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AGREEMENTS

**REGULATING MUTUAL RELATIONSHIPS
BETWEEN THE COUNCIL OF MINISTERS
AND THE BEKTASHI WORLD COMMUNITY,
THE MUSLIM COMMUNITY
AND THE AUTOCEPHALOUS ORTHODOX CHURCH
OF ALBANIA**

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**AGREEMENT
BETWEEN THE COUNCIL OF MINISTERS OF THE REPUBLIC OF ALBANIA AND THE
BEKTASHI WORLD COMMUNITY HEADQUARTERS
“REGULATING MUTUAL RELATIONSHIPS“**

The Council of Ministers of the Republic of Albania and the Bektashi World Community Headquarters, based on principles of freedom of consciousness and religious belief, sanctioned and guaranteed by Articles 10 and 24 of the Constitution of the Republic of Albania, by international agreements ratified by law, as well as by the other laws in force (as follows the Constitution and laws in force will be cited), sign the contract as follows (the “Contract” will be cited as follows):

**CHAPTER 1
GENERAL DISPOSITION**

**Article 1
Scope**

This agreement aims to regulate the principle issues of recognition of the relationship and coordination between the State of Albania and the Bektashi World Community Headquarters, for the welfare of each and every one, based on the Constitutional principles that guarantee the freedom of declaring and practicing of the religion, and based on their common will to enforce and develop mutual relationships.

**Article 2
Meaning**

The Bektashi World Community Headquarters is the organization of individuals that express the same religious believes and are registered in the respective book register.

**Article 3
Aim**

The aim of this agreement is:

- a) To guarantee the realization of the rights sanctioned by the Constitution and the laws in force, in relation to freedom of consciousness and religion.
- b) To recognize and guarantee the respect for the rights of the Bektashi World Community Headquarters, of its institutions and structures, as well as its legal persons founded or recognized from it, to develop freely their religious, educative, charity and national mission.
- c) To recognize and guarantee the inviolability of cult institutions, for as long as their activity does not infringe with the freedom of consciousness and religion and with the Constitution and laws in force.
- d) To guarantee the freedom of the individual to chose or change his/her religion, to express it individually or collectively within the religious institutions or outside, through the Cult, education, religious practices and rituals.
- e) To guarantee freedom of the individual, to not prevent and/or oblige to participate in a religious community or to participate in the practices, rituals and its governing structures.
- f) Based on this agreement, the parties agree to participate in guaranteeing the freedom of thought, consciousness and religion. This freedom must not become object of the limitations that the law considers to be necessary in a democratic society, for public security, protection of the constitutional order, the state, public health and moral, or the protection of the rights and freedom of others.

Article 4

Implementation of the Agreement

1. This agreement bounds all state organs and institutions that have connections with the Bektashi World Community Headquarters and with legal persons and institutions by it established.
2. The individuals or the groups established are entitled to the rights foreseen in this Agreement, when participating in the Bektashi World Community Headquarter or in its practices.

Article 5

General Principles

1. The state protects the religion co-existence as one of its basis.
2. Bektashi World Community Headquarters hold the right to organize and realize its mission independently from the State, while respecting the principle of laicism of the State, Constitution and the laws in force.

Article 6

Coordination with the State Authorities

1. The State Committee for Cults represents the State in its mutual relations with the Bektashi World Community Headquarters, which cooperates with the Committee in realizing an active communication of the community with the State organs and institutions.
2. In relation with the State organs and institutions, the Bektashi World Community Headquarters, is represented from its own respective organs, as well as it uses its own stamp and identification signs.

CHAPTER II

THE STRUCTURE AND THE LEGAL PERSONALITY OF THE RELIGIOUS COMMUNITY

Article 7

Bektashi World Community Headquarters and the Legal Persons

1. The State recognizes and respects the Bektashi World Community Headquarters as a legal person, registered in accordance with the Albanian legislation in order with this Agreement.
2. The Albanian State recognizes and protects the rights of the activity of the Bektashi World Community Headquarters.
3. The Bektashi World Community Headquarters has its headquarters in Tirana, the capital of the Republic of Albania.
4. The Bektashi World Community Headquarters is organized on the basis of its Statute, approved by a decision of the Court Room of Judicial of Tirana. The branches of the Bektashi World Community Headquarters can be found inside and outside the Republic of Albania, which are administered from The Bektashi World Community Headquarters with the had is the chairman of the headquarters.
5. The establishment, structure, organization, the subject of its activity, the administration and the finalization of the Bektashi World Community Headquarters as a legal person, is done in accordance with the rules and traditions of the Bektashi World Community Headquarters and in accordance with this Agreement and the legislation in order.

6. The State recognizes to the Bektashi World Community Headquarters the right to create institutions and structures with religious or non-religious character, which have or gain the status of legal person, in accordance with the legislation in order.

7. The institutions and the structures established by the Bektashi World Community Headquarters is allowed to practice any social, educational, health and economical activities, in accordance with the rules of Bekashi World Community Headquarters and in accordance with the legislation in force.

8. The Bektashi World Community Headquarters, exercising its free will, may create religious unions, through the unification of two or more unions, with the purpose of realizing common aims. These unions, even though do not get registered as legal persons, are recognized from the State after the deposition of the agreement act on their establishment, in the State Committee for Cults.

9. The Bektashi World Community Headquarters and the other organizations it established for the purpose of practicing its activity, in all the possible legal forms, are non-profitable legal persons.

