



**REPUBLIC OF ALBANIA
PARLIAMENT**

**L A W
No.16/ 2018**

**FOR
DIASPORA**

**Pursuant to articles 78, 81 and 83, paragraph 1 of the Constitution, upon the proposal of
the Council of Ministers,**

THE PARLIAMENT OF THE REPUBLIC OF ALBANIA

D E C I D E D:

**CHAPTER I
GENERAL DISPOSITIONS**

**Article 1
Object**

The object of this law is to define the rules for:

- a) The competencies of the state authorities responsible for relations with the Diaspora;
- b) The method of maintaining, strengthening and realizing diaspora links with the country of origin;
- c) The establishment of the Diaspora Coordination Council;
- d) The award of national prizes in the field of relations between the country of origin and the diaspora;
- e) The preservation and cultivation of national, linguistic, cultural and educational identity of diaspora members and their linkage with the state institutions in their country of origin.



Article 2

Definitions

Under the framework of this law, the following terminologies have these meanings:

1. The “National Agency of Diaspora”, hereinafter called “The Agency”, is the responsible governmental body for matters related to diaspora.
2. “Diaspora” includes:
 - a) The ancient Albanian communities in the world;
 - b) Any individual born in Albania that resides out of its political borders;
 - c) Any individual in possess of the Albanian citizenship, whom was born out of the Albanian political borders but keeps linguistic and cultural ties as well as continues the heritage and has the wish to preserve the linkage with Albania.
3. The “Responsible minister”, is the Minister whom under this Government covers all the activity related to diaspora.
4. The “Country of origin”, is the Republic of Albania.
5. The “CCD”, a cultural center for the diaspora, established in countries of interest to the diaspora and in the Republic of Albania.
6. The “Diaspora Coordination Council” (The Council), is the representative and coordinating body of relations with the Diaspora.
7. The “Diaspora organization” is a voluntarily organization of diaspora members.

CHAPTER II

STATE BODIES RESPONSIBLE FOR DIASPORA RELATIONS

Article 3

State bodies responsible for diaspora

State bodies responsible for diaspora relations are:

1. The Council of Ministers;
2. The State Committee for Diaspora
3. The responsible Ministerfor Diaspora;
4. The Coordination Council for Diaspora
5. The National Agency of Diaspora;
6. The Cultural Centers for Diaspora;
7. The Albanian Development Fund for Diaspora;
8. The Publishing Center for Diaspora;



9. Other state authorities in accordance with their field of activity.

Article 4

Council of Ministers

1. The Council of Ministers determines:
 - a. the policies of the country of origin for the diaspora to be implemented by the state bodies responsible for relations with the diaspora;
 - b. the method and policies for the registration of Albanian citizens living outside the territory of the Republic of Albania.

Article 5

Responsible Minister for diaspora

The responsible Minister for diaspora exercises these competencies:

- a) Proposes to the Council of Ministers the issuance of regulatory acts and the carrying out of other measures necessary for realization of the state policy on relations with the diaspora;
- b) Supervises the implementation of the National Strategy for the Relations with the Diaspora;
- c) Keeps records and monitors the relations with the diaspora;
- ç) Creates and systematically updates any data related to its organization in forums;
- d) Cooperates with the responsible ministries, in compliance with their field of activity, for the establishment of cultural and informal centers in the countries where diaspora lives;
- dh) Proposes to the Prime Minister the award of prizes for special contributions in the maintenance and strengthening of ties between the country of origin and the diaspora as well as special contributions to the promotion of Albania in the world;
- e) Establish relationships and promotes vicinity and connecting activities with the respective embassies in countries where the diaspora lives;
- ë) Exercise other competencies, according to the legislation in force.



