

A L B A N I A

SECTION A

Capital

Tiranë 251,000 (1991 est.)

Area

28,750 sq km (11,100 sq mi)

Form of government

Unitary multiparty republic with a single legislative body

GDP—per capita

Purchasing power parity—\$1,650 (1999 est.)

Population

3,364,571 (July 1999 est.)

Ethnic composition

| | |
|----------|-----|
| Albanian | 95% |
| Greek | 3% |
| Other | 2% |

(Vlachs, Gypsies, Serbs, Jews, Montenegrins, Macedonians, Bulgarians)

The Albanians are divided into two main branches: the Ghegs and the Tosks. The River Shkumbi forms the rough border between the two groups, with the Ghegs occupying the area to the north and the Tosks the area to the south. The groups are distinguished by minor differences in physical traits, dialects and customs.

Estimates of the Greek population ranged from 1% (official Albanian statistics) to 12% (from a Greek organization) as of 1989.

Official language

Albanian (Tosk is the official dialect)

Minority languages

Greek, Serbian, Macedonian, others

Legislation dealing with the use of languages

The Draft Constitution of the Republic of Albania, adopted on August 4, 1998

Education Act

Background notes

In 1990 Albania ended 44 years of xenophobic communist rule and established a multiparty democracy. The transition has proven difficult, as corrupt governments have tried to deal with severe unemployment, the collapse of a fraudulent nationwide investment scheme, widespread gangsterism, and massive refugee influxes from neighboring Kosovo.

Independence on November 28, 1912 (from the Ottoman Empire)

A new Constitution has been approved by parliament on October 21, 1998 and adopted by popular referendum on November 28, 1998; it should be noted that the opposition Democratic Party boycotted the vote.

Current international disputes: The Albanian Government supports the protection of the rights of ethnic Albanians outside of its borders but has downplayed them in order to further its primary foreign policy goal of regional cooperation. The Albanian majority in Kosovo is seeking independence from the Serbian Republic. Albanians in The Former Yugoslav Republic of Macedonia claim discrimination in education, access to public-sector jobs, and representation in government.

SECTION B

Where does one observe language to be a problem in the country?

The Greek minority, whose number was estimated at about 70,000, continues to complain of a lack of opportunity for Greek-language education, although some improvements have been made in recent years in primary education. They further complain about discrimination in the field of religion and employment in the public sector. They also have not been allowed to form political parties that are based on ethnicity in Albania.

No discrimination was reported against the Vlachs, who speak Romanian as well as Albanian, or against the Cams, non-Orthodox ethnic Albanians who were exiled from Greece in 1944. Two distinct groups of Roma, the Jevg and the Arrixhi (Gabel), are established in the country. The Jevg tend to be settled in urban areas and are generally more integrated into the economy than the Arrixhi. Roma are clearly the most neglected minority group

The use of language in everyday life e.g. education, broadcasting and other

A Greek primary school was opened in Tirana and Greek may be offered as a foreign language in any public school. There is a Greek chair at the University of Gjirokastra but there are currently no Greek-language high schools.

Classes in the Macedonian language are available to students in the districts of Pogradeci and Devolli, which border the Former Yugoslav Republic of Macedonia (FYROM). The FYROM Government provides texts for these classes.

Did the country ratify any international treaty dealing with the protection of minorities?

Framework Convention for the Protection of National Minorities signed on June 29, 1995, ratified on September 28, 1999 and enacted on January 1, 2000.

Conclusion

The Government seems to have played a constructive role in maintaining the nation's generally positive record on the treatment of minorities. There are two main minority populations, ethnic Greeks and Macedonians. While no recent official statistics exist regarding the size of the various ethnic communities, ethnic Greeks are the most organized and receive the most attention and assistance from abroad.

