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International and Regional Instruments

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
IOB.1.a	1954 Convention	Is your country party to the 1954 Statelessness Convention?	UN Convention Relating to the Status of Stateless Persons, 1954	Yes	United Nations Treaty Collection (UNTC): https://treaties.un.org/Pages/showActionDetails.aspx?objid=0800000280032c0e&clang=en
IOB.1.b		If yes, when was ratification/accession?		24.4.2003	Official Publishing Centre (OPC): https://qbz.gov.al/eli/fz/2003/41/1ace9a64-e48a-47dd-b64b-6690eed103f9;q=LIGJ%20Nr%20.9057,%20date%2024.4.2003 Law no. 9057 of 24.4.2003
IOB.1.c		Are there reservations in place? Please list them.	Best practice is no reservations. If there are, they should have little or no impact on the rights of stateless people.	No reservations	UNTC: https://treaties.un.org/Pages/showActionDetails.aspx?objid=0800000280032c0e&clang=en
IOB.1.d		Does the Convention have direct effect?	Best practice is that the Convention has direct effect, though this may depend on the legal regime.	Yes	Constitution of the Republic of Albania, Article 116 : https://euralius.eu/index.php/en/library/albanian-legislation/send/9-constitution/178-constitution-of-the-republic-of-albania-en
IOB.2.a	1961 Convention	Is your country party to the 1961 Statelessness Convention?	UN Convention on the Reduction of Statelessness, 1961	Yes	UNTC: https://treaties.un.org/Pages/showActionDetails.aspx?objid=0800000280035b59&clang=en
IOB.2.b		If yes, when was ratification/accession?		8.5.2003	OPC: https://qbz.gov.al/eli/fz/2003/47/64d3c994-7b15-4228-ad6d-934421bbfd69;q=LIGJ%20%20Nr.9059,%20date%208.5.2003 Law no.9059 of 8.5.2003
IOB.2.c		Are there reservations in place? Please list them.	As above	No	UNTC: https://treaties.un.org/Pages/showActionDetails.aspx?objid=0800000280035b59&clang=en
IOB.2.d		Does the Convention have direct effect?	As above	Yes. Any international agreement that has been ratified constitutes part of the internal juridical system after it is published in the Official Journal of the Republic of Albania.	Constitution of the Republic of Albania, Article 116, 121, 122: https://euralius.eu/index.php/en/library/albanian-legislation/send/9-constitution/178-constitution-of-the-republic-of-albania-en
IOB.3.a	Other conventions	State party to European Convention on Nationality 1997? Please list any reservations.	European Convention on Nationality, 1997	Yes	COE Treaty Office: https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/166/signatures?p_auth=S6QDjHd9 Law no. 8942 of 19.9.2002
IOB.3.b		State Party to European Convention on Human Rights 1950? Please list any relevant reservations.	European Convention on Human Rights, 1950	Yes. No reservations.	COE Treaty Office: https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/country/ALB?p_auth=S6QDjHd9 Law no.8137 of 31.7.1996
IOB.3.c		State Party to Council of Europe Convention on the avoidance of statelessness in relation to State succession 2006? Please list any reservations.	Council of Europe Convention on the Avoidance of Statelessness in Relation to State Succession, 2006	No	COE Treaty Office: https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/200/signatures?p_auth=d396YmCF
IOB.3.d		Bound by Directive 2008/115/EC of the European Parliament and of the Council (EU Returns Directive). Please list any relevant reservations.	Directive 2008/115/EC of the European Parliament and of the Council (EU Returns Directive)	N/A	N/A
IOB.3.e		State Party to Convention on the Rights of the Child 1989? Please list any relevant reservations.	Convention on the Rights of the Child 1989	Yes. No reservations.	UNTC: https://treaties.un.org/Pages/showActionDetails.aspx?objid=0800000280003089&clang=en Law no. 7531 of 11.12.1991
IOB.3.f		State Party to International Covenant on Civil and Political	International Covenant on Civil and Political Rights 1966	Yes. No reservations.	UNTC: https://treaties.un.org/Pages/showAct

		Rights 1966? Please list any relevant reservations.			ionDetails.aspx?objid=080000028000589a&clang=en Law no. 7510 of 8.8.1991
IOB.3.g		State Party to International Covenant on Economic, Social and Cultural Rights 1966? Please list any relevant reservations.	International Covenant on Economic, Social and Cultural Rights 1966	Yes. No reservations.	UNTC: https://treaties.un.org/Pages/showActionDetails.aspx?objid=080000028002bae2&clang=en Law no. 7510 of 13.8.1991
IOB.3.h		State Party to Convention on the Elimination of all Forms of Discrimination Against Women 1979? Please list any relevant reservations.	Convention on the Elimination of all Forms of Discrimination Against Women 1979 Gen. Rec. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness.	Yes. No reservations.	UNTC: https://treaties.un.org/Pages/showActionDetails.aspx?objid=0800000280004389&clang=en Law no. 7767 of 9.11.1993
IOB.3.i		State Party to Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984? Please list any relevant reservations.	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984	Yes. No reservations.	UNTC: https://treaties.un.org/Pages/showActionDetails.aspx?objid=080000028003dfe6&clang=en Law no. 7727 of 30.6.1993
IOB.3.j		State Party to International Convention on the Elimination of All Forms of Racial Discrimination 1966? Please list any relevant reservations.	International Convention on the Elimination of All Forms of Racial Discrimination 1965	Yes. No reservations.	UNTC: https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280008954&clang=en Law no.7768 of 9.11.1993
IOB.3.k		State Party to the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families 1990? Please list any relevant reservations.	International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families 1990	Yes. No reservations	UNTC: https://treaties.un.org/Pages/showActionDetails.aspx?objid=080000028004b0d3&clang=en Law no.9703 of 2.4.2007
IOB.3.l		State Party to the Convention on the Rights of Persons with Disabilities 2006? Please list any relevant reservations.	Convention on the Rights of Persons with Disabilities 2006	Yes. No reservations.	UNTC: https://treaties.un.org/Pages/showActionDetails.aspx?objid=080000028026f1c0&clang=en Law no. 108/2012 of 15.11.2012

Stateless Population Data

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
POP.1.a	Availability and sources	Does the Government have a 'stateless' category in its data collection systems (e.g. census)? Please list available figures for the total stateless population on the territory and describe how data is disaggregated (e.g. by sex, age, residence).	Gen. Rec. 32, CEDAW : States parties should gather, analyse and make available sex-disaggregated statistical data and trends. Council of the European Union (2015) : Recognise the importance of exchanging good practices among Member States concerning the collection of reliable data on stateless persons as well as the procedures for determining statelessness. UNHCR (2014) : Improve quantitative and qualitative data on stateless populations. Institute on Statelessness and Inclusion (2014) : States should strengthen measures to count stateless persons on their territory.	According to the most recent population data gathered through the 2011 national census and compiled by the Albanian Institute of Statistics (INSTAT), there were 7,443 stateless persons identified in Albania. Of this total, 3,874 were men and 3,569 were women. This number is based on the census questionnaire based on individuals' answers and self-perception. Segregation based on gender is the only segregation provided from the census.	Census data is available at: http://www.instat.gov.al/al/temat/cen-set/censusi-i-popullsis%C3%AB-dhe-banesave/#tab2
POP.1.b		Do government authorities define data categories that may overlap (e.g. unknown nationality) or where stateless people might be more highly represented (e.g. Palestinian)? Please explain and provide any available figures.	As above	No. There is no further data available regarding the demographics of these individuals, except the gender distribution: (3,874 men and 3,569 women based on 2011 census). It is to be emphasised that there are no official data on the number of persons with unknown nationality or at risk of statelessness who are children for example, or minorities or any other special categories. The most accurate figures currently available were collected by TLAS in the Mapping report conducted jointly with UNHCR and published in May 2018.	TLAS and UNHCR, Report on Mapping of the Population at Risk of Statelessness in Albania, May 2018: http://www.tlas.org.al/sites/default/files/Mapping%20of%20the%20population%20at%20risk%20of%20statelessness_english.compressed.pdf
POP.1.c		What is UNHCR's estimate for the stateless/at risk of statelessness population and what is the source for this estimate?	As above	UNHCR has supported the work of TLAS in providing legal support for identified cases of persons at risk of statelessness and also work in supporting efforts to gather and evidence data regarding statelessness. The Mapping report was the result of that joint work from which 1031 persons at risk of statelessness were identified.	TLAS and UNHCR, Report on Mapping of the Population at Risk of Statelessness in Albania, May 2018: http://www.tlas.org.al/sites/default/files/Mapping%20of%20the%20population%20at%20risk%20of%20statelessness_english.compressed.pdf
POP.1.d		Have there been any surveys or mapping studies to estimate the stateless population in the country?	As above	See 1.c above	
POP.1.e		Are there any other sources of estimates for the stateless population not covered by the above? Please list sources and figures.	As above	The Law on Civil Status was amended in 2018 and provides for the creation of an electronic module, in which data will be reflected only for cases of births reported and unregistered in the National Registry of Civil Status. Civil status offices are in charge to register any birth that is reported from the maternity houses but is still unregistered/undeclared by the persons entitled to register the birth. A sublegal act is in force that provides for the creation, administration and updates on this register. This is a new legal and practical tool in place to track and identify potential cases of unregistered/at risk of statelessness persons. As the tool is still being rolled out, data is not yet available.	Law on Civil Status 69/2018, Article 41/1/2: https://qbz.gov.al/search;q=ligj%20per%20gjendjen%20civile
POP.1.f		Are there issues with the reliability of data or indications that the stateless population may be over/under reported? If yes, please describe.	As above	The last population census of 2011 gave an approximation of the total number of persons self-declared as stateless without any further indicative distribution or segregation except for gender distribution. The available data gathered from the census does not make the distinction if the stateless cases reported are persons that based on legal definition were indeed stateless, unregistered, undocumented or at risk of statelessness. It is considered that the census data is outdated, and the successor census is on the way by the National Institute on Statistics foreseen to be conducted in 2022. TLAS has provided a set of recommendations to INSTAT on specifying the nature of data gathering for statelessness. The 7443 number of stateless people reported from the last 2011 census is considered to have been significantly reduced due to the legal access to registration support provided by TLAS and supported in years by International Organisations (e.g. UNHCR). This	TLAS Information on the new population census to be conducted in 2020 available at: http://www.instat.gov.al/al/temat/cen-set/censusi-i-popullsisë-dhe-banesave/

