



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Consideration of reports submitted by States parties under
article 18 of the Convention**

Fourth periodic report of States parties due in 2014

Albania*

[Date received: 24 November 2014]

* In accordance with the information transmitted to the States parties regarding the processing of their reports, the present document has not been edited.

LIST OF ACRONYMS

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CoE	Council of Europe
CSO	Civil Society Organisation
DP/PwD	Disabled Persons/Persons with Disabilities
DV	Domestic violence
EU	European Union
GBV	Gender-Based Violence
GE	Gender Equality
LDV	Law on Domestic Violence
LGE	Law on Gender Equality
NPO	Not-for-Profit Organisation
RA	Republic of Albania
UJ	UJs
UN	United Nations
VaW	Violence against women

Contents

	<i>Paragraphs</i>	<i>Page</i>
I.	Introduction	
II.	Measures for the Implementation of the 16 Key Articles of the Convention, Committee Recommendations, and Concluding Remarks	
	Article 1: Definition of Discrimination against Women	
	Article 2: Key Obligations	
	Article 3: Women’s Advancement	
	Article 4: Temporary Special Measures	
	Article 5: Stereotyping and Prejudice	
	Article 6: Trafficking and Exploitation of Women for Prostitution	
	Article 7: Participation in Political and Public Life	
	Article 8: Representation of women in the International Arena	
	Article 9: Nationality, citizenship	
	Article 10: Education	
	Article 11: Employment	
	Article 12: Health Care	
	Article 13: Social and Economic Benefits	
	Article 14: Rural Women	
	Article 15: Equality before the Law	
	Article 16: Marriage and Family Life	

I. Introduction

The fourth annual periodic report, submitted under Article 18 of the Convention on the Elimination of All forms of Discrimination against Women (CEDAW), has been drafted in compliance with the reporting guidelines on the form and content of reports to be submitted by state parties¹, covering the period between 2010 and 2014. The report contains information on the implementation of CEDAW provisions and Committee² recommendations, based on the Concluding Remarks (September 2010)³. Particular attention has been paid to the progress made in the reporting period in terms of legal and institutional developments, policies instituted, and challenges faced in guaranteeing women's rights without any discrimination.

Following the Committee's recommendations, the Ministry of Labour, Social Affairs and Equal Opportunities⁴ undertook a series of steps and measures, with the support of UN Agencies⁵. The recommendations were translated and published in the country's official language and forwarded to key institutions such as the President of the Republic, the Prime Minister, Speaker of the Assembly, line ministries, the judiciary, other public bodies and CSOs, in the course of awareness raising events and seminars.

In the period covered by this report, Albania went through two electoral processes, the 2011 local elections and the 2013 parliamentary elections, which brought to power a left-wing coalition. The new government reshuffled and reorganised key central bodies and a number of other agencies involved in the implementation of the Convention⁶.

This report is the outcome of the coordinated work and joint engagement of government bodies, as per their respective areas of responsibility in relation to the issues dealt with in the Convention. The Inter-Ministerial Working Group (IWG) set up for this purpose (Prime Minister's Order No. 112/2014)⁷, is composed of representatives from governmental and independent agencies and bodies, including the Ministry of Foreign Affairs (MFA), Ministry of Social Welfare and Youth (MSWY), Ministry of the Interior (MI), the State Police, Ministry of Education and Sports (MES), People's Assembly, Commissioner for Protection from Discrimination (CPD), the People's Advocate (PA), etc. The IWG launched a process of consultation with representatives from local and government authorities, civil society (human, women's, and minority rights organisations), the Prime Minister's Office, the Parliament, international organisations, etc., for the improvement of the draft report. Of key importance was the support of UN organisations⁸ in the form of financial and human resources⁹.

As an elected member of the Human Rights Council for 2015-2017, Albania will continue to meet its obligations in the area of human rights with a focus on the promotion and protection of women's rights.

The report was adopted by Decision of Council of Ministers.

¹HRI/GEN/2/Rev.6 (letter F, p. 65 onwards).

²Heretofore "The Committee".

³(CEDAW/C/ALB/CO/3).

⁴Presently the Ministry of Social Welfare and Youth.

⁵ONE UN Programme for GE in Albania.

⁶In cases of institutional name change, the name used at the relevant period is cited in the report.

⁷"On setting up a IWG for drafting and participating in the examination of reports in the framework of international conventions on human rights."

⁸UN Women and UNFPA.

⁹The international consultant provided training to IWG members in relation to report writing; the local consultant supported the Group until the conclusion of the process, under the guidance of the international consultant.

II. Measures for the implementation of the 16 key articles of the Convention, recommendations of the Committee, and concluding remarks

Article 1

1. The definition of discrimination against women in the Albanian legislation is fully compliant with Article 1 of the CEDAW, as set out in Article 4/3 of Law No. 9970/24.07.2008, “On Gender Equality in Albania”.

Article 2

2. The principles of equality and non-discrimination on grounds of gender are enshrined in the Constitution and normative legislation, which is constantly being improved.

Legal Measures

- *Law No. 10221/04.02.2010 “On Protection from Discrimination”*¹⁰ regulates the implementation and observation of the principle of equality, GE. It guarantees every person’s right to equality before the law; to protection, equality of opportunities to exercise rights, enjoy freedoms and participate in public life; and the right to effective protection against discrimination or any behaviour inciting discrimination. The institution of the Commissioner for Protection from Discrimination was established pursuant to this law.¹¹
- *Law No. 10329/30.09.2010, amending Law No. 9669/18.12.2006 “On Measures against Domestic Violence”*, as amended, envisages measures for the establishment of a coordinated network of institutions responsible for the protection, support, and rehabilitation of victims.
- *Law No. 10.399/17.03.2011 amending Law “On Social Assistance and Social Services”* provides that abused women subject to protection by a protection order are entitled to benefits. It also specifies the amount of benefit payable and documentation required.
- *Law No. 143/2013 amending Law No. 10039/22.12.2008 “On Legal Aid”* defines the terms, types, ways, criteria and procedures applied by the state in providing legal aid to individuals and the principles ensuring an effective exercise of the right to approach public administration bodies of the judicial system. The Law also provides for the setting up and running of local legal surgeries for the provision of the necessary information and legal assistance to citizens.
- *Law No. 54/2012 amending Law “On Social Programmes for Housing Inhabitants in Urban Areas”* prioritizes the housing needs of: divorced women with dependent children, disabled women, orphan girls and women (from leaving care age to 30), and returned migrant women.
- *Law No. 10295/01.07.2010 “On Pardon”* provides that individuals convicted of criminal offences against pregnant women, “aggravated exploitation of prostitution”, “trafficking in females”, and criminal offences against minors, are not eligible to be considered for pardon.

¹⁰ Approximated with four EU Anti-Discrimination Directives.

¹¹ For more detail, see “Anti-Discrimination Mechanisms”.

- ***Amendments to the Criminal Code (Laws No. 23/2012 and No. 144/2013 “On some Additions and Amendments to Law No. 7895/27.01.1995 “The Criminal Code of the RA”)***, criminalise DV. The amendments also criminalise harassment behaviours towards women, envisage harsher sentences for criminal offences committed within the family, or against women. In addition, the law criminalises “coercing someone into or preventing someone from co-habiting, entering into or dissolving a marriage by force”; “causing grievous bodily harm with intent”; “causing someone to commit suicide”¹², “sexual abuse”, “forcing someone to engage in sexual relations, even within a cohabiting/married couple”, “sexual harassment”, “exploitation of prostitution”, “trafficking in adult persons”¹³, “profiting from or exploiting the services of trafficked people”, “aiding and abetting trafficking”, and provides for harsher sentences thereof. The legal definition of aggravated criminal offences includes crimes committed on grounds of gender identity and sexual orientation. Crimes on the grounds of sexual orientation are also provided for under the criminal offence of “incitement of hatred/conflict”, while both sexual orientation and gender identity grounds are provided for under the criminal offence of “violation of the citizen’s right to equality”. Longer sentences are foreseen for crimes committed in the context of blood feuds. The Code also provides for the criminal offence of “forced disappearance”, including the commission of such crime against pregnant women, children, or vulnerable persons.
- ***Amendments to the Electoral Code (Law No. 74/2012)*** require that at least 30% of total candidates on the party list and a third of the top candidates for each electoral constituency, must be from either gender¹⁴.
- ***Law No. 69/2012 “On the Pre-University Education System”*** guarantees the right to education, without any gender discrimination.
- ***Law No. 33/2012 “On the Registration of Immovable Property”***, guarantees women’s right to ownership and contains provisions on registering immovable property under joint ownership and the sine-qua-non requirement that unregistered female spouses give their consent to any property sale procedures carried out at notaries-public offices.
- ***Amendments to the Civil Procedure Code (Law No. 122/2013)*** aim to eliminate of delays and procrastinations in civil court proceedings with a view to ensuring due process and a fair trial; improve the position of the defendant in the proceedings; improve the quality of services; and the mandatory provision of the right to defence services.
- ***Law No. 152/2013 “On the Civil Service”*** aims to create a civil service that is stable, professional, merit-based, of high moral integrity and politically impartial. It also defines the rights enjoyed by civil servants.
- ***Amendments to Law “On the Organisation of the Judiciary” (Law No. 114/2013)***, and Law “On the Organisation and Functioning of the High Court” envisage improvements in the efficiency of the judiciary, greater transparency, accountability, improvements to the status of judges, with the aim of reducing corruption in the judicial system.

¹² The circle of family members who can be regarded as active/passive subjects of criminal offences, accompanied by harsher sentences respectively.

¹³ “Trafficking in females” falls under this provision; it is not a separate criminal offence.

¹⁴ For more details see Article 7.

- **Law No. 108/2013 “On Foreigners”** regulates the regimes for entry, stay, employment and exit of foreigners from/into the RA; the functions and powers of state authorities and other public and private bodies.
- Amendments introduced with **Law No. 40/2014 to Law No. 8328/16.04.1998 “On the Rights and Treatment of Convicted and Detained Persons”**, provide that “female convicts or detainees are treated in a way that respects their fundamental rights and freedoms without discrimination and prevents any gender-based violent acts that may cause physical, sexual, psychological harm, suffering, or any other form of abuse and ill treatment”.
- **Framework Law No. 93/2014 “On the Inclusion of and Access for People with Disabilities”**, aims to promote and protect the rights of DPs through the provision of assistance and support with a view to affording them full and effective participation in society on an equal footing with others. Non-discrimination and gender equality are two key principles of this law.
- **A number of strategies and action plans** were adopted, revised, and implemented in areas such as GE, health care, education, property rights, social protection, protection from discrimination, DV, trafficking, protection of special groups (DPs, Roma, etc.)¹⁵.

Legal Extent of the Convention

3. Pursuant to the Constitution, every ratified international agreement becomes part of the domestic legislation and is *directly enforced*, except where it is not self-enforceable or where the enforcement requires the *adoption of a law*. There are no studies so far on the subject of CEDAW self-enforcement (or self-enforcement of other ratified international legal instruments). Based on the general rules for the application of legal norms, subjects may only seek the direct enforcement of such CEDAW articles that do not require the creation of other internal legal mechanisms. The non-discrimination and GE mechanisms established affect the effective enforcement of CEDAW articles. CEDAW articles are being referred to in court cases, documents and proceedings and in applications to the CPD. Additionally, the courts have referred to the Convention in the reasoning of some of their decisions¹⁶.

Anti-Discrimination Mechanisms

4. **The Commissioner for Protection from Discrimination (CPD)** has been in place since 2010¹⁷. Appointed by the Parliament, the CPD operates as a public, independent authority that protects from discrimination by public authorities or private entities. CPD examines complaints by individuals/groups of persons claiming to have been discriminated against by organisations with a legitimate interest to act with the consent of individuals/groups of individuals claiming that discrimination has occurred. It can also launch administrative investigations *proprio motu*. The CPD issues decisions, makes recommendations, imposes penalty sanctions and may represent complainants in court in civil proceedings, with their consent.

5. Four complaints were filed with the CPD (2010); 15 complaints and 1 *ex officio* case (2011); 90 complaints and 14 *ex-officio* (2012); 166 complaints and 25 *ex-officio* (2013), 91 complaints and 6 *ex-officio* (until September 2014). There has not been a significant increase in the number of female complainants in 2013 compared to 2012, while the

¹⁵ As discussed below under the respective articles.

¹⁶ Decision No. 8792 of 26.07.2013 of the Tirana District Court, on a Divorce and Child Custody case, the Court referred to Article 16 of the Convention.

¹⁷ Pursuant to the Law on Protection from Discrimination.

number of male complainants doubled. The number of complaints on grounds of gender discrimination is low. An examination of complaints filed shows that victims of discrimination on various grounds are predominantly female. Generally, the bulk of gender discrimination complaints were related to violation of material rights and public services¹⁸. Cases when courts request a written opinion by the CPD, or their attendance in court as a third party, are on the rise.

The People's Advocate (PA)

6. The PA is a constitutional institution charged with protecting the rights, freedoms, and legitimate interests of individuals from unlawful and/or irregular acts/failures to act on the part of public administration bodies. Where breaches of rights and fundamental freedoms by public administration bodies are identified, the PA may make recommendations and can engage the jurisdiction of the Constitutional Court. The PA does not have the remit to represent complainants in a court of law. The PA has signed 130 collaboration agreements with CSOs (50 with NPOs involved in the protection of the rights of abused women, disabled women, minorities, etc.) The collaboration focuses on case processing and referral, community awareness-raising, joint events and activities, etc.

7. The PA examined five DV and VaW-related cases and issued respective recommendations:

- The PA conducted a *proprio motu* inspection of the National Centre for the Treatment of Victims of Violence (April 2012) and recommended the dismissal of its director (implemented).
- In 2013, an administrative investigation was launched into the case of a female doctor who refused to work alongside a nurse wearing a headscarf. The PA recommended that *a disciplinary measure be taken against the doctor* and that health care institutions must ensure such cases of religious-based discrimination are not repeated among the health care professionals and patients (implemented).
- In 2013 a recommendation (in the form of a study) was issued: *“Improving Prevention Work and Ensuring Successful Prosecution of DV-Related Offences by Law Enforcement Bodies”*, which was submitted to the General Director of State Police, the Minister of the Interior and General Prosecutor.

The PA has recommended amendments to the Labour Code (the inclusion of provisions on “sexual harassment”, “moral harassment at work and at home,” “moral harassment of employees by employers, etc.).