The situation of ethnic Greeks in Albania has improved noticeably over the past two years (1997-1998). The Greeks' major complaints under the government of the Democratic Party – cultural discrimination and lack of access to the electoral process – do not constitute a real concern for this group as of mid-1999. The cultural rights of the ethnic Greeks have been officially protected since 1997. At which time the Albanian Socialist government committed itself to a policy of providing opportunities for the ethnic Greeks “to be educated in their native language and to move freely wherever it is good for them” (Fatos Nano). The group's political rights were fully exercised during 1996 and 1997 when their political party, the Human Rights Protection Party, took an active part in the Albanian elections, raising expectations for a wider scope of involvement in local government (1997).

Clearly, the future of the Albanian Greeks will be determined by the relationships between Berisha's Democratic Party and the Albanian Socialist Party, as well as by the role that the ethnic Greeks will occupy in these relations. Also to be considered are the activities of neighboring Greece, which has advanced political, diplomatic, financial and military support to the Albanian Socialists, a traditional ally of the Greek minority. The Greek government's support of the Albanian Socialists has had a major impact upon the internal balance of political forces in Albania.

SECTION C

Legislation dealing with the use of languages

Updated (August 2002)

According to the Constitution (Article 14) the official language in the Republic of Albania is Albanian, the national minorities, under Article 20 of the Constitution, have the right to preserve and develop, to study and to be taught in their mother tongue.

The right to use the mother tongue privately and in public is guaranteed in practice as well. The individuals of national minorities use their language freely in the daily life, in public meetings, in their associations, in electoral campaigns, in their press and publications of cultural, literary, historical or scientific character, in the media and in religious ceremonies. An important factor contributing to the preservation and development of the mother tongue of minorities is also the existence of numerous public schools for their children.

THE LAW ON PRESS

The Law on Press No.7756, dated October 11, 1993, has been amended with the Law No.8239, from September 3, 1997, and has actually only one article saying: "The press is free. Freedom of press is protected by law." A new project, entitled "the Act of the Press Freedom" was recently published in the Albanian press, to be subjected to an open discussion and to receive the necessary political and professional consensus. In this context, the representatives of the national minorities will make their remarks and suggestions as well.

On the basis of the above-mentioned existing law, the persons of the national minorities enjoy, like all Albanian citizens, the right to create printed media in their native language. The press of the national minorities, as all the press in Albania, is not subjected to prior censorship.

THE LAW ON PUBLIC AND PRIVATE RADIO AND TELEVISION IN THE REPUBLIC OF ALBANIA

Law No.8410, from September 30, 1998 on Public and Private Radio and Television in the Republic of Albania guarantees the national minorities access to the electronic media. Article 39 of this law prohibits the broadcasting of programs which incite violence, aggressive war, national and racial hatred etc., whereas Article 36 says that public and private radio and television programs shall respect the personal dignity and fundamental human rights, the impartiality, entirety, truthfulness and pluralism of information, the rights of children and teenagers, public order and national security, the Albanian language and culture, constitutional and human rights of national minorities in compliance with international conventions signed by Albania, and the religious diversity in Albania.

While Article 37 writes: “The use of the Albanian language is obligatory for all programs, except for musical works with lyrics in a foreign language, foreign language teaching programs, the programs intended specifically for national minorities, and programs of local radio-television subjects licensed to broadcast in the language of minorities.”

On this basis, the establishment of local radio and television stations by persons of the national minorities in their mother tongue is guaranteed. A license can be received from the National Radio and Television Council and the requests for the license are made pursuant to the law, and in conformity with the recognized international standards. The National Radio and Television Council has not received any request for a license to establish local radio or television stations from a person belonging to national minority living in Albania.

THE LAW ON ALBANIAN RADIO AND TELEVISION PROGRAM

Under Article 69 of the Law 8410 on the Albanian Radio and Television program, (ART) the state is, among others, obligated to release information for national minorities from the central and regional broadcasting studios. Though this obligation is expressly contemplated, the law does not determine concrete ratios or percentage of broadcasting time devoted to the national minorities.