Article 8

Legal Personality of the Bektashi World Community Headquarters

1. The Bektashi World Community Headquarters, is recognized as a legal person based on a decision of Court Room of Judicial of Tirana, based on the following documents:

- a. The request for the registration of a legal person, presented from the legal representative of the Bektashi World Community Headquarters
- b. The establishment act of the legal person, signed from the legal personality of the Bektashi World Community Headquarters, according to its rules, whereby, the residency, the subject and the object of the activity are defined.
- c. The statute of the legal person, according to the rules of the Bektashi World Community Headquarters, where amongst others, the organizational structure, the organs, the directors and the functionaries are defined, as well as the way of their nomination and election of legal representatives, and respective competences, financial sources and ways of ending legal person.
- d. The idea given from the State Committee for Cults, which confirms the recognition of the religious mission.

2. The Court Room of Judicial of Tirana, within 30 days from the day of request submission, accompanied with the above mentioned documents, recognizes the legal person and the registration of this person, based on the respective decision.

3. If the Bektashi World Community Headquarters is recognized as a legal person with the court decision, before this Agreement enters into force, it is automatically recognized as a legal person based on the decision of the judge to accept the deposition of the additional documents.

Article 9

Duration and territory of activity of legal persons of the Bektashi World Community Headquarters

The Autocephaly Orthodox Church of Albania and the legal persons by it established can implement its activity with an unlimited time framework, in a part or all territory of the Republic of Albania, as the Bektashi World Community Headquarters authorities decides to do.

Article 10

The principles of the organization and the activity of the Bektashi World Community Headquarters

1. The parties commit themselves to respect the constitutional principles upon which this agreement is build and will work together in applying the Albanian legislation in force.
2. The State respects the independence of the Bektashi World Community Headquarters, to organize and implement its activity, and to administer the wealth it owns, based on the principles, rules, traditions, canons and its status.
3. The principles, the rules, cannons and the statute of the Bektashi World Community Headquarters, and its activity respects national interests, co-existence and religious tolerance amongst religious unions in Albania.

Article 11

Organization of the Bektashi World Community Headquarters

1. In relation with the organs, institutions and other laic organizations, inside and outside the country, the followers of the Bektashi World Community Headquarters are represented from the organs, functionaries and the directors who are nominated and elected according to the statute.
2. The Bektashi World Community Headquarters has the right to form its organs, to independently nominate its functionaries and the directors, according to the dispositions foreseen in its statute. The Curacy (chairman) of the Bektashi World Community Headquarters is appointed according to the procedures and the criteria foreseen in its statute.
3. Before the public announcement of the Curacy and the changes in the organizational structure, The Bektashi World Community Headquarters announces the State Committee for Cults.
4. The functionaries, the directors, and the organs of the Bektashi World Community Headquarters, retain full freedom to practice their religious, organizational and administrative activity, in accordance with the acts of the Bektashi World Community, for as long as this activity does not infringe with the Constitutional order and the rights of third parties.

Article 12

The Relations with Foreign Religious Unions

1. The Bektashi World Community Headquarters is entitled to create and maintain contacts with religious unions of another country, to participate in their religious and philanthropic activities, for as long as these contacts do not infringe with the national Constitutional order.
2. The Bektashi World Community Headquarters is entitled to gain financial support and/or materials from foreign entities and/or individuals for as long as this support does not infringe with this agreement and with the legislation in force.

CHAPTER III

Financial Status

Article 13

State Financial assistance

The State can financially support the Bektashi World Community Headquarter's case by case. The criterias for having this support will be regulated by normative acts.

Article 14
Legal registration in taxation office

The Bektashi World Community Headquarters and its legal persons have to be registered to the taxation office in accordance with the appropriate legislation as each non-profit legal person.

Article 15
Legal and fiscal status

1. The legal persons acknowledged from the Bektashi World Community Headquarters accomplish all legal obligations as foreseen for all nonprofit legal persons.
2. The legal persons of the Albanian Muslim Community are entitled to all the rights and fiscal facilities envisaged by the legislation in force for all legal nonprofit individuals.
3. The legal persons founded by the Bektashi World Community Headquarters, that do not have legal ability or are not yet registered as non-profit organization before the ratification of this agreement, are entitled to be registered at the Court Room of Judicial in accordance with the article 8) of this agreement, within 2(to) years time, since the agreement is into force.

CHAPTER IV
COOPERATION TO THE BENEFIT OF CITIZENS

Article 16
Religious Feasts

1. The state decides by laws the religious feasts that will be official bank holidays. Bektashi World Community Headquarters can propose religious feasts that by its opinion can be declared as official bank holidays.
2. The Bektashi World Community Headquarters according to the religious community believers needs, is entitled to define other feasts, despites those that will be considered as official one, not obligatory for the state and the private sector.

Article 17
Matrimonial Relationship

1. The matrimonial relationship and the divorce can be realized according to the Code of Family Provisions.
2. Every individual has the freedom to follow and practice the regulations, religious customs in their matrimonial.
3. The divorce in all cases can be realized according to the Provisions of the Code of Family in force.
4. The Bektashi World Community Headquarters and the State are committed for the protection of the family values especially the rights of the children.

Article 18
The educational institutions of the Bektashi World Community Headquarters

1. The Bektashi World Community Headquarters has the right in compliance with the predicted criteria's of the legislation in force, setting up and administration of the educational institutions in all levels.
2. The state and the Bektashi World Community Headquarters are committed to guarantee the individuals rights for education without differences, including the religious

education, respecting the parents right for ensuring their children's education in compliance with their religious belief.

3. The state acknowledges the validity of the documents submitted (delivered) in these institutions in compliance with educational legislation in force.

4. The Bektashi World Community Headquarters and the State are committed in drafting the relevant curricula for the nonpublic religious schools, evaluation and certification of their pedagogical staff members. The Ministry of Education is responsible for its realization.