Existing Redress Mechanisms

8. Pursuant to the Constitution, each individual is entitled to a free public trial, within a reasonable time and by an independent, impartial court, assigned in accordance with the law. Judicial powers are exercised by the High Court, Appeals Courts, and First Instance Courts. The Constitutional Court delivers final judgments on the cases of individuals whose constitutional right to due legal process is violated, after all other legal means have been exhausted. Depending on the type of breach of rights and freedoms, the instruments for seeking redress can be either administrative or judicial. Administrative complaints are dealt with by administrative bodies, regulated by the Code of Administrative Procedures and other relevant laws in force. For gender discrimination cases, the Law on GE in Society

¹⁸ In a gender discrimination case (Decision No. 93/30.09.2013) the court found the complainant had suffered direct discrimination on grounds of gender, pregnancy, civil and marital status. The CPD recommended that the Energy Regulatory Authority “revise its framework contract ‘General Contractual Terms and Conditions for Supplying Electricity to Households’”

provides that claims of violations on grounds of gender shall be examined and tried by administrative bodies. In seeking to resolve disputes, the parties may also choose to make use of mediation or conciliation procedures. A novel feature is the establishment of administrative courts¹⁹ for the resolution of administrative disputes, disputes due to unlawful interference, or failure to act by a public administration body.

Access to Justice

9. The law on administrative courts provides that following are entitled to file complaints with them: a) any party who claims their right or legitimate interests were prejudiced by an action/failure to act on the part of the public body, b) any employee or employer involved in a labour relations dispute, where the employer is a public administration body, c) any entity who claims that their legitimate rights and interests have been prejudiced due to any unlawful interferences by the public body that are not in the form of administrative decisions, d) any association or interest group claiming that a legitimate public interest has been prejudiced. The law provides for cases where court proceedings can be resorted to for amending, abrogating, or declaring an administrative decision null and void; demanding from the public body to institute or cease administrative action, as is necessary for the protection of the rights or interests of the complainant; providing an accurate definition of rights and obligations between complainant and the public body; determination of extra-contractual damages payable pursuant to the relevant legislation; and resolution of labour disputes where the employer is a public administration body.

10. A Joint Instruction of Ministers of Justice and Finances (2013) introduced a reduction in court fees. The instruction also helps improve women's access to judicial processes.

Legal Aid

11. Changes to the Law "On Legal Aid" (2013-2014) define eligibility criteria and beneficiaries of legal aid. The following are entitled to legal aid: a) persons needing assistance at all stages of the criminal proceedings, who, because of financial hardship, are unable to instruct a lawyer or are without one; b) persons needing assistance with civil/administrative proceedings but do not have sufficient financial means to pursue the case, c) persons filing claims or pressing charges who cannot afford to pay for legal paperwork, notices, and other court fees. To be eligible for legal aid, individuals must prove that they: i) are beneficiaries of, or entitled to benefit from, social protection programmes; ii) are victims of DV or human trafficking (HT), for the purposes of the relevant court proceedings. The State Commission for Legal Aid assesses the fulfilment of eligibility criteria for legal aid. Persons subject to social protection programmes and minors are exempt from the requirement to provide documentation. Legal aid can also extend to exemption from paying legal documentation fees, legal notice fees, or other court fees in civil and administrative proceedings. Applications for legal aid and exemption from payment are examined by the State Commission for Legal Aid within 10 days. In urgent cases, legal aid is promptly provided.

12. Legal amendments introduce the setting up of local legal surgeries for the provision of necessary assistance with claiming legal aid. Local legal surgeries will be set up soon in several districts of the country.²⁰

¹⁹ Law No. 49/2012.

²⁰ Durrës, Gjirokastër, Korçë, Shkodër, Tiranë, Vlorë

Burden of Proof

13. The Code of Administrative Procedures envisages that the burden to prove the claimed deeds falls on the interested parties. The interested parties may attach documents and opinions, and request from administration bodies to produce the evidence needed for reaching a final decision (Article 82). Regarding the burden of proof in administrative cases, the Law on Administrative Courts and Litigations envisages: as a rule the public body must prove the legality of its actions. The public body has the obligation to prove the legality of non-issuance of an administrative decision, contract, or act at the complainant's request. In other cases, the party must prove their claim, but the court can, *proprio motu* and with an interim decision, transfer the burden of proof onto the public body if it has reasonable doubt, based on written evidence, that the public body is deliberately hiding or withholding evidence that is material to the case. The decision can be appealed alongside the appeal against the final decision.

14. The Labour Code provides "where the employee submits serious information intimating the existence of discrimination, it is up to the employer to prove the contrary." In case of termination of employment contract by the employer, where the woman was working while pregnant pregnancy or returns to work after giving birth, the employer must prove that the cause of dismissal was not the pregnancy or the birth of the child."

15. The Law "On Protection from Discrimination" provides that the "complainant may file a complaint and submit available evidence to the Commissioner" (Article 33/1). The complainant must provide evidence to substantiate the claim, using any legal evidence that proves discriminatory behaviour. Upon submitting such evidence, on the basis of which the court may find that discriminatory behaviour has occurred, the respondent has the obligation to prove that no discrimination has occurred in the meaning of this law (Article 36/5/6/).

16. MSWY has proposed amendments to the Labour Code regarding the burden of proof²¹. Similar recommendations for removing the burden of proof requirement are proposed by the CPD and the PA, which are currently under consideration.

17. Familiarisation with the Convention and its Additional Protocol:

- The General Prosecutor's Office and the School of Magistrates organise annual training courses for prosecutors, where the Convention is also discussed.
- MSWY is continuing its efforts to raise the awareness of government bodies and the public about the Convention.
- "GE and Non-Discrimination", a textbook for law students has been published, where CEDAW is discussed.
- The Permanent Commission on Labour, Social Issues and Health Care monitors the implementation of Convention recommendations and the laws on the protection of women from discrimination.

The CPD included information on the CEDAW in its "Protection from Discrimination: An NPO Training Manual"²², and Annual and Special Reports²³.

²¹ See Article 11.

²² A project of the Albanian Helsinki Committee, in partnership with ADC, and funded by the Swiss Cooperation Office.

²³ Reports "On the state of discrimination against the Roma community" and "On protecting and respecting the rights of the LGBT community in Albania".

Harmonisation of Domestic Legislation

18. There is as yet no full monitoring of the impact of GE and Anti-Discrimination laws, although some analyses and reports on certain portions of the legislation have been carried out with the support of international organisations and CSOs. In 2011, the CPD monitored the discrimination situation, focusing on the level of knowledge of the law on discrimination and discriminatory behaviours in the educational system.

Awareness of the Anti-Discrimination Law

19. A conference entitled “Protection from Discrimination: Positive Models and Challenges”²⁴ aimed to familiarise various stakeholders with various anti-discrimination legal instruments and means. It recommended that the CPD monitor the implementation of the law and organise awareness-raising campaigns. The conference recommendations were made part of CPD activities in 2014.

Addressing Multiple Discrimination

20. Disabled women’s issues are addressed as part of Disabled Persons issues and very rarely treated separately. Disabled women benefit (as do men) from social services and disability benefits. Efforts are being made to prioritise their needs by offering them dedicated vocational training courses and employment mediation programmes. Amendments to the Law on Social Assistance and Social Services provide that disabled single mothers or heads of households may benefit from additional support services offered by public community centres, or may be referred to NPOs providing alternative services, where such services are not provided by the authorities. Order No. 286/16.12.2013 “On Fees in the Public Vocational Training System” of the Minister of SWY, provides that certain social groups, including disabled women and girls, are exempt from paying any fees.

21. Older Women: The average old age pension for women (10,335 ALL/month) is lower than men’s (12,948 ALL/month)²⁵, which shows that women were paid lower wages. Consequently older women are particularly vulnerable to poverty and poverty-related phenomena (violence, neglect, abuse, etc.). The Inter-Sectorial Policy Document on the Third Age envisages measures that take into account women’s needs, address gender inequalities in pension schemes, promote active participation in society and development, etc. A draft-law on the third age will be drafted, where women will be dealt with as a separate category. In the context of the European Year of Active Aging and Solidarity between Generations, conferences and studies on the third age were conducted (2012). There are as yet no complete analyses and statistics on older women and their situation from the perspective of the Convention.

22. Migrant Women: “The Strategy for the Re-integration of Returnees and Repatriated Albanian Nationals 2010- 2015” and its Action Plan provides a facilitating and supporting mechanism for the reintegration of returnees, including female migrants. The Strategy is based on the principles of gender equality and sensitivity, equal treatment, and gender-specific needs. According to the Action plan, upon return to the country, women are interviewed to establish their needs, informed, referred to the relevant agencies or institutions, and helped with finding employment, vocational training, social and medical insurance, education, etc. Plans are under way for periodical training of employees in agencies and organisations providing reintegration services for female Albanian returnees.

²⁴ Organised by CPD, November 2013.

²⁵ Department of Social Services, MSWY.

23. The new MSWY Strategy on Employment and Skills 2014-2020 envisages measures on: information services prior to migrant worker's departure for destination country; development of bilateral employment agreements on migrant workers' rights; revision/improvement of legislation and of private employment agencies' practices in line with relevant international conventions; monitoring migrant workers' rights.

24. The number of applications for leave to remain is as follows: 439 female foreign nationals in 2010; 519 female foreign nationals in 2011; 301 female foreign nationals 2012; and 467 female foreign nationals in 2013. As of now, 727 female foreign nationals have been granted leave to remain in the country (of various duration).

25. No information is available on the state of female migrant workers and their remittances.

26. Albania has ratified several CoE and ILO conventions in relation to migration.

27. LGBT women: The Albanian legislation has considerably improved in this respect. Amendments to the Criminal Code provide for the aggravating circumstances of committing a criminal offence on grounds of gender identity and sexual orientation and "inciting hatred for reasons of sexual orientation". In December 2012, the MLSAEO adopted a "Plan of Measures against Discrimination on Grounds of Sexual Orientation and Gender Identity 2012-2014", setting out five key priorities on the legal and institutional framework, and anti-discriminatory policies in areas such as employment, goods and services, education and local government. Activities focus on revising the legislation in line with the anti-discriminatory provisions of relevant international documents and recommendations; awareness-raising campaigns; and capacity building/strengthening of relevant bodies. The Plan was supported by CoE Project "Fighting Discrimination on Grounds of Sexual Orientation and Gender Identity".

28. The PA has made recommendations on the improvement of LGBT rights to responsible institutions.

29. The CPD has examined complaints and drawn attention to the discrimination of LGBT persons and has issued decisions²⁶ and recommendations.

Article 3

30. The Albanian government is sensitive to the importance of strengthening structures and capacities involved in the areas of GE and fight against DV, and relies on the recommendations of the Committee or the Beijing Platform for Action.

The National Mechanism

a) Ministry of Social Welfare and Youth (MSWY)

31. Pursuant to the Law on gender equality (GE) in society and the Law on measures against domestic violence (DV), the responsible body in charge of these matters until September 2013 was the Minister of MLSAEO, who exercised these powers through the Department of Equal Opportunities and Family Policies (DEOFP). DEOFP's mission was to formulate and develop policies for promoting GE and reducing DV. From September 2013, this authority was transferred to the Minister of MSWY and the Department of Social Inclusion and Gender Equality (DSIGE) under the General Directorate of Social Policies at the MSWY. The DSIGE has the same duties and functions as the former DEOFP and aims

²⁶ These decisions relate mainly to hate speech against the LGBT community, regarding sexual orientation as deviant behaviour, dissemination of erroneous information.

for better interaction between social inclusion programmes (focusing on women as one of the most vulnerable groups) and GE.

32. The MSWY plans the annual budget²⁷ for issues related to GE and fight against DV, under the following budget rubric headings: (a) *Equal opportunities*²⁸; (b) *Social Protection*²⁹; (c) *Labour market*³⁰. The Ministry has signed collaboration agreements with UNDP and UN WOMEN³¹. The budget allocated to GE and fight against DV has increased year on year. It is still not possible to ascertain the part of the national budget allocated to the promotion GE and women empowerment. Each ministry receives its share of the budget as a lump sum and specific actions are covered under various programmes. Funds allocated by the Agency for the Support of Civil Society to NPOs, also come from the state budget.³² UN agencies also support the NPOs³³

b) Gender Officers at Central and Local Levels

33. The establishment and strengthening of this network enhances gender mainstreaming at all levels of governance. By September 2013 only three out of 15 central ministries had a dedicated gender officer in their structures, while the rest only had GE focal points. At present focal points have been appointed at line ministries, Prime Minister's office, Department of Public Administration and the State Police (a total of 18 female focal points). At the local level, out of 65 municipalities, 18 have dedicated GE offices and full-time gender officers, while 47 municipalities have GE focal points. Gender officers are constantly trained and as of December 2013, the MSWY, Department of Public Administration, and the Albanian School of Public Administration have been working towards formalising their position and building capacities.

Advisory body:

34. **The National Council on Gender Equality (NCGE)** has been in place since 2009. Following its restructuring in the wake of the 2013 parliamentary elections, it has nine deputy ministers, three CSO representatives and is chaired by the Minister of MSWY. In its meetings the NCGE has addressed various GE-related issues, adopted of by-laws and annual monitoring reports, and issued recommendations to central and local bodies.

The Parliament:

35. **The Committee on Labour, Social Affairs and Health Care** addresses issues related to gender equality and fight against domestic violence. A Subcommittee on Minors, Gender Equality and Domestic Violence (chaired by a woman) was set up in 2013, with the

²⁷ Exchange rate: 100 ALL is approximately 1 USD.

²⁸ 1,220,000 ALL/12,000 USD (2013).

²⁹ 1.479.263,000 ALL (2013): 11200 women heads of household benefitted economic assistance (for a total of 538,000,000 ALL); 52 women accompanied with children benefitted residential services in 2013 (the budget for the national shelter was 13,300,000 ALL); the 2013 budget for residential services for trafficked women/girls who are treated with residential services and economic assistance was 20,153,000 ALL; 28,100 disabled girls/women received disability benefits in 2013 (a total of 909,000,000 ALL).

³⁰ 564,500,000 ALL (2013). In 2013, 561 female UJs benefitted from employment promotion programmes (a total of 60,000,000 ALL); during the same year, 3073 women and girls received vocational training (a total of 4,500,000 ALL).

³¹ 7,327,134 ALL (2013).

³² In 2010: 52 contracts with NPOs (62,959,000 ALL), where DV projects account for 7% (8,838,767 ALL) and anti-trafficking projects account for 3.4% (4,337,266 ALL). In 2012, 69 NPOs received funds (76,900,000 ALL), with DV projects receiving 7.5% (5,764,200 ALL) and anti-trafficking projects 0.41% of the total funds (or 314,750 ALL).

³³ In 2013: 17,270,383.00 ALL (UNDP); 88,000 USD (UNFPA) dhe 290,000 USD (UN Women).

aim of monitoring government policies in support of women and families and involving CSOs in the process. Under the Committee on Legal Matters, Public Administration and Human Rights there is a subcommittee on Human Rights.

36. **The Alliance of Women MPs (AWMP)** was set up in November 2013, the upshot of a lobbying movement launched by women MPs³⁴ with the aim of placing greater focus on women's issues and GE. Since its creation, the AWMP has held a series of awareness-raising activities on these areas.

