



**REPUBLIC OF ALBANIA
PARLIAMENT**

LAW

No. 115/2017

ON THE ESTABLISHMENT OF THE NATIONAL AGENCY OF DIASPORA

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

THE PARLIAMENT

OF THE REPUBLIC OF ALBANIA

DECIDED:

CHAPTER I

GENERAL PROVISIONS

Article 1

Object

This law sanctions the establishment, mission, organization and operation of the National Agency of Diaspora.

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 position, as well as the protection of their interest and rights at the respective countries where they live
- b) Provision of support in preserving national language and cultural heritage;
- c) Encouragement of economic cooperation between the country of origin and Diaspora;
- d) Boosting cooperation for prosperity, peace, well-being, culture and social solidarity for the whole nation.

Article 3

Definitions

In this law, the following terms have these meanings:

1. “The National Agency of Diaspora”, hereinafter called “The Agency”, is the responsible government body for matters related to Diaspora.
2. “Diaspora” includes:
 - a) Early Albanian communities in the world;
 - b) Every person born in Albania that has a permanent residence outside of its political borders;
 - c) Every person, of Albanian origin, who was born and has a permanent residence
 - d) outside the borders of Albania.
3. “Responsible Minister”, is the Minister who covers state activities related to Diaspora.
4. “Country of Origin” is the Republic of Albania.

Article 4

Activity Principles

The Agency is organized and operates based on the principles of lawfulness, constitutionality, cooperation and inclusion.

CHAPTER II AGENCY’S ORGANISATION AND OPERATION

Article 5

Agency’s organization



1. The Agency is an autonomous legal public entity head quartered in Tirana, under the framework of the respective law on the organization and functioning of the public administration.
2. The Agency's activity is under the supervision of the Minister responsible of Diaspora.
3. The supervising bodies of the Agency are the Steering Council and the Executive Director.
4. The structure and the organizational chart of this Agency are approved by order of the Prime Minister, upon proposal of the responsible Minister of Diaspora.
5. The employment relations for the Executive Director and the Agency's employees are regulated by the provisions of the legislation in force for civil servants. Employee relations of administrative employees are regulated by the Labor Law.

Article 6

Duties of the Agency

The Agency performs the following duties:

1. Takes measures for the establishment of a unique Diaspora database, according to the free will of the individual. The data are collected and stored in complete conformity with the legislation in power on the protection of personal data.
2. Implements policies and projects related to Diaspora.
3. Prepares periodic reports on the activities of the Agency and presents them for approval before the Minister responsible of Diaspora.
4. Prepares and coordinates activities for drafting and re-evaluation of the National Strategy of Diaspora and follows up on its implementation.
5. Maintains ties with the Diaspora, its representatives and the country of origin.
6. Is responsible for the operation and financial management of the Agency.
7. Cooperates and coordinates activities with state institutions, the civil society and organizations in and outside of the country, in order to improve the position of Diaspora in the world.
8. Supports in the protection and development of language and national and cultural values of Diaspora.
9. Informs Diaspora on the political developments in the country of origin, with the aim of their involvement 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 represents the decision-making body for administrative and financial matters of the Agency.
2. The Steering Council is a collegial body, composed of seven members as follows:
 - a) One representative from the Minister responsible of Diaspora;
 - b) One representative from the responsible Ministry of Europe and Foreign Affairs;
 - c) One representative from the Ministry responsible of Interior Affairs;
 - d) One representative from the Ministry responsible of Finances and Economy;
 - e) One representative from the Ministry responsible of Education;
 - f) One representative from the Ministry responsible of Culture;
 - g) One representative of the Ministry responsible of Tourism.
3. The Steering Council members serve a 4-year mandate.
4. The Minister responsible of Diaspora appoints the President of the Steering Council from one of its members.
5. The Council of Ministers approves by decision the specific and detailed rules for the appointment, dismissal and remuneration of the president and members of the Steering Committee.

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 strategic documents on Diaspora relations;
- 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 in force on financial management and control;
- d) proposes the structure, organizational chart and salary levels of the Agency's employees;
- e) approves the budget, action plan, financial planning, annual report and other reports of the Agency;
- f) takes decisions on other matters in accordance with the obligations imposed by the legislation in force.



Article 9

Executive Director

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

The Executive Director is nominated by the Minister responsible of Diaspora, in accordance with the law on the status of civil servants.

The Executive Director reports to the Steering Council about the activities of the Agency.

Article 10

Financial Resources and Methods of the Agency

1. The financial resources of the Agency are:

- a) Partial funds from state budget;
- b) The income generated from projects, donations and other legitimate sources.

2. For the purpose of the implementation of this Law and its relevant activity, the Agency may invite other domestic or foreign subjects to co-finance projects that will contribute in maintaining and strengthening links between the country of origin and Diaspora, according to the legislation in force.

3. The criteria, the procedure for allocation of funds for co-financing projects and the method of reporting on their implementation, must be in line 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 on Diaspora

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



Article 12

Responsible Minister of Diaspora

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

Article 13

Inter-institutional cooperation

- 1 The state authorities cooperate mutually to fulfil 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

GENERAL PROVISIONS

Article 14

The National Strategy on Diaspora

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



Article 15

**The Stamp and the Logo of the
National Agency of Diaspora**

The Agency has its stamp and its logo. The logo of the National Agency of Diaspora 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(5), Article 11, Article 13(2) and Article 14(2) of this law.
2. The Prime Minister is responsible to issue by-laws in order to implement Paragraph 4 of the Article 5 of this law.
3. The by-laws as defined under this article are passed within 3 months from the entry into force of this law.

Article 17

Entry into force

This Law enters into force 15 days after its publication in the public Official Gazette.

SPEAKER

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Approved on 18.12.2017



**AGJENCIA
KOMBËTARE
E DIASPORËS**