cases initiated by the Ombudsman**



Taking into account the situation as a result of the removal of the temporary accommodation of some Roma families in barracks located in Tirana, the Ombudsman Institution, initiated on 01.02.2012 the review of this case.

The difficult climatic conditions of those days with cold temperatures that were expected to continue in the coming days, made it imperative to take measures to help other groups of the population, such as homeless people, in order to prevent situations that may endanger their life or health, especially in the case of children.

Given the above it has been recommended to the **General Director of Civil Emergencies, Mr. Alfred Olli as well as Municipal Mayors and Heads of Municipal Councils** across the country:

*"Taking all possible organizational measures to prepare the shelters or temporary stays for such groups in cases of emergency, such as members of the Roma community, homeless people and anyone else who asks for help from local governments in order to prevent situations that could endanger their life or health, especially concerning children."*

We continue to believe that this matter should be treated as a priority by local authorities to take appropriate measures continuously, so that difficult living conditions that may occur in the winter season during the following calendar year, or even later, can be prevented. In this context we support that local authorities must draw up action plans and medium-term intervention plans to prevent such situations in the future. These plans have to provide specific actions and interventions, institutions or authorities responsible for their implementation, deadlines to be met, the necessary financial sources etc.

#### **IV. Problems observed for 8 (eight) Roma families, who were transferred to the premises of the former Military Barracks in Sharra, Kombinat.**

From February 1 of 2012, for 12 days, 8 Roma families with 59 members among which 30 children aged 0-7 years, were housed in emergency conditions in the premises of the institution of the Ombudsman. These families were warned with eviction from the area where they set up their tents within 01.02.2012. Following the evaluation of the grave situation, the Ombudsman promised their accommodation directly on the premises of the institution, if the state does not find solutions appropriate to their conditions of emergency.

Immediately after the accommodation of Roma families in the institution of the Ombudsman, assistance was provided from civil society organizations, which coordinated together and helped with food, clothing and medicine for these families during these days. Organizations that contributed during this emergency situation included: World Vision, Terre des Hommes, SFI, CRCA, Alo 116, TLAS, Albanian Red Cross etc. Moreover, the Ministry of Health, Department of Public Health conducted regular medical visits for children. During the stay of the 8 Roma families in the facilities of the institution, the Ombudsman made continuous efforts to find a solution, even in the implementation of the measures envisaged in the National Strategy for the Roma Community and the Action Plan for Roma Decade.

Besides the 8 families that were sheltered in emergency conditions on February 1, 2012 within the Ombudsman's premises, a number of Roma families came in on February 3, 2012 at the premises of this institution. These families expressed to the Ombudsman their concern that they also have the same problems with the 8 families sheltered at its premises. The

Ombudsman made to them available the entire office staff to conduct counseling, receive complaints and identify categories and legal problems which they faced.

Roma families which took refuge in the offices of the Ombudsman in emergency conditions since February 1, 2012 left on midday on 12 February and took refuge in the premises of "Romani Baxt Albania". These homeless families stayed in facilities made available by the association until the completion of works in the environment designated for them by the Ministry of Labor and Social Affairs, facilities which according to this ministry, would be ready in a month. During this period the organization "Romani Baxt Albania" was supported with funds from the Vodafone Albania Foundation. After three months of staying in the center "Romani Baxt Albania", 8 Roma families, with the support of the Ministry of Labor and accompanied by police forces, were escorted to the premises of a former military unit in the area of Sharra on May 8, 2012.

Following the pledging of the institution in terms of the final solution to the housing problem of the 8 Roma families, experts from the Ombudsman performed an inspection at the premises of the former Military Department of Sharra, Kombinat, Tirana, where these families were expected to be sheltered for a relatively long period of time.