Governmental Policies:

37. An evaluation of the National Strategy on Gender Equality and Domestic Violence (NSGE&DV) 2007-2010 found considerable improvements in the legal framework, setting up and strengthening of local and central structures, public awareness-raising, overcoming prejudices on reporting DV cases and gender stereotyping about women's representation in political and public decision-making, etc. The review of the 2007-2010 NSGE&DV and development of the *National Strategy on GE, Reduction of GBV and DV 2011-2015 and its Implementation Action Plan*³⁵, (hereinafter "National Strategy") adopted by CMD No. 573/16.6.2011, were driven by the need to harmonise its timeline with that of the National Strategy for Development and Integration (NSDI). The National Strategy has four strategic priorities: (i) strengthening of institutional and legislative mechanisms, (ii) higher participation of women in decision-making, (iii) economic empowerment of women/girls, and (iv) GBV/DV reduction. The strategy has its accompanying Action Plan³⁶ and defines the financial costs covered by the state budget, local government and donors. The Action Plan incorporates the Committee recommendations (2010) on the needs of particularly disadvantaged women's groups suffering from discrimination on the basis of disability, social or ethnic origin, or sexual orientation. The National Strategy is monitored annually based on harmonised gender indicators and information collected from the relevant bodies (central and local). The annual report is submitted to NCGE and adopted at its meetings. The recommendations help establish better coordination among the various structures for the achievement of the set targets.

38. Important steps have been made towards gender-responsive budgeting³⁷ as part of gender mainstreaming efforts. Byelaws stipulate that line ministries shall define minimum objectives, indicators and outcomes for achieving gender mainstreaming in their budgeting processes and programmes. Implementation of CMD No. 465/16.7.2012 "On Gender Mainstreaming in Medium-term Budgeting" was piloted by two ministries in 2013 and eight ministries in 2014 (nine budgeting lines).

39. Some priorities of the government for 2013-2017:

1. Effective engagement of all public bodies in the fight against GBV, strengthening the role of the justice system in preventing GBV/DV and supporting GBV/DV victims and punishing of offenders. Establishing a national computerised system for recording and monitoring incidences of GBV/DV and ensuring the national hotline for their treatment/referral is in place.

³⁴Presently composed of 27 female MPs: 14 from the SP, 9 from the DP, and 4 from the SLI.

³⁵ Supported by One UNO for GE in Albania.

³⁶ Fourteen specific targets and 113 events, to be implemented 2011 and 2015.

³⁷ The 2012-2016 UN-GoA Joint Programme includes: Adoption of "Harmonised Indicators on GE and the Status of Women in Albania" (Instruction No. 1220/27.05.2010); amendments to Law No. 10.399/17.03.2011, "On Social Assistance and Social Services"; CMD No. 465/16.7.2012 "On Gender Mainstreaming in Medium-term Budgeting Programmes"; Joint Instruction No. 21/21.06.2013 of the MLSAEO and the Ministry of Finance "On Establishing Gender Mainstreaming Procedures in Medium-Term Budget Programmes", etc.

2. Re-integration of women/girls survivors of GBV/DV, by providing social housing, employment, vocational training, assistance and social services.
3. Empowerment of women/girls through employment, promotion of entrepreneurship, access to vocational training and qualifications, free-of-charge training courses or all unemployed females under 25.
4. Expanding support for new mothers in the first period of their child's life. Every mother is entitled to maternity leave regardless of their social security contributions and access to state-funded health care for new-born infants and mothers.

Article 4

40. **The Law on Protection from Discrimination** (Article 11, "Affirmative Action") provides that "Any temporary special measure that seeks to accelerate a real establishment of equality, where such lack of equality is caused by discrimination due to any of the reasons under Article 1, shall be regarded as affirmative action and shall not constitute discrimination. This measure shall cease to exist once the objectives of equal treatment and opportunities have been met." The law provides for the obligation of responsible bodies to take affirmative measures to fight discrimination in employment³⁸ and education³⁹.

41. **The Law on GE in Society** (Article 8/1) provides that: "Temporary special measures shall include quotas for reaching equal gender representation, increasing participation of the less represented gender in decision-making and politics, strengthening the economic status and position of persons from each gender in employment, equitable advancement of education levels, and other measures in every area where persons from one gender do not enjoy equal status to the other gender. Under Article 8/2, this measure shall cease to exist once the objectives of gender equality for which they were created are achieved.

42. Temporary Special Measures during 2010-2014:

1. Review of the Electoral Code (2012) regarding gender quota and sanctions: at least 30% of the total number of candidates and one of the first three names on the party lists must be from either gender⁴⁰.
2. The State Police⁴¹ set a 50% quota (women) in its new policy of admissions to the force; launched a women-only recruitment campaign; ranked successful candidates by gender; extended women's deadline for submitting driving licences to within a year from recruitment into the force.
3. The Armed Forces set a target of 15% in their "Strategy for the Management of Human Resources in the Armed Forces, 2011-2015" with a view to increasing women's representation in civil and military sectors; policies/regulations were developed to promote women's promotion in the ranks/career.
4. CMD No. 143/12.03.2014 "On Procedures for the Recruitment, Selection, Probationary Period, Horizontal Appointments and Promotion of Civil Servants to

³⁸ Article 14 provides "measures of an affirmative nature shall be taken to fight discrimination in employment. These measures are: special and temporary policies for the promotion of equality, particularly equality between men and women and between able-bodied people and disabled people."

³⁹ Article 18/1 provides for affirmative measures to fight discrimination in education.

⁴⁰ See Article 7.

⁴¹ Amendments to the Law on the State Police, Personnel Regulations, and Standard Procedures for the Management of Human Resources.

Executive, Lower, and Medium Management Positions”, provides that candidates with equal points are ranked a) First, if the candidate is a disabled person; b) Where the candidates are from different genders, the person from the less represented gender is selected; c) Where none of the above applies lots are drawn.

This definition is in line with Article 22 of the LGE “Temporary Special Measures in Work Relations”.

Article 5

Measures Addressing Gender Stereotypes

43. The Albanian government has continued its efforts to address gender stereotypes by challenging harmful traditions that violate the rights of women and girls, including:

a) Awareness-Raising Campaigns and Action Plans

44. MSWY’s annual awareness-raising campaigns have led to greater public awareness of gender issues and observation of rights, as reflected in the changes to traditional attitudes and increased reporting of VaW/DV to law enforcement bodies. The “16 days of Activism against VaW/DV”⁴² global campaign is carried out in collaboration with NPOs, local government and international organisations (especially UN agencies). The 2012 and 2013 campaigns focused on the active involvement of men/boys in advocacy work for GE and against VaW. The 2013 campaign was conducted under a coordinated slogan by all central and local institutions and civil society organisations. The campaigning period was extended to 08.03.2014, to ensure a broader dissemination of information/messages and draw attention to the link between women’s rights and women’s advancement on the one hand, and GBV reduction on the other. The 2014 campaign will be conducted along the same lines. Awareness-raising campaigns are also organised in the context of 8th of March celebrations⁴³. In July 2014, MSWY joined the UN Women “HeForShe” campaign by encouraged 30 young men and women to contribute to breaking down gender stereotypes. About 65 messages from Albanian men/boys for women/girls empowerment and support in society were posted on the “One Story” webpage⁴⁴.

45. In 2013 the MSWY⁴⁵ developed the “**National Action Plan for Involving Men/Boys as Partners with Women/Girls in the Fight against GBV/DV (2014-2019)**”. Concrete actions were outlined, including: establishing a national youth movement for GE; building the capacities of professionals and community leaders (including religious leaders) in addressing GE and DV issues; educating families and citizens as change agents etc. The plan will be submitted to the next NCGE meeting (November 2014), but implementation of some of its elements will start during the 16 Days campaign.

b) Meetings/Events/Trainings

46. During the 2013 “16 Days” campaign, **the Parliamentary Committee on Labour, Social Issues and Health Care and AWMP** held an open hearing with representatives

⁴² Organized annually, 25 November-10 December.

⁴³ 2010: A conference “Equal Rights, Equal Opportunities, Progress for All”; 2011: “One hour of poetry about women”; 2013: Photo exhibition (8-14 March), “Retrospect and reality: world’s successful women” supported by UN Women, with 120 photos of women’s success stories pre- and post 1990.

⁴⁴ <https://www.onestory.com/campaigns/djemte-e-burrat-per-barazine-gjinore>
<https://www.facebook.com/heforshe/posts/273067892888673>

⁴⁵ Supported by UN WOMEN, UNDP, UNFPA

from government bodies, international and civil society organisations, where their roles and commitment in preventing and fighting VaW were discussed.

47. In June 2014, the Sub-Committee on Minors, GE and DV participated in the Anti-DV campaign in Korça⁴⁶. The campaign involved members of the DV Referral Mechanism, police officers and students. The sub-committee held an awareness-raising session on DV, and international and national acts (June 2014). The participants committed to join efforts in the fight against DV, to ensure effective protection of victims/survivors.

48. The CPD held an awareness-raising meeting⁴⁷ with journalists; events on gender discrimination in the economy⁴⁸; training events for Regional Employment Offices on protection from discrimination and employment rights of women/girls victims of trafficking. A Cooperation Agreement was signed with the Albanian Postal Service for the distribution of leaflets.

49. The Public Health Institute organised promotional events in ten districts of the country, which targeted health care workers in the community and the schools, in order to raise their awareness in relation to GBV/DV issues.

c) Revision of Academic Curricula

50. The Ministry of Education and Sports, in collaboration with other responsible bodies addresses gender stereotyping and gender mainstreaming issues by: 1) Revising/developing pre-university and university curricula, including the promotion/application of quotas for girls and boys to pursue their studies in study non-traditional disciplines⁴⁹; 2) Training of textbook authors in revising/developing textbooks, focusing on gender mainstreaming eliminating stereotypes; 3) Developing guidelines/methodological manuals on gender mainstreaming of school curricula; 4) Creating equal opportunities/conditions for women/girls to participate in sports teams and activities.

Violence against Women, Gender-Based Violence and Domestic Violence

51. Criminalisation of DV: DV is now a criminal offence⁵⁰; there are harsher sanctions against perpetrators; marital rape is a separate criminal offence; it is considered an aggravation if criminal offence is committed against a victim subject of a protection order; criminalisation of sexual harassment, etc. After these changes, the number of criminal proceedings under Article 130/a (DV) has increased: 249 criminal proceedings (2012); 761 criminal proceedings (2013) and 769 criminal proceedings (January-June 2014).

52. Ratification of the CoE Convention on Preventing and Combatting VaW and DV (04.02.2013). Following the entering into force of the Convention (August 2014) the MSWY has been identifying intervention areas and support needs (resources/expertise) for its implementation, based on the 2012-2013 assessment of the present situation and the financial implications of meeting basic standards⁵¹.

53. Amendments to the Law “On Measures Against Violence in Family Relations” (2010) include: 1) Establishment of a coordinated network of local and central bodies for the protection, support and rehabilitation of DV victims; 2) strengthened judiciary measures

⁴⁶ Organized by OSCE, General Directorate of the State Police and Korça municipal authorities.

⁴⁷ “Implementation of the GE principle and the GBV programme”, in collaboration with UNDP.

⁴⁸ Supported by UN Women.

⁴⁹ National Strategy 2011-2015.

⁵⁰ Article 2.

⁵¹ Guidelines for the Implementation of CoE Convention on Preventing and Combatting VaW and DV: Assessment of the current situation and financial implications of the implementation of the convention in Albania. (Refleksione Association, the MSWY, supported by UN Women.

of protection from DV; 3) Providing fast and affordable legal and other services to DV victims, pursuant to the law.

Implementation of the LDV led to:

54. **Establishment of Referral Mechanisms.** Pursuant to **CMD No. 334/17.02.2011 “On the Mechanism for Coordinating Referral of DV Cases and its Functioning (NRM)”**, 27 municipalities have set up NRM offices with representatives from responsible law-enforcement bodies. Services for DV victims/survivors are both short-term (emergency protection, safety, medical assistance, accommodation, transportation to safe accommodation, information on/assistance with obtaining protection orders, referral to further services) and long-term (support employment, social assistance, accommodation, legal advice and assistance with divorce procedures, counselling and psycho-therapy, help with children, etc.). A monitoring of NRM work has shown that, while effective in most municipal authorities where it is in place, NRM members face many challenges and further resources are needed for the provision of more comprehensive services. Some priorities for a de facto improvement of the VaW/DV situation is the establishment a 24-hour hotline and of regional shelters.

55. **Establishment of New Services: Accommodation:** In addition to NPO-run centres, the first National Centre for the Treatment of DV victims was established (25.04.2011)⁵², offering 24-hour multi-disciplinary, standardised services. The centre provided accommodation for **64 persons** in 2011-2012 (25 women; 39 children, 3 unaccompanied minors); **62 persons** in 2012-2013 (34 women; 28 children), and **53 persons** in January-July 2014, (19 women; 34 children, one unaccompanied minor). There were **28 new cases** in 2014. The ages of women sheltered in this facility range from 19 to 51. About 70% come from rural areas. Generally the referrals come from the police, other state bodies and NPOs. Despite this positive model and the collaboration between the government and NPO shelters, provision of support services for women victims/survivors of GBV and DV in the country is uneven and not widely accessible. For instance, rural women/girl’s access to direct support services is more limited.

56. **Counselling.** Parallel to NPOs providing counselling services for various groups in need, including women survivors of DV, it is a priority of the GoA *to establish a National Counselling Hotline* on VaW issues. In October 2011, MLSAEO conducted a UNFPA-supported feasibility study on existing counselling services and the most appropriate counselling models for the National Hotline. Meetings and technical round tables are being held for the finalisation of this service. In addition, all regional Police Departments have in place a free 24-hour phone line (dialling 129), which can be used to report DV and other cases.

57. **Offender Services.** Pursuant to the existing legal framework, the MSWY is collaborating with specialized NGOs and donors for the establishment of offender services. In September 2014 the first group of men received certificates as qualified counsellors for this service⁵³.

58. **Health Care.** Minister of Health Order No. 410/12.07.2010 addresses the re-organisation of medical and psychosocial services with a view to providing timely and effective assistance to DV victims. Work on the ground shows that emergency assistance is timely, but there is a dearth of psychosocial services at health centres. “*The Strategy on Reproductive Health and Action Plan 2010-2015*” covers priority areas for reproductive health in Albania, including DV and violence against minors. The aim of the strategy is to revise, adapt and introduce changes to all reproductive health programmes/services/bodies,

⁵² Prime Minister’s Order No. 36/18.03.2011, with the support of UNDP’s One UNO programme.

⁵³ Counselling Centre for Women/Girls Project, supported by the IAMANES Foundation.

as per LDV requirements; a 50% increase in access to health services for DV victims and minors victims of violence; inclusion of DV indicators in the health information system; increased awareness; changes in behaviour emphasising unacceptability of violence. The final evaluation of the Action Plan will be carried out in 2015.

59. **Legal Aid.** Although the number of people claiming legal aid under the Law on Legal Aid to date is still low (4 cases in 2013; 2 cases in the first half of 2014, one Albanian and one foreign national), there are clear indications pointing to improved access to justice by girls/women.

