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EUROPEAN SOCIAL CHARTER

9th National Report on the implementation of the
European Social Charter

submitted by

THE GOVERNMENT OF ALBANIA

Articles 3 and 11 for the period 01/01/2012 - 31/12/2015

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Report

For the period 01.01.2012 to 31.12.2015

Compiled by the Albanian Government

in accordance with Section C of the revised European Social Charter and Article 21 of the European Social Charter, on the measures taken to give effect to the provisions of the instrument received 21.9.1998 signed and ratified by the Republic of Albania by law no. 8960, dated 24.10.2002 "On the ratification of the revised European Social Charter".

In accordance with Section C of the revised European Social Charter and Article 21 of the European Social Charter, copies of this report have been brought to the attention of the employees and employers organizations represented at national level.

Thematic group "Health, social security and social protection"

Article 3

The right to safe and healthy working conditions

Paragraph 1

Formulation, implementation and periodic review of national policies consistent on occupational safety, occupational health and the working environment, which aims to improve health and safety at work and prevention of accidents and injuries to health related to work, particularly by minimizing the causes of risks inherent in the work environment has been implemented in the changes and improvements made to the Labour Code and regulations for its implementation.

Chapter VIII of the Law No. 7961, dated 12.07.1995 "The Labour Code of the Republic of Albania", as amended, has designated "Security and protection of health" in the work, in which the amendments of 2015 were fulfilled conditions that the employer It must create and maintain in order to optimally work performance and ensure the health of employees at work. In the first place, attention is given to technical safety regulations for the prevention of occupational accidents and occupational diseases. If the consequences have come to the guilt of the employer, then he pays the difference between the damage and the payment of social security. In accordance with paragraph 1 of Article 3 of the Charter, Article 40 of the Labor Code establishes the employer's obligation to care for the hygiene of the work, and in consultation with the employee should take the necessary protective measures against special risks that toxic substances and agents present, cars, transportation of heavy weights, air pollution, noise and vibration, as well as risks in some sectors of the economy such as

construction, civil engineering, mining and chemical industries. In jobs that endanger the lives and health of employees, employers should establish clear distinctive signals. With the recent legal amendments is provided that in workplaces that present specific risks to life and health of employees, the employer at its own expense and in consultation with the company doctor performs medical professional visits and supplementary examinations for employees periodically.

In order to improve the safety and health at work, it is determined that the documentation that the employer must submit to the labor inspector of the risk assessment document for each job, coupled with preventive measures.

In Article 54 of the Labour Code is stipulated that where the employee works steadily decreased, he must have available an work appropriate chair, and the employer's obligation to provide for unpaid rests, no less than 20 minutes when the employee works about 6 hours without interruption; if the performance of work requires a stay standing and leaning for a long time, paid rest should be provided, no less than 20 minutes every 4 hours of continuous work. On pregnant women break every 3 hours provided no less than 30 minutes.

In Article 63 of the Labour Code "principles" related to fires and explosions it is determined that the employer must conduct a risk analysis of fire or explosion and to take the necessary measures to prevent them, considering the nature of the materials used, environment and business processes. And gives the Council of Ministers the right to determine the minimum requirements to protect workers from the risk of explosive environments.

In addition to changes in the Labour Code, the Ministry of Social Welfare and Youth, in close cooperation with the relevant Ministries, public institutions and social partners, with the support and technical assistance from the ILO in the country was drawn Policy Paper and Action Plan for Safety and Health at Work (2016-2020), as a continuation of the previous document. This document was approved by DCM no. 370 dated 05.18.2016 "On Approval Document OSH policy and its action plan 2016-2020".

The document was presented and discussed at the meeting of the National Labour Council organized in the month of October 2015

Albania for the first time adopted in 2009 OSH policy document from 2009 to 2013 for the continuous improvement of safety and health at work. This document opened a clear path for the development of safety and health at work and the implementation of standards in this field. Under this strategy, its Action Plan had set the necessary measures and actions, which would be conducted to achieve the objectives identified in all sectors of the economy.

This document will be an important modern instrument for the protection of rights and interests of employees, and its strategic vision is the creation of decent working conditions for more productivity and less informality in Albania. Initially, efforts will focus primarily on three main pillars, aimed at (i) to improve the policy and legal framework for the public health sector, (ii) create good working conditions and workplaces safer and healthier, and (III

) to ensure the transparency and effectiveness of the systems and institutions *of public health sector*.

Political Document and Action Plan for the public health sector is in line with the vision and program of government provided for in the National Strategy for Integration and Development (2015-2020), the National Strategy for Employment and Skills Strategy 2014-2020, the EU Strategic Framework 's Health and Safety at Work (2014-2020), "the WHO Global Strategy on Occupational Health for all" and the Action Plan of the ILO (2010-2016), which aims to achieve wide ratification and the effective implementation of international instruments for safety and health at work

Currently, the education system in Albania includes some of the Safety and Health at Work curricula's. The Faculty of Medicine has curricula for occupational diseases which focus on pulmonary diseases that are caused due to exposure to job positions. In Secondary Education in Albania there are other curricula related to this issue through the course "Training for Life" and the object of the 10th class of "citizenship". Also, there is no opportunity for the university specialization in the field of public health sector where Labour Inspectors can be recruited. Usually they are recruited from various areas of university education. While health education specialists working in the field of public sector health programs provided under the Faculty of General Medicine and Public Health, which contain many elements of environmental and health field, including health. Training of employees engaged in the public health sector achieved mainly through joint programs with the approval of the Ministry of Education and Sports and the Faculty of Medicine.

The research field of health and safety at work focuses not only on technical aspects as in all developed countries, discovering new risks, but also to the social aspects of society, to specific operating conditions. However, the impact of each sector research for public health with regard to safety and health of workers depends on how the findings of this research will be translated into practical and accessible solution for workplaces. This requires the identification and assessment of risks and preventive solutions. National research in the field of public health sector should also focus on the proper method of implementation of research results out of the world. Currently, literature research of public health sector in Albania It is scarce, with few exceptions such as the comprehensive study that led to the preparation of the Report on Safety and Health at Work in Albania) conducted by the National Association of Public Health (2010) and supported by the EU Commission. In this field also can be found on other research studies conducted by the Institute of Public Health.

The Council of Ministers has issued several decrees, in implementation of the law, regarding trainings for the labour inspectors and the representatives of the employers' and workers' organizations, as well as for the public health sector managers and specialists, in view of the necessary acquaintance with the respective provisions and their implementation.

In the framework of the implementation of the project IPA-2010, component 1 “Modernization of Labour Inspectorate” during the period January - December 2013, there have been trainings organized for the labour inspectors as follows:

- January 2013, training for: “Train the trainers”
- March 2013, training on: “Evaluation of risk at work” and “Relation & Communication”.
- April 2013, training on: “On the security at construction sites”.
- May 2013, training on: “Psicho-Social risks at work”.
- October 2013, training on: “The efficient performance of Labour Inspection”.

During the period 2014-2015, trainings have been provided for all the labor inspectors all over Albania, introducing the new government decrees in the implementation of the law on the Security and Health at Work, as well as workshops on the Security and Health at Work on topic: “Safety at the workplace, provides for successful businesses” designed for the public health sector managers and specialists.