5. The State and the Bektashi World Community Headquarters commit themselves that the education process of their children is based upon the human rights and democratic principles, in order for their responsible preparation in a free society with good understanding, peace, gender equality and friendship between ethnic groups, national and religious or other individuals fighting against the racist and fanatics.

Article 19

Social Activities Execution

The Bektashi World Community Headquarters has the right to practice their social activity in kind of economic, education and health. This right includes the creation of proper social environment in compliance with the legislation in force.

Article 20

The Humanitarian organizations

The Bektashi World Community Headquarters can found humanitarian organizations, respecting general regulations and rules in compliance with the legislation in force.

Article 21

The freedom of expression and the right for information

1. The State and the Bektashi World Community Headquarters acknowledge and accept the public information tools as an important element for the protection of freedom of expression and consciousness.

2. The Bektashi World Community Headquarters has the right of expression, practice of its religious belief through the public information tools, written, electronic and any other type of media.

3. The Bektashi World Community Headquarters has the right to establish structures of public communication in compliance with legislation in force. In any case the content delivered by the massive public information can not be described by ideas that impinge the constitutional system, religious tolerance or discriminate the religious community and stimulate inter-religious disputes.

4. The Bektashi World Community Headquarters is entitled to the right of expression through public information and communication tools.

5. The State Committee of Cults has the right to request the Bektashi World Community Headquarters information and data for information and researches needs.

Article 22

Institutions of Cults

1. The buildings and institutions that serve for officiating the religious ceremonies are considered as saintly. The intervention in these institutions is prohibited, despite the cases when this is required by court decisions, executive dignity or any intimidation of an immediate risk.

2. The inviolability of the public space is guaranteed by the State.

3. The competent institutions in cooperation with the Bektashi World Community Headquarters define the territory where new religious institutions can be built and religious symbols can be placed, in compliance to the adjusting city planning Law and its criterias.

CHAPTER V

Ownership issues

Article 23 Property right

1. The state acknowledges to the *Bektashi World Community Headquarters* the property right upon the movable and no movable articles (objects).
2. In compliance with the legislation in force, the State approaches with priority the inquiries of the *Bektashi World Community Headquarters* for the restitution and compensation of its properties as well as legalization and permission for utilization if it is the case
3. The Albanian state is responsible for the protection of the richness of the *Bektashi World Community Headquarters*

Article 24 The protection of the religious cultural heritage

1. The Republic of Albania acknowledges the spiritual heritage and the resources of the bektashian belief.
2. Objects of Cults could not be expropriated, alienated or taken in any other way.
3. The institution of Cults that are defined as cultural monuments should be restituted to the ownership and utilization of the *Bektashi World Community Headquarters*. If interventions are needed, the cooperation with the *Bektashi World Community Headquarters* and the Institute of Monuments of Culture is required.
4. The State can consider and treat an institution of Cult only for major interests and needs, after a preliminary acceptance of the *Bektashi World Community Headquarters*.
5. The Council of Ministers and the Albanian Muslim Community agree to coordinate future efforts for evaluation and the protection of cultural richness, as well as the buildings of Cults of the *Bektashi World Community Headquarters*, which bear tangible and non- tangible national cultural values.
6. The state authorizes the practicing of the religious activities in an institution of cults, which is national cultural heritage in compliance with the legislation in force.

Chapter VI

TRANSITORY AND FINAL PROVISIONS

Article 25 Conflict Resolution

1. The interpretation and the implementation of this agreement, as well as the solution of issues for discussion can be done in the spirit of understanding between parties.
2. Changes of this agreement can be done with understanding between parties.
3. For common concerns with different opinions the Bektashi World Community Headquarters and the Republic of Albania with put efforts for concluding in a common position, accepting the intermediate role of the Committee of Cults for an all- accepted solution.

Article 26
Final Provisions

1. The State recognizes the right of the Bektashi World Community Headquarters to have separate agreements for implementation of the provisions of this Agreement.
2. This Agreement serves as a basic normative act for signing separate agreements with the Bektashi World Community Headquarters ratified by the Parliament.
3. The separate agreements with the Bektashi World Community Headquarters based in this agreement are registered in compliance with the legislation in force.
4. The Bektashi World Community Headquarters can withdraw from this Agreement by comminuting the ratified agreement in the Parliament.

Done in Tirana , on 20.09.2007, in two original copies.

**For the Council of Ministers of the
Republic of Albania**

**For the Bektashi
World Community Headquarters**

**AGREEMENT
BETWEEN THE COUNCIL OF MINISTERS OF REPUBLIC OF ALBANIA AND MUSLIM
COMMUNITY OF ALBANIA
“FOR THE REGULATION OF MUTUAL RELATIONS”**

Council of Ministers of Republic of Albania and Muslim Community of Albania, based on the freedom of consciousness and religious belief, sanctioned and guaranteed in Articles 10 and 24 of the Constitution of Republic of Albania, international agreements ratified by law and in other effective laws (in the following the reference shall be to Constitution, laws and/or effective legislation as appropriate), enter into this agreement as follows (hereunder “Agreement”):

**Chapter I
General Provisions**

**Article 1
Scope**

This agreement regulates the essential issues of recognition, as well as of the relations of cooperation between the State and Muslim community in Albania, to the benefit of every one and all, based on the constitutional principles guaranteeing the freedom of expression and practicing of religion and religious conviction, as well as of the joint wish to strengthen and develop the reciprocal relations.

**Article 2
Meaning**

The Muslim Community of Albania (where there are included the **tariketet** which has been part of this community until 1967 when the decrees on the religious communities were repealed by the decree no 4337, dated 13.11.1967) is a religious community in the sense and in accordance with the law “On freedom of religion, religious organization and mutual relations with the state”.