Higher DV reporting rates and protection orders for women

60. Greater community trust in police structures leads to higher reporting rates, as seen below:

Year	Recorded	PO/EPO		Violence against Minors	
		Applications	VaW Cases		Breaches of POs
2010	1998	1234	1660	120	93
2011	2181	1345	1779	98	86
2012	2526	1562	2036	58	119
2013	3020	1851	2346	108	138
January-June 2014	1893	1147	1448	95	64

According to the State Police, in 2014 all cases of PO breaches were prosecuted under Articles 320, 321 and 130/a of the Criminal Code.

Monitoring of LDV-Related Court Decisions

61. The Ministry of Justice (MJ) inspected 2689 court decisions related to the “issuance of an emergency protection order” and “issuance of a protection order”⁵⁴ by 28 courts **in the period between January.2011-July 2012**⁵⁵. The inspection found that there had been **systematic breaches of procedural time limits set in the law for the examination of applications and issuing court decisions**. Breaches of legal time limits were identified in 183 cases (6.8% of total cases nationally). Two issues of concern were highlighted: (i) a large number of cases are stayed before getting to the stage of a first instance determination; and (ii) extremely low number of appealed cases at higher courts. Cases are mainly stayed because of complainant’s failure to appear in court or withdrawal or complaints, but proceedings were sometimes stayed also due to the normalisation of relations between the litigating parties. The low number of appeals shows that there is an issue with accessing justice by people affected by DV. Seventeen courts⁵⁶ have not had any of their decisions appealed. Thirteen out of a total of 2689 decisions (0.4%) were breached. The inspection found that the *courts do not have a solid DV database*, which makes identifying and monitoring cases, and data analysis, difficult. Various courts apply different recording practices, making it difficult to produce reliable statistics and, in some cases, hindering the trial proceedings, because judges resign from cases they have previously

⁵⁴ High Council of Justice Decision No. 297/9/15.11.2012

<http://kld.al/korniza-ligjore/akte-n%C3%ABnligjore/raport-mbi-dhunen-ne-familje>

⁵⁵ Six Appeals Courts and 22 First Instance Courts. The courts with the largest caseloads were: the Appeals Courts at Tirana (1024 cases), Durrës (446), Vlorë (446), Shkodër (315), Korçë (272), Gjirokastër (186).

⁵⁶ The Appeals Courts at Tiranë, Durrës, Shkodër, Vlorë, Gjirokastër, Korçë, and District Courts at Dibër, Krujë, Kurbin, Mat, Kavajë, Kukës, Pukë, Berat, Lushnjë, Gjirokastër and Përmet.

tried. In relation to this, the MJ has communicated to the court registrars of the 28 inspected courts the need to take measures for improving court records, with a view to facilitating the identification of DV-related records. One suggestion has been the inclusion of rubrics that help generate general data on court cases, specific information on each case and parties to the proceedings (recidivism data, detailed information about the parties, including age, economic status, educational level, occupation, the direct enforceability of ratified international treaties, and other data).

62. According to the MI, the total number of entries on Protection Orders for execution recorded at the State Judicial Bailiff's Service is 629 cases of which 19 are on-going.

63. Building/Strengthening the Capacities of People Working with Victims of GBV/DV

2010-2013: 4400 health care professionals⁵⁷ from 12 regions were trained (1275 women in 2010, 730 women in 2011 and 1067 women in 2013). DV and Child Protection officers have been appointed at the Public Health Departments of all districts.

2012-2014: 339 members (210 women) of Inter-disciplinary Technical Teams⁵⁸, part of the DV referral mechanisms, were trained.

2013: the School of Magistrates⁵⁹ conducted a training cycle for 151 legal professionals from (69 judges, 27 prosecutors, 11 forensic experts, and 44 other professionals).

2012⁶⁰: 31 female workers from the National Centre for DV victims received training. In 2014, 37 workers and National Centre workers were trained (of whom 28 female). In January-April 2014 the MSWY⁶¹ trained 51 gender workers and local coordinators on computerised recording of DV cases.

January-June 2014: 224 **police officers** were trained (62 female)⁶².

Studies on the Causes and Consequences of VaW

64. INSTAT carried out its second National Population Based Survey on DV in Albania (2013). The data showed an increase in the number of abused women, from 56.0% (2007) to 59.4% (2013); in 2013, 53.7% of women were "currently" experiencing DV and 58.2% reported "ever" experiencing psychological abuse. Compared to 2007, there was a decrease in the number of women reporting "ever" experiencing physical and sexual abuse. This points to a shift in forms of violence used and the need to recognise and address the varying forms of abuse. For as long as sexual abuse will be a taboo subject, statistics and reporting rates shall remain unchanged. A more in-depth analysis of the causes and consequences, and of the effectiveness of implemented measures is needed.

Data Collection

65. Pursuant to **Instruction 1220/27.5.2010 "On the Collection of Gender and DV Indicators"**, the relevant government bodies periodically forward their data to the MSWY,

⁵⁷ The project entitled "Building the Capacities of Health Professionals to Effectively Respond to the Needs of Victims of GBV", implemented by the NCES in collaboration with the Ministry of Health and the Regional Public Health Departments, supported by UNFPA.

⁵⁸Supported by UNDP as part of the ONE UNO programme.

⁵⁹Supported by UNDP.

⁶⁰Supported by UNDP.

⁶¹Supported by UNDP.

⁶² Supported by the Swedish Government Programme.

as the main responsible authority. The Ministry of the Interior has taken administrative measures to develop guidelines/forms for recording DV cases. Pursuant to CMD No. 327/28.05.2014, the Ministry of Health established the template and manner of reporting DV data. In July 2014, MSWY⁶³ set up a **national computerised system** where local NRM members record data on DV cases. By the end of August 2014, **29 municipalities** were entering data in the system, identifying **639 abused persons, 631 abusers and 877 referrals nationally**.

Statistics

66. Data from the prosecutor's office reveal that, during 2012-2013, offences under 130/a of the Criminal Code accounted respectively for 88% and 87% of prosecutions of criminal offenses against minors, marriage, and the family, out of a total of 371 prosecutions (2012) and 946 (2013). In 2013, the number of prosecutions increased by 150% (826 criminal prosecutions involving 791 defendants, compared to 328 criminal prosecutions involving 255 defendants in 2012). There was an increase of 255% in the number of persons charged and tried in 2013 (589 cases prosecuted and 606 defendants charged, compared to 159 prosecutions involving 171 defendants in 2012). For this criminal offence: 69 defendants were convicted in 2012 and 405 in 2013. Regarding sexual violence, there is one recorded criminal charge for the commission of sexual relations by force between spouses or partners (2013).

67. The "Sexual Offences Form (female victims)" used by the **State Police** records the victims' gender but not their age. In 2013 there were 69 cases. There were 110 cases of crimes against the person (female victims); of 20 murders, 17 occurred within the family.

Number of murders within the family

<i>Year</i>	<i>Total</i>	<i>Women</i>	<i>Children</i>
2010	20	12	-
2011	30	15	3
2012	28	14	3
2013	28	17	1

Data from the Institute of Forensic Medicine

<i>Year</i>	<i>Females aged 14 or under</i>	<i>Females over 14</i>
2010	12	424
2011	17	353
2012	19	441
2013	18	462

Type of violence

<i>Year</i>	<i>Forced sexual relations with a person under 14</i>	<i>Forced sexual relations with a person over 14</i>	<i>DV</i>	<i>Violence by other persons</i>
2010	2	20	98	316
2011	3	7	107	253
2012	4	12	93	351

⁶³ In collaboration with UNDP.

<i>Year</i>	<i>Forced sexual relations with a person under 14</i>	<i>Forced sexual relations with a person over 14</i>	<i>DV</i>	<i>Violence by other persons</i>
2013	4	14	141	321

Article 6

Legal framework:

68. Amendments to the Criminal Code (Law No. 144/2013) include: abrogation of the article on exercising prostitution; definition of the distinction between internal and cross-border trafficking; avoidance of conflict of laws on trafficking and their implementation; punitive measures for profiting from prostitution; criminalisation of the use of the services of trafficked services and profiting from these services; exemption from punishment of persons victims of trafficking.

69. Amendments to the Law on Social Assistance and Social Services (2010-2011), coupled with the Budget Law and Instruction of the Minister of Finance, provide that the MSWY shall allocate funds to the Social Protection Programme for victims of trafficking (VTs) receiving services in reception centres, and for social assistance support after leaving reception centres to the moment of finding employment.

70. Adoption of bye-laws (2010-2012) for the implementation Law No. 10192/3.12.2009 “On Preventing and Striking at Organised Crime and Trafficking through Preventative Measures against Assets”, on: establishment and functioning of the Agency for the Administration of Confiscated and Seized Assets (AACSA), collaboration with and payments for the Bailiff Service; valuation criteria and procedures for the use/disposal of confiscated assets; medical services for VTs, etc. A special fund (157,00 Euro) will be raised for use by the General Directorate of the State Police, General Prosecutor’s Office, NPOs supporting VT/PVTs, and the Agency for the Support of the Civil Society. In 2014, AACSA provided various materials to reception/reintegration centres.

71. Proposals have been made to amend the Code of Criminal Procedure to increase access to justice and ensure effective protection for VTs/PVTs, through free direct legal representation, removal of fees/taxes payable for the proceedings, and compensation within the criminal process.

Key Policies/Measures:

72. Prime Minister’s Order No. 179/19.06.2014, “On the Establishment of the State Committee against Human Trafficking” and Instruction No. 3799/08.07.2014 “On the Establishment of the Responsible Authority for the Identification, Referral, Protection and Reintegration of Potential Victims”, of the Ministry of the Interior (MI), Ministry of Foreign Affairs (MFA), Ministry of Education and Sports (MES), Ministry of Health (MoH), and the MSWY.

73. Development/adoption of strategies and plans: 1) The 2014-2017 National Strategy on Combatting HT and its Action Plan (in process of approval); 2) Working Plan of the Public Health Institute, Tirana District Police Directorate and the Tax Administration Directorate (November 2013) for the timely identification of potential trafficking situations and their prevention; 3) Action Plan of the MSWY and the National Anti-Trafficking Coordinator (NAC) on Street Children; 4) Standard Operation Procedures (SOPs) for identification, referral, and VT services (2011), with the participation of the Ministry of Health; 5) Cooperation Agreements with NPO-s, Mobile Units and Regional Police Directorates (November 2013).

74. Establishment of mechanisms, including 1) The National Referral Mechanism (NRM) for the protection and reintegration of VT/PVTs (July 2012) and its Task Force (November 2013); 2) Mobile Units in Tirana, Vlora and Elbasan (June 2013); 3) Division for the Investigation of HT (2010), (three prosecutors and one female judicial police officer; 4) Child Protection Units (CPU) in 194 municipalities/communes, which also deal with cases of children at risk of being trafficked, etc. Allocation of a special budget to the National Anti-trafficking Coordinator (NAC) in 2014, for prevention and awareness-raising activities; setting up a free National Hotline (116006) for reporting trafficking cases through phone calls and text messages (June 2014); setting up an effective system for the administration of VT/PVT data (VT Information System).

75. Establishment of a working group for assessing the situation of investigation, prosecution, and trial of HT offences, (November 2012, Joint order of MI, MJ, the General Prosecutor's Office, with the participation of CSOs, VT/PVT reception/rehabilitation shelters, international organisations, the US Embassy and OPDAT); a NAC proposal for setting up a Task Force with representatives from the Serious Crimes Prosecution Office, Serious Crimes Court and the State Police, for strengthening the cooperation and discussing HT cases. NAC and ICITAP offices are preparing the terms of reference).

76. Adoption (2011) of a Joint Agreement between the MI, MFA, and the Tirana Legal Aid Society (TLAS) facilitated the registration of Albanian children born abroad (previously not possible due to parents not being able to produce birth certificates/necessary documentation). Under the Agreement, our consulate services abroad obtain the relevant documentation from the health service of the country where the child was born. TLAS covers the administrative expenses for obtaining the papers and the MI authorises their registration at the General Civil Registration. In 2012, 76 children born abroad were registered.

77. Reduction of trafficking in unregistered children by: a) using the "Certificate of Assistance/Attendance at Birth" Form (Order No. 508/07.12.2011), which helps reduce the number of unregistered new-born babies by entering mother's ID number and maiden name in the form; b) adoption of protocols/procedures to be completed by the police and local authorities in cases of foundlings not registered at the Civil Registration Office; c) Instruction No. 7/10.01.2012, which aims to reduce the number of unregistered cases.

78. According to studies/reports, Albania is mainly a source country for human trafficking (HT) and many females (minors and adults) are subject to exploitation for prostitution within the country and abroad (the victims often accept false offers of employment or end up being trafficked after false promises made to them by their "boyfriends"). The government's efforts in the fight against HT have been successful, as shown in the US Department of State report (June 2014). From a Tier 2 watch list country Albania is now a Tier 2 country.

79. According to the NAC Office: 95 VT/PVTs were identified (52 adult women and 29 minors) in 2013 and 85 PVTs (53 females) were identified by mobile units (since June 2013). According to the State Police: 31 cases involving 30 perpetrators were identified and 1 perpetrator arrested for trafficking in females in 2013; 26 cases in 2012, 17 cases in 2011, and 33 cases in 2010.

80. According to the Serious Crimes Prosecutor's Office, in 2013 the number of criminal prosecutions of the offence of exploitation of prostitution increased to 51 cases involving 33 defendants, a direct result of the addition of an aggravation clause to the Criminal Code. Twenty one defendants were convicted. In 2012 there were 26 prosecutions of "trafficking in females" and 19 prosecutions of "exploitation of prostitution". In 2011 there were 20 prosecutions of "trafficking in females". In 2010 there were 29 prosecutions of "trafficking in females" and 11 prosecutions of "exploitation of prostitution".

81. First Instance Serious Crimes Courts: in 2011, 5 cases involving “trafficking in females” were tried and final decisions issued, 5 persons were convicted and sentenced. Sentences ranged from 10 to 15 years’ imprisonment and fines ranged from 4 to 6 million ALL. In 2010, there were 15 “trafficking in females” cases (4 filed in December 2010) with 21 suspects standing trial. In one case involving three defendants, the charge was amended to “aggravated exploitation of prostitution”, under Article 114/a, 5/6 of the Criminal Code.

Protection, Assistance and Reintegration

82. Shelters: There are four VT/PVT shelters in Albania (three of them non-public) providing services to foreign and Albanian nationals, minors and adults, male and female victims: the National Reception Centre for Victims of Trafficking (NRCVT, state-run) and “*Të ndryshëm & të Barabartë*” (Tirana), “*Tjetër Vizion*” (Elbasan) and “*Vatra*” (Vlorë). These shelters provide multi-disciplinary services: accommodation, psychosocial and legal counselling, representation in court, medical treatment, vocational training, etc. Non-public VT/PVT reception centres are allocated money for food by the MSWY. In 2013, none of the shelters received the required funds as per relevant documentation. The 2014-2017 medium-term draft-budget envisaged a fund of 37,924,000 ALL under the HT heading for 2014, where food provision for non-state shelters was calculated at 2,757,200 ALL. A fund of 2,079,000 ALL has been already released; social assistance payment is 3,000 ALL per person per month; in 2014 NCRVT is planned to receive 21,970,000 ALL (3,000,000 ALL more than 2013).