Paragraph 2 – to issue regulations on the health and safety at work;

With regard to the safety and health at work, there is the Law no. 10237, dated 18.02.2010 “On the safety and health at work” amended by the Law 161/2014, followed by 24 specific regulations, which provide for the elements as requested by the EU regarding the policies and measures for safety and health at work.

Approved in 2010:

- Decree of the Council of Ministers no. 312, dated 5.5.2010, on the approval of the Regulation “On the safety at the worksite” (transposing Directive 92/57/EEC).
- Decree of the Council of Ministers no. 1012, dated 10.12.2010 on the approval of the Regulation “On the signposts at the worksite and the workplace” (transposing Directive 92/58/EEC).

Approved in 2011:

- Decree of the Council of Ministers No. 590, dated 18.8.2011 “On the approval of the Regulation "On the protection of the employees professionally exposed to ionizing radiation " (transposing Directive 96/29/EEC)
- Decree of the Council of Ministers no. 108, dated 9.2.2011, “On the necessary skills of the employees, the specialized persons and services aftësitë që duhet të plotësojnë punëmarrësit, responsible for the issues relating to safety and health at work

- Decree of the Council of Ministers no.107, dated 9.2.2011 “On the composition, provisions for organization and functioning of the councils for the safety and health at work, and the representatives of the employees”

Approved in 2013:

- Decree of the Council of Ministers no. 562, dated 3.7.2013, on the approval of the Regulation “On the minimal requirements for the Safety and Health in the use of work equipment at the workplace”. (transposing Directive 2009/104/EC).
- Decree of the Council of Ministers no. 563, dated 3.7.2013, on the approval of the Regulation “On the minimal requirements for the Safety and Health in the Use of Individual Protection Equipment at the Workplace”. (transposing Directive 89/656/EEC).
- Decree of the Council of Ministers no. 564, dated 3.7.2013, on the approval of the Regulation “On the minimal requirements for the Safety and Health in the Use of Individual Protection Equipment at the Workplace” (transposing Directive 89/654/EEC)

Approved in 2014:

- Decree of the Council of Ministers no. 520, dated 6.8.2014, on the approval of the Regulation “On the Safety and Health from the risks relating to the carcinogenic and mutagenics agents at work”. (transposing Directive 2004/37/EC).
- Decree of the Council of Ministers no. 521, dated 6.8.2014, on the approval of the Regulation “On the minimal requirements for the Safety and Health at works with screen-equipped devices”. (transposing Directive 90/270//EEC).
- Decree of the Council of Ministers no. 522, dated 6.8.2014, on the approval of the Regulation “On the Safety and Health for the employees from the risks relating to the chemical agents at work”. (transposing Directive 98/24/EC and three Directives on the the indicative limit values regarding exposure at work: 2000/39/EC, 2006/15/EC, 2009/161/EU).
- Decree of the Council of Ministers no. 523, dated 6.8.2014, on the approval of the Regulation “On the minimal requirements for the Safety and Health for the protection of the employees regarding the manual labour and loadworks” and the revoking of the paragraphs 15.1 to 15.10, of the Appendix V, of the Decree of the Council of Ministers no. 312, dated 5.5.2010, “On the approval of the Regulation for safety at worksite”. (transposing Directive 90/269//EEC).
- Decree of the Council of Ministers no. 550, dated 27.8.2014 on the approval of the Regulation “On the Safety and Health for the employees from the risks relating to the exposure to biological agents at work”. (transposing Directive 200/54/EC).

- Decree of the Council of Ministers no. 841, dated 3.12.2014 “On protection of the employees from risks relating to vibration at work”. (transposing Directive 2002/44/EC).
- Decree of the Council of Ministers no. 842, dated 3.12.2014 “On protection of the employees from risks relating to the noise the workplace”. (transposing Directive 2003/10/EC).
- Decree of the Council of Ministers no. 844, dated 3.12.2014 “On protection of the employees from risks relating to the electromagnetic fields at the workplace “. (transposing Directive 2004/40/EC dhe 2013/35/EU).
- Decree of the Council of Ministers no. 843, dated 3.12.2014 “On protection of the employees from risks relating to the optic radiation at the workplace“ (transposing Directive 2006/25/EC)

Approved in 2015:

- Decree of the Council of Ministers no. 384, dated 06.05.2015 “On the approval of the Regulation “On the minimal requirements for the Safety and Health at work for the protection of employees exposed to the risk of exploding environments " (transposing Directive 92/104/EEC).
- Decree of the Council of Ministers no. 594, date 1.7.2015 “On the approval of the list of the professional diseases” (transposing Directive 2003/670 EEC)
- Decree of the Council of Ministers no.634, dated 15.7.2015 “On the approval of the Regulation “Introducing measures for the safety and health at work of the pregnant women and new mothers” (transposing Directive 92/85/EEC).
- Decree of the Council of Ministers no. 709 dated 26.08.2015 “On the approval of the Regulation “On the minimal requirements for the safety and health for work in the fishing vessels mjetet detare të peshkimit” “. (transposing Directive 93/103/EC).
- Decree of the Council of Ministers no. 632, dated 15.7.2015 “Some amendment to the Decision no. 108, dated 9.2.2011, of the Council of Ministers, “On the necessary skills required for the employees, specialised persons and services, responsible for issues relating to the safety and health at work”

Approved in 2016:

- Decree of the Council of Ministers No. 639, dated 7.9.2016 “ On the definition of the rules and provisions, the procedures and health examination tests, to be conducted by the employees as well as the provisions for the health service at work”
- Decree of the Council of Ministers no. 484 date 29.6.2016 “On the approval of the Regulation “On the protection of the employees from risks relating to asbesti at the workplace” (transposing Directive 2009/148/EC)

The Council of Ministers has already issued the decrees as follows, regarding the minimal requirements for the safety and health of the employees exposed to risks relating to dangerous substances, like asbestos, ionizing and non-ionizing radiations.

- Decree of the Council of Ministers no. 590, dated 18.8.2011 “On the approval of the Regulation " On the protection of the employees professionally exposed to ionizing radiations " (transposing Directive 96/29/EEC)
- Decree of the Council of Ministers no. 484 date 29.6.2016 “On the approval of the Regulation “On the protection of the employees from risks relating to asbestos at the workplace” (transposing Directive 2009/148/EC)
- Decree of the Council of Ministers no. 844, dated 3.12.2014 “On the protection of the employees from risks relating to electromagnetic fields at the workplace “. (transposing Directive 2004/40/EC dhe 2013/35/EU).
- Decree of the Council of Ministers no. 843, dated 3.12.2014 “On the protection of the employees from risks relating to optic radiation at the workplace “. (transposing Directive 2006/25/EC)

3 Measures to be taken for the implementation of these regulations, through supervision;

All the new decrees issued by the Council of Ministers, pursuant to the Law “On the safety and health at work”, aim to improve the work conditions and the creation of new, even safer and healthier jobs for the employees, to minimize the professional diseases and accidents at work.

