

# The Legal Protection of National Minorities in Albania: An analysis of Law No. 96/2017 and Its Implementation Framework

Hasimin Keçi\*

<sup>1</sup>Member, Representative of Bosnian National Minority, Committee for National Minorities, Albania

\*hasiminkeci@gmail.com

(Received: 27 January 2026, Accepted: 05 February 2026)

(6th International Conference on Recent Academic Studies ICRAS 2026, January 27-28, 2026)

**ATIF/REFERENCE:** Keçi, H. (2026). The Legal Protection of National Minorities in Albania: An analysis of Law No. 96/2017 and Its Implementation Framework, *International Journal of Advanced Natural Sciences and Engineering Researches*, 10(2), 39-42.

**Abstract** – The protection of national minorities represents a fundamental pillar of democratic governance and the rule of law. Albania has undertaken significant legislative reforms in this field, culminating in the adoption of Law No. 96/2017 “On the Protection of National Minorities in the Republic of Albania”. The Committee for National Minorities has had a crucial role during the entire process. This paper provides a comprehensive legal analysis of the law, examining its guiding principles, substantive rights, and institutional mechanisms. The study further evaluates the law’s coherence with European minority protection standards and assesses recent implementing acts adopted in 2024. The paper concludes that Law No. 96/2017 establishes a solid normative framework aligned with international obligations, while emphasizing the importance of effective implementation and institutional coordination.

**Keywords** – national minorities, minority rights, self-identification, linguistic rights, Albania, Law No. 96/2017

## I. INTRODUCTION

The protection of persons belonging to national minorities is a core obligation under international human rights law and a key indicator of democratic maturity. Minority rights contribute not only to the preservation of cultural diversity but also to social cohesion, political stability, and inclusive development. [1; 3; 4]

In Albania, minority protection has historically evolved through constitutional recognition and sectoral legislation. The adoption of Law No. 96/2017 marked a decisive step toward a comprehensive and unified legal framework for minority rights. This law replaced fragmented approaches and established clear principles, rights, and institutional responsibilities.

This paper aims to analyze Law No. 96/2017 from a legal and institutional perspective, focusing on its structure, substantive guarantees, and mechanisms of implementation.

## II. METHODOLOGY

The research adopts a doctrinal legal analysis, based on:

- Examination of Law No. 96/2017 and its implementing acts;
- Interpretation of constitutional provisions and related legislation;
- Comparative reference to European minority protection standards, particularly the Framework Convention for the Protection of National Minorities (FCNM).

The study also incorporates a policy-oriented assessment of implementation challenges.

### III. CONSTITUTIONAL AND INTERNATIONAL CONTEXT

The Albanian Constitution guarantees equality before the law and prohibits discrimination on any ground, including ethnicity, language, or religion. These constitutional principles form the normative foundation of minority protection.

At the international level, Albania is a party to major human rights instruments, including:

- The European Convention on Human Rights;
- The Framework Convention for the Protection of National Minorities;
- Relevant United Nations human rights treaties.

Law No. 96/2017 must therefore be interpreted in light of Albania's international obligations and constitutional commitments.

### IV. STRUCTURE AND SCOPE OF LAW NO. 96/2017

Law No. 96/2017 provides a clear definition of national minorities and establishes the scope of protection. The law applies to all persons belonging to recognized national minorities and is grounded in the principles of:

- Equality and non-discrimination;
- Respect for cultural identity;
- Free self-identification;
- Participation in public life. [2]

The law is both individual-rights oriented and community-sensitive, reflecting contemporary European approaches to minority protection.

### V. THE PRINCIPLE OF FREE SELF – IDENTIFICATION

One of the most significant features of Law No. 96/2017 is the explicit recognition of the right to free self-identification. The law affirms that belonging to a national minority is a matter of individual choice and that no one may be compelled to declare or renounce such affiliation. [2]

This principle is central to modern minority law and is consistent with the FCNM. The Albanian approach avoids objective or imposed ethnic categorization, thereby reducing the risk of discrimination or forced assimilation. [3]

Recent implementing decisions adopted in 2024 further operationalize this principle by defining procedures, safeguards, and appeal mechanisms.

### VI. LINGUISTIC RIGHTS AND CULTURAL EXPRESSION

Law No. 96/2017 guarantees the right of minorities to preserve and develop their language, culture, traditions, and religious identity. Linguistic rights occupy a prominent place within the law and include:

- The use of minority languages in private and public life;
- Access to education in minority languages, in accordance with national legislation;
- The use of minority languages in relations with local authorities under defined conditions. [2]

These provisions promote both cultural preservation and practical inclusion, particularly at the local level.

### VII. PARTICIPATION IN PUBLIC AND SOCIAL LIFE

The law recognizes the importance of minority participation in decision-making processes affecting them. It encourages:

- Consultation with minority representatives;

- Participation in cultural, social, and political life;
- Cooperation between public authorities and minority organizations.

The establishment of the Committee for National Minorities serves as an institutional mechanism to facilitate dialogue between the state and minority communities. [4]

## VIII. INSTITUTIONAL FRAMEWORK AND IMPLEMENTATION

Law No. 96/2017 assigns responsibilities to multiple institutions, including central government bodies, local self-government units, and independent oversight authorities. This multi-level governance model reflects the cross-cutting nature of minority protection.

However, effective implementation depends on:

- Administrative capacity at the local level;
- Adequate financial resources;
- Training of public officials on minority rights.

The adoption of detailed bylaws in 2024 represents progress in addressing implementation gaps.

## IX. CHALLENGES AND CRITICAL ASSESSMENT

Despite its strengths, the law faces several challenges in practice:

- Uneven implementation across municipalities;
- Limited awareness among minority communities of available rights;
- Budgetary constraints affecting linguistic and cultural measures.

These challenges are not uncommon in minority protection regimes and underscore the need for continuous monitoring and evaluation.

## X. ALIGNMENT WITH EUROPEAN STANDARDS

Overall, Law No. 96/2017 demonstrates a high degree of alignment with European minority protection standards. Its emphasis on self-identification, proportionality, and institutional dialogue reflects best practices promoted by the Council of Europe.

Continued engagement with international monitoring mechanisms can further strengthen the Albanian framework.

## XI. CONCLUSION

Law No. 96/2017 constitutes a cornerstone of minority protection in Albania. It provides a coherent legal framework that balances individual rights, cultural diversity, and social cohesion. While implementation challenges remain, the law establishes a strong normative foundation aligned with constitutional principles and international standards. Future efforts should focus on strengthening institutional capacity, ensuring consistent application, and enhancing participation of minority communities.

## ACKNOWLEDGMENT

The author gratefully acknowledges the contribution of public institutions involved in the development and implementation of the legal framework for the protection of national minorities in the Republic of Albania. Particular appreciation is extended to the Committee for National Minorities for its institutional role in promoting dialogue, consultation, and inclusiveness in minority-related policies.

The author also acknowledges the valuable engagement of representatives of national minority communities, whose perspectives and experiences contribute to a deeper understanding of the practical dimensions of minority rights protection.

The views and conclusions expressed in this paper are solely those of the author and do not necessarily reflect the official positions of any public institution or organization.

## REFERENCES

- [1] Constitution of the Republic of Albania
- [2] Law No. 96/2017, *On the Protection of National Minorities in the Republic of Albania*
- [3] Framework Convention for the Protection of National Minorities, Council of Europe
- [4] European Convention on Human Rights