83. Employment. VTs benefit from vocational training courses offered by employment offices, training programmes at reception centres, which report significant difficulties in finding them employment. Despite some improvement in the collaboration with private businesses, employment offices must step up their mediation activities.

84. Payment of Damages to VTs: In 2010, the First Instance Court in Tirana accorded a victim of trafficking compensation of a considerable value, payable by the perpetrator of the criminal offence. This decision, the first of its kind, constitutes a positive step towards the establishment of a practice for compensating VTs.

85. Awareness Raising, Capacity Building

- A Memorandum of Understanding for the implementation of the project “Using the Mobile Technology in Addressing Human Trafficking Issues” was signed in October 2013⁶⁴. A smart phone application “Report-Save life” was created to raise public awareness, strengthen the partnership with the community, increase rates of initial identification of potential victims, prompt access to assistance and information.
- Inclusion of HT topics in basic education curricula (alongside topics on the protection of children’s’ rights, GE, DV, and sex education).
- Distribution of 500 posters, 2500 leaflets, and 2000 copies of “Put an End to the Stigma”, a fotonovela; manuals and brochures on the prevention HT and promotion of regulated labour migration; spot advertising, documentaries, TV and radio programmes; creation of “Bring the Sun Down”, an anthem against GBV/GV.
- Annual celebration of the European Anti-Trafficking Day (18 October) and Anti-Trafficking Week (18-24 October) with awareness-raising messages, open forums, TV programmes, documentaries, stage productions, exhibitions of art work by VTs, advertising of the National Helpline 116006, etc.

⁶⁴ MI, Vodafone Albania Foundation, World Vision.

- The Anti-Trafficking Unit and IOM distributed 4000 information booklets on SOPs to relevant organisations and trained 500 experts from the 12 regions of the country (January 2012-May 2013). The Ministry of Health and IOM trained forty health care representatives, mostly GPs of which two thirds were female (12 regions, 2013-2014).
- Training of serious crime prosecutors, judges, judicial officers, police officers, State Social Services, Child Protection Units, focused on the phenomenon, legal framework, investigation procedures, confiscation and damages, mechanisms. These training sessions are conducted jointly with IOM, TAIEX, OPDAT, School of Magistrates and NPO-s. Guidelines and instructions have been developed for diplomatic and consular officials, on VT/PVTs procedures.
- Seminars with electronic and print media representatives on HT coverage; seminars with secondary school students and with representatives from the Employment Offices⁶⁵ (around 100 participants).
- Meetings for the establishment of a Advisory Group for CSO-s specialising in HT issues, initiated by the NCA in the context of initiatives aiming at better national cooperation (2013).

Regional and International Cooperation

86. The NAC plays an active role in institutionalising this cooperation through: 1) The Additional Protocol of Cooperation with Kosovo “On Intensifying Collaboration in the Fight against Trafficking in Human Beings and for Improving Identification, Reporting, Referral and Assisted Voluntary Return of VT/PVTs, Particularly of Minors ” (June 2014); 2) Development of a Protocol of Collaboration with Montenegro; 3) Development of Cooperation Agreements on Combating HT with the United Kingdom, Italy and France, in collaboration with these countries’ diplomatic representations in Albania, etc.

Article 7

Political representation

87. At the central level. In the 2005-2009 legislature there were 10 women MPs (7%); 2009-2013, 23 women MPs (16%). The June 2013 elections brought 25 women (18%) in the 2013-2017 legislature. In 2014 this number grew to 30 women MPs (21%), due to the application of the vacancy rule (Article 64/6 of the Electoral Code). Women account for 31.7% of total membership of political parties.

Parliament

<i>Total</i>	<i>Female</i>	<i>Position</i>	<i>Total</i>	<i>Female</i>
<i>2009-2013</i>			<i>2013-2017</i>	
1	1	Speaker	1	0
2	0	Deputy Speaker	2	0
140	23	MPs	140	30
8	1	Chairs of Parliamentary Committees	8	3
3	0	Chairs of Parliamentary Groups	5	0

⁶⁵ Berat, Durrës, Lezhë.

Government

<i>Total</i> 2009-2013	<i>Female</i>	<i>Position</i>	<i>Total</i> 2013-2017	<i>Female</i>
1	0	Prime Minister	1	0
1	0	Deputy Prime Minister	1	0
14	1	Ministers	19	7
37	8	Deputy Ministers	23	9

88. The role of women MPs received a boost with the establishment of the Alliance of Women MPs (AWMP) in 2013, a group that is pushing for gender mainstreaming of laws such as the Law “On Granting Amnesty”, amendments to Law No. 47/2014 “On Social Assistance and Social Services”. AWMP activities: protection of female convicts’ rights; following up the investigation of two cases of extreme violence against women⁶⁶; establishing contacts with orphans’ associations; an awareness-raising petition on the plight of the kidnapped Nigerian girls; attention to some USAID projects for the economic empowerment of women⁶⁷; activities for the creation of women-in-business networks⁶⁸; roundtables with the Minister of MSWY. In the context of extending regional cooperation for the promotion of women in politics, AWMP has held joint activities with women MPs from Kosovo.

89. At the local level. Following the 2011 elections, there are three women mayors⁶⁹ (7.7%), 2 Mayors of Tirana Boroughs (18%)⁷⁰, 13.8% female members of Municipal Councils, 2 Heads of Communes (0.6%) and one Head of County (8.3%).

90. Amendments to the **Electoral Code** (Articles 67/6,7; 164; 175) and to the **Criminal Code** in 2012 (“Criminal Offences against Free Elections and the Democratic Election System”), envisage:

1. At least 30% of the candidates on party lists must be from either gender.
2. At least one of the first three names on party lists must be from either gender.
3. For the first time, in addition to the candidate list, the political subject must also declare the seats according to the gender quota, for the implementation of the exception in filling vacancies when the requirements defined in the Code are met. A vacant seat that was won as per provisions of Article 64/6, is filled by the next candidate of same gender on the party list, irrespective of their general ranking. Other candidates progress up the list to the rank of the preceding candidate of the same gender.
4. Administrative sanctions for each electoral constituency where violations are identified, for failure to meet one of the conditions of Article 67/6 on the composition of the candidates’ list⁷¹. The sanctions are applicable to national and local elections.

⁶⁶ Lezhë, Durrës.

⁶⁷ Pukë, Lezhë.

⁶⁸ Shkodër, Fier, Elbasan.

⁶⁹ Burrel, Konispol, Patos.

⁷⁰ Boroughs No. 1 and No. 5

⁷¹ GE-related sanctions (Article 175) state “Failure by the electoral subject to comply with gender quota obligations is punishable by the CEC with a fine of 1,000,000 ALL for parliamentary and 50,000 ALL for local elections”.

5. Amendments to the Criminal Code (2012), aim to prevent family voting which mostly affects the right to vote of rural women and girls.

91. While checking candidate lists (June 2013), the Central Electoral Commission noticed that the three major political parties had not observed the gender criterion (SP in six electoral constituencies, DP in four electoral constituencies, and LSI in 4 electoral constituencies).

Representation in Public Life

92. Public Administration: In 2011, women occupied 64.9% of specialist positions, 39.2% of medium executive positions and 24.3% of senior executive positions. In 2012-2013 the figures were⁷²:

Category of position	2012		2013	
	Female	Male	Female	Male
Senior Executive	29%	71%	47%	53%
Medium Executive	43%	57%	49%	51%
Lower executive	54%	46%	49%	43%

Category	% more females in 2013
Senior Executive	18 %
Medium Executive	6 %
Lower executive	5 %
CEO	5 %

93. Defence: The percentage of women in this sector has increased: 12.3% in 2010, 13.6% in 2011, 15.2% in 2012 and 17.7% in 2013. Targets set were exceeded by 2.7% Women's presence in peacekeeping operations becomes permanent (1%-1.5 %). There are four women directors at the Ministry of Defence and Armed forces (16%), two military (Colonels) and two civilians. There are 9.3% women in the positions of Heads of Branches/Sectors in the Armed Forces (2.4% of the total number of women). The percentage of women in the 2012-2013 academic year: (a) Commissioned Officers: 20% female Colonels; 19.4% female Lieutenant-Colonels; 2% female Majors. (b) Non-Commissioned Officers: 12.5% beginners; 9.78% basic; 15.2% advanced; 16.4% higher; 11.2% instructor level. (c) Foreign Languages: 25.5%.

94. The State Police. Of 9508 employees, 1003 are women (10.5%). 558 women hold police ranks: 10 at the medium executive level (First Chief, Chief), 208 at the first executive (Commissioner, Chief Commissioner) and 340 at the enforcement level (Inspector/Chief Inspector); two women representatives of the minorities, one at the first executive level and one at the enforcement level. There are 445 women in civilian positions, one from the minorities.

Justice

95. Women judges in First Instance and Appeals Courts;

- 2009 149 female judges out of 355 judges in total.
- 2010 150 female judges out of 362.

⁷² Data provided by the Council of Ministers and the ministries.

- 2011 155 female judges out of 359.
- 2012 160 female judges out of 364.
- 2013 168 female judges out of 371.
- 2013 Constitutional Court: 2 female members out of 9.
- 2013 High Court: 4 female members out of 16.
- 2013 Appeals Court: 3 female Heads of Court out of 7; 26 female judges out of 75.
- 2013 District Courts: 4 female Heads of Court; 100 female judges out of 200.
- 2013 Administrative Courts: One female Head of Court out of 7; 15 female judges out of a total of 25.

96. Female prosecutors:

- 2009-2010 85 female prosecutors
- 2011-2012 86 female prosecutors
- 2013-2014 90 female prosecutors
- The General Prosecutor was a woman (until 2012).
- District Prosecutors 254, of which 77 are women.
- Appeals Prosecutors 28, of which 3 are women.
- Serious Crimes Prosecutors 16, of which 3 are women.

Currently there are 324 prosecutors, of which 90 women (28%). Out of 30 leading positions, 6 are women (17%). Compared to 2010, the number of women in leading positions has grown from 4 to 7 (6%).

97. Teaching Faculty in Higher Education

<i>Academic Titles</i>	<i>Professor</i>		<i>Doctor</i>		<i>Docents and lecturers holding no academic titles</i>	
	Men	Women	Men	Women	Men	Women
Year						
2010-2011	73	27	44	56	43	57
2011-2012	74	26	52	48	40	60
2012-2013	71	29	53	47	38	62

Article 8

Representation of Women in the International Arena

98. Albania has a 14-member delegation to the European Parliament (2 women); a three-member delegation to the OSCE Parliamentary Assembly (one woman, head of delegation); a four-member delegation to the NATO Parliamentary Assembly (1 woman); a four-member delegation to the CoE Parliamentary Assembly (1 woman, head of delegation); a nine-member delegation to the Inter-Parliamentary Union (2 women); two-member delegation Parliamentary Assembly for Cooperation in Western Europe (1 woman); three-member delegation to the Central European Initiative (1 woman); two-member delegation to the Euro-Mediterranean Parliamentary Assembly (1 woman); two-member delegation to the Parliamentary Assembly of La Francophonie (1 woman).

99. At the Ministry of Foreign Affairs: the number of women diplomats has grown from 28% (2010) to 36% (2014) and in embassies from 47.8% (2010) to 50.4% (2014). Since 2010, the number of women heads of departments or sectors at the MFA has grown to 10. In 2014, there were 7 women in leading positions. Out of 55 Albanian embassies 11 have women ambassadors.

100. In the Armed Forces: In 2011 there were 8 women participants in international operations. For the first time, GE issues were integrated in the 2012 Defence Directive, which emphasises the inclusion of women in joint training exercises (in-country/abroad), peace missions and operations, and other security sectors; a fairer distribution of courses and qualifications and a more equitable distribution of ranks among men and women; a departure from traditional roles for women and their inclusion in all positions based on their qualifications, expertise, education and rank.

Article 9

101. The Albanian legislation on the nationality of women and their children is in full compliance with Article 9 of the Convention.

Article 10

Legislation, Policies, Measures

121. The legislation guarantees Albanian nationals, foreign nationals and stateless persons the right to education regardless of their gender, race, colour, ethnicity, language, sexual orientation, political or religious beliefs, economic or social status, age, place of residence, disability, or other grounds. The curricula are the same for both genders and there are equal opportunities for bursaries and other grants, more specifically.

- Law No. 69/29.06.2012 “On the Pre-University Education System in the RoA” established contemporary and comprehensive standards for the Albanian pre-university education, based on EU principles/practices.
- Development of curricula and 37 teaching programmes for children who are housebound due to blood feuds⁷³ (Instruction No. 36/13.08.2013 “On the Procedures for the Education of Housebound Children” and Instruction No. 29 of 02.08.2013, “On the Procedures for Attending Basic Education on a Part-time Basis”).
- Instruction No. 38/13.08.2013 “On the Education of School-Age Individuals Living in Residential Care Institutions”, institutionalises the relations/procedures for the education of children living in these institutions.
- Pursuant to Normative Provisions⁷⁴, Multi-Disciplinary Committees have been set up at Regional Education Directorates and Offices for the assessment of disabled students.
- Instruction No. 21/08.08.2014 “On Increasing Pre-school School Attendance Rates among Roma Children”. Roma children are exempt from paying the guarantee deposits in Tirana and from paying parents’ boards fees across the country. The Education Directorates and Offices treat the transport needs of preschool Roma children with priority.

⁷³ In 2013-2014, the number of housebound students in Shkodra was: 4 elementary students (3 girls), ten upper elementary students (5 girls), and 13 secondary students (7 girls). There are two housebound students in Malësi e Madhe.

⁷⁴ Order of Minister of Education No. 343/2013.

- Instruction No 34/30.09.2014 “On the Criteria and Procedures for the Selection and Enrolment of Candidates Awarded the Status of the Blind Person, Paraplegic/Tetraplegic Invalids, Orphans, Roma, Balkan Egyptians, in full-time Undergraduate Study Programmes, non-university vocational study programmes, **integrated second tier study programmes at higher education institutions (2014 – 2015)**”.
- Instruction No. 38/07.10. 2014, “On the employment criteria for teaching assistants for disabled students in public pre-university education institutions”. The appointment of teaching assistants for special needs students in mainstream schools is a novelty.
- CMD No. 710/29.10.2014 “On Financial Quotas for School Meals, Accommodation in Dormitories, State Bursaries and Education Allowances for Students and Pupils in Public Education Institutions in the 2014-2015 Academic Year”, gives priority to students from social groups in need.
- CMD No. 709/05.10.2011 “On the Use of Public Funds for the Transportation of Teachers and Students Working and Studying Far from their Place of Habitation” provides for the reimbursement of transportation expenses for teachers (for distances over 5 km from their place of habitation/same day return) as well as for children (distance of over 2 km).
- The 2008-2013 National Sports Strategy promotes the participation of women in sports events and steering committees, and the requirement that 30% of the seats in steering must be reserved for women.