The Muslim Community of Albania is an organisation of Muslim believers who express, demonstrate and/or practice their conviction, principles and religious practices determined in the sources of Islam legislation, Religious Legal School “Hanefi” and statute of Muslim Community of Albania, which are recognised by this community as members, in accordance with its membership principles.

**Article 3
Aim**

The aim of this agreement is:

- (a) guarantee realisation of rights sanctioned by the Constitution and effective laws with regard to the freedom of consciousness and religion;
- (b) recognise and guarantee the observation of rights of Muslim Community of Albania, of the statute and traditions, connected to the rights and obligations of believers, respect of customs and traditional practices, of its institutions and structures, as well as of the legal persons founded or recognised by it for developing freely their religious, educational, beneficiary and national mission;
- (c) recognise and guarantee inviolability of the Muslim institutions of the cult, as long as their activity is not at variance with the practicing of freedom of consciousness and religion, as well as with the Constitution and laws in force

- (d) guarantee the freedom of individual to practice the Islam religion, to display it individually or collectively at Muslim religious institutions, or outside them, through the cult, education, practices or accomplishment of the respective religious customs;
- (e) ensure the freedom of the individual not to be hindered or forced to be part of the Muslim religious community to participate in practices, customs and steering forums of the Muslim Community in Albania;
- (f) recognise and guarantee the reactions and actions of the Muslim community of Albania, against distortions, extreme tendencies or every other incidence of aggravation in the premises of its believers;
- (g) the state undertakes to guarantee the authority of Muslim Community in Albania in all the buildings of cult within the Republic of Albania through its respective specialised structures, as often as this authority is violated.

By means of this agreement, the parties commit themselves to ensure the freedom of opinion, of consciousness and religion. This freedom cannot be subject to other restrictions from those provided for in law, which consist the necessary measures in a democratic society, for public security, protection of rights and freedoms of others.

Article 4 Implementation of Agreement

1. This Agreement extends its effects on all the authorities and state institutions connected to the religion and concretely with the Muslim Community of Albania, as well as with the institutions and legal entities founded or/and recognised by it.
2. The individuals and their groupings benefit from the rights provided by this agreement, when they participate in this religious community or in its practices.

Article 5 General principles

1. The state respects and protects the religious co-existence as one of its basis.
2. The Muslim Community of Albania respects the other religious communities recognised in Albania, their believers, customs that they practice.
3. Muslim Community of Albania is entitled to be organised and realise its mission independently from the state, abiding by the principle of laicism of the state, constitution and effective laws.

Article 6 Coordination with the state authorities

1. In reciprocal relations with the Albanian Muslim community, the state is represented by the State Committee for Cults. The Albanian Muslim Community cooperates with the Committee for making possible and realising an active communication with the state authorities and institutions.
2. In relations with the state authorities and institutions, the Albanian Muslim Community is represented by the authorities appointed by it, and it uses the seal and its identification signs.
3. The State Committee of Cults supports every agreement between two or more religious communities if it has or it can have positive impact on the life of the society.

Chapter II

Organisation and Legal Personality of the Albanian Muslim Community

1. The state recognises the Muslim Community of Albania as a legal entity, registered in accordance with this Agreement and the effective Albanian legislation.
2. The foundation, structure, organisation, scope of activity, administration, regulation and ending of Muslim community of Albania as a legal entity shall be done in line with the traditions of this Community, with this Agreement and with the legislation in force.
3. The state recognises the Muslim community of Albania the right to set up institutions and structures of religious character or not, which obtain or have the status of legal entity, in accordance with the legislation in force.
4. The institutions and structures set up by the Albanian Muslim Community can carry out any kind of social, educational, medical and economic activity, in line with the rules of this Community, and with the legislation in force, regulating, inter alia, and are provided with the respective licenses and permit.
5. The Albanian Muslim Community can, upon his free will, set up religious unions, through the merging with other religious communities, to the effect of reaching the joint aims. These unions, even if they are not registered as legal entities, obtain the legal personality, automatically, following the filing of the agreement for their setting up in the State Committee on Cults.
6. The Muslim Community of Albania, religious unions, and their physical persons in all their legitimate forms of their organisations, are non-profit making persons.

Article 8

Legal personality of Albanian Muslim Community

1. The Albanian Muslim Community is recognised as a legal person upon the decision of the judicial circle court Tirana, based on the following documents:
 - a. request of registration of legal entity, forwarded by the legal representative of the community;
 - b. act of foundation as legal entity, signed by the legal representative of the religious community, according to its rules, where, amount others, there are determined the seat, nature and scope of activity;
 - c. statute of legal entity, according to the rules of religious community, where, inter alia, there are determined the structure and organisation of the community, authorities, heads and functionaries, as well a way of appointment and their selection, its legal representative, tasks and respective powers, sources of financing and ways of ending the legal entity;
 - d. opinion provided by the State Committee for Cults, confirming the recognition of the religious mission of the petitioner.
2. The judicial district court Tirana, recognises, within 30 days since the filing of the request, accompanied by supporting documents mentioned above, the legal entity and its registration, through the issue of the respective decision
3. If the community is recognised as legal entity by judicial decision prior t entry into force of this Agreement, it shall be automatically recognised as legal entity after the decision of the judge accepting the depositing of the additional documents.

Article 9

Duration and territory of activity of legal entities of Albanian Muslim Community

The legal entities of Albanian Muslim Community may carry out their activity for an unlimited

duration in one part or in the entire territory of the Republic of Albania, according to the choice of the community itself.

Article 10 **Principles of organisation and activity of Albanian Muslim Community**

1. The parties shall be committed to respect the constitutional principles on which this agreement is based and focus shall be implementation of Albanian effective legislation.
2. The state respects the independence of Albanian Muslim Community to be organised and carry out its activity, and to administer and property it possesses, based on its principles, rules, traditions and statute.
3. Principles, rules and statute of Albanian Muslim Community and its activity has to observe the national interests and Albanian tradition, co-existence and religious tolerance between religious communities in Albania.