				was also indicated by the TLAS-UNHCR mapping report which confirmed that the number of persons at risk of statelessness (1031) is much lower than the number reported from the census.	
POP.1.g		Please provide any available figures for stateless refugees and/or asylum-seekers and clarify if the Government also counts these groups in figures for the stateless population (i.e. to avoid under/over-reporting).	As above	The Government does not provide disaggregated figures for the stateless population other than the gender distribution from the census. The only available public data is from the National Institute on Statistics (INSTAT). Statistics on foreigners with residence permits and asylum seekers in Albania are included for the first time in the Official Statistics Program 2017-2021 of INSTAT. Through Cooperation Agreements with institutions, their availability has been made possible since 2017, with a dedicated publication. Data on foreigners are provided by the Department of Borders and Migration, while data on asylum seekers and citizenship are provided by the Ministry of Internal Affairs. From the last publication from INSTAT, in 2018, the number of foreigners with residence permits in Albania was 14,162, marking an increase of 9.7%, compared to 2017. This is the last updated information published. According to the Directorate of Asylum and Citizenship at the Ministry of Internal Affairs, there were 4,386 persons seeking asylum in 2018, compared to 309 in 2017. In 2018, most asylum seekers originated from Syria (2,150), Pakistan (645), Iraq (447), Palestine (292), Algeria (227), and Morocco (227). During 2018, there were 16 positive decisions granting refugee status and subsidiary protection status to asylum seekers including from Palestine. During 2018, there were 78 suspension and leave decisions for asylum seekers, including from Syria.	Statistics available from INSTAT (ALB): http://www.instat.gov.al/media/6180/te-huajt-dhe-azilkerkuesit-ne-shqiperi-2018.pdf
POP.2.a	Stateless in detention data	Does the Government record and publish figures on stateless people held in immigration detention? If yes, please provide.	As above and see also norms in Detention section.	There is no information from INSTAT or any other public source on the number of stateless people held in detention. The only available data from INSTAT is on foreigners with irregular status. The latest data of 2018 shows that 6,893 people in 2018, compared to 1,049 in 2017 were identified on the territory of Albania or at the border without the necessary documentation. The most common recorded nationalities were Syria (3,089), Pakistan (1,246), Iraq (671), Palestine (395), Algeria (378), and Morocco (344) with 770 from other countries.	Statistics available from INSTAT (ALB): http://www.instat.gov.al/media/6180/te-huajt-dhe-azilkerkuesit-ne-shqiperi-2018.pdf
POP.2.b		Does the Government record and publish figures on people released from immigration detention due to un-removability? If yes, please provide.	As above	No	

Statelessness Determination and Status

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
SDS.1.a	Definition of a stateless person	Is there a definition of a stateless person in national law? Do the definition and exclusion provisions align with the 1954 Convention? Please provide details.	UN Convention Relating to the Status of Stateless Persons, 1954 : Articles 1(1) & 1(2).	Article 3.2 of the Law on Foreigners defines a stateless person as “a person who is not a national of any state”. This definition falls short of the 1954 Convention definition of a stateless person as someone who is “not considered as a national by any state under the operation of its law”. Failure to include the phrase “under the operation of its law” in the Albanian law is a gap affecting persons that should have a nationality but have been denied their nationality due to non-implementation (or discriminatory implementation) of the law. 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.	TLAS and UNHCR, Report on Mapping of the Population at Risk of Statelessness in Albania, May 2018: http://www.tlas.org.al/sites/default/files/Mapping%20of%20the%20population%20at%20risk%20of%20statelessness_english.compressed.pdf Article 3/2, Law 108/2013 on Foreigners, as amended (ALB): https://qbz.gov.al/eli/ligj/2013/03/28/108-2013/7b4de4bf-3cef-4c4b-a5f5-d5c6743f1f05;q=ligj%20per%20te%20huajt
SDS.1.b	Training	Is there training to inform different government bodies about statelessness? If yes, please provide details (e.g. who provides training to whom/how often?)	UNHCR Executive Committee (2006) : Requests UNHCR to actively disseminate information and, where appropriate, train government counterparts on appropriate mechanisms for identifying, recording, and granting a status to stateless persons.	There are no dedicated trainings from the government bodies about statelessness. TLAS is the only organisation in Albania that has regularly conducted dedicated trainings on statelessness supported by International donors and partners such as UNHCR, ENS, US Embassy etc.	TLAS
SDS.1.c		Is there training for judges and lawyers on statelessness? If yes, please provide details (e.g. provider, frequency).	UNHCR (2016) : Officials who may be in contact with stateless persons need to be trained to identify potential applicants for stateless status and refer them to appropriate channels. UNHCR (2010) : It is recommended that States provide specialised training on nationality laws and practices, international standards and statelessness to officials responsible for making statelessness determinations.	The institution in charge to conduct continuous trainings for judges and prosecutors is the School of Magistrates. The curriculum of the trainings over the years is publicly available. From a review of the curricula, it can be identified that there has never been any training on statelessness. The institution in charge of delivering continuous trainings for lawyers is the School of Advocacy. The activity of the school is recent, and the continuous trainings are not yet effective in practice. There are just two pilot districts of the regional Bar Chambers that have set up a continuous training curriculum and these do not include any training on statelessness.	Curricula of the school of magistrates (ALB): https://www.magjistratura.edu.al/#1121 Information on the training curricula of the School of Advocacy (ALB): http://www.dhka.org.al/index.php/trajnimet/kalendari-i-arsimit-ligjor-vazhdues
SDS.1.d	Existence of a dedicated SDP	Which of the following best describes the situation in your country? Choose only one and then proceed to question indicated. 1. There is a dedicated statelessness determination procedure (SDP) established in law, administrative guidance, or judicial procedure, leading to a dedicated stateless status (proceed to Question 2a). 2. There is no dedicated SDP leading to a dedicated stateless status, but there are other procedures in which statelessness can be identified (e.g. partial SDPs with no status/rights attached, residence permit or naturalisation applications, refugee status determination, ad hoc procedures, etc.), or other routes through which stateless people could regularise their stay and/or access their rights (proceed to Question 10a).	UNHCR (2014) : It is implicit in the 1954 Convention that States must identify stateless persons to provide them appropriate treatment to comply with their Convention commitments. UNHCR (2016) : Establishing a statelessness determination procedure is the most efficient means for States Parties to identify beneficiaries of the Convention.	3. There is a dedicated stateless status but no formal procedure for determining this.	