103. Ensuring quality educational services for all students of mandatory education age and increasing the number of students in secondary and higher education are important objectives of the MES. In 2011-2012 school the dropout rate among females was 0.40% (compared to 0.45% in the previous year) and 91% of the students who finished the 9-year education cycle enrolled in secondary education (47% of whom were female).

- In its National Plan for Zero Dropout Rates 2009-2013, the MES prioritized the educational needs of mandatory school age students from vulnerable social groups, with a special focus on children from Roma and Egyptian communities, disabled children, especially girls from these vulnerable groups. Since 2010, the MES has been building an educational database, disaggregated by ethnicity (Roma, Egyptians), disability, gender, and location, with a view to taking concrete measures.

The MES launched policies for subsidising school textbooks for students from vulnerable groups. These policies benefit 120 thousand students (50% girls)⁷⁵. From the 2011-2012 academic year, Roma children in mandatory education receive free textbooks at their school. 3,231 students received free books in 2012 and 3,370 in 2013.

- The MES has developed 27 curricula for national minorities; it has in place special working platforms for the establishment of psychosocial services for male and female students at local education offices and for the qualification of special education professionals. All the curricula used by Teaching Colleges (3-year courses and Master’s programmes) include special lectures or chapters on special education, while the School of Medicine has set up special disability support branches.

⁷⁵ Pursuant to CMD No. 107/10.02.2010 “On the publication, printing, distribution, sale, of textbooks in the pre-university education system”, amended by CMD No. 212/16.3.2011.

Education Level

104. Data from the 2011 Census show a rising tendency in educational attainment, particularly among women. **Pre-school education (3-5 year olds).** From 2010-2011 to 2013-2014, girls made up 47.1% of children in kindergartens. In 2013-2014, enrolment of girls increased to 47.6% of the total (increased by 0.5 %). MES Instruction No. 21/2014 on increasing the attendance of Roma children in pre-school education, gives priority to their enrolment in preschool institutions, exempts them from fees and facilitates their enrolment in the closest kindergarten.

105. Students (in 000) in schools:

Level	2008 - 2009		2010-2011		2012-2013	
	male	female	male	Female	male	female
Secondary	51	49	54	46	54	46
Upper Level of 9-year Education	51	49	52	48	52	48
Primary	52	48	53	47	53	47

106. Higher Education. The male-female ratio varies by faculty. In 2012-2013, full-time and part-time female students accounted for 55.7% of total students; 83.6% of students of Education; 69% of the students of Medicine; 65.3% in Humanities and Arts, 49.7% in Natural Sciences, and 55.8% in social sciences, business and law.

Female graduates in 2012-2013: 64% female graduates at Bachelor level, 66.6% Professional Master, and 71.4% Master of Sciences.

107. Level of education of over 25s (%)

Age group	25-39		40-64		Over 65	
	male	female	male	female	male	female
Never attended school	3	2	2	2	7	21
Primary education	2	2	4	8	34	44
9-year education	45	49	40	47	28	22
Secondary education	34	36	42	34	19	10
Higher education	15	21	12	10	11	3

108. Literacy and numeracy skills of over 15s stand at 98.4% for males and 96.1% for females.

109. Female teachers account for over 61% of teachers in secondary education and over 70% in 9-year education. Female teachers in urban areas: 61.6% (2009-2010), 62.2% (2010-2011) and 62.5% (2011-2012); rural areas: 51.1%, 51.9% and 53% respectively. In higher education, in the past two years female faculty account for the majority of docents and lecturers holding no academic titles⁷⁶.

110. Education of disabled persons: According to the 2011 Census, 55.6% of DPs over 15 have completed basic education; 3.3% university and post-university studies; 24.3% never attended school. 1.9% of over 15s who attended/are attending school do not have a diploma (59.6% female). The percentage increases with age. For 2013-2014, 2410 children were enrolled in preschool and mainstream pre-university schools (1013 mentally disabled children, 465 physically disabled, 298 visually impaired, 126 auditory-impaired, and 505

⁷⁶ See Article 7.

autistic children). In building new schools and repairing existing ones, care is being shown to make them disability friendly.

Elimination of discrimination in Education

111. The MES constantly revises curricula and textbooks from a gender perspective, to eliminate attitudes leading to exclusion, inferiority and indirect discrimination.

- Gender mainstreaming: The University Education Programme includes the promotion/application of quotas to attract girls/boys to non-traditional study areas. Public universities have revised the pre-service teacher training curricula, and the faculties of Social Sciences and Education/Teaching offer special courses or modules on gender equality, and special Gender Studies programmes at the B.A. and M.A. level. In 2012, 20 students were admitted to the Basic Police Academy (50% female). In December 2013, the selection process was re-opened for the General Patrol programme at the Basic Police Academy. There were 10,000 applications (1400 female), of which 1000 were admitted (500 female). In 2012, there were 596 applicants (46 females or 7.71%) for the uniformed Armed Forces; 30 women were admitted (11.2%), 26.6% of which university graduates. In 2013, there were 560 applicants (41 women or 7.32%); 8 women were admitted (5.6%), 50% university graduates.
- In sports: The Albanian Football Federation has been organizing the Women's Cup since 2009, where ten football clubs participate. There is an Albanian women's national team since 2011. The AFF is drafting a national project for the inclusion of girls football in primary education. From 2010 the AFF has been organizing Football Grassroots Festivals (6 towns, 400-500 children/youth; male/female/mixed teams). Women are involved in national competitions in basketball, volleyball, swimming, chess, etc. and hold leading positions in the Albanian Swimming, Chess, Gymnastics, and Karate Federations.
- In 2011, 96 curricula were revised (grades 1-9), in subjects as Albanian grammar, social studies, arts, and physical education. About 300 teachers (Korça, Gjirokastra) were informed about efforts to integrate Roma and Egyptian language, culture, and traditions in the basic education curricula. A package of teaching modules (manual) was published, entitled "Roma History and Culture and their Inclusion in the School Curricula". There is a Department of Slavic and Balkan Languages at the University of Tirana and a Department of the Greek Language, Literature and Civilisation at the University of Gjirokastra.
- According to Instruction No. 40/13.102014 "On the Criteria and Procedures for the Selection and Enrolment of Candidates Awarded the Status of the Blind Person, Paraplegic/Tetraplegic Invalids, Orphans, Roma, Balkan Egyptians, in full-time Undergraduate Study Programmes" provides that candidates may apply directly to the MES for the 65 places to be allocated in 2015.

Article 11

112. The Albanian legislation prohibits discrimination in the areas of employment, professional activity and social insurance benefits. The Constitution, Labour Code, Law on Protection from Discrimination, LGE, etc., uphold the principles of non-discrimination, equality and equal treatment for both men and women in their labour relations and

remuneration.⁷⁷ Amendments to Law No. 7703/11.05.1993 “On Social Security in the RA”, with law No. 104/31.07.2014, provide for:

- A gradual increase in women’s retirement age with two months per year, up to a retirement age of 63 in 2032. From 2032, men’s retirement age will increase by one month per year and women’s by 2 months per year, aiming at equalizing both genders’ pensionable age at 67 years by 2056⁷⁸. The calculation of benefits for mothers with many children and family pensions is improved and the spousal pension entitlement age is set at retirement age.
- Setting up professional schemes enabling individuals to contribute to increasing their old age income.
- Fathers’ entitlement to childcare payments where the mother is not eligible or renounces such right.
- After 2015, maternity leave for insured self-employed women shall be calculated on the income they pay contributions for, the same as in urban areas.
 1. **Law No. 152/2013 “On the Civil Service”** and relevant byelaws uphold the principles of equal opportunities, non-discrimination, professionalism, transparency, sustainability.
 2. **CMD No. 143/12.03.2014** “On the procedures for the recruitment, selection, probationary period, horizontal appointments and promotion of civil servants at the executive, lower and medium management levels”.

Revision of the Labour Code in process:

113. Since 2010, the MSWY has increased the number of stakeholders involved; has reflected on the recommendations of ILO Committee of Experts and of the European Committee of Social Rights for the alignment of Albanian Legislation with *acquis communautaire*; has taken into account CEDAW Committee recommendation (July 2010) on burden of proof and sexual harassment. On women and GE, the draft code envisages: replacement of the terms ‘sexes’ with ‘genders’; sexual orientation is added to the grounds on which discrimination is prohibited; envisages measures regarding pregnant women and young nursing mothers.

114. Regarding sexual harassment at the workplace, LGE and the Law on Protection from Discrimination envisage special rules and sanctions. The Labour Draft-Code aims to align the definition of sexual harassment with that of the EU Directive on equal treatment. On the burden of proof it provides: “Where the case is tried in a court of law and the complainant presents evidence on which their claim is based, the defendant must prove that there has been no breach or impingement of the equal treatment principle”.

The Labour Market - Employment

115. According to data from the 2012 and 2013 Work Force Surveys (WFS), there were 1,117,000 persons in employment in 2012 and 1,024,000 in 2013, with females accounting for 43,9% and 45% respectively. Women’s employment rates (15- 69 years) were respectively 49.5% (2012) and 43.1% (2013). In the public sector, female workers account

⁷⁷A full outline of the existing legal framework can be found in the 3rd GoA Report.

⁷⁸ Based on an analysis of demographic changes and given their higher life expectancy, women enjoy their pensions for longer, thus creating an imbalance in the ratio between the amount of contributions and pension payments received. The gradual increase of the pensionable age for women will undoubtedly lead to a reduction of pension expenses, avoidance of the present discrimination, fulfilment of EU requirements, and harmonisation with other countries in the region and in Europe.

for 43.9% (2012) and 48% (2013) of the workers. An analysis of employment data by profession (2012) shows significant differences between male and female employment in some categories of professions. In lawmakers, senior and executive positions, 14.6% are female and 85.4% male. In the Services, Retail and Trade Sector, females account for 37.7% and males for 62.3% of employees. In Health and Education, females are the majority, with 66,9% and 68,3% respectively (2012) and 68.2% and 72,4% (2013). In Construction, Transport, and Telecommunications males account for 92.8 % and 87.7 % of employees (in 2012) respectively and 97.3% and 80.5% (in 2013).

Unemployment

116. According to the WFS, there were 173,420 unemployed in 2012, 38.8% female; 194,000 unemployed in 2013, 37.2% female. Female unemployment rates were: 21.4% in the 15-29 age group and 9,7% in the 30–64 age group (2012); and 23.6% and 11.2% respectively in 2013. Male unemployment rates were: 27.4% among the 15-29 year olds and 10.2% among 30-64 year olds (2012), and 29,7% and 14.6% respectively in 2013.

Policies for the Promotion of Women's Employment

117. During 2010-2013, employment policies focused mainly on the development of the labour market and promotion of employment, as key components of governmental policies for the promotion of employment and reduction of. (National Strategy on Employment and Vocational Training 2007- 2013).

118. The 2013-2017 GoA Programme focuses on increasing employment and improving the quality of the workforce in line with the EU vision and directives, Europe 2020 Strategy, and EU accession criteria. The National Employment and Skills Strategy 2014-2020 (awaiting adoption) aims to identify and outline appropriate policies for the promotion of employment and vocational training of the workforce, better jobs and opportunities for life-long training, and better UJ access to vocational training and employment.

A) Active policies:

Assistance with employment, career and employment advice and orientation

119. From 2010 to June 2014, about 12 thousand people across the country found employment with the assistance of the National Employment Service (about 50% women).

133. UJs who found employment

<i>Year</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>June 2014</i>
Total	12,317	12,748	12,965	12,241	8,865
Females as % of the total	51.5	48.3	55.0	50.1	50.2

Career and employment advice and orientation programmes target special groups defined in laws and byelaws, and apply GE principles.

UJs attending career and employment programmes

<i>Year</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>June 2014</i>
UJs (in 000)	143	142	141.8	144.4	143.3
Female UJs (in 000)	72.9	73.8	73.00	74.6	73.5

An analysis of employment rates by year and gender shows that, despite the gradual narrowing of the gap between males and females, the labour market still reflects gender inequality in employment. Administrative data on unemployment show that the gap was about 5% (2000-2010) and 3% (2011). In 2013, unemployment rates stood at 9.3% for males and 13.7% for females. During 2010-2013, male unemployment has gone up while female unemployment has gone down.

120. Employment Promotion Programmes:

Six programmes are being implemented:

- **“Promoting employment opportunities through on-the-job training”**⁷⁹ supports UJs’ on-site training with the prospect of full employment with the same employer.
- **“Promoting the employment of UJs in hardship”**⁸⁰: UJs are first employed for a probationary period of 12 months and then supported in finding full employment.
- **“Funding, criteria and implementation procedures for internships programmes for UJ graduates from local or foreign universities”**⁸¹ provides internship opportunities, where graduates gain skills and knowledge in their chosen profession.
- **“Promoting the employment of women from special groups”** CMD No. 27/11.01.2012, as amended, provides financial support to employers employing female UJs from special groups for a period of one year, by reimbursing social security and medical insurance contributions payable by employers and four minimum monthly wages for the duration of the programme.
- **“Funding, criteria and implementation procedures for vocational and apprenticeship programmes for young UJs**, provides employment support and orientation for jobseekers aged between 16 and 30.⁸²
- **“Promoting the employment of disabled persons”**, CMD No. 248/30.04.2014: the employer of a disabled UJ on a one-year contract receives full reimbursement of social security and medical insurance payments payable by the employer; full financing of the first 6 months’ wages at the national minimum wage rate and the next 6 months at 50% of the national minimum wage rate; funding for disability-friendly workplace adaptations (reasonable adaptations) and essential preparations for the job for up to 100,000 ALL, but no more than 200,000ALL, if more than two disabled persons are employed.

121. Number of participants in these programmes:

<i>Year</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>First half of 2014</i>
Total UJs	1757	1170	919	834	3078
Female (about 70%)	1229	757	658	521	2155

⁷⁹ CMD No. 47/16.01.2008, as amended.

⁸⁰ CMD No. 48/16.01.2008, as amended: Long-term unemployed, persons claiming benefits; persons claiming unemployment benefits, first-time new entrants to the labour market (18-25 years old), persons over 45 with secondary or equivalent education, DPs, persons from the Roma community, returned migrants in financial hardship

⁸¹ CMD No. 873/27.12.2006, as amended.

⁸² CMD No. 199/11.01.2012, as amended.

122. Employment promotion programmes are fully funded by state budget funds allocated annually to the MSWY. Between 2010 and 2013 these funds amounted only to 90 million ALL per year, while in 2014 they tripled to 270 million ALL.

Vocational Training Programme

123. The government supports the development of quality vocational capacities through a Public Education and Training System, which after the current reforms has been transferred under the responsibility of the MSWY as a unified system. This approach will contribute to the development of quality vocational training available to the workforce, particularly young people, women and groups in need.

