

DECISION

No 396 of 22 August 1994

(As amended by the Decision of the Council of Ministers No 502 of 5 August 1996)

ON PRIMARY EDUCATION OF MINORITIES IN NATIVE LANGUAGE

Taking into consideration the fundamental political orientation of the Republic of Albania to protect and respect the individual's human rights and fundamental freedoms, including people from the minorities.

Aiming to incorporate in the educational domain, the state policy to create appropriate conditions for the expression, preservation and development of the cultural and linguistic identity of people belonging to the minorities and the need of their integration into the Albanian society.

Pursuant to the law "On human rights and fundamental freedoms ", approved by the People's Assembly on 31 March 1993, article 26 of which reads: "People belonging to minorities shall be entitled to learn and be taught in their own native language".

Further, taking into consideration the principles and standards provided for in the European Charter on Regional or Minority Languages, approved by the Council of Europe in Strasburg on 5 November 1992, and other international documents in this area, upon the proposal of the Ministry of Education, the Council of Ministers

DECIDED:

1. The people belonging to the minorities shall be entitled to learn and be taught in their native language at schools and certain educational state institutions.

2. Education of the minorities in their own native language shall be multidimensional in accordance with the fundamental principles of the general education in the Republic of Albania and on the basis of the teaching plans and curricula of the state schools of the country, as specified by the Ministry of Education and Science.

3. To ensure an equal and active participation in the entire economic, social, political and cultural life of the Republic of Albania, the young people belonging to the minorities must know Albanian language and to this end the state shall make the appropriate measures.

4. Minority language school establishments like all other state schools shall operate under the supervision and control of the Ministry of Education.

5. In the existing school establishments where the native language of the minorities is taught, the students of these minorities shall be entitled to learn and be taught in their own native language.

Educational plans and curricula as well as the reports of the use of native and official language in the teaching process of such educational establishments shall be decided by virtue of special acts of the Ministry of Education. Reading and Native Language of the students from the minorities, as well as Reading and Albanian language shall be developed as separate subjects. In the framework of the school program, the students from the minorities in these educational establishments shall be afforded the opportunity to study their own history, traditions and culture.

5/1. Based upon the requests of the parents or tutors of the children from the Greek minority in the towns of Saranda, Delvina and Gjirokastra, school establishments shall be operational where the students shall also learn in their own native language. Their functioning shall start with the first grades during the academic year 1996-1997 at the secondary schools, where the teaching takes place in Albanian language, respecting the criteria that the number of students per classroom shall not be less than 20.

The requests of the parents or tutors of the children from the Greek minority domiciled in the respective town, wishing to study in their own native language, shall be submitted by their representative to the educational district directorate no later than 5 September.

The request shall contain the list of names of the children belonging to the Greek minority according to the civil registry, their age and the signature of the parent or the tutor.

After making the proper verifications, the director of the educational district directorate shall submit to the Ministry of Education and Sports the list-request along with his own opinion.

6. In the inhabited centers (urban and rural areas), where the people from minorities live, if there is a sufficient number of students from the minorities that comply with the general criteria for the functioning of the school establishments, they shall be entitled, in the framework of the state system of compulsory education, to optionally learn their own native language. The concrete method of the organization of teaching in these educational establishments shall be governed by special acts of the Ministry of Education.

Opening or closing of the optional teaching classes where the native language is optionally learned by the minority students, shall take place by virtue of the decision of the Prefect, after obtaining the consent of the Minister of Education.

As regards their opening, a request signed by the parents or tutors of the children to be enrolled in accordance with their rights as individuals and citizens, shall be submitted to the director of the respective educational district directorate. The request including the list of names of the children according to the entries into the civil registry office, shall be submitted by a representative of the parents to the director of the educational district directorate at least 6 months prior to the commencement of the expected academic year. After making the respective verifications and assessments in terms of the fulfillment of the general criteria for the functioning of the school establishments, the director of the educational directorate shall submit the request to the Prefect accompanied by his own opinion. Upon the taking of the decision, the Prefect shall be guided by the criteria stipulated in the legal acts, taking into consideration the composition and specific circumstances of the population in the respective inhabited center (urban or rural area), particularly by the need to continuously ensure the proper contingents of students. The decision of the Prefect shall be disclosed to the representative of the concerned parents or tutors at least one month prior to the commencement of the new academic year. When such decision is positive, it shall be previously approved in writing by the Minister of Education.

The same criteria shall apply in case when the above cited authorities review and decide on the closing of a school establishment.

In special circumstances, where the number of children or minority students is lower than the one under the general criteria, the school establishments where the native language of the minorities is taught, shall operate in conformity with a special decision of the Minister of Education.

For the academic year 1994-1995 the optional learning of native language shall start under an accelerated procedure.

This decision shall enter into force immediately.

CHAIRMAN OF THE COUNCIL OF MINISTERS

Aleksandër Meksi

Decision of the Council of Ministers No 396 of 22 August 1994, published in the Official Gazette No_17, page 783.

Decision of the Council of Ministers No 502 of 5 August 1996, published in the Official Gazette No_21, page 790.

Decision

No 502 of 5 August 1996

On an addition to the Decision of the Council of Ministers No 396 of 22 August 1994 “On secondary education in native language of people from the minorities”

Pursuant to article 10.4 of the Law No 7952, of 21 June 1995 “On pre-university educational system,” upon the proposal of the Ministry of Education and Sports, the Council of Ministers

Decided:

1. In the Decision of the Council of Ministers No 396 of 22 August 1994 “On secondary education in native language of people from the minorities”, the point 5/1 shall be added to the point 5 and it shall read as follows:

“Based upon the requests of the parents or tutors of the children from the Greek minority in the towns of Saranda, Delvina and Gjirokastra, school establishments shall be operational where the students shall also learn in their own native language. Their functioning shall start with the first grades during the academic year 1996-1997 at the secondary schools, where the teaching takes place in Albanian language, respecting the criteria that the number of students per classroom shall not be less than 20.

The requests of the parents or tutors of the children belonging to the Greek minority domiciled the respective town, who wish to learn in the native language, shall be submitted by their representative to the educational district directorate until 5 September.

The request shall contain the list of names of the children belonging to the Greek minority, according to the civil registry, their respective age and the signature of the parent or the tutor.

After making the proper verifications, the director of the educational district directorate shall submit to the Ministry of Education and Sports the list request along with his own opinion”.

2. The Ministry of Education and Sports shall be responsible for the implementation of this decision.

This decision shall enter into force immediately.

CHAIRMAN OF THE COUNCIL OF MINISTERS

Aleksandër Meksi