Article 6

Cultural Centers for Diaspora

1. CCDs are created with the scope to preserve, cultivate the national, linguistic, cultural and educational identity of the diaspora and strengthen its links with the institutions of the Republic of Albania.
2. CCDs exercise their activities in the countries of interest to the Diaspora of the Republic of Albania and shall open in agreement with these countries.
3. The Director of CCD's shall be nominated and dismissed upon the order of the Minister responsible for foreign affairs upon the proposal of the Minister responsible for diaspora. The head of CCD possesses the diplomatic status for the period on duty and shall be provided with a diplomatic passport.
4. The CCD is subordinated to the head of the diplomatic mission of the country where it is accredited and exercises its functions in accordance with the obligations arising from this law and other obligations arising from the legislation in force.
5. The work relations for CCD employees are regulated in accordance with Labor Code provisions in force. The detailed rules for employee recruitment are determined by a decision of the Council of Ministers, upon the proposal of the responsible Minister for the diaspora and the responsible Minister for foreign affairs.
6. The establishment, organization, method of functioning and salary scale of the CCD are approved by a decision of the Council of Ministers.
7. The structure and organization of the CCD are approved by order of the Prime Minister.
8. The National Agency for Diaspora cooperates and coordinates activities with CCDs.

Article 7

CCD's responsibility

1. The CCD has responsibility to:
 - a) promote Albania;
 - b) encourage and develop knowledge on language and cultural heritage of Albania;
 - c) encourage scientific, technical, technological, sports and economic cooperation between Albania and the Diaspora;
 - ç) provide information on investments in Albania, fiscal relief, cultural and educational activities, meetings with countrymen and state institutions in Albania;
 - d) support and organize cultural, educational and sporting activities;
 - dh) perform other duties as provided by the legislation in force.



2. The Director of CCD receives instructions from the responsible Minister for the diaspora through the head of the diplomatic mission of the country where he is accredited and regularly informs him about his activity.

Article 8 **CCD's financing**

Tools for CCD activities are provided by:

- a) the state budget;
- b) income from projects, donations and other legitimate sources.

CHAPTER III

MAINTENANCE, STRENGTHENING AND ESTABLISHING BONDS BETWEEN THE COUNTRY OF ORIGIN AND DIASPORA

Article 9 **Bond between the country of origin and the diaspora**

The maintenance, strengthening and realization of relations between the country of origin and diaspora is realized through:

- a) the improvement of the position of members of the diaspora and the protection of their rights and interests through the conclusion of international agreements, bilateral or multilateral, in accordance with the highest international standards;
- b) the use of teaching of the Albanian language as well as the preservation of the cultural, ethnic, linguistic identity;
- c) the promotion of economic cooperation, and fiscal relief between the country of origin and diaspora;
- ç) providing conditions for the functioning of the Diaspora Coordination Council;
- d) awarding national prizes for the special contribution to the preservation, strengthening the ties between the country of origin and the diaspora, promoting Albania in the world and supporting its interests.



Article 10

Support for learning and advancement of Albanian language

1. The Council of Ministers, through the responsible minister, helps to create conditions for the preservation and learning of the Albanian language.
2. The responsible Minister, together with the responsible Minister for education, according to the educational program, assists and supports the development of the Albanian language teaching process in countries where exists a large number of Diaspora members, a more compact spread or special state interest.
3. The responsible Minister for diaspora and the responsible Minister for education sign bilateral agreements with the counterpart state institutions of the countries where the diaspora members live, for the organization of the Albanian language learning process and other cultural knowledge for the Republic of Albania.
4. The organization of the teaching process and the selection of teachers in the respective countries, where the diaspora lives and operates, is regulated by a decision of the Council of Ministers, with the co-proposal of the responsible Ministerfor the diaspora and the responsible Ministerfor education, respecting the signed and in force international agreements.
5. The responsible Ministerfor diaspora, in cooperation with the responsible ministry for education, assists in the distribution of books tailored for learning and advancing of the Albanian language and other cultural knowledge for the Republic of Albania in the countries where the diaspora lives and operates.
6. The responsible Ministerfor diaspora, in cooperation with the responsible ministry for education, prepares and implements programs for the teaching of the Albanian language in the distance, via the Internet (phone or tablet programs) and massive electronic networks and channels, for the learning of Albania's history and other cultural knowledge for it, organizes training seminars for teachers, promotes and takes various measures to encourage complementary learning for members of the diaspora.