124. **Vocational training** contributes to the integration and re-integration of UJs in the labour market, with the assistance of ten Employment and Vocational Training Centres (EVTCS), one of which is a mobile centre. EVTCS offer short-term courses (4-6 weeks) and long-term courses (up to 7 months), mostly for the unemployed (whether registered with the National Employment Service or not), but they are also open to workers and students, depending on their training needs. Until November 2013, a 50% reduction on the regular fees was applied for UJs registered with Employment Offices while groups in need (Roma, orphans, DPs, trafficked girls and women, former convicts) attended free of charge. From December 2013, attendance is also free for UJs, pursuant to Order of Minister of MSWY No. 286/16.12.2013 "On fees in the public vocational training system". In 2012, the number of EVTC course attendees was 25% higher than in 2009. About 54.5% of all participants were under 25, and over 53% were female.

Number of people receiving qualifications at EVTCS

<i>Year</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>June 2014</i>
Total	8485	8531	8357	8884	5212
Female	4515	4751	3798	3898	2503
UJs	911	1041	1045	1119	893

B) Passive Labour Market Programmes/Unemployment Allowance Programme

125. These programmes provide income support to the unemployed from the moment they become jobless, and aim to facilitate their reintegration in the labour market. In 2013, the number of people claiming unemployment allowance was the lowest recorded in the past fourteen years, although the number of UJs increased in the same year. This increase in the number of registered UJs is most likely a result of the recent vigorous promotion of services in offer and the opening of new and modern employment offices.

UJs receiving unemployment benefits

<i>Year</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>
Total	9265	9367	8861	7887
Female in %	51	50	49	49
Male in %	49	50	51	51

- **Right to Equal Remuneration**

126. The Albanian legislation does not discriminate in relation to the right equal remuneration for men and women; remuneration depends on the work done, regardless of gender. Given the importance of 'equal pay for work of equal value', efforts have been made to improve the present legislation for the enforcement of this principle. The Labour draft-Code contains several proposals for amendments in this respect.

127. In December 2011, INSTAT and MSWY⁸³ presented the study “Albania Time Use Survey 2011-2012”, with important findings on women’s unpaid work. It found that women do considerably more unpaid work, both in terms of overall amount of time and as a percentage of the total number of people doing unpaid work on an average day. As for paid and unpaid work taken together (total work), women put in approximately two more hours than men in an average day. The group doing more total work are rural women.

Social Security

128. The voluntary contributions scheme⁸⁴, part of the mandatory social insurance scheme, was created to enable people who remained unemployed in the wake of the 1990 reforms and changes (irrespective of their gender). Voluntary insurance contributions are an opportunity to fill any gaps in previous years’ contributions, for women working at home, those who become unemployed at certain times in their lives, and migrant women working in informal labour markets abroad. Several awareness-raising campaigns were organised for this purpose.

Bilateral Agreements

129. There is on-going cooperation with neighbouring countries, such as Italy, for the inclusion of Albanian migrants in voluntary contributions schemes and informing them about payment deadlines in Albania. Pursuant to Albania’s SAA with the EU, international legal instruments in the field of social protection, and Regulations No.1408/71 (EEC) of the Council and No. 883/2004 (EC) of the European Parliament and the Council, the MSWY has intensified its coordination efforts for the expansion of social protection schemes for the protection of the rights of Albanian immigrants abroad and foreign nationals in Albania (irrespective of their gender). So far, a bilateral agreement on social protection has been signed with Belgium, and other bilateral agreements are being negotiated and revised, with countries such as Luxembourg, Macedonia, Hungary, Czech Republic, Romania, and Canada..

Health and Safety at Work

130. The **Labour Code** has special provisions for the protection of female workers from strenuous work. There are no legal provisions prohibiting night work for women. Night work is only prohibited for pregnant women. It is proposed that the revised Code should contain an amendment in line with Article 6 of Convention C171, The Night Work Convention 1990, for a more comprehensive approach to the protection of pre- and post-pregnancy women.

131. Pursuant to Law No. 10237/18.02.2010 “On Health and Safety at Work”, where there is exposure to hazardous substances, processes, or work conditions posing a risk to health and safety, or which could have an adverse effect on pregnancy and breastfeeding, the employer must take measures to eliminate the risk or adapt the workplace environment. All health and safety regulations in the Ministries have special provisions for the protection of women, pregnant women and nursing mothers.

132. In June 2014 a Draft-CMD was being developed, which transposes Council Directive 92/85 EEC “On the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or

⁸³ Supported by SIDA, UNFPA, and UN WOMEN

⁸⁴ Law No. 7703/11.05.1993 “On Social Security in the Republic of Albania”, (as amended), Article 3 “Voluntary Contributions” and Regulation No. 4/25.05.2009 “On Voluntary Contributions to the Social Security Institute” defines cases when individuals are entitled to make voluntary contributions, claim benefits, and ways to pay. The right to make voluntary contributions is enjoyed by Albanian citizens over 18 years of age, who are residents in the RA or abroad.

are breastfeeding”⁸⁵, which sets the minimum standards that Member States must meet and the respective measures for their fulfilment. All the collective agreements at the level of profession/industry submitted to the MSWY contain the relevant legal references related to the protection of pregnant women and nursing mothers.

- **Labour Inspections – Informal Employment**

133. The State Labour Inspectorate (SLI) (12 regional chapters) inspect licensed economic subjects in the territory of Albania and their compliance with the legislation in force in relation to employment relations, working conditions and workplace safety. Inspections/re-inspections of private businesses in the formal economy (which are reported to the Tax Administration for further procedures) found:

- Between 2010 and 2014: 4491 uninsured employees (45% female) in 54,524 businesses inspected, with a total number of 567,631 employees.
- According to the figures, there are more uninsured male (73%) than female (37%) workers and 67.7% of uninsured female employees work in manufacturing enterprises.

Article 12

134. The Albanian legislation does not discriminate between men and women in the area of health care. It guarantees, based on the equality of men and women, the same rights and opportunities to benefit from medical services, including family planning services. Licenses are issued to private health care providers for: laboratory services (microbiology, clinical, biochemical, genetic, dental and optical); medical clinics; dental and orthodontic clinics; health centres; other treatment centres; specialist and sanitary intervention services; hospital services; wholesale production and sale of medicines.

Legal Measures and Policies

135. Amendments to the following Laws: “On Protecting Health from Tobacco Products” (76/2014), “On Medicines and the Pharmaceutical Service” (105/2014), “On Medical Devices and Equipment” (89/2014), “On the Order of Physicians in Albania” (123/2014), “On the Order of Nurses in Albania” (124/2014), “On the Order of Dentists” (127/2014), all contribute to improving health care for women, although women are not specifically addressed in them. Worthy of mention are also the national strategies “On Securing Contraceptives”, “On Preventing HIV/AIDS”, “On Public Health and Health Promotion”, “On the Development of the Albanian Health Care System” (a long-term strategy); “On Safe Blood Transfusions”, “On Managing Genetic Blood Disorders”, “On Preventing and Minimising Alcohol-Related Harm (2011-2015)”; the Action Plan for the Development of Mental Health Services, 2013-2022, etc. Between 2010 and 2014, the health care budget grew by 7% year on year. Minister of Health Order No. 421/01.10.2014 “On Oversight of Health Care Institutions” sets up 6 monitoring and supervisory teams, as part of the campaign to combat corruption in hospital services (2014-2015).

Improvements to Women’s Health

136. In urban areas, women’s health services are offered at Women’s Consulting Centres, which provide key services in disease prevention and control, health promotion, reproductive health, family planning, ante-natal and post-natal maternal health, nutrition, HIV/AIDS prevention, reproductive tract cancers, information and advice on menopause, etc.

⁸⁵ With the assistance of ILO; in the framework of IPA 2010.

137. In rural areas, health care is provided at rural health centres and ambulatory services, family GPs, nurses and midwives-nurses. Pre- and post-natal services, assistance at birth/delivery, family planning and HIV/AIDS testing are free. Women's health care services form a special part of the "Package of Basic Services in Primary Health Care", which includes the provision of quality services.

138. Nationally, services for the protection of women's health are provided by a network of women's consulting clinics, based on international health protection protocols. The goal is to shift from treatment-focused medicine to preventive medicine and raise women's awareness on health protection. Information on health care and issues for men and women is provided by public services under the Ministry of Health. Improvement of mother-and-child services is part of the overall health care system reform. During 2011-2012, maternity wards in the hospitals of 16 districts of the country were equipped with contemporary medical equipment and devices, as effective infrastructural interventions for reducing new born and maternal morbidity and mortality. Fifteen obstetrics and neonatology and 27 paediatrics protocols were developed⁸⁶. Since 2011, work has been under way for the development of standards, guidelines, and protocols for the primary health care system. In 2013, the Ministry of Health⁸⁷ adopted guidelines for pre-natal, post-natal mother and infant care, nutrition and child development. In 2013, MoH adopted guidelines "On the Adoption of Indicators for Monitoring the Performance of Mother and Child Health Care Centres and Infant Health Care Centres in Primary Care Services" which set out the criteria for monitoring the performance of women and child primary care services⁸⁸.

139. In the context of the Baby-Friendly Hospital Initiative⁸⁹, maternity wards have taken measures to promote breastfeeding, which greatly reduces infant and maternal mortality. Between 2010 and 2013 a joint Programme for the Reduction of Malnutrition in Children was implemented⁹⁰, to prevent malnutrition and address food insecurity in high-risk groups such as mothers and children.

140. In 2011, integrated training modules on the nutrition of pregnant mothers and children were developed, based on contemporary nutrition information. In 2012, an awareness-raising campaign was launched for reducing malnutrition in pre- and post-pregnancy women, and improving child feeding practices.

141. During 2012-2013 a project⁹¹ entitled "Improvement of Nutrition Practices for Young Children 0-5 Years of Age" was implemented, which aimed to improve the health of children 0-5 years of age by promoting breastfeeding, good quality complementary foods, and nutrition education; to promote healthy nutrition practices for infants and children; and to strengthen cooperation with the partners. The project reached out to 1200 pregnant women, 5500 women 15-49 years, 240 volunteers and 7251 children 0 to 5 years of age. From October 2013, The Public Health Institute (PHI) has been collecting data on breastfeeding practices from health centres and maternity hospitals.

142. In 2013, training was provided to primary health care and hospital workers (physicians, nurses, obstetricians and gynaecologists, midwives), mainly from northern districts of the country⁹². During 2013 the training of medical personnel continued in areas such as the care and nutrition of pregnant women and breastfeeding.⁹³

⁸⁶ Accredited by the National Accreditation and Certification Centre.

⁸⁷ Supported by UNICEF.

⁸⁸ Minister of Health Orders No. 469 and 470 of 03.09.2013

⁸⁹ Supported by WHO/UNICEF

⁹⁰ Supported by UNICEF, WHO and FAO.

⁹¹ Of the Red Cross.

⁹² Shkodra, Lezha, Puka, Malësia e Madhe, Kukësi, Hasi, Tropoja.

⁹³ Durrës, Shkodra, Lezha, Kukësi, Tropoja.

143. Cervical cancer. Prevention, early diagnosis, and treatment of women's reproductive tract conditions are a priority. A study⁹⁴ (September-October 2013) assessed the existing capacities for an early detection of cervical cancer. A "Declaration of Wisdom" (a basic document outlining the aims and objectives of the alliance for combatting cervical cancer) was signed in October 2013. It calls for prompt joint interventions for the reduction of deaths from cervical cancer within the next five years. The declaration, and any other legal initiative that helps improve and save women's lives are supported by the AWMP. The People's Assembly and women MPs have launched initiatives in the areas of women's health care and breast cancer prevention.

144. Cervical cancer incidence statistics are as follows: 94 cases (2010); 96 cases (2011) and 90 cases (2012). Hospitalisation prevalence: 441 cases (2010); 397 cases (2011) and 487 cases (2012). Studies are being conducted into the strains that cause the disease, selection and use of the appropriate vaccine in the immunisations calendar in the next two years.

145. A National Cancer Control Committee⁹⁵ was set up and a National Cancer Control Programme 2011-2020 drafted. A seminar on cervical cancer control policies was held in January 2014, at the end of which a technical advisory document was drafted, outlining priority intervention areas. In 2014 activities were held with the aim of improving early detection and diagnosis and developing detailed medical protocols in time for the launch of a screening programme within 2015.

146. Breast cancer: In October 2013 the Health Minister issued an order exempting sufferers from tumoral diseases and pregnant women from medical fees. This shall also apply to women suffering from cancers of the reproductive tract. In October 2013, the Council of Minister approved a loan of 2,000,000 Euro for the purchase of a linear accelerator needed for the treatment of these diseases.

147. Breast cancer incidence statistics are as follows: 332 cases (2010), 359 cases (2011) and 318 cases (2012). Hospitalisation prevalence: 3993 cases (2010); 3412 cases (2011) and 3737 cases (2012). In 2013 over 250,000 examinations for breast cancer were conducted. Tender procedures are under way for the purchase of a mobile mammogram unit, which will help improve the access of women living in remote areas to breast screening services.

148. Family doctors, nurses and other health professionals are regularly trained on early detection of breast cancer. Two hundred doctors and 100 nurses were trained since September 2013. Information and awareness-raising materials were developed and a systematic national monitoring of clinical breast screenings has been launched. The PHI is working to strengthen the capacities of local health care staff by organizing training on prevention, screening, treatment choices and palliative care. Every October activities for raising breast cancer awareness are organised.

- **Minorities' Access to Health Care**

149. Persons from the minorities, including the Roma minority, have access to health care across the country. In various districts, Regional Directorates are collaborating with NPOs, including Roma NPOs, for the provision of the necessary health care services⁹⁶.

- **Contraceptive Methods, Sex Education, Family Planning**

⁹⁴ MoH, PHI, UHCT, UNFPA.

⁹⁵ A consultative body composed of representatives from the MoH QSUT, PHI, INSTAT, WHO and specialized ambulatory and hospital services.

⁹⁶ The case of Roma families settled in Shishtufina, Tirana, October 2013

150. The Albanian National Contraceptive Security Strategy 2012-2016, gives men and women the choice to select, obtain, and use high-quality contraceptives and family planning services. It aims to increase the use of modern contraceptive methods by 30% compared to 2008 (which was at 11%). The aim is to expand the range of contraceptive methods available at health centres and the referral system⁹⁷. Family planning services are offered free of charge at public health service facilities, such as health centres and ambulatory services in the primary care system, family planning centres at urban maternity hospitals, and NPOs. The services are based on the principle of informed choice, respecting the rights of clients, wide choice of contraceptive methods, and their integration in mother-and-child health and reproductive health services/programme. Family Planning Centres (a total of 431 centres in 36 districts) offers some types of contraceptives free of charge and their staff is qualified and trained in giving family planning advice. Other available alternatives for the population are social marketing and the open pharmaceutical market. In rural areas, midwives provide family planning advice in the course of their routine home visits to pregnant women.