In the framework of introducing the said decrees and regulations, trainings and workshops have been organized for the labour inspectors and the representatives of the employers’ and workers’ organizations, as well as for the public health sector managers and specialists

In the framework of the implementation of the project IPA-2010, component 1 “Modernization of Labour Inspectorate” during the period January - December 2013, there have been trainings organized for the labour inspectors as follows:

- January 2013, training for: “Train the trainers”
- March 2013, training on: “Evaluation of risk at work” and “Relation & Communication”.
- April 2013, training on: “On the security at construction sites”.
- May 2013, training on: “Psicho-Social risks at work”.
- October 2013, training on: “The efficient performance of Labour Inspection”.

During the period 2014-2015, trainings have been provided for all the labor inspectors all over Albania, introducing the new government decrees in the implementation of the law on the Security and Health at Work, as well as workshops on the Security and Health at Work on topic: "Safety at the workplace, provides for successful businesses" designed for the public health sector managers and specialists.

For the reporting period, the structures responsible for the inspection and the safety and health at work, have conducted a series of activities relating to the implementation of the Article 3, of which we would like to mention:

1. May 2014 – a seminar with all hygienists covering hygiene of work in all regions of the country, and some physicians working in subjects related to the Albanian legislation on safety and health at work, pointing out the rights and obligations Special contingents have referred to in the above articles.
2. The development of human capacity, in particular the work of physicians and Hygienists in center and base.
3. Ratings for working conditions in different regions nationwide, in cooperation with hygiene specialists who cover hygiene work in the districts.

OSH reporting system based on legislative acts of MoSWY and MH, which make mandatory disclosure and reporting of occupational accidents and occupational diseases, and reporting based on a format already adopted.

Statistics in the field of OSH focus especially on the data regarding accidents at work and occupational diseases, to be able to analyze the causes, sources, the most common risks, sectors and activities most dangerous job. These data are essential for strategic planning of prevention and appropriate measures. They collected by labor inspection under the mandatory reports from Social Security based on insurance claims for compensation for damage. As a matter of fact, Në fakt, it is very difficult to produce and report data on occupational diseases for many reasons. For ex: The information system of the Ministry of Health has no special section for occupational diseases¹.

Other factors that may be mentioned are: lack of reporting, covering part of enterprise health services, lack of doctors specializing in occupational diseases, lack of capacity bio-monitoring related to the accuracy of the data is far from reality. for example, in 2015 there

¹

were only 125 cases of occupational accidents reported to ISHPSHSH's (among which 9 were road accidents) and fatal accidents at work 28 (2 fatal road accidents). According to ISHPSHSH Annual Report for 2015, this situation seems to be fixed during the next year. The methodology for the reporting of accidents at the workplace is used by ESAW (European Statistics of Accidents), which is not used in Albania. Because of the shortage of statistics, each observation or forecast trends it is impossible.

Paragraph 4- të nxisin zhvillimin progresiv të shërbimeve të shëndetit në punë për të gjithë punëtorët me funksione thelbësisht parandaluese dhe këshëllimore.

Despite progress, in addition to legislation, the state has a responsibility to ensure enforcement of the laws in practice. This is accomplished through inspection system. Staff, resources and capabilities to implement effective prevention strategies have been inadequate. Legal and inspection systems will be complemented by other instruments which help to a sustainable kept to a good standard and improve OSH. Absent a general framework for the initiatives that OSH should be seen in a coordinated manner, initiatives which should be adequately financed.

This requires permanent activity and support from the state, state institutions and social partners. This situation has led to undeclared work and informality, lack of motivation and lesser possibility of employers to manage risks in OSH in the most efficient manner. Pillar C activities envisaged in 2016-2020 policy document aimed at ensuring transparency and efficiency of the system and OSH institutions and will focus on reducing undeclared work and informality are committed, first, an assessment of informality and labor undeclared, creating an inter-ministerial task force developing appropriate monitoring mechanisms. The rest of the activities in this pillar will aim to expand the recognition of inspection services and increasing the motivation and ability of employers to effectively manage risk in OSH. Also, they are also planned to be performed a number of activities such as special training that enhance social dialogue and increase cooperation.

Statistical data on the applicability of rules of safety and health at work

Below is information on safety and health at work, accidents, the company doctor and occupational diseases of the years 2012-2015:

2012

- In 915 subjects there is a risk assessment document,
- In **903** subjects there are employees who deal with issues of safety and health at work where the number of such employees is about **4982**.
- **246** subjects resulting existence of specialized services or persons outside the undertaking to organize activities for the protection and prevention
- In **241** subjects exists the co-ordinator for OSH issues when the subject works with subcontractors,
- in **313** subjects there are representatives of the Council of OSH.
- In **2370** subjects there is a first aid service.
 - In 2155 subjects there is fire protection service
 - In 655 subjects evacuation plan exists

- in **1146** subjects exists the employee plan of training for OSH according to job specifications.
- in **749** subjects exists **3134** employees which are provided with permission to practice dealing with the running of machinery and transport equipment, mechanical or electrical, and 107 employees are without a permit
- in **2179** subjects OSH tables exists,
- in **2277** subjects collective safeguards exists,
- in **2360** subjects personal protective equipment exists.
- In **128** subjects vulnerable groups exists.

The table shows that the number of physicians for the period January 1520-December 2012 doctors, and employees there periodic control of 1910 subjects.

The total number of occupational diseases is **22**.

The number of employees working in dangerous jobs is 34,853, while the number of employees working directly with dangerous substances is 5846.

During 2012 there were registered 95 accidents at work, of which 26 have completed the loss of life. 95 accidents occurred, 11 have occurred in the street (where the employee was in direct line of work from home and vice versa), 2 of them resulting in death. The data shows the injured employees by gender split into 90 males and 5 females. Accidented women are employed in the service sector, with sanitary working position. The cause of accident was surfing, as well as two cases of road accidents. As a result of the accident the accidented persons suffered minor fractures in leg and arm.

Accidents resulting with loss of life, the persons accidented are all male, aged 55, working generally as worker or in mines.

2013

- In 821 subjects, there is a risk assessment document
- **858** subjects there are employers committed to the issue of the safety and health at work, and the number of persons employed by them is **9190**,
- in **139** subjects there are specialized persons or serviles, out of the enterprise, that can for activities regarding protection and prevention,
- in **163** subjects there is e public health sector coordinator SSHP when the subject works with subcontractors,
- in **397** subjects there are representatives of the Council of OSH,
- in **2189** subjects exists the first aid service with about **13680** trained people,
- in **2131** subjects there is fire protection service, with about 14340 trained people,
- in **714** subjects the evacuation plan exists
- in **1163** subjects there is a plan of training of employees on OSH according to job specifications
- in **596** subjects exists **2798** employees who are provided with permission to practice dealing with the running of machinery and transport equipment, mechanical or electrical, and 97 employees were without permission
- in **1911** subjects OSH tables exist,
- in **1994** subjects collective safeguards exists,
- in **2080** subjects personal protective equipment exists,

- in **117** subjects there are vulnerable groups, where there are about 92 pregnant women, **107** breastfeeding women and **79** persons with disabilities.