		3. There is a dedicated stateless status but no formal procedure for determining this (proceed to Question 16a).			
SDS.16.a	Stateless status without a clear identification mechanism (Group 3)	<p>Is there a stateless status even if no formal procedure exists for determining this? If yes, how are stateless people identified and what rights are attached to the status (e.g. right to reside, travel documents, work, healthcare, social security, education, housing, family reunification, right to vote, etc.)? Please provide details.</p>	<p>UN Convention Relating to the Status of Stateless Persons, 1954 UNHCR (2014): The status granted to a stateless person in a State Party must reflect international standards.</p>	<p>There is no formal procedure for granting stateless status. The Law on Foreigners provides for the recognition of a foreign document that recognises the stateless status of a person. It stipulates: "Foreign travel document" is the document issued by the competent authorities, passport, identity card or passport or any other certificate or document, in accordance with an agreement or international law, proving the identity and/or nationality/stateless status of the holder, for travel purposes". Article 3 of the 2013 Law on Foreigners also foresees the possibility of issuing travel documents or residence permits on humanitarian grounds, to stateless status holders who are "determined by competent authorities" to be so. However, Albanian law does not provide a special status for stateless people, nor a statelessness identification mechanism or a status determination procedure. Due to the lack of a law on statelessness, the legal status of stateless persons is not governed by any regulation and law.</p> <p>The Decision of the Council of Ministers no. 442 dated 15.06.2016 approved for the first time the form and the content of the travel document for stateless persons and foreigners. There is no evidence of practice to suggest stateless persons are issued with this travel document and/or allowed to leave the country.</p> <p>Although there is no statelessness determination procedure nor any rights attached to the status itself, there are certain rights recognised to stateless people in domestic legislation. According to law no.108/2013 a stateless person can apply for a legal residency based on humanitarian grounds. Though the stateless person must present a document proving their statelessness.</p> <p>Stateless persons (like refugees) are eligible to apply for state social services as foreseen by law no.121/2016 (article 5). Everyone in Albania is entitled to education and work (articles 49 and 57 of the Constitution).</p> <p>The right to vote in the Republic of Albania is limited only to nationals under the Constitution.</p> <p>Stateless people with legal residency or who enter Albania legally are entitled to legal aid, either consisting of paralegal and counselling or representation before the courts or administrative bodies.</p> <p>However, all these rights lack effectiveness in practice as the administrative process of registration/application for these services requires a formal procedure, and sometimes mandatory proof of identity or accompanying documents. Stateless persons, persons at risk of statelessness and undocumented persons are unable to access the formal administrative procedure to register/apply and so lack access to the rights set in law.</p>	<p>TLAS</p> <p>Law 108/2013 as amended (ALB): https://qbz.gov.al/eli/ligj/2013/03/28/108-2013/7b4de4bf-3cef-4c4b-a5f5-d5c6743f1f05;q=ligj%20per%20te%20huajt</p> <p>Decision of the Council of Ministers no. 442 of 15.06.2016 (ALB): https://qbz.gov.al/eli/vendim/2016/06/15/442/ca81f402-30b8-430d-95e0-4baf8622a63a;q=per%20te%20huajt%20</p> <p>Law no.121/2016 On State Social Services (ALB): https://qbz.gov.al/eli/ligj/2016/11/24/121-2016/858a0659-03b8-4ef6-982a-dc9340e41d4c;q=ligj%20per%20sherbimet%20e%20kujdesit%20shoqeror</p> <p>Constitution of the Republic of Albania (English version from EU Mission to Albania Euralius): https://euralius.eu/index.php/en/library/albanian-legislation/send/9-constitution/178-constitution-of-the-republic-of-albania-en</p> <p>Law no. 111/2017 On State Guaranteed Legal Aid: https://euralius.eu/index.php/en/library/albanian-legislation/send/21-legal-aid/232-law-on-legal-aid-en</p>
SDS.16.b		Do stateless people have access to nationality? If yes, please describe the procedure and requirements, including whether there are any requirements relating to 'good character' or previous criminal	<p>UN Convention Relating to the Status of Stateless Persons, 1954: Article 32 UNHCR (2016): It is recommended that States Parties facilitate, as far as possible, the naturalisation of stateless persons. Council of Europe Committee of Ministers (1999): Each State should facilitate the acquisition of its</p>	<p>Yes. A stateless person may naturalise as Albanian if they:</p> <ul style="list-style-type: none"> - Reside legally and have resided for a continuous period of not less than seven years on the territory of the Republic of Albania, and have obtained a permanent residence permit, valid at the time of application, according to the Law on Foreigners; 	<p>Law On Nationality, Article 8/2 (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shetete sine</p>

		<p>convictions. Please refer to exemptions for stateless people from any nationality or integration test, language, income or fee requirements.</p>	<p>nationality by stateless persons lawfully and habitually resident on its territory. States should ensure that offences, when relevant for the decision concerning the acquisition of nationality, do not unreasonably prevent stateless persons seeking the nationality of a state.</p>	<p>- Have not been convicted by a final court decision in their country, in the Republic of Albania or in any third country for criminal offences, for which Albanian law provides a sentence of not less than three years of imprisonment. Exception to this rule is made only in those cases when it is proven that the sentence was given for political motives; - Do not pose a threat to public order and national security of the Republic of Albania. Stateless people are not required to fulfil any other conditions to naturalise. There is no stipulation for a fee in law, but applicants currently pay approximately 50 EUR in practice.</p>	
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Detention

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
DET.1.a	Detention screening	Are immigration detention powers provided for in law? Please provide the legal source(s).	ICCPR Article 9(1) ECHR Article 5 (1)	Yes. Detention powers are provided for in the Law on Foreigners. If a person becomes subject to deportation by the authority responsible for borders and migration, they are detained in a closed centre until the deportation order is executed. If there are other alternative possibilities, the implementation of temporary/interim measures/alternatives have priority. Procedures for the treatment of foreign nationals with irregular residence in Albania are set out in Instruction no. 293.	Law no. 108/2013 On Foreigners as amended by law no. 13/2020 (ALB): https://qbz.gov.al/search;q=ligj%20per%20te%20huajt Instruction no. 293 of 4.6.2015 (ALB): https://qbz.gov.al/eli/udhezim/2015/06/04/293/d814e07d-16f4-4886-baf2-8f82131297c5;q=Kriteret,%20procedurat%20dhe%20forma%20e%20urdhrit%20e%20mases%20se%20perkohshme
DET.1.b		Does domestic law allow immigration detention for purposes other than those listed under ECHR 5(1)(f)?	ECHR Article 5(1)(f)	No. Domestic legislation is in compliance with article 5(1)(f) of ECHR.	Article 115/2 of Law no. 108/2013 On Foreigners, as amended.
DET.1.c		Does a proposed country of removal need to be identified before a person is detained for removal? Please describe the situation in law and in practice.	ICCPR Article 7 : Repeated attempts to expel a person to a country that refuses to admit them could amount to inhuman or degrading treatment. Aaad v Bulgaria ECtHR (2011) : The only issue is whether the authorities were sufficiently diligent in their efforts to deport the applicant. EU Returns Directive : Any detention shall only be maintained as long as removal arrangements are in progress and executed with due diligence.	Yes, the country of removal should be identified before issuing the deportation order and consequent detention measure. Article 109/8 stipulates the foreigner shall be informed in writing, in the language they understand or at least in English, of the administrative measure of deportation against them, explaining the reasons, the date and place of execution, the manner of transportation to the place of destination and the term of entry ban. The format of the deportation order, issued by the authority responsible for borders and migration, is approved by instruction of the Minister of Interior. Article 111/2 stipulates that the deportation order should also contain personal data; reasons; period of prohibition of entry into Albania; in case of readmission, the state of readmission; date of departure; manner of execution; and the border crossing point of departure.	Article 109/8 and 111/2 of Law no. 108/2013 On Foreigners, as amended.
DET.1.d		Is statelessness juridically relevant in decisions to detain? Please describe how (risk of) statelessness is identified and whether referral to an SDP is possible from detention.	Aaad v Bulgaria ECtHR (2011) Mikolenko v. Estonia ECtHR (2009) : Detention may only be justified as long as deportation proceedings are being conducted with due diligence. UNHCR (2014) : Routine detention of individuals seeking protection on the grounds of statelessness is arbitrary. Equal Rights Trust (2012) : States must identify stateless persons within their territory or subject to their jurisdiction as a first step towards ensuring the protection of their human rights. International Commission of Jurists (2014) : The detention of stateless persons can never be justified when there is no active or realistic progress towards transfer to another State.	There is no SDP procedure in place and according to available information, statelessness is not identified in detention decisions. The authorities rely exclusively on the documents the person might possess and their declaration and/or communication with the border police based on the documents used when crossing the border.	TLAS information gathered from review of state officials practice and shared information with partners.
DET.1.e		Are stateless people detained in practice?		There is no data to indicate that stateless people are detained in practice. However, as there are no specific juridical considerations given to statelessness in the deportation and detention procedure, it cannot be excluded that there may be cases of stateless people detained. The Ombudsperson has the authority to make periodic visits to detention centres and there are some reports and recommendations addressed to the closed centre of detention for foreigners. None of the reports identify any issues regarding statelessness nor any recommendations.	Reports of Albanian Ombudsperson (ALB): https://www.avokatipopullit.gov.al/sq/categories/mechanisms-against-torture/police/article
DET.1.f		Does law (and/or policy) provide that immigration detention should be used only as a last resort, after all alternatives have been exhausted in each individual case?	UNHCR (2014) : Detention is a measure of last resort and can only be justified where other less invasive or coercive measures have been considered and found insufficient. EU Returns Directive : Article 15(1)	The law does not explicitly stipulate that immigration detention should be used only as a last resort. Article 115/2 states that "Interim measures are taken as alternative measures of detention ... subject to deportation, based on a case-by-case review, without affecting the guarantee of the execution of the deportation order". Interim measures can be taken after the deportation order is issued and can replace the detention measure in a closed centre after this has been executed. It is unclear how this operates in practice and	Article 115 of Law no. 108/2013 On Foreigners, as amended.

