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**Albania's National Human Rights Institution input  
to the UN Working Group on Business and Human Rights on the role of national human  
rights institutions in facilitating access to effective remedy for business-related human  
rights abuses**

The Albanian Ombudsman is a national constitutional body that acts as National Human Rights Institution. Its mandate is provided in the Constitution, as well as in its organic law. According to these legal provisions, the Ombudsman has a mandate to safeguard the rights, freedoms and lawful interests of Albanian individuals as well as the rights of foreigners, whether they are residing lawfully, in Albania or not, refugees, asylum seekers as well as stateless persons within the territory of the Republic of Albania, from unlawful and improper actions or failures to act of the organs of public administration as well as third parties acting on their behalf. He is promoter of the highest standards of human rights and freedoms in the country.

The Ombudsman protects individuals against human rights violation by conducting administrative investigations collecting evidences, analyzing information and actions, interviewing the key stakeholders, whether in the cases when it has been invested by a complaint, as well as in cases initiated on its own initiative.

The strongest mechanism that we have in our hands to address a human rights violation situation is the recommendation addressed to the offender, setting concrete actions that have to be taken to put the rights in place, as well as due deadlines, according to the law.

We are very focused in making the complaint-filing process as citizen-friendly as possible, by providing several ways through which any group can reach us. The classic form of submitting a complaint is the written one, by regular mail. Regardless this form, we also receive complaints by e-mail; we have an office dedicated to citizen's reception; we have two phone lines that are at the disposal of the citizens, where they can call at any time and submit a complaint; we have developed a mobile application through which complaints can be submitted and we also have 7 regional (local) offices all over the country, that are at the disposal of the citizens.

In terms of our mandate and activity in the field of human rights and business, it has to be emphasized that, though formally our constitutional and legal mandate is only focused on public

administration institutions, we consider business as well a key actor that can affect the level of human rights respecting or furthermore violation, in the country.

The national and international obligations in the field of human rights foresee the broad mission and scope to protect human rights abuse, including here as well the business enterprises.

We believe that the state obligation to protect citizen's rights is a standard of conduct, and the relation between business and human rights has a fundamental importance in our more and more globalized economy. The Ombudsman plays a very important role in monitoring, protection and promotion of citizen's rights and freedoms, the abuses of which can directly or indirectly be linked to unlawful and improper actions or failures to act of the subjects that conduct a private or commercial activity.

In these terms, despite our actual formally limited constitutional and legal mandate to properly and directly act towards business organizations that violate human rights, *we have adapted our activity in this regard in two ways that provide lawful intervention.*

*The first way* of addressing human rights violation by business organizations, is by accepting the relevant complaints of the citizens, and treating them as indirect complaints, which means that we address our recommendations or requests to the public administration institutions, which fall under the scope of our mandate, asking them to act accordingly to their competencies in order to ensure protection of the violated right, as well as to inform the Ombudsman on the results.

*The second pillar* of our activity in this regard is by putting into action our mandate on human rights promotion. This is the first concrete step towards enhancing our role in human rights business related issues.

This is materialized in the institution's 2019 – 2022 strategy. Under the strategic actions on sustainable development and human rights, the strategic objective no. 2.3 is:

*Enforcing interaction between human rights and sustainable development in Albania, and raising awareness and respect of business on the principles of human rights.*

For the purpose of this objective, the strategy provides as well with the key activities, results and indicators.

*The key activities that fall under this objective are as follows:*

2.3.1 Preparing an analysis of deficiencies of the Ombudsman's capacities in the field of Business and human Rights;

2.3.2 Increase the capacity of the Ombudsman in matters relating to consumer rights and how to receive and address complaints in this area;

2.3.3 Conduct an analysis of the capacities and opportunities of the Ombudsman to work in the area of Sustainable Development Goals, including monitoring the implementation and reporting of Albania on the SDG;

2.3.4 Enter into dialogue with relevant governmental structures in order to engage with state structures and businesses in the area of UN Guiding Principles for Human Rights and Business;

2.3.5 Enter into dialogue with business associations and trade unions to raise awareness of workers' rights;

*The expected results are as follows:*

1. Raising employee's awareness to their rights (labor rights and rights in work);
2. Raising awareness to eliminate the economic exploitation of young people at work;
3. Increasing the respect of the employee's rights by business and employers;
4. Incorporation of UN Principles on Human Rights and Business in Albanian Government's Policies (including the National Action Plan on Human Rights).

*The indicators are as follows:*

1. The awareness of employee's rights evidenced by reports on the work situation and the rights of workers in Albania;
2. Reducing / eliminating the economic exploitation of children in Albania;
3. Increase of workers' rights in all industries and sectors in Albania;
4. Incorporation of the UN Human Rights and Business Guidelines on the National Action Plan on Human Rights.

Furthermore, a number of our staff, including the civil servants in the Office of Citizen's and Complaints Reception, have been trained in the framework of a special program of CoE on human rights and business, in line with the institution's efforts to increase staff capacities accordingly to the standards required to ensure effective activity in the field of protection and promotion of human rights related to business.

As a conclusion, we have begun to take the first steps to expand and extend our monitoring and promoting activity in the private sector as well. Our institution remains fully committed to achieving this goal in accordance with its mission to ensure and guarantee a comprehensive and effective protection of citizens' rights.