COMBATING INTOLERANCE, DISCRIMINATION AND HATRED

HOW TO IMPROVE LEGISLATION AND ENFORCEMENT?

National seminar

Organised by the Parliamentary Assembly of the Council of Europe
in cooperation with
the Parliament of Albania

Tirana

24 November 2017

9:30 – 18:00

PROGRAMME

VENUE:

Albanian parliament
Blv. Deshmoret e Kombit
Nr. 4
1000 Tirana
Albania

The event is open to the press. Please contact the PACE secretariat (contacts below) for further information.
1. Background and rationale

As the European Commission against Racism and Intolerance (ECRI) indicates in its 2015 report on Albania, progress has been made in a number of fields in the last few years. In particular, in 2010 the Law on Protection from Discrimination (LPD) was enacted and the first Commissioner for Protection against Discrimination (CPD) was elected. The CPD has, among others, the power to represent victims of discrimination before the courts. The law provides that judges can exempt plaintiffs from court fees and grant free legal aid in urgent cases. The People’s Advocate and increasingly the CPD counter public hate speech. In October 2014, the police made available a tool for reporting online hate speech. The Government has adopted a Code of Ethics and the new Audiovisual Media Authority is tasked with drafting ethical guidelines. In 2010 the National Action Plan for Roma Inclusion was adopted which also benefits the Albanian Egyptians (Egyptians). Substantive progress has been made in the field of civil registration of Roma. In 2012 an action plan addressing discrimination of LGBT persons was launched and the following year the Criminal Code was amended to give LGBT persons enhanced protection.

These positive developments testify of the Albanian authorities’ political will to fill the gaps and improve the legal framework in this area. Legislation and policies are still needed and the work to this ends should continue.

This seminar intends to implement the Council of Europe Action Plan for Albania 2015-2017, adopted by the Committee of Ministers. It aims at empowering parliamentarians to improve legislation and operational mechanisms in four policy areas: Media, Corruption, Justice and Discrimination.

The 4th of a series of 4 seminars shall provide an opportunity for enhanced dialogue on “improving national legislation with regard to the fight against racism, hatred, intolerance and discrimination”, adopting a peer-to-peer approach, between Albanian parliamentarians and members of parliaments of other Council of Europe member States, with the support of the No Hate Parliamentary Alliance. Good practices shall be shared and synergies created with local and international civil society and institutions, to help promote Council of Europe standards and identify concrete areas of reform of the Albanian legislative framework.

ECRI’s work on Albania and on hate speech will be among the main references for the discussion among participants. The experience of the No Hate Speech Movement campaign in Albania and in other Council of Europe member States will contribute to the exchanges.

2. Participants

Members of the Parliament of Albania
Members of the No Hate Parliamentary Alliance and of parliaments represented in the Parliamentary Assembly of the Council of Europe
Experts
Representatives of civil society
Representatives of international organisations
Media

3. Working Languages

Working languages will be Albanian, English and French, with simultaneous interpretation provided.

4. Background documents

Please refer to Appendix I.
DRAFT PROGRAMME

24 November 2017

9.30 – 9.50  Registration of participants and welcome coffee

10.00 - 10.30 am
OPENING SESSION

Welcome by Ms Vasilika HYSI, Vice-Speaker of the Parliament of Albania

Ambassador Claus NEUKIRCH, Head of the Council of Europe Office in Tirana

Mr Gvozden FLEGO, Honorary Member of the Parliamentary Assembly of the Council of Europe (Croatia)

Mr Stephen STORK, Head of Operations, Delegation of the European Union to Albania

Video message by Ms Gabriela HEINRICH (Germany), General Rapporteur on combating racism and intolerance, and Coordinator of the No Hate Parliamentary Alliance

10.30 am - 12.30 pm
SESSION 1: Discrimination, hate speech, hate crimes: How to stop the escalation?

Hate speech paves the way to other forms of violence. Hate crimes should be clearly defined in legislation and specific measures should be adopted to prevent and sanction them. This session aims to contribute to the debate on this issue, comparing experiences in various Council of Europe member states and indications from specialised bodies.

Moderator: Mr Gvozden FLEGO, Honorary Member of the Parliamentary Assembly of the Council of Europe (Croatia)

Speakers:

Ms Vasilika HYSI, Vice-speaker of the Parliament of Albania, Member of the European Commission against Racism and Intolerance (ECRI) in respect of Albania

Ms Albana VOKSHI, Chair of the Parliamentary Committee on Education and Public Information Media, Albanian parliament

Mr Shpati KOLGEGA, Deputy Minister of Education, Youth and Sport

Discussants:

Ms Irena TOPALLI, NGO Beyond Barriers, Albania

Ms Irina DREXLER, National Coordinator of the No Hate Speech Campaign in Romania

Discussion

12.30 – 2.00 pm  Lunch hosted by the Parliamentary Assembly of the Council of Europe

2.00 - 3.30 PM
SESSION 2: Antidiscrimination legislation and the protection of national
minorities in Albania

*Albania has adopted general antidiscrimination legislation covering all grounds of discrimination. The aim of this session is to discuss in particular the protection of national minorities, including the Roma.*

**Moderator:** Mr Adão SILVA, Member of the No Hate Parliamentary Alliance, Vice-Chairperson of the Portuguese delegation to the Parliamentary Assembly of the Council of Europe

**Speakers:** Ms Artemisa DRALO, Deputy Minister for Europe and Foreign Affairs

Mr Gjergj SINANI, Professor at the University of Tirana, former representative of the Advisory Committee on the Framework Convention for the Protection of National Minorities