				whether alternative measures are always considered prior to detention.	
DET.1.g		Are individual vulnerability assessments carried out before a decision to detain (or soon after)? Please note whether statelessness is considered to be a factor increasing vulnerability.	<p>ENS (2015): Arbitrary and disproportionately lengthy detention can ensue when the particular vulnerabilities of stateless people are not addressed.</p> <p>EU Returns Directive: Article 16(3)</p> <p>EU Returns Handbook (2017): Attention should be paid to the specific situation of stateless persons.</p> <p>Council of the European Union (2013): European entities should assess the situation of LGBTI persons in detention.</p>	The law provides for vulnerability considerations while executing the deportation order, but statelessness is not stipulated by law as a factor increasing vulnerability. The law provides that the best interests of the child, vulnerable persons, family life, and health conditions should be taken into account and voluntary execution of a removal order may be postponed for an appropriate period (more than 30 days), taking into account specific, including e.g. children in school, liquidation of financial obligations, recovery from health issues. Article 3 of the law defines "Vulnerable persons" as foreign minors, unaccompanied minors, persons with disabilities, the elderly, pregnant women, single parents with minor children, and persons who have been subjected to torture, rape or other forms of torture or other serious psychological, physical and sexual abuse. There are no legal provisions on how vulnerability considerations/are assessed in practice.	Article 3 and 106 of Law no. 108/2013 On Foreigners, as amended.
DET.2.a	Alternatives to detention	Are alternatives to detention established in law and considered prior to any decision to detain?	<p>ICCPR Article 9</p> <p>FKAG v Australia HRC (2013): Any decision relating to detention must consider less invasive means of achieving the same ends.</p> <p>UN General Assembly (2009): Calls upon all States to adopt alternative measures to detention.</p> <p>UNHCR (2014): Detention can only be justified where other less invasive or coercive measures have been considered and found insufficient.</p> <p>Human Rights Council (2012): The obligation to always consider alternatives before resorting to detention should be established by law.</p> <p>EU Returns Directive: Article 15(1)</p> <p>Equal Rights Trust (2012): States have an obligation to consider and apply appropriate and viable alternatives to immigration detention that are less coercive and intrusive.</p> <p>International Detention Coalition (2015): Immigration detention should be used only as a last resort in exceptional cases after all other options have been shown to be inadequate in the individual case.</p>	Article 121/1 stipulates that detention in a closed centre is the last administrative measure, taken and executed by the state authority responsible at the regional level for the treatment of foreigners, against the foreigner, for whom a deportation order has been issued, based on a case-by-case assessment, when all possible alternative measures have been executed, or when the assessment considers that these measures cannot be applied. Article 115/2 states that "Interim measures are taken as alternative measures of detention in a closed centre... based on a case-by-case review, without affecting the guarantee of the execution of the deportation order". Interim measures can be taken after the deportation order is issued and can replace the detention measure after this has been executed. Instruction no. 293 provides that the state authority responsible at the regional/local level for the treatment of foreigners applies one/several temporary alternative detention measures in the Closed Centre based on a case-by-case assessment. On request, the authority may replace detention with the measure "obligation to appear". During detention, the centre authority may examine and propose to the responsible central state authority the replacement of detention with temporary measures. The central state authority reviews and decides the proposal within 10 days. If approved, the central state authority determines the alternative measure and the manner of its execution. The decision is entered in the national electronic register for foreigners (module "Irregular foreigners") by the state authority responsible for regional/local treatment of foreigners, who is designated to execute the interim measure.	Law no. 108/2013 On Foreigners and Instruction no. 293 of 4.6.2015.
DET.2.b		Is there evidence that immigration detention is used in practice prior to all alternatives being considered?	As above.	There is no evidence in practice to support this.	TLAS practice and research.
DET.3.a	Procedural safeguards	Is there a maximum time period for immigration detention set in law? What is it?	<p>UN Human Rights Council (2010): A maximum period of detention must be established by law and upon expiry the detainee must be automatically released.</p> <p>UNHCR (2012): To guard against arbitrariness, maximum periods of detention should be set in national law.</p> <p>EU Returns Directive: Article 15(5)</p> <p>Equal Rights Trust (2012): Detention should always be for the shortest time possible.</p>	Yes. Article 123 of the law provides for a maximum time period of up to 6 months. At the proposal of the centre authority, the central authority responsible for borders and migration may extend this for up to a further 6 months if departure has been impossible due to the individual refusing to provide personal data, information, or travel documents necessary for return or providing false information; the individual preventing or blocking return; a justified delay in a foreign authority issuing documents necessary for return. The law puts the burden on the individual to prove their identity, which leads to the extension of detention.	Article 123 of Law no. 108/2013 On Foreigners, as amended.

DET.3.b		Does law/policy provide that individuals must be informed in writing of the reasons for their immigration detention?	<p>UN General Assembly (1988) : Anyone who is arrested shall be informed at the time of the reason for his arrest.</p> <p>EU Returns Directive: Detention shall be ordered in writing with reasons being given in fact and in law.</p> <p>Equal Rights Trust (2012) : Stateless detainees shall receive their order of detention in writing and in a language they understand.</p> <p>International Commission of Jurists (2014): The authorities shall ensure that sufficient information is available to detained persons in a language they understand on the nature of their detention and reasons for it.</p>	Yes. Article 111/2 stipulates that the deportation order is notified to the individual in writing in the language they understand or at least in English and contains their personal information; reasons for the deportation order; period of prohibition of entry into Albania; the state of readmission if readmission applies; date of departure; manner of execution; and border crossing point of departure. The state authority responsible at the regional/local level for the treatment of foreigners is responsible for notifying the individual according to Instruction no. 293.	Article 111/2 of Law no. 108/2013 On Foreigners, as amended and Instruction no. 293 of 4.6.2015
DET.3.c		Are detainees provided with information on their rights, contact details of legal advice and support providers, and guidance on how to access an SDP?	<p>Equal Rights Trust (2012) : Detaining authorities are urged to provide stateless detainees with a handbook in a language and terms they understand, containing information on all their rights and entitlements, contact details of organisations which are mandated to protect them, NGOs and visiting groups and advice on how to challenge the legality of their detention and their treatment as detainees.</p>	<p>As there is no SDP set by law, there is no information and guidance on accessing a procedure to determine statelessness. The law states that detainees must be provided in the language they understand, or at least in English, with information about any action by the responsible authorities to keep them in the centre. Detainees have the right to humane treatment with adequate food, legal assistance at all times, healthcare, to inform their consular representative, and to appeal to the district court for a violation of fundamental rights at the centre of. The Ombudsperson made a clear recommendation about detainees' access to rights during their last monitoring visit to the only closed centre in Albania (located in Karreç). They recommended the responsible authority take immediate steps to make available to persons deprived of their liberty comprehensive documentation, access to rights and rules of life in the centre in a language understandable to all and improve the dissemination of information for asylum seekers and vulnerable groups.</p> <p>The Council of Europe's Committee for the Prevention of Torture (CPT) report on its first and only visit to Albania (including Karrec) in November 2018 stressed that "all foreign nationals interviewed by the delegation complained vigorously about the almost total lack of information about their rights and the legal procedures applied to them. The CPT recommends that the Albanian authorities ensure that all foreign nationals are expressly informed, without delay and in a language they understand, of their rights and the procedure applicable to them (including any legal remedies)".</p>	<p>Article 127 of Law no. 108/2013 On Foreigners, as amended</p> <p>Monitoring report of Ombudsperson, 2019 (ALB): https://www.avokatipopullit.gov.al/media/manager/website/media/Rekomandim%20mbi%20inspektimin%20e%20qendres%20se%20mbyllur%20oper%20te%20huajt%20KAREC.pdf</p> <p>CPT Report, 2018, p.6: https://rm.coe.int/168097986b</p>
DET.3.d		Are there regular periodic reviews of detention before a court or independent body, which can order release?	<p>Kim v Russia ECtHR (2014) : The purpose of Article 5(4) ECHR is to guarantee to persons who are detained the right to judicial supervision of the lawfulness of the measure.</p> <p>Equal Rights Trust (ERT) (2012) : To avoid arbitrariness, detention should be subject to automatic, regular and periodic review throughout the period of detention, before a judicial body independent of the detaining authorities.</p>	There are no provisions for ex officio regular periodic reviews of detention.	
DET.3.e		What remedies are available to challenge detention? Please mention any obstacles to accessing effective remedies in practice.	<p>ICCPR Article 9(4) ECHR: Article 5(4) Kim v Russia ECtHR (2014) : The purpose of Article 5(4) ECHR is to guarantee to persons who are detained the right to judicial supervision of the lawfulness of the measure.</p> <p>Alimuradov v. Russia ECtHR (2019): The individual must have at their disposal a procedure for judicial review of the lawfulness of detention capable of leading to release.</p>	The law guarantees the right to appeal to the court of the judicial district at any time after the written notification of detention or extension. The court of the judicial district examines with priority the legality of detention and decides whether it should continue or to release the individual. The appeal deadlines are defined in law. The decision of the district court may be appealed to the Court of Appeal and follows general rules of exhaustion of domestic remedies. The Ombudsperson's latest report urges the authorities to take action to ensure access to rights and information for detainees, which indicates that implementation is problematic. There are also barriers to accessing legal aid (see DET.3.g).	<p>Article 122 of Law no. 108/2013 On Foreigners, as amended</p> <p>Monitoring report of Ombudsperson, 2019 (ALB): https://www.avokatipopullit.gov.al/media/manager/website/media/Rekomandim%20mbi%20inspektimin%20e%20qendres%20se%20mbyllur%20oper%20te%20huajt%20KAREC.pdf</p>