Article 11 **Organisation of Albanian Muslim Community**

In the relations with the authorities, institutions and other laic or religious organisations, within the country and abroad, the Albanian Muslim Community shall be represented by the authorities, trained functionaries and leaders, appointed or elected in line with the statute.

1. Albanian Muslim Community has the right to set up its forums, to appoint functionaries and their leaders independently, and in accordance with the provisions contained in the statute. The Head of Albanian Muslim Community shall be appointed in accordance with the procedures and criteria provided for in the statute of this Community.
2. Prior to declaring publicly the head of the head, and of changes in the leading structures, the Albanian Muslim Community informs the State Committee of Cults.
3. The functionaries, leaders and organs of the Community shall be ensured full freedom for carrying out their religious, organisational and administrative activity, in full compliance with the acts of this Community, as long as this activity is not at variance with the constitutional and legal provisions, as well as with the interests of third parties.

Article 12 **Relations with the foreign religious communities**

1. Albanian Muslim Community has the right to establish and hold contacts with religious communities of another country or international ones, to participate in their religious and beneficiary activities, as long as these contacts do not run counter to the internal constitutional order.
2. Albanian Muslim Community is entitled to benefit financial support and/or materials from entities and/or foreign individuals, as long as this support does not run counter to this Agreement and with the legislation in force.
3. Where in the activity of Albanian Muslim Community happen conflicts or other similar situations, and if these situations have negative impacts on the premises of these entities, authorities or state institutions are obliged to intervene for resolving amicably the conflict and, if necessary, to support the resolution of these conflicts activating the respective authorities of executive and judicial power.

Chapter III

Financial Status

Article 13 State financial support

The Albanian state can provide to the Albanian Muslim Community or legal entities founded by it financial or material assistance, which shall be regulated and processed through separate agreements between the parties to this Agreement.

Article 14 Registration with tax authorities

Albanian Muslim Community and its legal entities have to be registered with tax authorities, as every other legal non-profit making entity, in accordance with the respective legislation.

Article 15 Legal and fiscal status

1. Legal entities recognised by the Albanian Muslim Community meet all the legal obligations provided for all the non-profit making legal entities.
2. Legal entities of Albanian Muslim Community enjoy all the rights and fiscal facilities which have been provided for in the effective legislation for all the non-profit making legal entities.
3. The legal persons founded by Albanian Muslim Community, but which do not have the legal capacity or have not been registered as non-profit making organisations prior to the ratification of this Agreement, enjoy the right to be registered with the Judicial Circle Court of Tirana, in line with Article 8 of this Agreement, within 2 years, since its entry into force.

CHAPTER IV COOPERATION TO THE BENEFIT OF CITIZENS

Article 16 Religious Feasts

1. The state decides by laws the religious feasts that will be official bank holidays based on the proposal of the Albanian Muslim Community
2. The Albanian Muslim Community is entitled to define other feasts, despite those that will be considered as official one.

Article 17 Matrimonial Relationship

1. The matrimonial can be realized according to the Code of Family Provisions.
2. Every individual has the freedom to follow and practice the regulations, religious customs in their matrimonial.
3. The divorce in all cases can be realized according to the Provisions of the Code of Family in force.
4. The Albanian Muslim Community and the State are both committed for the protection of the family values especially the rights of the children.

Article 18
The educational institutions of the Albanian Muslim Community

1. The Albanian Muslim Community has the right in compliance with the predicted criteria's of the legislation in force, setting up and administers the educational institutions in all levels.
2. The Albanian Muslim Community and the State are committed to respect the parents right for ensuring their children's education in compliance with their religious belief.
3. The state acknowledges the validity of the documents submitted (delivered) in these institutions in compliance with educational legislation in force.
4. The Albanian Muslim community and the State are committed in drafting the relevant curricula's for the nonpublic religious schools, evaluation and certification of their pedagogical staff members. The Ministry of Education is responsible for their approval.
5. The State and the Muslim Community commit themselves that the education process of their children is based upon the human rights and democratic principles, in order for their responsible preparation in a free society with good understanding, peace, gender equality and friendship between ethnic groups, national and religious or other individuals fighting against the racist and fanatics.

Article 19
Social Activities Execution

The Albanian Muslim Community has the right to practice their social activity in kind of economic, education and health. This right includes the creation of proper social environment in compliance with the legislation in force.

Article 20
The Humanitarian organizations

The Albanian Muslim Community can found humanitarian organizations, respecting general regulations and rules in compliance with the legislation in force.

Article 21
The freedom of expression and the right for information

1. The State and the Albanian Muslim Community acknowledge and accept the public information tools as an important element for the protection of freedom of expression and consciousness.
2. The Albanian Muslim Community has the right of expression, practice of Islam religious belief through the public information tools, written, electronic and any other type of media.
3. The Albanian Muslim Community has the right to establish structures of public communication in compliance with legislation in force .In any case the content delivered by the massive public information can not be described by ideas that impinge the constitutional system, religious tolerance or discriminate the religious community and stimulate inter-religious disputes.
4. The Albanian Muslim community is entitled to the right of expression through public information and communication tools.
5. The State Committee of Cults has the right to request the Albanian Muslim Community information and data.