Article 11

Cultural cooperation and promotion of Albania's cultural heritage

1. The responsible Ministerof diaspora, in cooperation with the responsible ministry for culture, supports the cultural activities of the diaspora members with the scope of preserving and developing the identity, preserving the cultural heritage and promoting its diffusion.
2. A special diaspora pavilion shall be established at the National History Museum.
3. The responsible Minister for diaspora, in cooperation with the responsible ministry for culture, shall support the Albanian communities in the different countries where they live and assist,



promote and develop intercultural relations between the Republic of Albania and the respective countries, in compliance with this law and other by-laws.

4. The responsible Minister for Diaspora, in cooperation with the ministry responsible for culture, helps the youth to promote, preserve, cultivate cultural, linguistic and cultural heritage identity in the interest of historical memory for the country of origin through special public calls for concrete co-operation and publishes calendars of possible cooperation events between the country of origin and the diaspora.

Article 12

Cooperation in the field of sport

The responsible Minister for diaspora, in cooperation with the ministry responsible for sport, supports sports activities of diaspora members, with the scope to preserve and develop the identity, cultural heritage and promotion of their diffusion.

Article 13

Information

1. The Albanian Radio-Television provides a broadcasting channel with a diaspora radio-television program. Expenditures for the production of programs devoted to diaspora and broadcasting shall be borne by the state budget.
2. The National Library, in cooperation with the responsible ministries for education and culture, shall provide free access to the on-line fund of education and literature books, dedicated to the diaspora's interests.
3. The Council of Ministers promotes and encourages the media activities of the Albanian diaspora members based on the efficiency of their activity.

Article 14

Economics and science

1. The responsible Minister for Diaspora pays special attention to the empowerment of the economic ties, the cooperation in the field of science and the development of the new technologies between the diaspora and the institutions of the Republic of Albania, through the economic cooperation and various measures of the economic policy, according to the legislation in force of the Republic of Albania.
2. The responsible Minister for the diaspora supports the cooperation of scientists, members of the diaspora, with the responsible state institutions in the institutional research projects.



Article 15

Diaspora yearly award

1. The “Ambassador of the Nation” shall be awarded for the successful diaspora members.
2. The criteria and method of awarding the prize shall be determined by a decision of the Council of Ministers.

Article 16

Financial resources

Funds for maintaining and strengthening the ties between the country of origin and diaspora shall be ensured by:

- a) the state budget;
- b) funding from projects, donations and other legitimate sources.

Chapter IV

DIASPORA ORGANIZATION

Article 17

Diaspora organization

1. The diaspora organization is a voluntary nonprofit organization of diaspora which acts in compliance with the rules of the foreign country where diaspora lives.
2. The diaspora organization aims to promote Albania and support its state interests as well as to maintain and encourage cultural, educational, scientific, humanitarian or sports relations with the country of origin.

Article 18

Coordination Council of Diaspora

1. The Coordination Council of Diaspora (The Council) represents and coordinates relations with the Diaspora.
2. The Council has the following competencies:
 - a) Identifies diaspora problems, proposes actions for their resolution, sets out guidelines for the drafting of the Strategy of Diaspora;
 - b) Adopts procedural rules for the fulfillment of its activity and the decision-making procedure.



3. Professional fundraising usage and administrative responsibilities for the Council shall be exercised by the National Agency of Diaspora.
4. The National Agency of Diaspora carries out the functions of the Technical Secretariat.