DET.3.f		Are there guidelines in place governing the process of re-documentation and ascertaining entitlement to nationality for the purpose of removal?	Equal Rights Trust (2012) : The inability of a stateless person to cooperate with removal proceedings should not be treated as non-cooperation. ENS (2015) : The detaining state should have rules in place that govern the process of re-documentation and/or ascertaining entitlement to nationality.	There are no such rules and guidelines in place.	
DET.3.g		Is free legal aid available to challenge detention? Please describe any barriers to accessing legal aid in practice.	UNHCR (2014) : Judicial oversight of detention is always necessary and detained individuals need to have access to legal representation, including free counselling for those without means. EU Returns Directive : Article 13(3)	The Law on State Guaranteed Legal Aid defines the forms, conditions, procedure, rules, and beneficiaries of state legal aid. Legal aid is guaranteed to Albanian nationals residing or staying in Albania; foreign nationals or stateless persons with a temporary or permanent residence permit; foreign nationals or stateless persons who entered legally and benefit on the basis of international agreements or the principle of reciprocity; asylum seekers, refugees and those appealing asylum/revocation decisions. People who enter or stay irregularly or are undocumented or subject to a deportation order or are detained are not entitled to legal aid. Stateless people are entitled to legal aid but without an SDP, they face obstacles to accessing legal aid. A Decision of the Council of Ministers and the Internal Regulation of the Closed Centre provide that detained foreigners accommodated in the closed centre have the right to receive individual medical, legal and social assistance. However, legal aid is not provided in practice. The Ombudsperson has reported shortcomings and violations in the provision of health, psychosocial and legal service in the closed centre.	Article 10 law no. 111/2017 On State Guaranteed Legal Aid Decision of the Council of Ministers (DCM) and Internal Regulation of the Closed Centre, approved by Order No. 117 of 09.02.2010 of the General Director of the State Police Monitoring report of Ombudsperson, 2019, p.6 (ALB): https://www.avokatipopullit.gov.al/media/manager/website/media/Rekomandim%20mbi%20inspektimin%20e%20qendres%20se%20mbyllur%20per%20te%20huajt%20KAREC.pdf .
DET.4.a	Protections on release	Are people released from detention issued with identification documents (including confirmation of their stateless status) and protected from re-detention?	UN Convention Relating to the Status of Stateless Persons, 1954 : Article 27 UNHCR (2014) : Being undocumented cannot be used as a general justification for detention. ENS (2015) : State parties to the 1954 Convention have an obligation to provide stay rights to stateless people who have been released from detention. Equal Rights Trust (2012) : Released stateless detainees should be provided with appropriate documentation and stay rights suitable to their situation.	No.	TLAS
DET.4.b		If the purpose of detention cannot be fulfilled and the person is released, what legal status and rights are provided to them in law?	Saïd Shamilovich Kadzoev v Direksia Migratsia' pri Ministerstvo na vatreshnite raboti ECJ (2009) : After the maximum period of detention has expired, the person must be released immediately. A lack of valid documentation or inability to support themselves should not be a deterrent to release. Equal Rights Trust (2012) : Released stateless detainees should be provided with appropriate documentation and stay rights suitable to their situation.	During the period of detention in the closed centre, the authority responsible for borders and migration, in cooperation with the authority of the closed centre, examines the existence of conditions for keeping the detained foreigner in the centre. Depending on the assessment, the authority responsible for the borders and migration may decide to replace detention with appropriate temporary measures. Temporary measures that replace detention do not affect the guarantee of execution of the deportation order, so the individual continues to hold the same legal status and rights, which do not change.	Article 123 and 115-119 of Law 108/2013 on Foreigners, as amended
DET.4.c		If re-detention occurs, is the cumulative time spent in detention counted towards any maximum time limits?	Equal Rights Trust (2012) : When calculating the total time spent by an individual in detention, it is highly desirable that time spent in detention on previous occasions is taken into consideration.	No. There is no stipulation in law providing for the cumulative count of time spent in detention.	TLAS
DET.5.a	Return and readmission agreements	Is statelessness considered a juridically relevant fact in any bilateral readmission and/or return agreements?	UNHCR (2014) : Efforts to secure admission or readmission may be justified but these need to take place subsequent to a determination of statelessness.	No. Statelessness is not considered in any bilateral readmission/return agreements as there is no SDP in place.	TLAS
DET.5.b		Are you aware of cases of cases of stateless people being returned under such agreements?		No information available.	TLAS research and shared information from other partners.

Prevention and Reduction

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
PRS.1.a	Stateless born on territory	Is there a provision in law for stateless children born on the territory to be granted nationality? [If yes, continue to PRS1b. If no, proceed to PRS1h]	UN Convention on the Reduction of Statelessness, 1961 : Article 1 European Convention on Nationality, 1997 : Article 2 Convention on the Rights of the Child 1989 : Article 7 Committee on the Rights of Migrant Workers and Members of their Families & Committee on the Rights of the Child (2017) : States should strengthen measures to grant nationality to children born in their territory in situations where they would otherwise be stateless. European Parliament (2018) : The EU and its MS should ensure that childhood statelessness is adequately addressed in national laws in full compliance with Article 7 CRC.	Yes. The Albanian law “On Nationality” stipulates that: ‘A child born or found within the territory of the Republic of Albania and who may remain stateless acquires Albanian nationality’.	Article 7/1 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine
PRS.1.b		Is the provision for otherwise stateless children to acquire nationality automatic or non-automatic (i.e. by application)?	UNHCR (2012) : The 1961 Convention provides Contracting States with two alternatives for granting nationality to otherwise stateless children born in their territory: either automatic acquisition upon birth or upon application. ENS (2015) : The 1961 Convention and the ECN oblige the conferral of nationality to otherwise stateless children born on the territory. The optimal method is to grant nationality automatically at birth.	The provision is automatic once proven at registration that the child is born on the territory and ‘may remain stateless’. These facts are proven by the birth notification certificate and the child is registered immediately.	Article 7/1 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine . Articles 40-41, Law 10129 of 11.05.2009 On Civil Status, as amended
PRS.1.c		Is it a requirement that the parents are also stateless for the otherwise stateless child to acquire nationality?	UNHCR (2012) : The test is not an inquiry into whether a child’s parents are stateless. ENS (2015) : Only allowing access to nationality for stateless children whose parents are stateless fails to account for the circumstance where the parents hold a nationality but are unable to pass this on.	No. Statelessness of the parents might be one of the reasons, but the provision is not limited to this. Albanian nationality is granted to the otherwise stateless child for every reason that might leave them stateless. The law is silent on how a parent might prove their statelessness. Based on practice, the authorities should act on the basis of parents’ declarations.	Article 7/1 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine .
PRS.1.d		Are stateless children required to prove they cannot access another nationality to acquire the nationality of the country of birth? If yes, please describe how this is determined in practice.	UNHCR (2012) : A Contracting State cannot avoid the obligations to grant its nationality to a person who would otherwise be stateless based on its own interpretation of another State’s nationality laws. The burden of proof must be shared between the claimant and the authorities. Decision-makers must consider Articles 3 & 7 CRC and adopt an appropriate standard of proof. Special procedural considerations to address the acute challenges faced by children in communicating basic facts about their nationality should be respected.	No.	TLAS
PRS.1.e		Is a stateless child born on the territory required to fulfil a period of residence to be granted nationality? If yes, please specify length and if this must be legal residence.	UN Convention on the Reduction of Statelessness, 1961 : Article 1(2) UNHCR (2012) : States may stipulate that an otherwise stateless individual born in its territory fulfils a period of ‘habitual residence’ (understood as stable, factual residence, not legal or formal residence) not exceeding five years preceding an application nor ten years in all. Convention on the Rights of the Child, 1989 : Articles 3 & 7 Committee on the Rights of the Child (2015) : Recommends the State party ensure that all stateless children born in its territory, irrespective of residency status, have access to nationality without any conditions. European Convention on Nationality, 1997 : Article 6(2)(b)	No.	TLAS
PRS.1.f		Are the parents of a stateless child required to fulfil a period of residence for the child to be granted nationality? If	Committee on the Rights of the Child (2011) : The outcome of an application by the parents of a child born on the territory should not prejudice the right	No. Granting of nationality is automatic once proven that the child is born on the territory and may remain stateless based on any reason that is presented. This is not related to the residency of the parents or child.	Article 7/1 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine

		yes, please specify length and if this must be legal residence.	of the child to acquire the nationality of the State. ENS (2015) : Demanding that the child or their parents reside lawfully on the territory is prohibited by the 1961 Convention.		41b8463bbf62;q=ligj%20per%20shtete sine
PRS.1.g		What are the age limits (if any) for making an application for nationality for a stateless person born on the territory?	UN Convention on the Reduction of Statelessness, 1961 : Article 1(2) UNHCR (2012) : Contracting States need to accept applications lodged at a time beginning not later than the age of 18 and ending not earlier than the age of 21. ENS (2015) : Closing the window of opportunity to apply for a nationality has the effect of leaving it in the hands of parents to take the necessary steps to secure a nationality for their child.	There is no age limit.	Article 7/1 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine
PRS.1.h		Are there specific provisions to protect the right to a nationality of children born to refugees?	UNHCR (2012) : Where the nationality of the parents can be acquired through a registration or other procedure, this will be impossible owing to the very nature of refugee status which precludes refugee parents from contacting their consular authorities.	There are no specific provisions to protect the right to a nationality of children born to refugees.	Articles 40-41, Law 10129 of 11.05.2009 On Civil Status, as amended.
PRS.2.a	Foundlings	Are foundlings granted nationality automatically by law? If not automatic, please describe the procedure.	UN Convention on the Reduction of Statelessness, 1961 : Article 2 European Convention on Nationality, 1997 : Article 6(1)(b)	Yes. The law stipulates that ‘A child born or found within the territory of the Republic of Albania and who may remain stateless acquires Albanian nationality’.	Article 7/1 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine
PRS.2.b		Is there an age limit (e.g. ‘new-born’ or ‘infant’) in law or practice specifying when a foundling would qualify for nationality?	UNHCR (2012) : At a minimum, the safeguard should apply to all young children who are not yet able to communicate information about the identity of their parents or their place of birth.	No.	Article 7/1 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine
PRS.2.c		Can nationality be withdrawn from foundlings if this leads to statelessness?	UNHCR (2012) : Nationality acquired by foundlings may only be lost if it is proven that the child possesses another nationality.	Albanian nationality cannot be withdrawn without the promise of acquiring another nationality or if this leads to statelessness. Under Article 7/1, if the parents of the foundling are known before the child has reached the age of 14, and they have a foreign nationality, Albanian nationality may be waived on request of the parents provided that this does not leave the child stateless. Article 13/b contains the explicit safeguard against statelessness. It stipulates that ‘A person can renounce Albanian nationality when they make an application and do not remain stateless as a result of renouncing Albanian nationality’.	Article 7/1 and article 13/b of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine
PRS.3.a	Adoption	Where a child national is adopted by foreign parent(s), does the child lose their original nationality before the new nationality is acquired?	UN Convention on the Reduction of Statelessness, 1961 : Article 5 ENS (2015) : Children may be exposed to a (temporary) risk of statelessness during the adoption process due to the nationality law of the child’s country of origin.	Following a 2020 amendment to the nationality law, a child can no longer retain Albanian nationality when adopted by foreign parents if they acquire their adoptive parents’ nationality. The loss of Albanian nationality applies only after the child acquires the nationality of their adopted parents.	Article 14/2 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine
PRS.3.b		Does a foreign child adopted by national parents acquire nationality? Please specify any age limits and/or risk of statelessness during the adoption process.	European Convention on Nationality, 1997 : Article 6(4)(d) Committee on the Rights of the Child (2015) : Ensure that the child is not stateless or discriminated against during the waiting period between arrival and formal adoption.	Article 4 of Albanian nationality law provides that adoption is one of the ways of acquiring of Albanian nationality. Article 10 regulates the acquisition of nationality by confirming that the adopted child acquires Albanian nationality if the adopter has Albanian nationality. In case of adoption by two Albanian spouses of a child with other nationality or stateless, the child acquires Albanian nationality. The adopted child acquires Albanian nationality even when only one of the spouses is an Albanian national, as well as in any other case when the child risks becoming stateless as a result of the adoption. The necessary documentation for the acquisition of Albanian nationality by adoption, according to the provisions of the article, is determined by instruction of the Minister. These instructions have not yet been drafted at the time writing (February 2021). The adoption is carried out through a	Articles 4 & 10 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine Articles 442 onwards, Civil Procedural Code (ALB): https://qbz.gov.al/preview/63ca3bd6-ed1c-42d4-a44f-05c970f7714d .