The table above shows that the number of physicians for the period January 1108-December 2013 physicians, and employees there to periodic audit of 1822 subjects.

For the period January-December 2013 declared 3880 employees with occupational diseases. (Note that this number is stated by doctors enterprises, so cases are suspected but not confirmed by the specialist doctor of occupational diseases, as these cases are not associated with leaf-declaration type of occupational diseases emerging from the Ministry of Health proving the disease caused by work or not).

The number of employees working in dangerous jobs is 14073, while the number of employees working directly with dangerous substances is 4395.

During the period January-December 2013 there are 117 vulnerable subjects, out of which 92 pregnant women, 107 women breastfeeding and 79 persons with disabilities. During 2013 it was registered 85 cases of accidents at work, where 89 employees were injured, of whom 19 have completed the loss of life.

Accidents on the road marked 11 cases, three of them resulting with death.

The data shows that the injured employee by gender split into 77 males and 12 females. The female accidented were employed in the manufacturing sector enterprises.

2014

- In 840 subjects there is a risk assessment document,
- In **824** subjects there are employees who deal with issues of safety and health at work where the number of such employees is **3045**,
- In **150** subjects there is existence of specialized services or persons outside the undertaking to organize activities for the protection and prevention,
- In **189** subjects OSH coordinator exists when the subject works with subcontractors,
- In **521** subjects There are representatives of the Council of OSH,
- In **2731** subjects the first aid service exists, with about **11184** trained people,
- In **2619** subjects fire protection service exists, with about **13236** trained people,
- In **1121** subjects Evacuation plan exists,
- In **1515** subjects OSH Plan of training of workers, by job specifications,
- In **750** subjects exists **4135** employees which are provided with permission to practice dealing with the running of machinery and transport equipment, mechanical or electrical, and 154 employees are without permission
- In **2287** subjects OSH tables exist,
- In **2363** subjects subjects collective safeguards exists,
- In **2344** subjects personal protective equipment exists,
- In **124** subjects there are vulnerable groups, with about **63** pregnant women, **58** breastfeeding women **59** persons with disabilities.

The table above shows that number of physicians for the period January-December 2014 was 1 187 physicians employees and periodic control subjects there in 2151.

For the period January-December 2014 were declared in 1853 employees with occupational diseases. (Note that this number is stated by doctors enterprises, so cases are suspected but not confirmed by the specialist doctor of occupational diseases, as these cases are not

associated with leaf-declaration type of occupational diseases emerging from the Ministry of Health proving the disease caused by work or not).

The number of employees working in dangerous jobs is 13223, while the number of employees working directly with dangerous substances is 3271.

During 2014 there were about 121 accidented employees accidents, of whom 33 have died.

From 121 accidented employees only 8 are females and 113 males..

2015

- In 874 subjects there is a risk assessment document,
- in **843** subjects there are employees who deal with issues of safety and health at work where the number of such employees is 3265,
- in **168** subjects resulting existence of specialized services or persons outside the undertaking to organize activities for the protection and prevention,
- in **219** subjects OSH co-ordinator exists when the subject works with subcontractors
- in **562** subjects there are representatives of the Council of OSH,
- in **2957** subjects first aid service exists, with about **12184** trained people,
- in **2614** subjects there is fire protection service, with about 13736 trained people,
- in **1221** subjects there is an evacuation plan,
- in **1915** subjects there is a plan of training of employees on OSH according to job specifications,
- in **785** subjects There are 4335 employees who are provided with permission to practice dealing with the running of machinery and transport equipment, mechanical or electrical, and 145 employees are without permission
- In 2487 there are signs of OSH subjects,
 - In 2763 subjects with collective safeguards,
 - In 2944 subjects exists personal protective equipment,
 - In 124 subjects with vulnerable persons 63 of them are pregnant women, 58 breastfeeding women and 59 persons with disabilities.

The table above shows that number of physicians for the period January-December 2015 is 1327 physicians while periodic inspection of employees there in 2354 subjects.

For the period January-December 2015 declared 1123 employees with occupational diseases. compared with the same period of 2014 this number was 1853, a decrease in the number of punëmarrëve with illness, as a result of continuous control and insistent by the Labour Inspectorate in terms of taking measures of collective and individual protection, and increasing the number of entities covered by the medical service. (Note that this number is stated by physicians of enterprises, so cases are suspected but not confirmed by the specialist physicians of occupational diseases, as these cases are not associated with leaf-declaration type of occupational diseases emerging from the Ministry of Health proving the disease caused by work or not)

The number of employees working in dangerous jobs is 13423, while the number of employees working directly with dangerous substances is 3371.

From January 2015 to December 2015, it was reported 125 cases of accidents at work, where accidents have remained 133 employees, of whom 28 have died.

From 125 accented employees about *14 are female*.

Article 11 The right to protection of health

With a view to ensuring the effective exercise of the right to protection of health, the Parties undertake, either directly or in cooperation with public or private organisations, to take appropriate measures designed inter alia:

1. to remove as far as possible the causes of ill-health;
2. to provide advisory and educational facilities for the promotion of health and the encouragement of individual responsibility in matters of health;
3. to prevent as far as possible epidemic, endemic and other diseases, as well as accidents

1 - Organization of basic medical control for age group 40-65 with laboratory tests and interviews with the resident medical staff that is included in this patch. Starting from November 2016 this patch will include people from 35 -70 years.

- Cabinets of this control are attached to the health centers and operate every day on the basis of planning that makes the family doctor for residents who have registered.

- This service is provided within the public and non-public partnership.
- The new package of health care services in primary health care and further updated by the Council of Ministers adopted the Decree No. 101, dated 4:02. 2015
- The new package contains the update instructions and protocols related to prenatal care, post natal for women and newborn baby and child care for the upbringing of 0-6 years,
-
- Periodic inspection of the population reveals previously this patch diseases in the early stages, facilitates medical treatment and eliminates their chronicity.

-At the same time awareness of the individual for preliminary checks periodically and strengthens health promotion and education in improving the lifestyle.

Regarding the prevention of epidemics, the Law 15/2016 "On preventing and fighting infections and infectious diseases" This law encompasses mode detection, treatment, reporting and management of the institutions responsible for such situations.

To promote and support the lifestyle of a healthy living and well-being at work, the prevention and control of chronic diseases, the Ministry of Health launched in early 2015, for the first time in the country, a program of mass-based care services primary health. The program, which is financed from the state budget and free for all persons 40 -65 years old, provides for annual health check up through the tests, examinations and interviews relating to the capture of harmful behavior with hidden danger and health problems. It offers at the same time professional advice and follow the other links of the system. The program is designed to maintain physical and mental health and mobility, and maybe a limitation of medical costs in old age. The program is offered at primary health care services throughout the country and covers a population of about 900,000 inhabitants.

In order to protect the health of the population for the next few years the Ministry of Health is completing 4 new strategies, both of which are outlined for the first time; Health Strategy.