Article 22 Institutions of Cults

1. The buildings and institutions that serve for officiating the religious ceremonies are considered as saintly. The intervention in these institutions is prohibited, despite the cases when this is required by court decisions, executive dignity or any intimidation of an immediate risk.
2. The relevant institutions especially the State Committee of Cults cooperate with the religious communities for defining the territory where the religious institutions can be built in compliance with religious needs of persons, based upon the adjusting city planning.
3. The Council of Ministers is responsible for assisting the legalization process of non-registered institutions of the Albanian Muslim Community that should be accomplished by registering upon the request and the technical documentation presented by the Albanian Muslim Community in compliance with Law Nr. 8405, date 17.09.1998” For the city planning”, with the State Committee of Cults (for example: the permitting of building ground and construction).

CHAPTER V

Ownership issues

Article 23 The Right of Property

1. The state acknowledges to the Albanian Muslim Community the property right upon the movable and no movable articles (objects) with all its components. The Albanian Muslim community is re-recognized according to this Agreement as the inheritor of its relevant properties.
2. In compliance with the legislation in force, the State approaches with priority the inquiries of the Albanian Muslim Community for the restitution and compensation of its properties.

Article 24 The protection of the religious cultural heritage

1. The objects of Muslim Cult could not be expropriated, alienated or taken in any other way.
2. The State can consider and treat an institution of Cult only for major interests and needs, after a preliminary acceptance of the Albanian Muslim Community
3. The Council of Ministers and the Albanian Muslim Community agree to coordinate future efforts for evaluation and the protection of cultural richness, as well as the buildings of Cults of the Albanian Muslim Community, bearing tangible and non- tangible national cultural values.
4. The Institute of Cultural Monuments participates in the restoration, designing and construction of the buildings of Cults in agreement with relevant communities, in compliance with Law Nr.9048, dated 07.04.2003 “ For Cultural Heritage”.
5. The Albanian Muslim Community presents to the Ministry of Tourism, Culture, Youth and Sports (The Tourism Department) the list of cultural monuments- objects of Cults, to be included in the cultural tourism plan. Priority in the cultural tourism plan will be given to the most frequented and visit able objects.

Chapter VI

TRANSITORY AND FINAL PROVISIONS

**Article 25
Conflict Resolution**

1. The interpretation and the implementation of this agreement, as well as the solution of issues for discussion can be done in the spirit of understanding between parties.
2. Changes of this agreement can be done with understanding between parties in compliance with the Constitution, legislation in force and the Provisions of this agreement.

**Article 26
Final Provisions**

1. The State recognizes the right of the Albanian Muslim Community for having separate agreements for the implementation of the provisions of this Agreement.
2. The Albanian Muslim Community can withdraw from this Agreement by a written request. The details can be adjusted by a separate agreement.

Done in Tirana , on....., in two original copies.

**For the Council of Ministers of the
Republic of Albania**

**For the Albanian Muslim
Community**

**AGREEMENT
BETWEEN THE COUNCIL OF MINISTERS OF THE REPUBLIC OF ALBANIA AND THE
AUTOCEPHALY ORTHODOX CHURCH OF ALBANIA
“REGULATING MUTUAL RELATIONSHIPS“**

The Council of Ministers of the Republic of Albania and the Autocephaly Orthodox Church of Albania, based on principles of freedom of consciousness and religious belief, sanctioned and guaranteed by Articles 10 and 24 of the Constitution of the Republic of Albania, by international agreements ratified by law, as well as by the other laws in force (as follows the Constitution and laws in force will be cited), sign the contract as follows (the “Contract” will be cited as follows):

**CHAPTER 1
GENERAL DISPOSITION**

**Article 1
Object**

This agreement aims to regulate the principle issues of recognition of the relationship and coordination between State of Albania and the Autocephaly Orthodox Church of Albania, for the welfare of each and every one, based on the Constitutional principles that guarantee the freedom of declaring and practicing of the religion, and based on their common will to enforce and develop mutual relationships.

**Article 2
Meaning**

The Autocephaly Orthodox Church of Albania, understands and declares itself as it is defined in Article 1 of its Statute.

**Article 3
Aim**

The aim of this agreement is:

- g) To guarantee the realization of the rights sanctioned by the Constitution and the laws in force, in relation to freedom of consciousness and religion.
- h) To recognize and guarantee the respect for the rights of the Autocephaly Orthodox Church of Albania, of its institutions and structures, as well as its legal persons founded or recognized from it, to develop freely their religious, educative, charity and national mission.
- i) To recognize and guarantee the inviolability of the cult institutions, for as long as their activity does not infringe with the freedom of consciousness and religion, and with the Constitution and laws in force.
- j) To guarantee the freedom of the individual to chose or change his/her religion, to express it individually or collectively within the religious institutions or outside, through the Cult, education, religious practices and rituals.
- k) To guarantee freedom of the individual, not to prevent and/or oblige to participate in a religious community or to participate in the practices, rituals and its governing structures.

Based on this contract, the parties agree to participate in guaranteeing the freedom of thought, consciousness and religion. This freedom must not become object of the limitations that the law considers to be necessary in a democratic society, for public security, protection of the

constitutional order, the state, public health and moral, or the protection of the rights and freedom of others.

Article 4 Implementation of the Agreement

1. This agreement bounds all the state organs and institutions that have connections with the Autocephaly Orthodox Church of Albania, and with legal persons and institutions by it established.
2. The individuals or the groups established, have the rights as foreseen in this Agreement, when participating in the Autocephaly Orthodox Church of Albania or in its practices.

Article 5 General Principles

1. The state respects the Autocephaly Orthodox Church of Albania and recognizes as its sole representatives, the authorized persons from the Holy Synod of this Church and it guarantees the protection of the Autocephaly Orthodox Church of Albania from every person or group that claims its name, the Cult objects, the possessions, symbols and its stamp.
2. The Autocephaly Orthodox Church of Albania has the right to organize and realize its mission independently from the State, while respecting the principle of laicism of the State, Constitution and the laws in force and the Holy Canons and Traditions of the Orthodox Church.
3. The state protects the religion co-existence.