				court decision and Albanian nationality is granted to the child once the court decision is final. A Court decision becomes final 15 days after the notification of the court decision and if the case is not appealed in a higher court. Otherwise, the Appeal Court decision is final.	
PRS.4.a	Ius sanguinis	Can children born to nationals abroad acquire nationality by descent (<i>ius sanguinis</i>) in general and/or if they would otherwise be stateless?	UN Convention on the Reduction of Statelessness, 1961 : Article 4 UNHCR (2012) : Where a child who would otherwise be stateless is born to parents of another Contracting State but does not acquire the nationality of the State of birth responsibility falls to the Contracting State of the parents to grant its nationality to the child.	Yes. A child born abroad to at least one parent with Albanian nationality automatically acquires Albanian nationality.	Article 5 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete_sine
PRS.4.b		Are there any discriminatory conditions in law and/or practice for the acquisition of nationality by descent (e.g. differential treatment of children born out of wedlock, rights of father/mother/same-sex parents to confer nationality, etc.)?	Genovese v. Malta ECtHR (2011) : The state must ensure that the right to nationality is secured without discrimination. CEDAW Gen. rec. No. 32, 2014 : Requires States parties to ensure that women and men have equal rights to confer their nationality to their children and that any obstacles to practical implementation of such laws are removed. UNHCR (2014) : Action 4	Children born out of wedlock have the same rights and obligations as children born in wedlock. Father and mother share the same equal rights and obligations and no difference is made in law for the acquisition by descent by mother or father. However, same-sex partnerships are not legally recognised in the Republic of Albania. Marriage can only be made between a man and a woman. Cohabitation is recognised as a factual union between a man and a woman living as a couple, characterised by a life together that represents a character of stability and continuity. It is not clear how same-sex parents may jointly confer nationality to a child in practice.	Articles 4, 7 & 163, Law 9062 of 8.5.2003 Family Code (ALB): https://qbz.gov.al/preview/615c6db4-cfa8-4800-ba51-0444026e441d .
PRS.5.a	Birth registration	Does the law provide that all children are registered immediately upon birth regardless of the legal status and/or documentation of parents?	Convention on the Rights of the Child, 1989 : Article 7 International Covenant on Civil and Political Rights, 1966 : Article 24(2) Council of Europe (2009) : Member states should register the birth of all children born on their territory even if they are born to a foreign parent with an irregular immigration status or the parents are unknown. UNHCR (2012) : Article 7 CRC applies irrespective of the nationality, statelessness or residence status of the parents. UNHCR (2014) : Action 7 UN Sustainable Development Goal 16.9	Yes. The law provides for the child’s right to free birth registration ‘immediately after birth’. This right is also granted to children born outside the territory of the Republic of Albania at the request of the parent or guardian. The child also has a right to a name, nationality, to know their parents and enjoy their care as much as possible. They have the right to retain their identity, including the determination of surname, the acquisition of nationality and the recognition of family ties. However, in practice, children have difficulties accessing birth registration if parents are undocumented or have irregularities in their documentation. A considerable number of children born to Albanian parents abroad have difficulties registering and acquiring Albanian nationality due to the false/irregular identification documents held by parents. A child born to foreign parents in Albania, can acquire Albanian nationality only if the parents prove their legal residency (see. PRS.1.h). The most recent changes to the Civil Status Law brought significant improvements to the mandatory reporting requirements for birth registration. All health entities with the right to certify the birth are obliged to send all relevant documentation/notifications to the civil status office of the parents’ place of residence. The law also now provides for the creation of a temporary birth register to document births that are reported by health institutions but not yet declared by the parent/s. The law also provides that if the registration is not completed within 60 days, the civil registrar must inform the local child protection unit, which takes action to assess the situation and register the birth of the child at the civil status office. TLAS has published a manual to support implementation of these changes.	Law no. 18/2017 of 23.2.2017 On Child Rights and Protection (ALB): https://qbz.gov.al/eli/ligj/2017/02/23/18-2017/a7b5c582-78fa-4109-beca-a0c7b48a2c8c;q=ligj%20per%20te%20drejtat%20dhe%20mbrojtjen%20e%20femijes%20%20%20%20%20 TLAS practice Article 41, Law no.10129 of 11.05.2009 On Civil Status, as amended by Decision no. 52 of 1.12.2011 of the Constitutional Court, with Law no. 135/2013 and Law no. 134/2016 and Law no. 69/2018 (ALB): https://qbz.gov.al/eli/ligj/2009/05/11/10129/c3ee244a-d790-4989-9a33-14ec398126c5;q=ligj%20per%20gjendjen%20civile TLAS 2020 Manual on birth registration and Instruction No. 870, Dated 24.12.2018; Instruction no. 285, dated 11.03.2019; Instruction no. 284, dated 11.03.2019 (ALB): https://www.tlas.org.al/sites/default/files/Udhezues%20Final_compressed.pdf
PRS.5.b		Are all children issued with birth certificates upon registration? If no, please describe legal status of documentation issued.	UN Human Rights Council, Resolution A/HRC/RES/20/4 : Underscores the importance of effective birth registration and provision of documentary proof of birth irrespective of immigration status and that of parents or family members. Committee on the Rights of Migrant Workers and Members of their Families & Committee on the Rights of	Yes. All children born in or outside a healthcare institution must be documented. The Law on Civil Status provides that the fact, time, place of birth, gender and maternity are certified with the certificate of maternity assistance, with a medical report or minutes, drawn up at the time of birth, certified by the medical staff present, train manager or captain, head of prison or military unit, public	Article 38 & 42, Law no.10129 of 11.05.2009 On Civil Status, as amended by Decision no. 52 of 1.12.2011 of the Constitutional Court, with Law no. 135/2013 and Law no. 134/2016 and Law no. 69/2018 (ALB): https://qbz.gov.al/eli/ligj/2009/05/11/10129/c3ee244a-d790-4989-9a33-14ec398126c5;q=ligj%20per%20gjendjen%20civile .