Ms Merita XHAFAJ, Member of the Ad hoc Committee of Experts on Roma and Traveller Issues (CAHROM)

**Discussants:** Mr Altin HAZIZAJ, Human Rights House / CRCA Albania

Mr Danjel HYSENI, Youth Coordinator at Roma Active Albania

*Discussion*

3.30 – 4.00 pm  Coffee break

4.00 – 5.30 pm  **SESSION 3: Antidiscrimination legislation: enforcement**

*This session aims to deal with the enforcement of the Albanian antidiscrimination legislation, particularly as regards the issue of access to justice for victims of discrimination.*

**Moderator:** Mr Gvozden FLEGO, Honorary Member of the Parliamentary Assembly of the Council of Europe (Croatia)

**Speakers:** Ms Klotilda BUSHKA, Member of the Albanian delegation to the Parliamentary Assembly of the Council of Europe

Ms Erinda BALLANCA, Albanian Ombudsperson

Ms Irma BARAKU, Commissioner for the Protection from Discrimination

**Discussants:** Ms Teuta VODO, Deputy Minister of Justice

Mr Emir KAMENICA, Acting head of the Rule of Law and Human Rights Department at the OSCE Presence in Albania

Ms Erida SKENDAJ, Executive Director of Albanian Helsinki Committee

*Discussion*

5.30 – 6.00 pm  **CLOSING SESSION**
Conclusions by the seminar’s General Rapporteur, **Mr Rezart XHELO**, Consultant and Human Rights Expert

**Mr Adão SILVA**, Member of the No Hate Parliamentary Alliance, Vice-Chairperson of the Portuguese delegation to the Parliamentary Assembly of the Council of Europe

**Ms Klotilda BUSHKA**, Member of the Albanian delegation to the Parliamentary Assembly of the Council of Europe

6.00pm **PRESS CONFERENCE**

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**PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE (PACE)**

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Appendix I: Background documents

**PACE**

Charter of Commitments for membership to the No Hate Parliamentary Alliance (in English)
Charter of Commitments for membership to the No Hate Parliamentary Alliance (in Albanian)

PACE Resolution 2019 (2014) the honouring of obligations and commitments by Albania

PACE Resolution 2144 (2017) Ending cyberdiscrimination and online hate (in English)
PACE Resolution 2144 (2017) Ending cyberdiscrimination and online hate (in Albanian)
PACE Recommendation 2098 (2017) Ending cyberdiscrimination and online hate

PACE Resolution 2054 (2015) Equality and non-discrimination in the access to justice

PACE Resolution 1967 (2014) A strategy to prevent racism and intolerance in Europe
PACE Recommendation 2032 (2014) A strategy to prevent racism and intolerance in Europe
PACE Reply to recommendation 2032 (2014) A strategy to prevent racism and intolerance in Europe

PACE Resolution 2106 (2016) Renewed commitment in the fight against antisemitism in Europe (in English)
PACE Resolution 2106 (2016) Renewed commitment in the fight against antisemitism in Europe (in Albanian)

PACE Resolution 2069 (2015) Recognising and preventing neo-racism (in English)
PACE Resolution 2069 (2015) Recognising and preventing neo-racism (in Albanian)

PACE Resolution 1998 (2014) Improving co-operation between national human rights institutions and parliaments in addressing equality and non-discrimination issues

PACE Resolution 1985 (2014) The situation and rights of national minorities in Europe
PACE Recommendation 2040 (2014) The situation and rights of national minorities in Europe
PACE Reply to Recommendation 2040 (2014) The situation and rights of national minorities in Europe

PACE Resolution 2153 (2017) Promoting the inclusion of Roma and Travellers (in English)
PACE Resolution 2153 (2017) Promoting the inclusion of Roma and Travellers (in Albanian)

PACE Resolution 1927 (2013) Ending discrimination against Roma children

PACE Motion for Resolution No. 14040 Protecting children from racism and hate speech
PACE Motion for Resolution No. 14251 Promoting the rights of persons belonging to national minorities

**ECRI**

ECRI General Policy Recommendation No. 15 on combating hate speech (adopted on 8 December 2015)

ECRI 5th Report ECRI on Albania (English version - June 2015)
ECRI 5th Report ECRI on Albania ( Albanian version - June 2015)

**Horizontal facility for western balkans and turkey**

National Survey on Bullying and Violent Extremism in the Education system of Albania, Tirana 2017 (in English)
National Survey on Bullying and Violent Extremism in the Education system of Albania, Tirana 2017 (in Albanian)
Strengthening the protection of national minorities in Albania

Rights of National Minorities
Fourth Report submitted by Albania pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities (Received on 18 November 2016)

Committee of Ministers Resolution ResCMN(2009)5 on the implementation of the Framework Convention for the Protection of National Minorities by Albania

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

Brochure on the Framework Convention for the Protection of National Minorities

Roma
Ad hoc Committee of Experts on Roma and Traveller Issues (CAHROM)

Thematic report on social housing for Roma and legalisation of Roma settlements and houses (Albania, Bosnia and Herzegovina, “FYR. Macedonia”), 2013

Council of Europe team working on Roma and Travellers

Letter by the Commissioner for Human Rights to Minister for Urban Development (2016)
Reply from the Albanian authorities to the Commissioner for Human Rights (2016)

National Action Plan for Integration of Roma and Egyptians in Albania, 2016-2020