The strategy for the control of chronic diseases, health promotion strategy and reproductive health strategy

With the aim to adapt Health system with the growth of chronic health problems who need specialized medical interventions during 2014 have been prepared and approved two important legal regulations of the Council of Ministers of Albania. These adjustments have a direct impact on citizens' access to specialized health care. First DCM (No: 308 dated 21.05.2014) guarantees the provision of a number of packages of hospital care services. Services include specialized cardiological examinations, heart surgery, kidney transplant, dialysis and kidney transplant for kidney insufficiency, transplant cochlear hearing loss. These services can be taken in public and private hospitals under contract with the health insurance fund without direct cost to the citizens. Another decision of the Council of Ministers of the same year (no. 933, date 29.12.2014) aims to reform emergency medical services to be adjusted as and to make them more efficient in view of the health needs of the population.

The new health card containing a unique individual number and the number of compulsory insurance. It has begun to facilitate citizens' access to primary or medical waste by minimizing bureaucracy.

Measures taken by the Ministry of Health in setting up the new institution of the Health Inspectorate are giving significant effects in the implementation of health legislation concerning the protection of individuals from smoking or control access of young people to alcohol

The new program of disinsection of coastal areas is in its second year of implementation and aims to prevent the spread of infectious diseases to a number of residents of the areas of Shkodra, Lezha, Durres, Fier and Vlora.

About four years ago was signed a Memorandum of Cooperation between the Minister of Health and Minister of Education 'for the benefit of children shendetesoshme behavior in schools. The memorandum aims to provide more effective service to prosecution and prevention of health problems in children of school through a better cooperation between institutions and reforming the structures responsible shendetespre.

Institute of public health and immunization programs through pragrameve to HIV / AIDS prevention SSI offers services throughout the country.

Albania vaccine coverage remains quite high. While more efforts to reach marginalized groups of Roma children, young people leaving school, young people with drug problems, etc.

Since 2012, a series of studies have been conducted in children's national youth by the Institute of Public Health:

The study 'healthy behaviors among children of school -HBSC. 2014

Study on problematic drug users. 2015

European study on substance use in youth schools - ESPAD 201

Law No. 10383, dated 24.02.2011 "On compulsory insurance of health care in the Republic of Albania", amended. It entered into force in 2013.

The model of insurance scheme in the Republic of Albania is a mix one: (Bismark and Beveridge), which is based on mandatory contributions and voluntary contributions, as well as funding from the state budget.

The economically active population pays health insurance, while state budget funds (which come from general taxation), and categories covering inactive population in need, thus giving access solidarity scheme

The health insurance scheme is based on the single payer model, which is the Compulsory Healthcare Insurance Fund. Fund uses methods of payment for health services influence in increasing access, prevention and improvement of population health indicators. Compulsory health insurance funds service packs compulsory insurance, including

- i) visits, examinations and treatment in public primary care centers and public hospitals;
- ii) visits, medical examinations and treatments in private primary care providers and private hospitals;
- iii) drugs, medical products and treatments by contracted providers of health services.

Decision No. 955, dated 29.12.2014 of Council of Ministers "On determining the categories of individuals to ensure that direct payments are excluded from health services", that exclude from direct payments for health services, which are part of the list of reimbursable drugs packages of primary health care services and hospital care covered by the compulsory insurance scheme health categories as: Children 0-18 years old; disabled (paraplegic, quadriplegic, blind); war invalids, veterans, people who enjoy the status of former prisoners and politically persecuted and orphans.

Decision no. 124, dated 05.03.2014 of CM "On Approval of the Statute of the Fund of Compulsory Health Care" that gives the general rules of operation and organization -as the only autonomous public body that manages the compulsory healthcare in the Republic of Albania. Fund manager of the scheme is in accordance with national policies that set the Ministry of Health. He directed by the Administrative Council and its statute.

Decision nr.185, dated 04.02.2014 of CM "On determining the manner of implementation of the medical basis for citizens aged 40-65" is a national program aimed at screening the population about risk factors and prevalent diseases in order for health care, prevention of diseases and complications, early detection of disorders, treatment in the early stages of the culture and improve health. The beneficiaries are all citizens from 40 to 65 years old with permanent residence in the Republic of Albania.

Regarding medicines reimbursed by the Fund during the years 2012-2015 the adoption of the list of drugs carried annually **by the Council of Ministers**. Thus, in 2012 the list contained

1102 reimbursable drugs; in 2013 -1135 reimbursable drugs; in 2014- 1275 reimbursable drugs.

Decision no. 307, dated 21.05.2014 of CM "On the registration and identification of persons insured by the compulsory health care" that defines the categories of insured persons, are divided on the basis of economically active status, economically inactive and insured volunteers.

Decision No. 308, dated 21.05.2014 of CM "On approval of the health service packages that will be financed by the Fund of Compulsory Health Care" that has defined packages of health services to be financed by the Fund, namely: packages dialysis service; cardiology service packages; Cardiac package of services; packages kidney transplant; service packages cochlear implant.

Decision no. 737, dated 05.11.2014 of CM "On the financing of public health services, primary health care from the compulsory insurance scheme health care" has set binding financing scheme of health insurance to primary health care services to the public. Primary health care services established by the Ministry of Health and health centers provided through.

Approval of the Decision no. 1, dated 08.01.2014 "On the financing of health services from the scheme compulsory insurance health care", as amended by DCM. 306, dated 21.05.2014, and Decision No. 638, dated 10.01.2014, which are part of health system reform.

Theme group "Children, families, migrants"

Article 7

The right of children and young persons to protection

Paragraph 1

In the Article 98 of Law no. 7961, of 12.7.1995 "The Labour Code of the Republic of Albania", amended by the Law no. 136./2015, it has been provided that, it is prohibited by law to employ children under 16 years old, and that, in the sense given by this Code, a child is a person under 18 years old. In this article there is exception for children from 15-16 years old, to find employment during the school vacations, only for light work, as provided for in the Article 99 "Light Work". In this article, light work is considered any kind of work, which, because of its integral framework of tasks and special conditions, in which it is carried out, it does cause any damage or threat to the safety, the health or to the development of the children, their participation and attendance in school, in the professional training or guide programs, as approved by the incumbent authorities, or to the capacity of the children to gain from such training

The comment on the Labour Code in the course of its approval procedure, and the changes it brought about to the Article on children

The draft Decree of the Council of Ministers (DCM) "On the protection of children at work", provides, pursuant to the Article 98, points 4 and 99, point 3, Article 100,102 and Article 103, point 3 of Law no. 7961 of 12.7 1995 "The Labour Code", amended recently by the Law no.

136, of 5.12.2016, thus creating a complete framework of the actual legislation on the protection of the children at work, as well as regarding the domain of the safety and health at work.

The draft act is meant to approve the regulation on the safety and health of the children at the workplace, in view of the full compliance with Directive e BE 94/33/CE of 22 June 1994, on the protection of young persons at work.

The Article 1 of this draft DCM, defines the principles and the detailed specifications for the protection and the provision for the safety of the children under 18 years old, against the economical exploitation and any kind of work that may constitute a damage to their health at work or their physical, mental, moral or social development, or their education, their participation in cultural, trade and other similar activities, so as to guarantee work conditions appropriate to their age and health, as well as to guarantee that the minors at school age, can receive education and this right is not undermined by the kind of work they do.