The inspection showed that MOLSAEO had taken up three of the aforementioned buildings, which previously served previously as warehouses with the aim of establishing a temporary center for sheltering families of the Roma community. Some work had been done to adapt them to appropriate housing for the Roma families and they were plastered and whitewashed. Two of them will serve as dwellings for overnight stay. Below we present some of the main findings:

a. *Housing environment.* Buildings intended for housing had each two closed rooms with some plywood doors, while the size of the windows was not geared up to provide ample ventilation and natural lighting. Several windows were not sealed with glass, while those that were did not meet the conditions necessary to isolate the environment from the weather conditions.

b. *Furnishing* was utterly missing, as the rooms were not furnished with chairs, table, cabinets, refrigerator and necessary equipment for cooking. In fact, only some beds and old blankets had been provided, which were not appropriate and enough for the families' needs. The floor was paved only with concrete, and the ceiling was covered with plywood which did not provide waterproofing because in some places mold spots could be seen.

c. The *electrical and plumbing grid* on the surface of the territory in which the buildings in question can be found turned out to be non-functional, because the buildings inspected were not provided with energy and water. Also, artificial lighting is completely missing and the electrical grid was damaged.

d. The situation with the *shared bathrooms* was quite problematic because they were not equipped with doors and windows, something that actually makes them inappropriate for use. It remains unclear how these spaces can be made functional, since water supply is also lacking. Also missing were sanitation equipment, while showers had not been installed.

e. *Common Problems*

During the inspection carried out, the state of the shared facilities around the buildings was found to be quite problematic. Across the surface in question, puddles of water and mud are currently created, because work for paving or drainage has not been performed. Sanitation for rain water is completely lacking and it is expected that in the summer the environment will be highly polluted due to dust. Finally, from an inspection conducted, we concluded that, buildings adjusted as residential premises can not be considered functional and affordable housing according to the standards.

After the inspection and evaluation of the requirements and standards of this center, recommendations were sent to the **Minister of Labour, Social Affairs and Equal Opportunities Mr. Spiro Ksera** for measures concerning:

- a. Waterproofing of buildings intended for residential facilities;*
- b. Putting doors and windows in three buildings;*
- c. Furnishing of facilities with the vessels necessary to create normal living conditions;*
- d. Operation of electrical and plumbing systems;*
- e. Putting showers and hydro-sanitary equipment in common toilets;*
- f. The arrangement of buildings around common facilities.*

Regarding this recommendation we have not yet received a response regarding the position and actions undertaken by the Ministry of Labor for its enforcement.

Following up with contact with families who have been sheltered, on 18.05.2012, we have inspected the premises of the former military unit and living conditions of all Roma households that are accommodated there.

The problems presented by their heads have been numerous. Installations in buildings for power supplies exist, but in terms of providing this service, a transformer is needed which will enable the power supply in environments where families are accommodated. For this problem, heads of families claimed that representatives of the Ministry of Labor, Social Affairs and Equal Opportunities had promised the resolution of this issue in a meeting that took place between them, by providing a transformer given these conditions, but also by contributing to all the other needs.

In fact, the situation presented was that no steps had been taken since this promise and the aggravated conditions which these people living there had to face were becoming worse day by day.

The lack of energy and water bring serious consequences not only for health, malnourishment, cleanliness of the surrounding environment, but also in terms of meeting the educational and cultural needs of these children below.

Notwithstanding the above, the Ombudsman continued with maximum efforts towards the creation of suitable living conditions for these people, at least for the power supply, drinking water and sewage wastewater.

In these conditions, we addressed the Department of Water Supply and Sewerage SA:

*"Taking action necessary for the continued supply of drinking water, to the Military Department facilities of Sharra, Kombinat, Tirana, where members of the Roma community are sheltered."*

In response to this recommendation, we were made aware that the Water and Sewerage Company SA, instead of verifying the situation on the grounds of the former Military Department in Sharra, said that at present it was impossible to supply these families with water, because there was no access to that area. Still WSC promised to take measures to settle a 5000 liter tank within the premises where these families live, the supply of which would temporarily come from the company, until this problem is to take a definitive solution. One of the investments planned by WSC is the supply with water to this area, which would make possible the supply to these families.

Moreover, during the inspection in the center where Roma families were settled, it was found that children of Roma families do not attend school. From the interviews that were obtained it was shown that of 35 children, of whom 20 of age from 1 to 5 years and the remainder (15 children) until the age of 14, none of these children were enrolled in school to attend the 9-year education system.