151. From the second half of 2014, work has been under way for refreshing the guidelines and inclusion of contraception norms/standards, updating family planning protocols in primary health care and revising abortion guidelines for maternity hospitals.

152. Special attention is paid to sex education, family planning, prevention of STDs and unwanted pregnancies. Awareness-raising activities, such as meetings and distribution of information, targeting young people are organised in cooperation with NPOs. The MoH (PHI/Promotion Departments) organize regular promotional and information events on childcare, nutrition, family planning, STDs and early pregnancy prevention across the country, with a special focus on Roma girls/women.

153. According to data from public and private sectors, abortion rates are on the decrease:

<i>Year</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
Total abortions	8085	8307	7846
% of abortions performed in public health facilities	90.5	88.8	90.0
% of abortions performed in private health facilities	9.5	11.2	10.0

154. From 2013, abortions are only allowed to be performed in maternity wards of public/private hospitals but not in private clinics. This will help ensure a more efficient service in conformity with the standards and the legislation in force, and will facilitate the monitoring of abortion statistics. In 2013, there were 6442 abortions (1404 fewer than in 2012). The number of abortions for 1000 live births is: 239 (2010); 242 (2011) and 224 (2012).

• **HIV/AIDS and Mother-to-Child Transmission**

155. Albania remains a country with low HIV prevalence, although there has been an increase in diagnosed cases in the recent years. In 2013, total number of people infected with HIV/AIDS between 1993 and 2013 was 699 (212 females and 34 children).

156. Late diagnosis remains an issue that needs to be addressed. Between 2007 and 2013, over 50% of cases diagnosed annually were caught at a very advanced stage. In 2013, 316 adults and 19 children were under treatment. Since 2004, treatment with antiretroviral drugs is free of charge, regardless of gender, race, or vulnerable group. Medical care components include: antiretroviral therapy, diagnosis, treatment of opportunistic infections and other accompanying pathologies, and psychosocial support.

⁹⁷ An increase of 30% in condom use is expected.

157. The prevention of mother-to-child transmission is a key objective of the National Strategy for the Prevention of HIV/AIDS. Prevention services are available to the entire population at HIV/AIDS Counselling and Voluntary Testing Centres. These are set up at Public Health Directorates of the 12 Prefectures, offering free voluntary testing and counselling pre- and post testing. Counselling for pregnant mothers is also provided at Family Planning Centres at Polyclinics and maternity wards. A referral centre for the prevention of mother-to-child transmission has been set up at the Obstetric-Gynaecological University Hospital. From 2007, an ambulatory service is functioning at the UHCT, providing services to people with HIV/AIDS. This centre offers free ARV therapy, monitoring of disease progression, psychosocial support, and voluntary HIV/STD testing. Various projects⁹⁸ focus on prevention, harm reduction, methadone maintenance treatment, psychosocial support, etc. Training courses and awareness-raising campaigns on prevention of HIV/AIDS are organised with vulnerable groups, IV drug users and sex workers.

158. Of the 33 HIV-positive cases diagnosed in 2013, 25 were children infected via vertical transmission. The increasing tendency in this form of transmission emphasises the need for promoting and recommending early testing in pregnant mothers. HIV/AIDS is more prevalent in urban areas, with 73.5% of the cases in towns and 26.7% in rural areas. About 50% of the cases are in Tirana. A greater percentage of women are aware of the risk of mother-to-child transmission through breastfeeding.

159. Primary health care personnel offer information and advice, voluntary testing services and free condoms. Staff training on HIV prevention is carried out in the areas where Roma communities live. During 2013, 120 health care workers were trained.

160. Schools play an increasingly important role in shaping young people's attitudes, opinions and behaviours. In order to inform and educate them on HIV transmission, measures have been taken to: train teachers; raise parents' and students' awareness; prepare information leaflets and TV programmes. Awareness-raising activities also focus on the fight against discrimination and exclusion of women with HIV/AIDS.

161. In the context of institutional coordination of efforts, the Parliamentary Committee on Labour, Social Affairs and Health held a hearing (December 2013) with state bodies, international organisations and CSOs, on the prevention of mother-to-child HIV transmission and intervention measures.

Article 13

Social and Economic Assistance

162. The social protection system is based on social security and social assistance programmes, disability support and social services. Amendments to Law No. 7703/11.05.1993 "On Social Security" (July 2014) for the first time provided that all persons over 70 residing in Albania in the past 5 years (regardless of gender) and who do not otherwise qualify to receive a pension, are eligible to receive a social pension.

163. The 2014 amendments to Law No. 9355/10.03.2005 "On Social Assistance and Social Services", provide:

- Social assistance is now payable to women in the household.
- Support with additional subsidies for each child attending mandatory education and for each immunized child from a household claiming social assistance,

⁹⁸Grants by various donors and Global Fund Grants (2007-2012).

- Disabled single mothers or heads of households receive additional support services from public community centres and are referred to NPOs providing alternative services, where such services are not provided by governmental structures.

164. In 2013, the government launched a new **Social Care Services** reform for an integrated, coherent and sustainable social care system at the strategic, policy, budgetary and capacity levels. De-institutionalisation of residential care centres is one of the priorities of this reform, aiming to create family and community based care models.

165. Work has been under way in 2014 for the development of the **2015-2020 Social Inclusion Strategy**, which shall focus on the inclusion of vulnerable groups using a gender perspective.

Women and Business:

166. INSTAT reports that in 2012, 27.4% of active businesses (out of a total of 104,275) were owned/run by women, an increase of 1.5% on previous year. Generally women own/run small enterprises; the majority are self-employed or own small business with high growth rates (3% from 2007 to 2011). Although growth indicators are good, in the long term their businesses may face the risk of stagnation or even failure.

167. In 2011, the percentage of women running larger enterprises with 5-9, 10-49 and over 50 employees was about 14-15%. The number of women's enterprises with over 50 employees, with a growth rate of 2% from 2007 to 2011. The tendency on the rise of new women-owned businesses (a 6% increase from 2007 to 2011), while the overall number of new businesses has been on the decrease, demonstrates women's resilience, their skills and ability to ensure sustainability, find new alternatives, open new businesses, and protect themselves from the financial crises and business oscillations⁹⁹.

168. According to the Bank of Albania, 31.4% of total loans disbursed in 2011 went to women-owned businesses, (accounting for 11.5% of the total value). In 2007, an Albanian Competitiveness Fund was established to support SME-s and increase their competitiveness, based on a cost-sharing scheme with a value of 20,000 million ALL/year. The fund provides support to companies for three years, with co-financing of up to 1,000,000 ALL, but no more than 50% of the cost of the project. Typical activities supported by this fund¹⁰⁰ involve improvements to management systems, product certifications, market research, product marketing, participation in fairs and exhibitions, etc. In 2013, 8 projects were approved, of which only one was run by a female. In 2013, the Innovation Fund approved 7 projects, none of which run by a female.

Women and property:

169. A recent World Bank study reported that out of a sample of 73,755 owners, 27,741 are women and 46,014 men (2013). Of the total number of women owners: 4,374 own 100%; 9,063 own 99%-50%; 4,886 own 49%-25%, and 9,418 less than 25% of the property. In the past three years men received 2/3rds and women 1/3rd of mortgages. The number of women inheriting property is on the increase: from 38.71% in 2011 to 45.11% in 2012 to nearly 50% in 2013¹⁰¹.

170. Little progress has been made in the implementation of some components of the property reform plan of 2012 and the action plan needs to be revised to ensure that it

⁹⁹ A Survey of Women Entrepreneurship in Albania, Institute of Contemporary Studies and UN Women, March 2013.

¹⁰⁰ AIDA – the Agency managing the fund.

¹⁰¹ Gender disaggregated data – Western Balkans, Statistical Reports 2005-2013, published at the World Bank Annual Conference on Land and Poverty (Washington 2014).

is realistic and sustainable in terms of targets and sources of funding. The government has established three monitoring and consultative structures for its implementation. There is need for more cooperation between institutions and coordination of the digitalised data systems of the Immovable Property Registration Offices (IPROs) and other bodies.

171. The Albanian legislation appears to be impartial in relation to gender aspects; however, its implementation in practice shows that men possess and administer property to a much larger degree than women. Limited access to credit and lack of collateral, such as in the cases where women are either not registered as co-proprietors or are joint owners of collateral with men, stand in the way of women's right to starting a business. There is still room for improving and instituting affirmative action measures, for the achievement of *de facto* equality in this respect. Although the Civil Code and the Civil Procedure Code recognize the equal rights of men and women, their implementation does not seem to lead to the same outcomes.

• **Promotion of Women's Entrepreneurship:**

172. The 2014-2020 Business and Investment Strategy sets out a number of targets for the improvement of the business climate in general and female entrepreneurship in particular. In its efforts to empower women entrepreneurs, the Ministry of Economic Development, Trade and Entrepreneurship (MEDTE), took the following measures in 2013-2014:

- A study on women entrepreneurs¹⁰² and the *Action Plan in Support of Women Entrepreneurs 2014-2020* (Order of the Minister of MEDTE No. 339 19.06.2014), introduces specific measures conducive to a friendly business environment for start-up businesses and collaboration with stakeholders for the development of women's businesses. The plan is in line with the objectives of the Business and Investment Strategy and EU objectives/priorities on women's entrepreneurship.
- Establishment of a Consultative Group for the Coordination and Monitoring of the Implementation of the Action Plan, (Order of the Minister of MEDTE No. 340/19.06.2014), with the participation of stakeholders, as a focal point for long term strategic commitment, advocacy and leadership for strengthening women's entrepreneurship.
- *Establishment of a Fund in Support of Women Entrepreneurs*, with an overall value of 26,500,000 ALL, to be implemented over a four year term.

173. Under the agreement between the Albanian and Italian governments for the support of SME-s, Cooperazione Italiana and MEDTE amended the procedures for financing projects benefitting women entrepreneurs, by giving 'bonuses' to all projects proposed by women.

Women and Culture:

174. Women in Albania have always shown interest in art, culture, and heritage over the years, through direct contribution or helping transmit cultural values to generations. The Ministry of Culture encourages the participation of women in all sectors of culture by supporting women-led projects and cultural organisations¹⁰³. A project for mapping areas where vulnerable women live has been finalised and support is provided to artisanal activities of women in remote areas, to promote their integration through culture.

175. The strategic documents and programmes of the Ministry of Culture aim to treat artists equally, regardless of their gender, and to involve women as persons with broad life

¹⁰²In cooperation with UN Women.

¹⁰³ Pursuant to Law on Art and Culture and Law on Cultural Heritage.

experiences and positive models. The 2013-2017 Programme of the Ministry emphasises access to culture for all groups and communities and education of citizens through culture. Emphasis is given to broad-based cultural education from a young age, with a view to raising awareness, promoting fight against discrimination, and full gender mainstreaming.

176. Maintaining balance, ensuring equal opportunities for both genders, and recognising their contribution in culture generation, remain key focus areas in the development and implementation of strategic documents.

Article 14

Rural Women

177. In the Albanian legislation rural and urban women are treated equally but in practice rural women have a much harder life. They find it more difficult to access health care, education and justice, and their participation in public and political life is very limited. Even where basic information and services exist, rural women often must go to towns to access such services, which makes their position even more difficult (economic hardship, mentality, lack of infrastructure, etc.). Services in rural areas also leave much to be desired. High rates of unemployment, lack of training opportunities and qualifications, and lower educational levels, make rural women more vulnerable to unemployment and poverty. As their husbands emigrate abroad or engage in small trade, women are left to shoulder the greatest share of farming jobs. Women's contribution to farming family businesses is very important, but this usually has no bearing on their role in the management of the family farm or decision-making. According to the present law, rural women are members of the agricultural household and are co-owners together with the rest of the family members; however, they are rarely seen as heads of farming households. Women can be heads of households only when they are widowed, divorced, or when their partner or spouse has long left the farm to go abroad.

178. Government policies focus primarily on the empowerment of rural women. In 2012, the MAFCP criteria for evaluating eligibility for funds included a provision that where a farm is owned or managed by a woman, she automatically gets 20 extra qualifying points. The Law on "Agricultural Cooperative Enterprises" will include provisions allocating extra points to women-run agricultural enterprises applying for subsidies. Work is under way for identifying associations led by rural women, in order to help promote their activities. Just 7% of agricultural farms were managed by women in 2011 and 6% in 2012.

179. An analysis of agricultural services reveals that strategies typically favour male farmers. Women's roles, their daily household workload, limited mobility and childcare requirements, are not taken into account. Hence the importance of extending agricultural services by implementing programmes relevant to both male and female farmers. The 2007-2013 Sectorial Strategy on Agriculture and Rural Development focuses on the reduction of the present economic and social inequalities between various regions of the country. It also emphasises the paramount role of rural women in the establishment of production cooperatives and emphasises the equal treatment that these women should receive in terms of credits and direct payment.

Article 15

Equality before the law

180. Fundamental human rights and freedoms are the cornerstone of the legal order in the country. Everyone has the right to bring a case or complaint before the administrative and judicial authorities and there are no legal obstacles to women's participation or attendance in trials, everyone enjoys freedom of movement, etc. Experience on the ground shows that

the implementation of these rights in practice can be difficult – choosing a place of domicile or freedom of movement are limited by a number of cultural and socio-economic factors that affect women’s lives, especially of those from certain groups (rural women, Roma and Balkan-Egyptian women, disabled women, etc.).

181. Law No. 33/2012 “On the registration of real estate”, provides “documentation proving ownership of property and other real rights on immovable property that is jointly owned by two or more persons, are registered in the immovable property register together with the identity and share of property of each co-owner, when there is possible. Where the property that is subject to the transfer of ownership contract for the benefit of natural persons registered as having married status in the Civil Status Register has been obtained during the marriage, pursuant to the Family Code provisions, both spouses’ names are entered as co-owners in the relevant part of the ownership registration card.” The competent structures are training the staff involved in the enforcement of this law.

Article 16

Marriage and family life

182. The Albanian legislation is in line with Article 16 of the CEDAW in this respect. The principle of equality of spouses in various aspects of family life, pre- and post-marriage (private and proprietary) and in relation to the children is a central priority. However, in practice there are cases when these principles are breached, for instance early or forced marriages in the Roma and Egyptian communities, marriages of minors, property rights, etc. Recent research studies on judicial practice reveal that women have limited knowledge of ownership regimes. The Ministry of Justice¹⁰⁴ is conducting a cycle of training courses for notaries public and IPRO employees on the observation of the principle of gender equality in the registration procedures.

183. Recommendation 44. Adoption of the amendment to Article 20, paragraph 1, of the Convention.

Law No. 10373/10.02.2011 “On an Amendment to Law No. 7767 of 9.11.1993 “On Accession to the Convention for the Elimination of All Forms of Discrimination against Women” sanctioned the acceptance of the amendment to article 20, paragraph 1, of the Convention, concerning the meeting time of the Committee.

¹⁰⁴Supported by UN Women.