The Article 2 defines who shall be considered children, teenagers, cultural and artistic activities, and similar to those, and who are the responsible authorities for the implementation of this project.

The Section II “The liabilities of the employers” provides that the employer evaluates the specific risks relating to the agents, processes or conditions at work, based on the nature and the length of exposure, in the enterprise or at the workplace where the minors are working.

Another liability of the employers is that, when the risks evaluation reveals that there exists a threat to the safety and the physical or mental health or for the general development of the children, there shall be provided proper evaluation and monitoring of their health, free of charge, at regular intervals

In addition, pursuant to the Article 5 of this regulation, the employer shall guarantee for the employed children, during the labour relationship, health supervision regarding their health conditions, and regarding the nature of risks that relates to their specific kind of work. Such supervision is carried out no less than once per year. The health supervision relating to the processes and the kind of works, and in the case of works carried out in the circumstances of major forces, and for which there are special provisions in the national legislation, shall be carried out at least every 6 months.

There is special attention in the articles relating to the time of work and rest, specified for the categories defined in the Article 2 of this regulation

The entry into force of this regulation revoked the Decree of the Council of Ministers (DCM) No. 384 of 1996/05/20 amended by the DCM No. 205, of 9.5.2002 “On the protection of minors at work” and the DCM no. 499, of 6.5.2009 “An amendment to the DCM No. 384”. The references made for the revoked DCMs shall be interpreted as made for this regulation.

Paragraph 2

The Article 100 of the Labour Code defines that only for person over 18 years old can be employed in difficult works, or works that imply damage or risks to their health or their personality.

The Appendix 1 of the draft DCM “On the protection of the children at work” provides the open-end list of the agents, processes and conditions at work, for cases in which the exposure of children to risks is prohibited as mentioned in the Article 6 (2) of the draft DCM.

The conditions of work for children must be adjusted to their age. The employer shall not propose any work of such nature that may be a threat or damage to their health, or their physical, psychological, social or moral development or to undermine their education. The employment of children is prohibited in the cases when:

- a) it is objectively, beyond their physical or mental capacity;
- b) it includes exposure to agents that are toxic or cancerogenic, cause genetic damage that is inheritable, or damage that negatively affects and cause life-long chronic damage to children ;
- c) includes exposure to damaging radiation, such as ionizing and non-ionizing radiation;
- ç) includes the risks of accidents, which are expected, but, which the children are not aware of, or can not anticipate or prevent them, due to their insufficient attention to the safety at work, their lack of experience or lack of professional expertise.
- d) constitutes a risk to their health, because of the weather conditions, such as the extreme coldness, heat, noise or turbulences

The works that can expose the children to special risks include the following:

- a) works that include exposure to physical, biological and chemical agents as specified in the point I of the Appendix I; and
- b) the processes and works mentioned in the point II of the Appendix I.

Paragraph 3

The Article 98, paragraph 5 of the Labour Code defines that the children under 15 years old, who are in the compulsory education full time, can be employed for purposes of cultural activities or similar to these, pursuant to the specification in the Article 102 of the Code. This article, which has been further completed and improved with the amendment of 2015, provides that the children under 15 years old, who are in the compulsory education full time, can be employed for purposes of cultural, artistic, sport or advertising activities, only if provided that: the cultural activities meet the requirement that these are ‘light works’, as provided for in the Article 99/2; The Labour Inspectorate issues the proper permit *mutatis mutandis*.

Paragraph 4 provides that measures shall have to be taken so that the hours of work for persons under 18 years old, shall be reduced in compliance with the needs of their development, especially their need for professional training - In the meantime, the draft DCM prepared for the purpose, pursuant to this article provides in the Article 7 for “The work time for teenagers” as follows:

The time of work for children is reduced as follows:

- a) up to 6 hours a day and 30 hours per week for the work done in the framework of a training system in the enterprise, based on a combined scheme of work/training; or up to 8 hours a day and 40 hours per week for no more than 3 months a year

b) up to 2 hours a school day and 12 hours per week for the work done in the period after the hours defined for school attendance;

By no means, the work day can not surpass 7 hours; this limit can be raised to 8 hours for children who are no younger than 15 years old;

c) up to 6 hours a day and 30 hours per week for the work done during a period of one week, when there is no school;

ç) up to 6 hours a day and 30 hours per week for light work done by children who are no more subject to full time compulsory education;

The time used for their professional training, in the case of children employed in an enterprise, on the basis of a combined work/training schema, shall be calculated as work time.

In the cases when a child has been employed by more than one employer, the work days and the worktime is cumulative.

Paragraph 5

The Article 9, paragraph 1 of the Labour Code defines that, in exercising the right to employment and profession, it is prohibited any forms of discrimination, hence, the discrimination based on age is prohibited.

The Article 115 of the Labour Code “The equity in reward for work” provides for the prohibition of any forms of discrimination, direct or indirect, relating to all aspects and conditions for reward of work, for the same work of work of equal value.

The Article 111 “The minimum wage” provides that the wage can be not less than the minimum wage defined by the Decree of the Council of Ministers. But, the paragraph 3 of this Article regulates that the Council of Ministers can determine level of wage lower than the minimum wage at national level in the cases of acquiring skills for the profession in the dual vocational education and training system.

Paragraph 6

The Article 98, point 4 of the Labour Code, amended, provides that “The children 15-16 years old, may be subject to counseling and vocational training, pursuant to the provisions provided for by decree of the Council of Ministers.”

The draft DCM prepared for the implementation of this article, pursuant to Article 7 provides for “The work time for teenagers” as follows:

The worktime for teenagers is reduced to:

up to 6 hours a day and 30 hours per week for the work done in the framework of a training system in the enterprise, based on a combined scheme of work/training; or up to 8 hours a day and 40 hours per week for no more than 3 months a year

up to 2 hours a school day and 12 hours per week for the work done in the period after the hours defined for school attendance;

By no means, the work day can not surpass 7 hours; this limit can be raised to 8 hours for children who are no younger than 15 years old;

up to 6 hours a day and 30 hours per week for work done in a period of at least one week, when there is no school;

up to 6 hours a day and 30 hours per week for light work done by children who are no more subject to full time compulsory education;

The time used for their professional training, in the case of children employed in an enterprise, on the basis of a combined work/training schema, shall be calculated as work time.

In the cases when a child has been employed by more than one employer, the work days and the worktime is cumulative.

Paragraph 7

The draft DCM provides as follows:

At least once a year, the children 15-16 years old, shall have a period of rest of 4 free weeks, from any school obligation and any work.

A memorandum of understanding was signed in 2012 between the Minister of Health and 2012 and the Minister of Education and Science ‘Providing for healthy behavior of children at school’. The memorandum aims to ensure a more effective service for the monitoring and the prevention of health problems in the school children, through better cooperation between the institutions and the reforming of the responsible health structures.

