

LAW No. 94/2022 ON HONORARY TITLES AND LOCAL HONORARY TITLES IN THE REPUBLIC OF ALBANIA

In accordance with Articles 78 and 83, point 1, of the Constitution, upon the proposal of the Council of Ministers,

THE ASSEMBLY OF THE REPUBLIC OF ALBANIA DETERMINED:

CHAPTER I: GENERAL PROVISIONS

Article 1: Object

The object of this law is to determine the types of honorary titles and local honorary titles awarded in the Republic of Albania, as well as the rules, procedures and criteria for the proposal, review and award of titles by the responsible institutions.

Article 2: Purpose

This law aims to establish and organize honorary titles and local honorary titles in the Republic of Albania, which are granted as a sign of respect to Albanian or foreign citizens, for distinguished activity and contribution in various fields, for the protection and promotion of the interests of the state, the Albanian nation or the communities of local self-government units.

Article 3: General principles

1. The granting of an honorary title or local honorary title in the Republic of Albania is guided by the principle of public honour and appreciation of contribution.
2. The granting of an honorary title or local honorary title is not a right and cannot be claimed as such individually or institutionally.
3. The granting of an honorary title or local honorary title is not accompanied by financial reward.

Article 4: Beneficiary Subjects

The honorary titles and local honorary titles provided for in this law may be granted to Albanian or foreign citizens who have distinguished themselves in carrying out activities in various fields, within or outside the country, for the protection and promotion of the interests of the state, the Albanian nation or the community of local self-government units. No honorary titles or local honorary titles shall be granted to persons who have been collaborators of the former State Security.

CHAPTER II: HONORARY TITLES

Article 5: Types of honorary titles

Honorary titles in the Republic of Albania are granted by the President of the Republic and are:

- a) the title "Ambassador of the Nation";

b) the title "Honorary Citizen of the Republic of Albania".

Article 6: The title "Ambassador of the Nation"

The title "Ambassador of the Nation" is granted to Albanian citizens or members of the diaspora in recognition of outstanding and sustainable activities, contributions and merits that enhance the value and image of the Albanian nation.

Article 7: The title "Honorary Citizen of the Republic of Albania"

The title "Honorary Citizen of the Republic of Albania" is granted to foreign citizens in recognition of outstanding activities, contributions, and merits in the service of the Albanian nation and state and the strengthening of democratic society inside and outside the country.

CHAPTER III: NATIONAL HONORARY TITLES

Article 8: Types of local honorary titles

Local honorary titles in the Republic of Albania are the title "Honorary Citizen" and special local honorary titles granted according to the provisions of this law.

Article 9: Title "Honorary Citizen"

1. The title "Honorary Citizen" is awarded by the municipal council for outstanding activities, contributions and special merits in the service and benefit of the municipality or for activities for the protection and promotion of the interests of the community within the territory of the municipality.
2. The title "Honorary Citizen" is also awarded to high-level foreign personalities who visit a municipality within the framework of an official or state visit.

Article 10: Special local honorary titles

1. The local self-government unit has the right to create and award no more than 2 (two) special local honorary titles in a calendar year to express special recognition for the distinguished activity for the benefit of its community.
2. Special local honorary titles are established by a decision of the local self-government unit, which contains:
 - a) the need for special honour;
 - b) the reason why the honour with the title "Honorary Citizen", according to Article 9 of this Law, is not appropriate and sufficient and the citizen proposed for honour must be distinguished from other citizens;
 - c) the name of the special local honorary title, which coincides with a date or event marked in the territory of the local self-government unit.

CHAPTER IV: HONOUR PROCEDURE

Article 11: Right of initiative and proposal

1. The initiative for granting the honorary title is taken by the President, primarily or upon the proposal of:
 - a) the Speaker of the Assembly;

- b) the Prime Minister.
- 2. The proposal for the award of the local honorary title is submitted by:
 - a) the mayor;
 - b) any member of the municipal council;
 - c) the prefect of the district.

Article 12: Request for the exercise of the initiative or proposal

1. The bodies specified in Article 11 of this law may exercise their rights of initiative and proposal also by relying on the requests submitted by natural and legal persons, private or public, for this purpose, according to the principles and criteria of this law.
2. Any natural and legal person, private or public, has the right to submit a request for the exercise of the right of initiative or proposal for a state nor assigned to one of the institutions that has this right, according to Article 11 of this Law. In this case, the request must also justify the reasons for which the exercise of the right of initiative or proposal is requested. The request cannot be submitted for the award of oneself.
3. The institution to which the request for the exercise of the right of initiative or proposal is submitted, after reviewing it, decides on the acceptance or rejection of the request.