Article 6 The Coordination with the State Organs

In mutual relationships with the Autocephaly Orthodox Church of Albania and the State, the State is represented from the State Committee for Cults. The Church cooperates with the Committee to facilitate and realize an active communication with the State organs and institutions.

CHAPTER II

THE STRUCTURE AND THE LEGAL PERSONALITY OF THE AUTOCEPHALY ORTHODOX CHURCH OF ALBANIA

Article 7 The Autocephaly Orthodox Church of Albania and the Legal persons

1. The State recognizes and respects the legal personality of the Autocephaly Orthodox Church of Albania, and all the actions undertaken till present.
2. The establishment, the structure, the organization, the action object, the administration, the regulation and the ending as a legal person of the Autocephaly Orthodox Church of Albania, takes place in accordance with the legislation in force, with this agreement and with the Canons and the Holy Traditions of the Orthodox Church.
3. The State recognizes to the Autocephaly Orthodox Church of Albania the right to create structures and institutions with a religious character or not, which in turn assure the status of the legal person, according to the legislation in force.
4. The institutions and the structures established by the Autocephaly Orthodox Church of Albania is allowed to practice any social, educational, health and economical activities, in accordance with its rules and with the legislation in force, which regulates amongst others the obtaining of respective licensees and permissions.

5. The Autocephaly Orthodox Church of Albania, exercising its free will, may create religious unions, through the unification of two or more unions, with the purpose of realizing common aims. These unions, even though do not get registered as legal persons, are recognized from the State after the deposition of the agreement act on their establishment, in the State Committee for Cults.

6. The Autocephaly Orthodox Church of Albania and the other organizations it creates for the purpose of practicing its activity, in all the possible legal forms, are non-profitable legal persons.

Article 8

Legal Personality of the Autocephaly Orthodox Church of Albania

1. The Autocephaly Orthodox Church of Albania, re-known and re-confirmed from the State of Albania, is registered as such based on the decision Court Room of Judicial of Tirana whereby, all of its previous activities are recognized. When registering the Autocephaly Orthodox Church of Albania should submit the following documents:

- a. The request of registration of the legal person, presented from the legal representative of the Autocephaly Orthodox Church of Albania (the Archbishop of Tirana, Durresi and all Albania.)
- b. The Statute of Autocephaly Orthodox Church of Albania.

2. The Court Room of Judicial of Tirana, within 30 days from the day of request submission, accompanied with the above mentioned documents, recognizes the legal person and the registration of this person, based on the respective decision.

Article 9

Time framework and territory of activity of legal persons of the Autocephaly Orthodox Church of Albania

The Autocephaly Orthodox Church of Albania and the legal persons by it established can implement its activity with an unlimited time framework, in a part or all territory of the Republic of Albania, as the Autocephaly Orthodox Church of Albania decides to do.

Article 10

The principles of the organization and the activity of the Autocephaly Orthodox Church of Albania

1. The parties commit themselves to respect the constitutional principles upon which this agreement is build and will work together in applying the Albanian legislation in force.

2. The State respects the independence of the Autocephaly Orthodox Church of Albania to organize and implement its activity, and to administer the wealth it owns, based on the principles, rules, traditions, canons and its status.

3. The Autocephaly Orthodox Church of Albania respects national interests, co-existence and religious tolerance in Albania.

Article 11

The organization of the Autocephaly Orthodox Church of Albania

1. In relation with the organs, institutions and other laic organizations, inside and outside the country, the followers of the Autocephaly Orthodox Church of Albania are represented from the organs, functionaries and the directors who are nominated and elected according to the statute.

2. The Autocephaly Orthodox Church of Albania has the right to form its organs, to independently nominate its functionaries and the directors, according to the dispositions

foreseen in its statute. The Curacy (chairman) of the Autocephaly Orthodox Church of Albania is appointed according to the procedures and the criteria foreseen in its statute.

3. The Autocephaly Orthodox Church of Albania announces to the State Committee for Cults concerning the nomination of its Curacy.

4. The functionaries, the directors, and the organs of the Autocephaly Orthodox Church of Albania, retain full freedom to practice their religious, organizational and administrative activity, in accordance with the acts of the Church, for as long as this activity does not infringe with the Constitutional and Legal order.

Article 12

The Relations with Foreign Religious Unions

1. The Autocephaly Orthodox Church of Albania is entitled to create and maintain contacts with religious unions of another country, to participate in their religious and philanthropic activities, for as long as these contacts do not infringe with the national Constitutional order.

2. The Autocephaly Orthodox Church of Albania is entitled to gain financial support and/or materials from foreign entities and/or individuals for as long as this support does not infringe with this agreement and with the legislation in force.

CHAPTER III

Financial Status

Article 13

State Financial assistance

The State can financially support the Autocephaly Orthodox Church of Albania or other judicial subjects by it established, which will be regulated through special agreements between the parties in this Agreement.

Article 14

Legal registration in taxation office

The Autocephaly Orthodox Church of Albania and its legal persons have to be registered to the taxation office in accordance with the appropriate legislation as each non-profit legal person.

Article 15

Legal and fiscal status

1. The Autocephaly Orthodox Church of Albania recognizes and respects the Albanian legal system in the financial field, respecting the independence of the financial budget administration, created from inside and outside church sources, donations, either from the Church or the twin international organization.

2. The legal persons acknowledged from the Bektashi World Community Headquarters accomplish all legal obligations as foreseen for all nonprofit legal persons.

2. The legal persons of the Autocephaly Orthodox Church of Albania are entitled to all the rights and fiscal facilities envisaged by the legislation in force for all legal nonprofit individuals.