The Institute of Public Health, through the programs of vaccination and the HIV/AIDS SSI programs, provides services of prevention throughout the country. The vaccination coverage in Albania remains high. More efforts are being made to reach marginalized groups of Roma children, young persons who drop out of school, young persons who have drug problems etc

Since 2012, a series of national surveys have been conducted by the Institute of Public Health on the children and young persons:

The survey on ‘Health Behaviour in School-aged Children’ – HBSC. 2014

The survey on the problematic drug users. 2015

The European School Survey Project on Alcohol and Other Drugs – ESPAD 2015

The years 2012-2015

Data from the report on the implementation of the Action Plan 2012-2015

The children who work

The first national survey on children who work, conducted in May 2010 (published in May 2013), showed that 7.7% of the Albanian children of the group age 5-17 years old work. The same source reveals that the total number of children 16-18 years old who work, including

those in informal work, may reach several thousand. However, we lack official data on the children who work on the street. The national survey on the children in street context, has been estimated that the present figures have reached the highest level: between 2000 and 2500 children. The children in Tirana make the highest proportion (31.5%) in the 12 prefectures in the country (Durrësi came the second highest with 18.6%).

Based on the same source 7.7% of all the Albanian children aged 5-7 years old work and, over 5% are employed in manual labour, involved in dangerous economic activities, with prolonged hours and in dangerous work conditions.

Article 124, paragraph C of the Penal Code, has been improved, including all forms of exploitation of the children, and the protection of the children from the economic exploitation.

The standards of the Unit for the Protection of Children have been approved, and these will serve to measure and evaluate the quality of the services for the protection of children in municipalities, and will provide the ground for its supervision by the bodies at central level.

The standards are based on five specific fields, intertwined among them, which include criteria for the quality. Standard 1: Ensuring sufficient sources and appropriate work environment to provide that the work for the protection of the children can become more effective, more appropriate and more reliable

Standard 2: The implementation of the procedures for reference and management of the cases of children in risk, to ensure the protection of children in a systematic and continuous way.

Standard 3: The inclusion of the children and their families in a more active and complete way. Standard 4. A multi-disciplinary approach, during the process of the case management, when services are provided to the children and the families. Standard 5. The Unit for the Protection of the Children provides quality services, in compliance with the needs of the children.

Ordinance of four Ministers No. 10 of 25.02.2015 ‘The ways and form of cooperation and the procedures of the intervention to aid the children in trouble, for the main institutions and structures that are responsible for the protection of the children’, defines the role of each actor in the process of the protection of the children, as well as the necessary guidelines to identify and manage the cases of children in trouble, and the legal framework that protects them.

In the framework of the reform of the Social Services, work is underway to prepare ‘The analysis of the system for the protection of children in Albania’, supported by the UNICEF which aims to present a view of the present system of the protection of children in Albania covering all sectors.

In the meantime, in cooperation with the Council of Europe (CoE), ASHMDF has started work to compile a ‘Policy Paper on the system for the protection of children’, (**this paper has already been drafted**) which will serve as a guide for the building of a system for the protection of the children and shall inform the drafting of the National Plan for Children 2016 – 2020.

The children who work

The amendments to the Penal Code (April 2013) define that the exploitation of the children for work is a criminal offence. In the effort of the improvement of the legal framework, a cooperation agreement was signed in 2014 between the Ministry of Internal Affairs, the State Inspectorate of Labour and the State Police Directorate “On the procedures of cooperation for the identification of cases of compulsory work and the trafficking for purposes of labour exploitation”.

In the present legislation on employment, this article of the charter, has been stipulated in the Law no.7995, of 20.09.1995, “On the encouragement of employment”, amended, in Article 2 ”Definitions”, Article 4”State Policies for Employment” and in Article 6/1 ”Employment services”.

The point 20 of the Article 2, which defines the job-seekers included in the special groups, stipulates that the young persons under 18 years old are considered in these special groups, such as they have registered in the labour offices as unemployed job-seekers. This category is of priority to be involved in all the active state policies and programs for employment, as implemented by the employment offices.

With regard to the **employment policies**, the National Strategy for Employment and Skills 2014-2020 has been approved, together with the Action Plan, by the Decree of the Council of Ministers no. 818, of 26.11.2014.

The vision of the Strategy for Employment and Skills 2014-2020, is “Higher level skills and better employment for all men and women”. The general objective of the Strategy is to encourage quality jobs and better opportunities to acquire skills for all Albanian men and women during their life-long cycle. The National Strategy for Employment and Skills focuses on the four strategic priorities as follows :

- To encourage the opportunities for decent work through more efficient policies in the labour market
- To provide quality vocational education and training for the young persons and adults
- To encourage social inclusion and territorial cohesion
- To empower the governance of the labour market and the qualification framework

The strategy aims to regulate the active policies in the labour market, the improvement of the vocational education and training, the reform of the systems for the social protection, and the consolidation of the administration of the labour market. This is necessary, for the unemployment remains high, especially among the young persons.

The re-organization of the labour offices, through the modernization of the infrastructure, the re-conceptualization and the informatization of the services this far provided. There are nineteen new offices built up at local and regional level, after the new pattern of services, which is the unique model of providing services at three levels: information, employment services and individual counselling. 323 staff of the NES system have been trained at all levels to implement it, and for the first time, they are providing services similar to those provided at European institutions. The electronic system of the employment services www.puna.gov.al is in full functioning order, and accessible by all.

At the end of 2015, INSTAT reported the following data:

- For the age-group 15-64 years old the unemployment rate was 17,7 %
- For the age-group 15-29 years old the unemployment rate was 32,2 %,

- The employment rate for the age-group 15-64 years old was 53,7 %.
- The employment rate for the age-group 15-29 years old was 31,1 %.

The data from labour offices, at national level

At present, the unemployed job-seekers for the age-group 15-29 years old, registered in the labour offices, make up 26% of the total number of persons registered at national level. The table that follows gives the data from the labour offices through years.

In years	2012	2013	2014	2015
Registered unemployed (in thousands)	141.828	144.427	141.342	145.147
-Unemployed the age-group 15-29 years old, in % to the total number	26%	27%	27%	28.6%
Receiving financial support from programs encouraging employment	907	834	3.969	5.744
Beneficiaries of the age-group 15-29 years old, in % to the total number	15.6%	15.6%	16.3%	57%
Employment in total, completed by the labour offices	12.965	12.241	16.490	20.140
Employments of the age-group 15-29 years old, in % to the total number of employed.	44.7	43.2	46.4	47.1
The funds to encourage employment		90 million Leks	271 million Leks	450 million Leks

Employment promotion programs

Pursuant to the guidelines of the Government program, setting out clear priorities that will be given to young unemployed workers and law 7995, dated 20.9.1995, "For encouraging employment", as amended, the Ministry of Welfare social and Youth (MMSR) implements every year across the country, through its subordinate institutions (National employment Service and employment offices), employment promotion programs.