THE CODE OF PENAL PROCEDURE

The Code of Penal Procedure, point 2, Article 8 contemplates that in all the phases of the juridical process persons who do not know Albanian use their mother tongue, and, through an interpreter, have the right to speak and be informed of the evidence and acts, and of all juridical procedures. Article 98, point 2, of the same Code contemplates that a person who does not speak the Albanian language is interrogated in his/her mother tongue and the verbal process is kept in this language as well. The procedural acts given to this person, at his request, are translated in the same language. Also witnesses in a juridical process have the right to testify in their own language.

The right to use their language or to have the acts drafted in their mother tongue during the civil juridical process is entitled also to the persons who do not speak the Albanian language. Article 27, paragraph 2 of the Civil Procedure Code, contemplates that the persons who do not know Albanian, use their language. They are informed of the evidence and of all the juridical procedure through an interpreter. While Article 116, paragraph 2, says that the court calls a translator when persons giving their testimony do not know the Albanian language or for the translation of documents written in a foreign language.

In order to guarantee the rights of a person who does not know the Albanian language during the penal and civil process, the Albanian legislation determines detailed rules regarding the assistance without charge of a translator, his presence even in the cases when the judge, the

prosecutor or the officer of judicial police know the language to be translated, the obligations of the translator for the accuracy of translation and the protection of secrecy, for cases of incapability and incompatibility to carry out the duty, exclusion, renunciation and substitution of the interpreter, the deadlines for the written translations and the obligatory calling of the interpreter who, for no legal reasons, does not appear, charging him with the same penal and civil responsibility as the expert.

THE LAW ON THE PRE-UNIVERSITY EDUCATION SYSTEM

Equal rights to all offers also the legislation on the field of education. Article 3 of the Law 7952, dated June 21, 1995 on the Pre-University Education System guarantees equal rights to all citizens to study, regardless of social situation, nationality, language, gender, religion, race, political conviction, health situation and economic level.

While Article 10, point 1, of the same law, says that opportunities shall be created for persons belonging to national minorities to study and be taught in the mother tongue, to learn their history and culture within the framework of the school curricula. The legal frame for this purpose is also complemented with other sub-legal acts, such as the decisions of the Council of Ministers "On Elementary Education of National Minority in the Native Language," and "On the Start of Teaching Greek Language in some High Schools," and the respective instructions by the Ministry of Education and Science.

LOCAL NAMES

The public use and display of traditional local names, street names and other topographic signs is not regulated by any specific law. But in fact, there are no real obstacles to use names even when they are in the national minority languages. In cases deemed reasonable, or when requested, the local authorities of the minority areas are free to decide on these issues, certainly taking into account the limits linked with the rules of urban planning management.

Source:

<http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/StateReports/2001/albania/Albania.htm>, Council of Europe, State Reports July 26, 2001

Background notes

Updated (August 2002)

GREEK MINORITY

The Greek national minority was the first minority recognized by the Albanian State.

The Greek people shared the fate of the majority of the population and suffered the same limitations imposed by the communist regime for almost half of the century. A positive impact in this direction had peaceful atmosphere and the tradition of normal and friendly coexistence, which has prevailed for a long time between the Albanian majority and the Greek minority.

After the 1990s, the number of the Greek national minority in Albania has fallen considerably due to the opening of the borders, and the backwardness and numerous economic difficulties of the transition period in Albania. A good part of the population in southern regions of the country had the chance to get employment and live in Greece. (The Greek government grants visas or stay permits up to 5 years, helps to find a job, in the education for their children, medical treatment, etc). In many villages with mostly Greek population, the number of the emigrants to Greece ranges between 40-70 percent of the total number of inhabitants.

However, generally the democratic changes in Albania over the last decade have brought essential changes also to the position of the Greek national minority. Today this minority enjoys all the rights in compliance with the most liberal European standards and the values, which regulate the life of an open democratic and pluralistic society.