Article 13: Proposal for award

1. Institutions that have the right of proposal, submit the proposal for award to the institution responsible for granting the respective title no later than 90 (ninety) calendar days before the proposed date for granting the title, except for cases when, according to the circumstances of the case, it is not possible to implement this deadline.
2. The proposal for award contains:
 - a) the proposing institution;
 - b) the legal basis for the proposal;
 - c) identification data of the citizen proposed for honour;
 - ç) the connection between the institution and the citizen proposed for honour;
 - d) the activity performed by the citizen proposed for honour, as well as the detailed reasons for his/her honour;
 - dh) the type of the proposed title;
 - e) information, accompanied by supporting documentation, that proves the fulfilment of the relevant criteria for honour, according to the provisions of this law;
 - ë) information that the citizen proposed for honour has not been convicted by a final court decision for committing a criminal offense, and is not under investigation or trial for a criminal offense by the responsible bodies;
 - f) data on previous decorations or honours of the proposed citizen;

g) any other element necessary for the verification and fulfilment of the relevant criteria for honour.

3. When the initiative is undertaken primarily by the President, it shall contain the information and supporting documentation specified in letters "b" to "g", of point 2, of this article.

Article 14: Advisory Commission

1. The President and the local self-government units, for the purpose of reviewing initiatives and proposals for honouring, no later than 60 (sixty) days before the date set for the honouring, shall establish respectively the advisory commission.

2. The advisory commission shall consist of 5 (five) members, where 3 (three) members are employees under the authority of the institution responsible for awarding the title and 2 (two) members are external personalities.

3. The institution responsible for awarding the title shall send to the advisory commission for review all initiatives for honouring, made primarily or by institutions entitled to exercise the right of proposal.

4. The detailed rules on the criteria, procedures for selecting members, functioning, and the manner of exercising the responsibilities of the committees shall be determined by a decision of the Council of Ministers.

Article 15: Preliminary review of the proposal

1. The advisory committee shall, within 5 (five) days from its establishment, verify in advance whether the initiative or proposal for an award has been submitted:

- a) by the institutions specified in Article 11 of this law;
- b) within the deadline and contains all the elements specified in Article 13 of this law.

2. At the end of the preliminary verification, the advisory committee shall:

- a) decide on the continuation of the review of the initiative or proposal;
- b) request the institution that has taken the initiative itself or the proposing institution to remedy the shortcomings of the proposal for an award within 10 (ten) days;
- c) sends to the institution responsible for granting the title the opinion on the non-acceptance of the proposal when it is submitted outside the deadline set out in Article 13 of this law.

Article 16: Review of the proposal

1. The advisory committee, within 30 (thirty) days from the decision to continue the review of the proposal or from the completion of its shortcomings, reviews and sends the opinion on whether the criteria for the award are met or not.

2. In addition to the information and documentation submitted in the initiative or proposal for the award, the committee requests additional information or documentation from the citizen proposed for the award, as well as from any natural or legal person or

public body, domestic or foreign, that has valid data for the full review of the initiative or proposal.

3. Each subject referred to in point 2 of this article shall comply with the commission's requests for information and documentation, except in cases limited by law, within a reasonable legal deadline specified by the commission in its request.

4. In any case, the commission shall assess, according to its conviction, which facts are considered proven based on the principles set forth in Article 3 of this law, on the detailed assessment of the information and documentation available, as well as on the overall result of the review, drafting the relevant report for this purpose.

5. The process of reviewing the initiative or proposal may be postponed due to unforeseen circumstances that damage the reputation and value of the act of honour in public opinion, until the clarification of these circumstances.

Article 17: Commission's Opinion

At the end of the review, the commission shall send to the institution responsible for awarding the title a reasoned opinion on:

- a) approval of the initiative or proposal;
- b) rejection of the initiative or proposal due to failure to meet the deficiencies within the 10-day (ten-day) deadline or due to failure to meet the criteria under this law.

Article 18: Decision-making on the proposal

1. Approval or rejection of the proposal shall be made by:

- a) decree, in the case of honorary titles;
- b) decision, in the case of local honorary titles.

2. In any case, the decision-making on the proposal shall be notified to the proposing institution and the advisory commission.

3. The same proposal may not be made before 2 (two) years have passed since the notification of its rejection.

Article 19: Revocation of titles

Revocation of local titles and honorary titles shall be made:

- a) by a final decision issued by the Albanian courts, when it has been issued as an additional punishment according to the provisions of the Criminal Code;
- b) by a decision of the institution responsible for granting the title or local title of honour when its holder:
 - i. has been convicted by a final court decision for committing a criminal offense; or
 - ii. has been declared an "undesirable person" according to the provisions of the legislation regulating the regime of entry and stay of foreigners in the Republic of Albania.

CHAPTER V: TRANSITIONAL AND FINAL PROVISIONS

Article 20: Sub-legal acts

The Council of Ministers is hereby instructed to adopt the sub-legal act in implementation of point 4, of Article 14, of this law, within 6 months from the entry into force of this law.

Article 21: Transitional provision

1. All titles granted before the entry into force of this law are recognized and maintained according to the motivation and conditions under which they were granted.
2. Their cancellation is made according to the provisions of this law.

Article 22: Entry into force

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

Approved, on 22.12.2022.

Promulgated by decree no. 12, dated 16.1.2023, of the President of the Republic of Albania,

Bajram Begaj