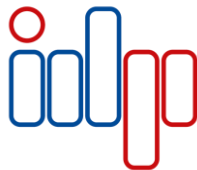




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NATIONAL CONVENTION FOR EUROPEAN INTEGRATION

Working Group for Chapter 23: Judiciary and Fundamental Rights

Implementation of the New Law on Personal Data Protection in the Context of Chapter 23 Negotiations: Dialogue with Civil Society and the Private Sector

15 July 2025, Tirana

RECOMMENDATIONS

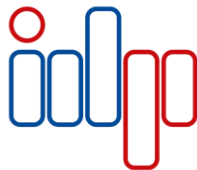
Regarding the legal framework for Personal Data Protection

- Albania is still not included in the list of countries considered to have an adequate level of personal data protection. With the new law and the completion of the legal framework on personal data protection, priority should be given to meeting the standards and requirements. More focus is needed on:
 - The legal framework being as comprehensive and updated as possible with developments and innovations in this field
 - Effective implementation of the law and by-laws
 - Full guarantee of personal data protection
 - Ensuring effective supervision
- In drafting and implementing the legal framework for personal data protection, both the requirements and recommendations from the European Union within the negotiation and EU accession process should be considered, aligning with GDPR standards, but also taking into account the latest developments in technology, economy, science, or security, to make the implementation of the law as effective, updated, and above all, comprehensive as possible.
- It is recommended that all operators and actors, whether civil society actors, businesses and the private sector, media, or other actors who, in their daily work, collect and process personal data, draft and adopt what is known as the Code of Conduct for personal data

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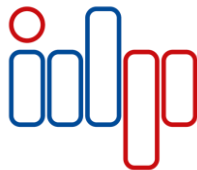
protection. This Code is not mandatory, but it is important as it serves as a guide for the responsibilities, obligations, limits, and rights of responsible persons, and clearly guides the obligations arising from the law, ensuring the guarantee of the right to personal data protection. This instrument is also foreseen in the GDPR as a good practice for different sectors to help the correct and harmonised implementation of the law.

Regarding the implementation of the law and institutional capacities

- With the new law approved and ongoing work for the adoption of by-laws, the need is considered important for: 1) strengthening the capacities of the Commissioner's staff through training, and 2) approving a dedicated budget for this component.
- Based also on the Slovak experience with the entry into force of the GDPR, the lack of guidelines and orientations from public institutions towards interest groups led to insecurity and ambiguity in its implementation, resulting in violations of rights and standards and the imposition of fines and sanctions. This happened because while institutions focused on a control and monitoring campaign, they neglected the process of information, guidance, and correct interpretation of the law, which would have made its implementation easier by operators and controllers. For this, it is recommended that Albanian responsible institutions focus as soon as possible both on the interpretation and issuance of guidelines, as well as on increasing supervision and guaranteeing the security of personal rights.
- The field of personal data protection, especially with the very rapid technological developments, cannot be limited only to a legal issue. It is increasingly combined with issues of technology, open data, artificial intelligence, or cyber security. In this context, for an effective application of legislation, it is important that these two fields are interconnected and understood together. The challenge is finding domestic expertise that combines technological knowledge with human rights legal knowledge. For this, it is recommended to work more on the formation of experts who have knowledge in these two domains.



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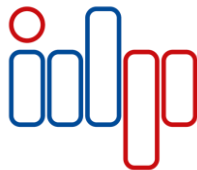
- Strengthening and increasing digital knowledge for all staff of responsible institutions, especially with a particular focus on institutions at the local level. This would facilitate the process of data collection, processing, and protection, thanks to technological knowledge and reducing the possibility of mistakes or violations due to them.
- It is also important to analyse the financial cost that the implementation of the new law will have, both for public institutions (local and central), as well as for other actors, since this will increase the need for capacity building, dedicated budget, technological infrastructure, or increase of human resources, training, etc. In this way, the transition period for the proper implementation of the law will be realised in a simpler way and without many unforeseen elements. For the realisation of training and capacity building, coordination and cooperation between public institutions and non-state actors is also suggested.

Regarding cooperation with non-state actors and their inclusion

- Awareness among non-state actors, controllers and operators, civil society organisations or citizens regarding personal data protection is still considered at a low level and needs to be further strengthened and diversified. It is suggested that this process proceed in three steps: Awareness – Training – Implementation.
 - Awareness of all actors, which can be carried out in various forms and ways (publications, meetings and information sessions, use of traditional and digital media, etc.)
 - Targeted and specific training for certain actors and the most important fields. These trainings can be conducted in cooperation with experts from civil society and the business sector.
 - Implementation – if the first two links are achieved, then the implementation of the law by all interested parties will be more accurate and effective.
- Since the new law on Personal Data Protection brings several innovations and introduces new rights, such as the Right to be Forgotten or the Right to Data Portability, it is recommended to organise information activities/sessions for the responsible interest groups, but also for those groups affected by these changes and innovations. In this way,



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it will be achieved: 1) informing interest groups about these rights, and 2) clarifying the role, responsibilities, and rights of both the affected parties and controllers or other actors to guarantee them.

- A dedicated awareness and information campaign should also be carried out with those sectors and operators that collect and process sensitive personal data, such as genetic, biometric, sexual orientation data, or others, which should be treated with special care and have high security supervision.
- A higher form of cooperation and coordination is suggested also with traditional and online media, for two main purposes: 1) to increase information and awareness to the general public through TV programmes, interviews and 2) to increase the capacities and information of the media operators themselves, who are an important actor that must guarantee the protection of personal data. Greater cooperation is suggested for the Commissioner also with the Audiovisual Media Authority, both in monitoring the content reported in the media and in the possibility of conducting training and information sessions for media operators.
- It is recommended that all operators and actors, whether civil society actors, businesses and the private sector, media, or other actors who, in their daily work, collect and process personal data, draft and adopt what is known as the Code of Conduct for personal data protection. This Code is not mandatory, but it is important as it serves as a guide for the responsibilities, obligations, limits, and rights of responsible persons, and clearly guides the obligations arising from the law, ensuring the guarantee of the right to personal data protection.
- On the other hand, public institutions themselves should promote more the importance of having a Code of Conduct, providing the necessary information on its advantages and stimulating with certifications those operators who fulfil this requirement.
- It is recommended to promote a culture of personal data protection and privacy. This culture should be part of everyone's daily lives, as a guarantee of respect for the dignity and rights of every individual, thus building a society based on trust and security.