			the Child (2017) : Take all necessary measures to ensure that all children are immediately registered at birth and issued birth certificates, irrespective of their migration status or that of their parents.	order body, or officials of diplomatic missions abroad, in the absence of medical personnel. In the absence of required documentation, the confirmation of the fact of birth can be proved through the court. The above documents serve for the completion of the birth act. The birth act legally certifies the birth and is the record of birth containing the ordinal number, date of keeping and civil status office; full date and time of birth; place of birth; name and surname, determined according to the legal provisions in force; identity number of the child; gender; nationality; whether the child was born twin or Siamese; identity number and identity of the mother; identity number and the identity of the father, when known, according to the legal provisions in force; identity, identity number and quality of the declarant; identity number, name and surname of the translator (for Albanian children born abroad with a foreign birth act).	
PRS.5.c		Is the child's nationality determined or recorded upon birth registration? If yes, please describe how and by whom (e.g. if the mother/father's nationality is recorded and/or automatically attributed to the child, if there's a formal procedure, if information on both parents is recorded etc.)	Convention on the Rights of the Child, 1989 : Articles 3 & 7	Yes. The nationality of the child is determined and recorded upon birth registration. The procedure of keeping the act of birth and the information it contains is set in Article 42 of the Law on Civil Status. If the parents are Albanian nationals their nationality is confirmed in the electronic register of nationals and is automatically attributed to the child. If the parents are foreign nationals with legal residency in Albania, their residency is verified, and the child is granted either Albanian nationality or the nationality of the parent/s based on their will. If the parent/s are undocumented or residing without legal residence in Albania or stateless, the child will be registered based on the declaration of the parent/s. This is not specifically regulated in law, but general rules will apply combined and based on practice.	Article 42, Law no.10129 of 11.05.2009 On Civil Status, as amended by Decision no. 52 of 1.12.2011 of the Constitutional Court, with Law no. 135/2013 and Law no. 134/2016 and Law no. 69/2018 (ALB): https://qbz.gov.al/eli/ligj/2009/05/11/10129/c3ee244a-d790-4989-9a33-14ec398126c5;q=ligj%20per%20gjendjen%20civile TLAS practice
PRS.5.d		If a child's nationality is not determined or recorded upon birth registration, is there a legal framework to determine the child's nationality later? If yes, please describe the procedure, including the legal grounds, deadlines and competent authority.	Convention on the Rights of the Child, 1989 : Articles 3 & 7 UN Convention on the Reduction of Statelessness, 1961 : Articles 1 & 4 UNHCR (2012) : States need to determine whether a child would otherwise be stateless as soon as possible so as not to prolong a child's status of undetermined nationality. Such a period should not exceed five years.	No. Later determination of the child's nationality is not stipulated in law. In cases where the nationality is wrongly attributed, the general rules of Article 36 apply, which stipulate that when material errors are noticed in the National Register or a column is found that does not reflect the relevant component (or a component is missing), the head of the civil status office makes the correction or completion.	Article 36, Law no.10129 of 11.05.2009 On Civil Status, as amended by Decision no. 52 of 1.12.2011 of the Constitutional Court, with Law no. 135/2013 and Law no. 134/2016 and Law no. 69/2018 (ALB): https://qbz.gov.al/eli/ligj/2009/05/11/10129/c3ee244a-d790-4989-9a33-14ec398126c5;q=ligj%20per%20gjendjen%20civile
PRS.5.e		Are there credible reports to suggest that children are prevented from registering in practice because of parents' legal status or other reasons (please specify)?	Committee on the Rights of Migrant Workers and Members of their Families & Committee on the Rights of the Child (2017) : Urge States parties to take all necessary measures to ensure that all children are immediately registered at birth and issued birth certificates, irrespective of their migration status or that of their parents. Legal and practical obstacles to birth registration should be removed. Global Compact for Safe, Orderly and Regular Migration : States will contribute resources and expertise to strengthen the capacity of national civil registries to facilitate timely access by refugees and stateless persons to civil and birth registration. Global Compact on Refugees : States commit to fulfil the right of all individuals to a legal identity and ensure that migrants are issued documentation and civil registry documents. European Parliament Resolution (2019) : Calls on Member States to take immediate corrective measures to stop discriminatory birth registration.	Yes. There is evidence that children face barriers to accessing birth registration, including due to parents' legal status. Over the years, the law has progressively changed and the latest amendments to the Civil Status Law (69/2018) have reduced these barriers especially for children born abroad to Albanian parents who have problems with their legal status. This was recognised in the EU's 2019 Progress Report on Albania which stated: "In October 2018, the Parliament of Albania adopted legal amendments to the country's civil registration law. The aim of these amendments was to remove barriers to birth registration and reduce the risk of childhood statelessness in Albania, particularly for children of Albanian parents born outside the country and for children of the Roma and Egyptian communities".	COMMISSION STAFF WORKING DOCUMENT, Albania 2019 Report, Accompanying the Commission Communication on EU Enlargement Policy (COM(2019) 260 final), p.29: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-albania-report.pdf TLAS, 2013 report on the Assessment of feasibility for the electronic registration of child births in Albania: https://www.tlas.org.al/sites/default/files/TLAS_FINAL_REPORT_STUDY_ELECTRONIC_BIRTH%20%20REGISTRATION_UNICEF_2013.pdf TLAS & ENS, 2015, Ending Childhood Statelessness Report on Albania: https://www.tlas.org.al/sites/default/files/ENS%20-%20TLAS.pdf TLAS, ENS, ERRC & ISI, 2018, Roma Belong Report on Statelessness, Discrimination and Marginalisation of Roma in Albania: https://www.tlas.org.al/sites/default/files/roma-belong-albania-english-language-ilovepdf-compressed_0.pdf TLAS & UNHCR, 2018, Mapping the Population at Risk of Statelessness in

					Albania: https://www.tlas.org.al/sites/default/files/Mapping%20of%20the%20population%20at%20risk%20of%20statelessness_english.compressed.pdf
PRS.5.f		Are there mandatory reporting requirements that would deter undocumented parents from coming forward to register their children (e.g. health or civil registry authorities required to report undocumented migrants)?	Committee on the Rights of Migrant Workers and Members of their Families & Committee on the Rights of the Child, JGC No. 4 (2017) and JGC No. 3 (2017) : Legal and practical obstacles to birth registration should be removed, including by prohibiting data sharing between health providers or civil servants responsible for registration with immigration enforcement authorities; and not requiring parents to produce documentation regarding their migration status. Children's personal data, in particular biometric data, should only be used for child protection purposes. Council of Europe: ECRI General Policy Recommendation No. 16(2016) on safeguarding irregularly present migrants from discrimination : States should clearly prohibit the sharing of information about migrants suspected of irregular presence with immigration authorities. These firewalls must be binding on state authorities and the private sector.	No, there is no specific provision in force that provides for the sharing of information between civil status offices and/or health providers with immigration authorities. However, there is no ban in law and practice to prevent the sharing of such information.	TLAS
PRS.5.g		Is there a statutory deadline for birth registration? If yes, please state the deadline and whether late birth registration is possible in law and practice.	Committee on the Rights of Migrant Workers and Members of their Families & Committee on the Rights of the Child (2017) : Measures should also be taken to facilitate late registration of birth and to avoid financial penalties for late registration. UN Human Rights Council, Resolution A/HRC/RES/20/4 : Calls upon States to ensure free birth registration, including free or low-fee late birth registration, for every child.	No. Late birth registration is possible in law and practice. The law sets a deadline of 60 days to incentivise birth registration. Children registered within 60 days are entitled to monetary compensation. If the registration is not completed within 60 days, the civil registrar must inform the local child protection unit, which takes action to assess the situation and register the birth of the child at the civil status office.	Article 41/4, Law no.10129 of 11.05.2009 On Civil Status, as amended by Decision no. 52 of 1.12.2011 of the Constitutional Court, with Law no. 135/2013 and Law no. 134/2016 and Law no. 69/2018 (ALB): https://qbz.gov.al/eli/ligj/2009/05/11/10129/c3ee244a-d790-4989-9a33-14ec398126c5;q=ligj%20per%20gjendjen%20civile TLAS 2020 Manual on birth registration and Instruction No. 870, Dated 24.12.2018; Instruction no. 285, dated 11.03.2019; Instruction no. 284, dated 11.03.2019 (ALB): https://www.tlas.org.al/sites/default/files/Udhezues%20Final_compressed.pdf
PRS.5.h		Are there additional requirements for late birth registration (e.g. fees, documents, court procedure)? Please describe the procedure including the competent authority and procedural deadlines.	As above	No.	TLAS
PRS.6.a	Reduction	Does the government have any programmes in place to promote civil registration (including birth registration)? If yes, please provide details.	UNHCR (2014) : Action 7	Work on promoting birth registration is mostly done by civil society organisations supported by international organisations, rather than as part of a governmental programme. TLAS has carried out extensive work in this area over the years in partnership with relevant government agencies. The Government has mostly been supportive in promoting birth registration through different activities, starting from awareness raising and advocacy, to training and law improvement initiatives.	TLAS
PRS.6.b		Are there particular sections of the population - such as minority groups or people affected by conflict - believed to be stateless/at risk of statelessness? Please provide details and source of information.	UN Convention on the Reduction of Statelessness, 1961 : Article 9 UNHCR (2014) : Action 4 UN Human Rights Council (2019) : States should take legislative, administrative and policy measures aimed at eliminating statelessness affecting minorities.	It is considered that Roma in Albania are disproportionately affected by risk of statelessness due to their discrimination, social exclusion, and marginalisation. TLAS and partners recommended that the Albanian Government should act to address structural discrimination against Roma in its 2018 Roma Belong report, 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 rights to a nationality, and all other human rights. The	TLAS, ENS, ERRC & ISI, 2018, Roma Belong Report on Statelessness, Discrimination and Marginalisation of Roma in Albania: https://www.tlas.org.al/sites/default/files/roma-belong-albania-english-language-ilovepdf-compressed_0.pdf Law no.10129 of 11.05.2009 On Civil Status, as amended by Decision no. 52