Order No. 6 dated 29.03.2006 of the Minister of Education and Science "On the enrollment of Roma children in the registry" has determined that Roma children can enroll in school without a birth certificate.

As stated above, based on the constitutional principle that everyone has the right to education, enshrined in Article 57 of the Constitution of the Republic of Albania, we addressed the Regional Education Directorate in Tirana, with the recommendation:

*"On measures to enable the registration of Roma children, located near the former military unit, Sharra, Tirana, to 9-year schools at their current residence."*

No answer has been sent to the Institution of the Ombudsman regarding the position of the Regional Educational Directorate of Tirana on this recommendation.

The Ombudsman regrets that Roma citizens were removed before about a month and a half from the premises of the former military unit in Sharra and 6 of them settled near their families and their relatives in the area called Bregu I Lumit in Tirana, while two of them are housed at the premises of the former Yugoslav Embassy in Tirana. According to Roma families accommodated on the premises of the former military unit, their departure has come about because of violence from locals who maintained that the military unit was their property.

Regarding this event, the Ombudsman has sent a letter to the Police Directorate of Tirana to begin investigating the causes for the expulsion and the violence, as claimed by Roma citizens.

Roma rights are part of human rights and fundamental freedoms and the monitoring of their implementation is part of the 12 priorities set by the EU for Albania. In recommendation 11 of the EU measures that should be implemented to improve the rights of the Roma minority have been clearly defined. The process of the EU integration is a process in which Albania needs to demonstrate its values, and that it deserves to be part of the European family. In this context, all state institutions and independent constitutional institutions have their role and

responsibility in contributing towards the protection of the rights of the Roma community, in accordance with their areas of competence, in the fulfillment of the obligations determined by the EU institutions during this process.

## **V. RECOMMENDATIONS**

At the conclusion of the above report and the problems found for the Roma minority, in the activity of the Institution of the Ombudsman for the period January to June 2012, we think that the situation of the rights and freedoms of the community, there is need for improvement.

With regard to the Roma minority rights, an action plan for implementing the recommendations of the workshop (Mr. Pierre Mirel) December 2011 "On the rights of the Roma minority" has not yet been approved by the Council of Ministers, while problems faced by the citizens are numerous, such as registration, housing, employment, education, social assistance benefits etc.

From the above analysis and assessments we recommend:

1. The change of law 9232/2004 "On social programs to house residents in urban areas" (as amended), to provide clear and accurate adjustments for Roma families. Moreover we suggest the inclusion of the Roman community as a priority group regarding housing benefits.
2. The change of bylaws which provide criteria and procedures for the registration and transfer of registry, by removing requirements for a rented or owned dwelling for Roma families.
3. Continuation of efforts for the functioning of preparatory classes for preschool education, English language teaching, with the aim of the participation of Roma children in all levels of education; work coordination with the Regional Education District, to raise awareness among members of the Roma community regarding school attendance.
4. Taking ongoing inclusion measures, with priority given to members of the Roma minority regarding vocational training programs and ongoing employment, with priority given to working age Roma minority, in order to integrate them into society and improve their socio-economic conditions, so that this minority does not feel discriminated against.
5. Taking all possible measures for the organizational preparation of accommodation sites for groups in emergencies, such as members of the Roma community, homeless persons and anyone else who seeks help from the local government bodies, in order to prevent situations that may endanger their life or health, and especially children.
6. That the Council of Ministers approve an action plan for implementing the recommendations of the workshop (Mr. Pierre Mirel) of December 2011 on "Roma rights" in accordance with the Ombudsman's recommendations and implementing legal measures to solve the problems faced by Roma citizens, ranging from registration, housing, employment, education, social assistance benefits etc..

In conclusion we wish to emphasize that the conclusions and recommendations cited above

will be subject to evaluation and further analysis of the Ombudsman's Institution in collaboration with civil society organizations who cooperate with our institution.

Also the Ombudsman's Institution in accordance with the functions and powers provided by law will continue its activity in improving the situation of the implementation of the measures provided for the Roma minority, in recommendation 11 of the EU for Albania, giving its contribution on these issues.