



LAW
No.115/2017

ON

THE ESTABLISHMENT OF THE NATIONAL AGENCY OF DIASPORA

Pursuant to articles 78, 81, and 83, point 1, of the Albanian Constitution and based on the Council of Ministers' proposal,

THE PARLIAMENT OF ALBANIA,

DECIDED:

CHAPTER I
GENERAL PROVISIONS

Article 1
Object

This law defines the mission, content and functioning of the National Agency of Diaspora, as well as well as other issues related to its activity.

Article 2
Mission

The mission of the National Agency of Diaspora is to develop and strengthen the institutional cooperation with Diaspora through:

- a) The improvement of diaspora community members position, as well as the protection of their interest and rights at the respective countries where they live;
- b) The offering of assistance to preserve the language and to protect the national cultural heritage;



- c) The encouragement of economic cooperation between the country of origin and diaspora;
- ç) Cooperation for prosperity, peace, wellbeing, culture and social solidarity of the whole nation.

Article 3 Definitions

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

1. “National Agency of Diaspora”, hereinafter called “The Agency”, is the responsible governmental body responsible 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 born out of Albanian political borders but is of Albanian origin.
3. “Responsible minister”, is the Minister whom under this Government covers all the activity related to diaspora.
4. “Country of origin”, is the Republic of Albania.

Article 4 Principles of activity

The Agency is organized and operates based on the principles of legality, constitutionality, cooperation and inclusiveness.

CHAPTER II AGENCY’S ORGANISATION AND OPERATION

Article 5 Agency’s organization

1. The Agency is an independent legal public entity, seated in Tirana, under the framework of the respective law on the organization and functioning of the public administration.
2. The Agency’s activity will be under supervision of the responsible Minister for diaspora.
3. The supervising bodies of the Agency are the Steering Council and the Executive Director.
4. The structure and the organizational competencies of this Agency are pursuant to Council of Minister’s Decision under the proposal of the responsible Minister for diaspora.
5. The organizational structure of the Agency shall be approved by a decree of the Prime Minister.



6. The employment relations for the Executive Director and the Agency's employees are regulated pursuant to Civil Employee's Legislation. As per the administrative employees, employment relations are regulated pursuant to the Labor Code provisions.
7. The Agency has its logo and stamp, approved by its Executive Director.

Article 6 Duties of the Agency

The Agency performs the following duties:

1. Takes measures to create a unique diaspora database according to the free will of the individual. The saved records and the data elaboration are completed in conformity with the legislation in power on the personal data protection.
2. Implements policies and projects related to diaspora.
3. Prepares periodic reports to be presented to the responsible Minister for diaspora.
4. Prepares and coordinates the work for the preparation of the National Strategy of diaspora and follows up its implementation.
5. Holds the relations through the diaspora, its representatives and the origin country.
6. Is responsible for financial operation and management as well as its periodic monitoring.
7. Cooperates and coordinates activities with other state institutions, civil society and other organizations in and out of Albania to improve the diaspora community members' position.
8. Assists in the protection and the development of national and cultural values of diaspora.
9. Informs diaspora on the political processes in the country of origin, with the scope to include them in the political, economic and cultural life of the Republic of Albania.
10. Administers the assets at its disposal.

Article 7 Steering Council

1. The Steering Council is the decision-making body for all the administrative and financial matters of the Agency.
2. The Steering Council is a collegial body, composed by seven members as following:
 - a) One representative of the responsible Minister for diaspora;
 - b) One representative of the responsible Minister for Europe and foreign affairs;
 - c) One representative of the responsible Minister for interior affairs;
 - ç) One representative of the responsible Minister for finances and economy;
 - d) One representative of the responsible Minister for education, sport and youth;
 - dh) One representative of the responsible Minister for culture;
 - e) One representative of the responsible Minister for tourism.



3. The mandate of the Steering Council members is four years.
4. The chairman of the Steering Council's is selected from one of its members and nominated the responsible Minister for diaspora.
5. The detailed rules on the nomination, dismissal and retribution of the Steering Council's chairman and its members are approved by a decision of the Council of Ministers.

Article 8 Competencies of the Steering Council

The Steering Council has the following competencies:

- a) Approves the development programs of the Agency in accordance with the diaspora relations Strategic Documents;
- b) Approves the regulation on the internal administrative organization, functions and responsibilities of the internal structures and the administrative and support staff;
- c) Exercises the powers provided by the applicable legislation on the financial management and control;
- ç) Proposes the structure and the organizational competencies as well as the salary scale of the Agency's employees;
- d) Approves the action plan, financial report, annual report and other reports of the Agency;
- dh) Decides on other matters, in accordance with the obligations of the legislation in force.

Article 9 Executive Director

The Executive Director is responsible for the administration and functioning of the Agency and represents it in its relations with the third parties.

The Executive Director is nominated from the responsible Minister for diaspora, in accordance with the law on the civil servant status.

The Executive Director reports to the Steering Council for the Agency's activity.

Article 10 Agency's resources and funding methods

1. The financial resources of the Agency are:
 - a) The revenues coming partly from the state budget;
 - b) The incomes from projects, donations and other legitimate sources.
2. For the purpose of implementing this Law and its relevant activity, the Agency may invite other domestic or foreign co-financing subjects to contribute in maintaining and strengthening the link between the country of origin and the diaspora, according to the legislation in force.



3. Criteria, procedures for allocation of funds for co-financing of projects and the method of reporting on their implementation shall be in accordance with the legislation in force on the management of the budget system in the Republic of Albania.

CHAPTER III

COMPETENCIES FOR RELATIONS BETWEEN THE COUNTRY OF ORIGIN AND DIASPORA

Article 11

Policies of the country of origin for the diaspora

The Council of Ministers defines the policies of the country of origin for the diaspora, to be implemented by the responsible minister, the Agency and other state authorities, in accordance with their field of activity.

Article 12

Responsible Minister for Diaspora

The responsible Minister supervises the activity of the Agency as related to its state responsibility field and in accordance with the law on the organization and functioning of the public administration.

Article 13

Inter-institutional cooperation

1. The state authorities cooperate mutually to fulfill their duties in the field of relations between the country of origin and the diaspora.
2. This cooperation is carried out through joint reporting and coordination of activities, in the manner determined by the decision of the Council of Ministers.

CHAPTER IV

OTHER PROVISIONS

Article 14

The National Strategy for Diaspora

1. The National Strategy for Diaspora has as its scope to preserve and strengthen relationships between the country of origin and diaspora, as well as to identify the current status of these relations and the actions to be taken for their development.
2. The Strategy shall be approved by a decision of the Council of Ministers, upon the proposal of the Minister responsible for the diaspora.
3. The National Diaspora Agency is entitled to periodically review the strategy document.



Article 15
Logo of the National Diaspora Agency

The logo of the National Diaspora Agency will be according to the attached Annex.

Article 16
By-laws

1. The Council of Ministers is responsible for the issuance of secondary legislation pursuant to article 7, paragraph 5, article 11, article 13, paragraph 2, and article 14, paragraph 2 of this law.
2. The Prime Minister is entitled to issue the by-laws in order to implement paragraph 4 of the article 5 of this law.
3. The issuing of the by-laws foreseen under this article shall be issued within 3 months from the entry in force of this law.

Article 17
Entry into force

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

SPEAKER
Gramoz RUÇI

Approved on, 18.12.2017

Promulgated with the decree no. 10706, date 26.12.2017, of the President of the Republic of Albania, Ilir Meta