MACEDONIAN MINORITY

The Macedonian national minority is concentrated in the area of Prespa. This area extends to the southeastern corner of Albania, bordering the Former Yugoslav Republic of Macedonia and Greece. There are nine villages of the area of Prespa: Lajthiza, Pusteci, Zaroshka, Cerja, Shulini, Gollomboqi, Gorica e Vogel, Bezmishti and Gorica e Madhe and a village in Devoll. From the administrative point of view, these nine villages in which Macedonian national minority is living, make up a commune called the Commune of Prespa. The center of this Commune is a village Pustec.

MONTENEGRIN MINORITY

The Montenegrin national minority lives mostly in small villages in the area of Vraça (villages Gril, Omaraj, Borici i Vogel) north of the city of Shkodra (in the Northwestern part of Albania). The statistical data on the number of this minority according to the last year's survey held by the Albanian Helsinki Committee, this minority consists of about 2,000 people and has retained its compactness as a national minority, its native language, culture, religion, traditions, etc.

With the beginning of the democratic processes in Albania, in 1990, almost all Montenegrins left for Montenegro. The economic difficulties and the tensions created in former Yugoslavia urged a part of those who had left to return to their homes in Albania. We may say that about 600 from 2,000 people who moved to Montenegro, have returned to their houses at present. The rest either continues to live in Montenegro (the majority) or has moved to other countries of Western Europe, U.S. or Canada.

Source:

<http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/StateReports/2001/albania/Albania.htm>, Council of Europe, State Reports July 26, 2001

Where does one observe language to be a problem in the country?

Updated (October 2001)

During a conference in Tirana, organized by the Council of Europe, national minorities in Albania expressed a need for basic minority rights in Albania, reported the Greek Helsinki Monitor. The seminar of the Council dealt with the implementation of the Framework Convention for the Protection of National Minorities in Albania.

Among the participants were Macedonians, Greeks, Serbs, Montenegrins, Aromanians and other minorities, speaking up for the right to get an education in their mother tongue, to participate in the governmental administration and the right to freely express their national belonging and religious affiliation at the next census.

The participants mentioned several improvements for minority members in Albania in recent years, like the freedom to use their mother tongue in communication, the possibility to cultivate folklore and traditions, as well as the construction of a new school building in New Gorica. Despite these improvements in the relation between majority and minority, disturbance from representatives of the Albanian government, also attending the conference, were reported. The press release speaks about "repeated attempts to control, or more precisely to interrupt the presentation" of the minority members.

To what extent are minority groups in this country disadvantaged by their language?

Updated (August 2002)

According to the Council's of Europe 2001 Country Report members of the national minorities use their languages freely in their daily life, in communication with one another, in public meetings, in their associations, in electoral campaigns, in the publication of documents and periodicals as well as in religious ceremonies. In the pre-schools and kindergartens, in the areas where both the Greek national minority and the Macedonian minority lives, children are taught, communicate with one another and with their educators in their mother tongue. The studying of their languages is also guaranteed in the elementary system and in the high schools, and it is applied in the schools functioning in national minority areas or in the areas with a considerable number of minority people.

Although all the documentation in the central government organs and in the administrative unit bodies of the local government are drafted in the official language, the verbal communication between national minority

people and the authorities of the local government administration in the areas inhabited by national minorities may be realized, according to their free choice, in their mother tongue, because in most of the cases these authorities are members of national minorities themselves.

The members of national minorities living in Albania are free to decide and use their names and surnames according to the traditions in their mother tongue and have the right to their official recognition. The national minority persons register their names in the Civil Registry Offices in the municipalities or communes where they live. According to the law, the registration in the Civil Registry Office is made according to their phonetic pronunciation, but always on the basis of the Latin alphabet orthography. This rule also applies to the members of three national minorities using the Cyrillic alphabet. Consequently, the registration of the names and surnames of their members on the basis of the Cyrillic orthography would cause numerous problems and confusion in the public administration and with other different institutions in Albania.