				report also advised the Government to 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. Several of these recommendations have now been addressed through the recent changes made to the Civil Status Law.	of 1.12.2011 of the Constitutional Court, with Law no. 135/2013 and Law no. 134/2016 and Law no. 69/2018 (ALB): https://qbz.gov.al/eli/ligj/2009/05/11/10129/c3ee244a-d790-4989-9a33-14ec398126c5;q=ligj%20per%20gjendjen%20civile
PRS.6.c		Has the Government implemented any other measures specifically aimed at reducing (risk of) statelessness? (e.g. identification, registration or naturalisation campaigns, removal of treaty reservations, reform of discriminatory laws, etc.)	UN Convention on the Reduction of Statelessness, 1961 UNHCR (2014) : Actions 1 & 8 UNHCR (2015) : States parties to the 1954 Convention are required to help stateless persons become naturalised nationals.	The Government implemented a number of reforms through recent amendments to the Civil Status Law and the Law on Nationality. The Albanian Government also made three pledges at the UNHCR High Level Segment on Statelessness in October 2019, including to implement a dedicated SDP; to fully implement 2018 legislative amendments that improve access to birth registration for children of Roma and Egyptian communities, and children born abroad to Albanian nationals; and to align its Law on Nationality with the key provisions of the 1961 and 1954 Conventions. Provisions introduced through amendments to the Law on Nationality in 2020 established a full safeguard in law for otherwise stateless children born on the territory (although implementation is not yet clear).	Law no.10129 of 11.05.2009 On Civil Status, as amended by Decision no. 52 of 1.12.2011 of the Constitutional Court, with Law no. 135/2013 and Law no. 134/2016 and Law no. 69/2018 (ALB): https://qbz.gov.al/eli/ligj/2009/05/11/10129/c3ee244a-d790-4989-9a33-14ec398126c5;q=ligj%20per%20gjendjen%20civile Results of the High-Level Segment on Statelessness: https://www.unhcr.org/ibelong/result-s-of-the-high-level-segment-on-statelessness/ Law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine
PRS.7.a	Deprivation of nationality	Are there any provisions on deprivation of nationality that could render a person stateless? Please state whether there is a safeguard against statelessness established in law and on what grounds deprivation of nationality may result in statelessness (e.g. national security, fraud, etc.).	UN Convention on the Reduction of Statelessness, 1961: Article 8 & 9 European Convention on Nationality, 1997: Article 7(3) Universal Declaration of Human Rights: Article 15(2) Principles on Deprivation of Nationality and the Draft Commentary: Principle 2.2: Deprivation of nationality refers to any loss, withdrawal or denial of nationality that was not voluntarily requested by the individual; Principles 4, 5 & 6 Report of the Secretary-General on Human Rights and Arbitrary Deprivation of Nationality (2009): para. 23 UNHCR Guidelines on Statelessness No.5 (2020) : the prohibition of arbitrary deprivation of nationality also includes situations where there is no formal act by a State but where the practice of its competent authorities clearly shows that they have ceased to consider a particular individual/group as national(s) (e.g. where authorities persistently refuse to issue or renew documents without providing an explanation or justification).	As a general rule, no one can be arbitrarily deprived of Albanian Nationality. Albanian nationals have the right to renounce their Albanian nationality provided they have acquired or been guaranteed another nationality by the relevant competent authority. The law provides for deprivation of Albanian nationality where an application for nationality was knowingly based on incorrect data or forged documents. There is a safeguard in place only to protect children from statelessness in such cases. The safeguard does not apply to adults.	Articles 3/c & 13 & 15 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine
PRS.7.b		Who is the competent authority for deprivation of nationality and what procedural safeguards are in place (e.g. due process, fair trial, participation in the proceedings, legal aid, judicial oversight, appeal, time limit, subject to prior sentencing)?	UN Convention on the Reduction of Statelessness, 1961: Article 8(4) European Convention on Nationality, 1997: Article 11 Principles on Deprivation of Nationality: Principle 7 . Deprivation of nationality must be carried out in pursuance of a legitimate purpose, provided for by law, necessary, proportionate and in accordance with procedural safeguards; Principle 8: Everyone has the right to a fair trial or hearing and to an effective remedy and reparation.	The competent authorities for nationality matters are the President of the Republic and the Ministry of Interior. Deprivation of nationality is carried out by a Decree of the President of the Republic. A request to renounce Albanian nationality should be made to the local representative of the State Police in a person’s place of residence. Rules for the required documentation, form, and manner of completing this request are to be detailed in an Instruction of the Minister, but this has not yet been drafted at the time of writing (February 2021). The Ministry checks whether the format of the request is correct, but it has no right to evaluate the legal basis of the request, only the President can determine whether it is supported by the law. The law provides for the possibility to appeal against the Presidential decree to deprive a person of their nationality in the administrative court.	Articles 16/5, 17, 18, 20 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine

PRS.7.c		Are provisions on deprivation of nationality that may render a person stateless applied in practice?		There is no information on how provisions are applied in practice.	TLAS information gathered from review of state officials practice and shared information with partners.
PRS.7.d		Are there safeguards in law and practice to prevent renunciation or other forms of voluntary loss of nationality from resulting in statelessness?	UN Convention on the Reduction of Statelessness, 1961 : Article 7 European Convention on Nationality, 1997 : Articles 7 and 8	Yes. The law provides that Albanian nationality ends upon request if the person does not remain stateless as a result of the renunciation. The person must be able to document that they have another nationality or have been guaranteed this by the relevant competent authority. The law provides that the person reacquires Albanian nationality if they do not acquire the promised nationality within a reasonable time, subject to certain conditions.	Articles 13/b of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine
PRS.7.e		Are there any provisions on deprivation of nationality in a national security context (regardless of whether they could render a person stateless)? Please describe these provisions and if/how they are applied in practice.	Principles on Deprivation of Nationality Principle 4: States shall not deprive persons of nationality for the purpose of safeguarding national security. Where provisions exist, these should be interpreted narrowly and in accordance with international law standards.	Yes. The law permits deprivation of Albanian nationality in the case of naturalised nationals where the person supports, carries out activities, or is a member of organisations, whose activities aim at violating the national security and the constitutional order of the Republic of Albania. In this case, deprivation takes place on the basis of information verified by competent law enforcement institutions or when the person has been convicted by a final court decision. The person ceases to be an Albanian national at the moment of communication of the Presidential Decree and, exceptionally, if the decree cannot be communicated to them, after its publication in the Official Gazette. These provisions apply only to naturalised nationals and do not apply if they would render the person stateless.	Article 15 of law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine
PRS.7.f		Are there any provisions on deprivation of nationality that directly or indirectly discriminate a person or group of persons on any ground prohibited under international law or that discriminate between nationals? Please describe these provisions and if/how they are applied in practice.	ICCPR : Article 26 UN Convention on the Reduction of Statelessness, 1961 : Article 9 European Convention on Nationality, 1997 : Article 5 Principles on Deprivation of Nationality : Principle 6. Prohibited grounds for discrimination include race, colour, sex, language, religion, political or other opinion, national or social origin, ethnicity, property, birth or inheritance, disability, sexual orientation or gender identity, or other real or perceived status, characteristic or affiliation. Each State is also bound by the principle of non-discrimination between its nationals.	Deprivation provisions apply only to naturalised Albanian nationals, not Albanians by birth, which is considered discriminatory.	Article 15 Law no. 113/2020 “On Nationality” (ALB): https://qbz.gov.al/eli/ligj/2020/07/29/113/55eae8f6-f942-4df2-9481-41b8463bbf62;q=ligj%20per%20shtete sine

Resources

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
RES.1.a	Published judgments	Number of published judgments adjudicating statelessness (broken down by level of jurisdiction). Please list the most relevant ones.		Due to the law on data protection and recommendations of the Commissioner for Protection from Discrimination, Albanian Courts have restricted public access on ongoing court cases and court decisions. Having no human resources to publish anonymised information, a total ban has been imposed and access is only allowed to parties to a specific case through a special code that makes possible electronic navigation to the court caselaw. TLAS research on the topic has shown that Albanian courts do not have case law on statelessness. The Albanian Courts have adjudicated birth registration cases, but no reference is made to statelessness nor risk of statelessness. TLAS is one of the most specialised organisations providing legal aid for this type of case and keeps annual statistics. In 2019, TLAS followed and supported the resolution of 530 cases of birth registration of children from 1 to 18 years of age. Implementation of recent changes in the civil status law have also been tested in 2019. TLAS lawyers have referred to the new legal changes and bylaws in 221 cases, including: <ul style="list-style-type: none"> • 47 cases of birth registration pursuant to Article 38/1 of the amended law have been resolved through a court decision; • 95 cases of birth registration for children missing the name in the act of birth, have been resolved referring to Instruction 286 of 11.03.2019; • 79 cases of birth registration of children have been resolved in cooperation with Child Protection Units, referring to Instruction 284 of 11.03.2019. 	Notification of the court on restrictions to access cases and decisions (ALB): http://www.gjykatatirana.gov.al/previ-ewdoc.php?file_id=227 Information about TLAS activity and yearly statistics: https://www.tlas.org.al/sq/botimet-e-revistave-sipas-viteve
RES.1.b		Number of published judgments mentioning statelessness (broken down by level of jurisdiction). Please list the most relevant ones.		See above.	
RES.3.a	Pro Bono	Are there specialised lawyers or organisations providing free advice to stateless people or those at risk of statelessness? If yes, please describe.	UNHCR (2014) : Applicants must have access to legal counsel.	TLAS is one of the leading organisations in the country providing free legal advice and court representation to persons at risk of statelessness and their families. There are no other organisations specifically devoted to work on statelessness. Other organisations and grassroots groups may be identified that provide support to children at risk, or other vulnerable persons, and mostly work on identification. A number of cases that TLAS represents are referred by other partner organisations that identify and refer to TLAS for specialised representation of (risk of) statelessness cases.	Information on TLAS activity: www.tlas.org.al
RES.4.a	Literature	Is there domestic academic literature on statelessness? Please list and provide references and hyperlinks (where available).		There is almost no academic literature on the topic. Only minimal academic literature on the topic of nationality could be identified.	Gezim Krasniqi, Albanian Citizenship Configurations in the Balkans, in Central and Eastern European Migration Review, Vol. 6, No. 1, 2017 Krasniqi G, Reinventing the state: (e)migration and citizenship in Albania, in Citsee Working Paper Series 27/2013, 2013