3. The legal persons founded by the Autocephaly Orthodox Church of Albania, that do not have legal ability or are not yet registered as non-profit organization before the ratification of this agreement, are entitled to be registered at the Court Room of Judicial in accordance with the article 8) of this agreement, within 2(to) years time, since the agreement is into force.

CHAPTER IV COOPERATION TO THE BENEFIT OF CITIZENS

Article 16 Religious Feasts

1. The state decides by laws the religious feasts that will be official bank holidays. The Autocephaly Orthodox Church of Albania can propose religious feasts that by its opinion can be declared as official bank holidays.
2. The Autocephaly Orthodox Church of Albania according to the religious community believers needs, is entitled to define other feasts, despites those that will be considered as official one, not obligatory for the state and the private sector.

Article 17 Matrimonial Relationship

1. The matrimonial relationship and the divorce can be realized according to the Family Code Provisions and Church Cannons.
2. The Autocephaly Orthodox Church of Albania and the State are committed for the protection of the family values especially the rights of the children.

Article 18 The educational institutions of the Autocephaly Orthodox Church of Albania

1. The Autocephaly Orthodox Church of Albania has the right in compliance with the predicted criteria's of the legislation in force, setting up and administration of the educational institutions in all levels.
2. The state and the Autocephaly Orthodox Church of Albania are committed to guarantee the individuals rights for education without differences, including the religious education, respecting the parents right for ensuring their children's education in compliance with their religious belief.
3. The state acknowledges the validity of the documents submitted (delivered) in these institutions in compliance with educational legislation in force.
4. The Autocephaly Orthodox Church of Albania and the State are committed in drafting the relevant curricula for the nonpublic religious schools, evaluation and certification of their pedagogical staff members. The Ministry of Education is responsible for its realization.
5. The State and the Autocephaly Orthodox Church of Albania commit themselves that the education process of their children is based upon the human rights and democratic principles, in order for their responsible preparation in a free society with good understanding, peace, gender equality and friendship between ethnic groups, national and religious or other individuals fighting against the racist and fanatics.

Article 19 Social Activities Execution

The Autocephaly Orthodox Church of Albania has the right to practice their social activity in kind of economic, education and health. This right includes the creation of proper social environment in compliance with the legislation in force.

Article 20
The Humanitarian organizations

The Autocephaly Orthodox Church of Albania can found humanitarian organizations, respecting general regulations and rules in compliance with the legislation in force.

Article 21
The freedom of expression and the right for information

1. The State and the Autocephaly Orthodox Church of Albania acknowledge and accept the public information tools as an important element for the protection of freedom of expression and consciousness.
2. The Autocephaly Orthodox Church of Albania has the right of expression, practice of its religious belief through recent legal framework and future legislation to be approved.
3. The Autocephaly Orthodox Church of Albania has the right to establish structures of public communication in compliance with legislation in force .In any case the content delivered by the massive public information can not be described by ideas that impinge the constitutional system, religious tolerance or discriminate the religious community and stimulate inter-religious disputes.
4. The Autocephaly Orthodox Church of Albania is entitled to the right of expression through public information and communication tools.
5. The State Committee of Cults cooperates with the Autocephaly Orthodox Church of Albania for information and researches needs.

Article 22
Institutions of Cults

1. The buildings and institutions that serve for officiating the religious ceremonies are considered as saintly. The intervention in these institutions is prohibited, despite the cases when this is required by court decisions, executive dignity or any intimidation of an immediate risk.
2. The inviolability of the public space is guaranteed by the State.
3. The Autocephaly Orthodox Church of Albania in compliance with the legislation in force can construct new Cult insitutions and buildings according to its needs.

CHAPTER V

Ownership issues

Article 23
Property right

1. The State acknowledges to the Autocephaly Orthodox Church of Albania he property right upon the movable and no movable articles (objects).
2. In compliance with the legislation in force, the State approaches with priority the institutions of Autocephaly Orthodox Church of Albania, wellknown as spirital and cultural centers of the Orthodox Community. Due to their above mentioned sanctly values these institutions represent the history of these communities.
3. The State is responsible for the restitution of the properties, buildings, other Cult richness and archives , which have been confiscated by the communist regime as well as assisting in the re-registration of those at the State Cadastral Authorities.

Article 24
The protection of the religious cultural heritage

The Cult objects entitled with the cultural monument status should be restituted to the Autocephaly Orthodox Church of Albania ownership, protected by the Cultural Heritage law.

2. The State can consider and treat an institution of Cult only for major interests and needs, after a preliminary acceptance of the could not be expropriated, alienated or taken in any other way.

3. The Council Of Ministers and Autocephaly Orthodox Church of Albania agree to coordinate future efforts for evaluation and the protection of cultural richness, as well as the buildings of Cults of the, Autocephaly Orthodox Church of Albania, bearing tangible and non-tangible national cultural values

Chapter VI

TRANSITORY AND FINAL PROVISIONS

Article 25
Conflict Resolution

1. The interpretation and the implementation of this agreement, as well as the solution of issues for discussion can be done in the spirit of understanding between parties.
2. Changes of this agreement can be done with understanding between parties.

Article 26
Final Provisions

1. The State recognizes the right of the Autocephaly Orthodox Church of Albania to have separate agreements for implementation of the provisions of this Agreement.
2. This Agreement serves as a basic normative act for signing separate agreements with the Autocephaly Orthodox Church of Albania ratified by the Parliament.
3. The separate agreements with the Autocephaly Orthodox Church of Albania based in this agreement are registered in compliance with the legislation in force.
4. The Autocephaly Orthodox Church of Albania can withdraw from this Agreement by comminuting the ratified agreement in the Parliament.

**For the Council of Ministers of the
Republic of Albania**

**For the Autocephaly Orthodox
Church of Albania**