In all the communes or villages inhabited by people belonging to national minorities, as well as in cities such as Delvina, Gjirokastra or Saranda, mostly inhabited by Greek national minority, a good part of the inscriptions and the names of the shops, restaurants, bars or hotels, owned by national minority people, are written in their native languages.

All the toponyms and names of the villages in the national minorities' areas are the original ones traditionally used by the minority people. Even a few changes of the names of some villages, particularly those with religious content, made under the communist regime in Albania, have been replaced following the 1990s.

Source:

<http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/StateReports/2001/albania/Albania.htm>, Council of Europe, State Reports July 26, 2001

The use of language in everyday life, education, broadcasting and other

Updated (August 2002)

MEDIA

The Greek national minority, living in the districts of Gjirokastra, Saranda, Delvina, etc., has the following reviews: "*Lajko Vima*," a newspaper which dates back to 1945; "*I Foni tis Omonias*" (Voice of Omonia) a weekly paper; "*2000*", a newspaper which is published in the Greek, English and Albanian language; "*Oaz*" and "*Progres*" illustrated reviews.

These newspapers and reviews are freely distributed in every village. Furthermore, some 15 other papers and reviews in the Greek language are distributed in this minority area from Greece.

The Macedonians and Montenegrins have an access to the media in the Macedonian or Montenegrin language.

The Aromanians have their newspaper "*Fratia - Vellazerimi*" which is published once a month in Albanian and Aromanian.

According to the Council's of Europe 2001 Report on Albania, the activity of the minorities in all fields of life, their achievements and problems take an important place and are extensively covered by the main programs of the Albanian Radio and Television either in news or in the other programs of cultural, economic and social character.

Actually, in addition to the programs aired by Radio Tirana in the Greek language for 30 minutes, twice a day, Radio Gjirokastra is also broadcasting daily in the Greek language for 45 minutes (from 5 p.m. to 5.45 p.m.).

With funds from the state, the local government organs have installed TV amplifiers in the territory of Albania and thus the Greek national minority can watch the Greek TV stations (NET, ANT1, MEGA, ET1, etc). With the installation of a TV amplifier on Mount Dajti, the Greek TV station ET1, can be freely watched also in Tirana.

For the Macedonian national minority too, the local radio of the city of Korça (Radio Korça) airs three times a week news in the Macedonian language. The Macedonian public and private radio or television stations can be freely seen without the need to install TV amplifiers.

The same can apply also to the small Montenegrin national minority, with regard to the public and private radio or television stations in Montenegro. The local radio of the city of Shkodra (Radio Shkodra) broadcasts programs for this minority.

EDUCATION

The Greek national minority extends in 34 villages of the district of Gjirokastra, 35 villages of Saranda, 18 villages of Delvina and 2 villages in Permet, whereas the Macedonian national minority is located in 9 villages of the district of Korça (zone of Prespa) and in one village of Devoll.

The educational system for these national minorities, like for Albanians, consists of three levels: pre-school, elementary and general high education.

For the Greek minority there are 18 elementary schools and 14 primary schools (I-IV grades) and 2 general high schools in the district of Gjirokastra; 17 elementary schools and 4 primary schools (I-IV grades) in the district of Saranda; 7 elementary schools and 7 primary schools (I-IV grades) in the district of Delvina and only 2 primary schools (I-IV form) in the district of Permet.

For the Macedonian minority there are 2 elementary schools and 7 primary schools (I-IV grades) in the district of Korça and only one primary school (I-IV grades) in the district of Devoll.

The above-mentioned schools function in those areas, which are traditionally inhabited by national minorities, in the mean time under the auspices of the Albanian state and in conformity with the relevant legislation. In September 1996, classes for minority children were opened in the Albanian elementary schools in the cities of Gjirokastra, Saranda and Delvina, where Greek national minority people live and exercise the right to study and be taught in their language.