Article 19 **Council's composition**

1. The Council consists of 15 members, who are representatives of the diaspora.
2. The activities of the Council are attended by the Prime Minister, the responsible Minister for diaspora, foreign affairs, interior, finance and economy, education, culture, the Academy of Sciences, the National Chamber of Commerce and Industry, the Albanian Radio Television, the National Agency of Diaspora as well as representatives of cultural centers for diaspora.
3. The President of the Republic, upon his request and in coordination with the Prime Minister and the responsible state Minister for diaspora, shall take direction of special meetings of the Coordination Council of Diaspora.

Article 20 **Eligibility criteria for the Council**

1. The representatives of the diaspora, whom shall be members of the Council, must fulfill these qualities:
 - a) have high integrity and reputation in the community where they live in;
 - b) have the capacity to perform the duties of maintaining and strengthening the relations between the country of origin and the diaspora.
2. Representatives of diaspora are elected according to this classification:
 - a) three representatives from the diaspora of the United States of America;
 - b) two representatives from the Canadian diaspora;
 - c) six representatives from the European diaspora;
 - ç) a representative from the Turkish diaspora;
 - d) a representative from the Australian diaspora;
 - e) two representatives from the United Kingdom diaspora.
3. The detailed rules on the conditions and method of election of the representatives shall be determined upon decision of the Council of Ministers.
4. The country of origin shall not exert influence on the procedures and conditions on the election of the respective representatives to the Council.



5. The decision on the election of the representatives shall be notified to the responsible Minister for the diaspora at least 30 days before the date set for the meeting of the Council.

Article 21

Council's Meeting

1. The Council convenes, as a rule, on the National Day of Diaspora.
2. The Council may convene in an extraordinary session upon request of at least one third of the representatives or upon request of the responsible Minister for the diaspora, with a program determined in advance.
3. The Council may, as appropriate, set up working groups to deal with technical, economic, statutory, cultural, scientific, and sporting matters. The number of members and the method of organization and functioning of the working groups is determined upon decision of the Coordination Council of Diaspora.

Article 22

Albanian Development Fund for Diaspora

1. The Albanian Development Fund for Diaspora will have the mission of providing and distributing financial resources in the framework of encouraging socio-economic and cultural development, based on specific priority strategies for the diaspora as well as within the country through promotion, encouragement and orientation of philanthropic trends and diaspora investments in support of the development of the Republic of Albania and abroad.
2. The Albanian Development Fund for Diaspora shall serve as a mechanism recognized by the law for orienting philanthropic trends / donations and investments of diaspora members in efforts for socio-economic and cultural development in the Republic of Albania and abroad.
3. Rules on the activity, organization and functioning of the Albanian Development Fund for Diaspora will be adopted upon special law.



Chapter V

TRANSITIONAL AND FINAL PROVISIONS

Article 23

Diaspora Publishing Center

1. The publication of special texts which will serve to the diaspora, will be realized through the Diaspora Publishing Center which will be financed from the state budget and shall be organized and function under the dependency of the responsible Minister for diaspora.
2. The establishment, organization and functioning of the Diaspora Publishing Center will be regulated by a Decision of the Council of Ministers.

Article 24

Relations with the Parliament of Albania

In order to follow up and supervise the implementation of this law, within the composition of the Permanent Committee on Foreign Policy of the Albanian Parliament, a sub-commission “For diaspora and migration” shall be established, which shall be organized and function according to the legal provisions for the subcommittees of the Parliament of the Republic of Albania.

Article 25

Diaspora day

December 18, is designated as the National Day of the Diaspora.

Article 26

The Albanian Development Fund for Diaspora, the Coordination Council for Diaspora, the Cultural Centers for Diaspora have their logo. The model of the logo complies with the annexes format attached to this law.



Article 27 **By-laws**

The Council of Ministers shall be charged responsible for issuing by-law acts pursuant to articles 4; 6, paragraph 5 and 6; 10, paragraph 4; paragraph 2; 20, paragraph 3; and 23, paragraph 2, of this law.

Article 28 **Entry in force**

This law enters into force 15 days after its publication in the Albanian "Official Journal".

SPEAKER

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Approved on 5.4.2018