In the Pedagogical High School in the city of Gjirokastra there is a department named "Teacher Training for Minorities," the only one in the country preparing teachers for the Greek national minority. In addition, a Greek language department also functions in the "Eqerem Çabej" University, in Gjirokastra. In 1995, the Greek language department was opened in the Foreign Languages' Faculty of the University of Tirana.

In 2000-2001 academic year, 1,845 pupils (constituting 0.37 percent of all the pupils) attended the elementary schools of the two national minorities, with 297 teachers of whom 267 were members of the national minority.

In 1998, new subjects were introduced in the national minority schools: Knowledge on the History of the Greek People and Knowledge on the History of the Macedonian People.

The education in the high schools is entirely in the Albanian language, except for the subject "The Greek Language" (2 classes per week in the first and second grades of the general high school in the Greek minority part) since the academic year 1995-1996 onwards.

Source:

<http://www.humanrights.coe.int/Minorities/Eng/FrameworkConvention/StateReports/2001/albania/Albania.htm>, Council of Europe, State Reports July 26, 2001

Updated (November 2002)

PRIVATE MACEDONIAN RADIO STATION IN ALBANIA

The first private Macedonian-language radio station in Albania began broadcasting on November 7, 2002. Radio "Prespa," based in the eastern Albanian town Liqenas, is run by the Prespa Association.

The former Macedonian ambassador to Albania and the state owned Macedonian Radio and Television (MRTV) helped to launch the project.

The Albanian state owned Radio "Korca" broadcasts half an hour daily in Macedonian.

Source: Minelres Archive, RFE/RL NEWSLINE Vol. 6, No. 212, Part II,
November 12, 2002,
<http://groups.yahoo.com/group/multiethnic/message/2368>

APPENDIX A

MAP OF ALBANIA



APPENDIX B

ALBANIA - DRAFT CONSTITUTION 1998

(Adopted on August 4, 1998)

(Document Status on August 4, 1998)

(Note: The 1998 Draft Constitution has been approved by parliament on October 21, 1998.)

Article 14

The official language in the Republic of Albania is Albanian.

Article 18

No one may be unjustly discriminated against for reasons such as gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic condition, education, social status, or ancestry.

Article 20

Persons who belong to national minorities have the right to exercise in full equality before the law the human rights and freedoms.

They have the right freely to express, preserve and develop their ethnic, cultural, religious and linguistic identity, to study and to be taught in their mother tongue, as well as unite in organizations and societies for the protection of their interests and identity.

Article 22

- (1) Freedom of expression is guaranteed.
- (2) The freedom of the press, radio and television are guaranteed.
- (3) Prior censorship of the means of mass communication is prohibited.
- (4) The law may require the granting of authorization for the operation of radio or television stations.

Article 23

- (1) The right to information is guaranteed.
- (2) Everyone has the right, in compliance with law, to get information about the activity of state organs, as well as of persons who exercise state functions.

(3) Everybody is given the possibility to follow the meetings of collectively elected organs.

Article 24

(1) Freedom of conscience and of religion is guaranteed.

(2) Everyone is free to choose or to change his religion or beliefs, as well as to express them individually or collectively, in public or private life, through cult, education, practices or the performance of rituals.

(3) No one may be forced to take part or not in a religious community or in religious practices or to make his beliefs or faith public.

Note: The complete text of the Albanian Constitution and further information on the constitutional background of Albania are provided by the International Constitutional Law Project at the University of Wuerzburg.

Article 28

(1) Everyone whose liberty has been taken away has the right to be notified immediately, in a language that he understands, of the reasons for this measure, as well as the accusation made against him. Every person whose liberty has been taken away shall be informed that he has no obligation to make a declaration and has the right to communicate immediately with a lawyer, and he shall also be given the possibility to realize his rights.

Article 31

During a criminal proceeding, everyone has the right:

c) to have the assistance without payment of a translator, when he does not speak or understand the Albanian language;

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