Through these programs rely of the employers who create and maintain new jobs and employ to candidates provided by the employment offices. Supporting fully implemented by the state

budget, through subsidies, the percentage of certain costs for mandatory insurance and salary. Employment promotion programs which are currently being implemented are as follows:

1. employment for special groups
2. Training through work
3. The employment of new graduates (bachelor or master) in 30 years.
4. Employment of women heads of households with dependent children and of the new mothers
5. Employment of persons with disabilities
6. Internship for graduates
7. Employment for orphans

Employment promotion programs, which are applied specifically to young people, are as follows:

1. Program under Decree no. 873 dated 27.12.2006 "For the amount of funding, criteria and procedures for implementation of the apprenticeship programs for unemployed workers who have completed higher education within or outside the country"
The program aims to help these young people to create professional experience and to enhance the skills to find a stable job. The public employers are obliged to receive them in these environments jobseekers. Young unemployed workers, included in this program receive a monthly financing from the respective employment office, at 100 percent of the base level of unemployment allowance (currently at the rate of 11.000 is ALL), monthly practical. This program is implemented, giving priority to professional practices performing students in state entities, with a duration of 4-6 months

..

2. The program according to Decision no. 199, dated 01.11.2012, amended "For the amount of funding, criteria and procedures for the implementation of employment promotion of unemployed, young". Apprenticeship program combines a 3-month period of subsidized employment guarantee for a period of 9 months. Wage subsidy at a level higher than the national minimum wage and social security and health make this scheme more attractive, both for unemployed workers, as well as for employers. In parallel, the duration of the contract of employment up to 15 months, increases the probability of a sustainable employment for the target group. Encouraging the employment of jobseekers coming to this category and consequently increase the number of young graduates, but have difficulties to adapt to and including the labor market, for reasons such as a large number of graduates such branches, which do not necessarily generate immediate employment.

Comment on the approval of the Labour Code, and the changes brought to the article for kids: Draft of the Decree "For the protection of children at work" pursuant to Article 98, paragraph 4 and 99, paragraph 3, Section 100.102 and Section 103, paragraph 3 of Law no. 7961 dated 12.7 1995 "Labour Code", as amended, finally let the Law nr. 136, dated 05.12.2016, thus completing legislation on the protection of children at work, as well as in the field of safety and health at work. This draft aims to adopt regulations to protect the safety and health of children in the workplace are fully aligned EU Directive 94/33 / EC of 22 June 1994 on the Protection of Young People at Work.

Article 1 of the draft defines the principles and detailed requirements to protect the safety and health of children under the age of 18, against economic exploitation and any work that may affect the security of their health at work or physical, mental, moral or social, or risk education or their participation in cultural activities, trading and similar activities to ensure working conditions appropriate to the age and health, and to ensure that minors receive education and not infringed this right because of the work they perform.

Article 2 defines who will be considered children, adolescents, cultural and artistic activities, as and similar to, and who is përgjegjës authority to implement this projeakti. Section II "Detyrmet of employers' employer assesses the risks specific to the agents, processes or working conditions, based on the nature, extent and duration of exposure, in the undertaking and / or the workplace where minors are engaged in activities.

Another employer's obligation is that if the risk assessment shows that there is a risk to safety, physical or mental health or development of children, ensure adequate monitoring and evaluation free of their health at regular intervals. Also the employer, under Article 5 of this Regulation, during labor relations for employees provides health monitoring for children about their state of health, also customized based on the risks that are associated with the work they perform. Such surveillance will be carried out at least once a year. Health surveillance depending on the processes and work or in the case of works in terms of force majeure and for which there is a special arrangement under the legislation in force, will take place at least once in 6 months.

With the entry into force of this regulation is repealed DCM. 384 dated 20.05.1996 as amended by Decision No. 205, dated 9.5.2002 "On the protection of minors at work" and Decision no. 499, dated 6.5.2009 "For additional DCM. 384 ". References made to the repealed Decision shall be construed as being made to this Regulation.

Appendix 1 UNEAP "Protection of Children at Work" set list non-exhaustive agents, processes and working conditions, in cases in which exposure of children to risks is prohibited as referred to in Article 6 (2) of the draft.

Educational policies of the Ministry of Education and Sports has focused on providing comprehensive education, without discrimination against anyone on the benefit of quality education service. In the context of the government's commitment to protect and respect human rights in general and children in particular, are stipulated in the Law No. 69/2012 "On university education system in the Republic of Albania", Article 5, the right to education stating that "the Republic of Albania guarantees the right to education of its citizens, foreigners and stateless persons, without discrimination of gender, race, color, ethnicity, language, sexual orientation, political or religious belief, economic or social , age, place of residence, disability or other reasons defined in legislation. "

In Article 6, "General principles" is noted that in educational institutions is applied the principle of inclusion of pupils, each student is provided the right to quality education and equal opportunities for education and students from needy families, students with disabilities and those with learning difficulties and special care was provided. In these articles, clearly stipulates the right of children with disabilities to education and access to quality education and the right of parents to be involved in the issues of education of children and the services provided.

In Article 19, "Welfare and Special categories of pupils" , special care is provided by the state In Article 19, Welfare and Special categories of pupils, special care provided by the state. Offering services cross-sectional regulated by normative acts / normative provisions which should determine the services necessary for the education of children in all inclusive environments.

In Article 20, for "Improving psychosocial educational institutions" noted support by psychologists or social workers to address the problems of different cases, the evaluation of cases of children with special needs psychosocial and design of prevention programs, according to the needs of the school community.

In Article 44 "Curricula. General principles ", it was determined that curricula should be in line with the performance of physical, mental, social, and ethical development of students and their individual features of learning. This article observes the principles and best practices of inclusive education in relation to the implementation of curricula common and in cases where it is necessary, the adaptation of syllabuses according to fields of learning development and special needs of children and the implementation of based on their basic skills students. Ministry of Education and Sports in cooperation with its subordinate institutions, nonprofit organizations and civil society, through educational policies aimed at improving the quality of education and ensuring the right of participation in education. Through integrated plans with other relevant institutions in this area we are working towards the development of quality education and comprehensive. Even curricula based on the principles of democratic citizenship and human rights.

Pursuant to the Decision no.682 dated 29/07/2015 of the Council of Ministers "On the use of public funds for the transportation of educational workers who work and study abroad students residence" The change is required by the Regional Education Directorates DAR / ZA deal necessary measures to ensure transport service for categories of students. The transportation service was offered 8-10% of the total number of students.

Article 98, paragraph 4 of the amended Labour Code provides that "Children from age 15 to age 16 may be subject to counseling and vocational training, according to rules set by the Council of Ministers."

While DCM drafted in pursuance of this section provides in Article 7 "Working Time adolescents" as follows: Child labor time is limited to:

- a) up to 6 hours a day and 30 hours a week for work performed under a system formation in the enterprise based on a scheme to combine work / training; or up to 8 hours a day and 40 hours per week up to 3 months per year
- b) up to 2 hours on a school day and 12 hours a week for work performed during off hours specified for school attendance;

Under no circumstances daily work time may not exceed 7 hours; this limit may be raised to 8 hours in the case of children who have reached age 15;

- c) to 6 hours a day and 30 hours a week for work performed during a period of at least a week when school is not in the process;
- d) up to 6 hours a day and 30 hours a week for light work performed by children no longer subject to compulsory school full time;

2. The time spent on the formation of a child working in the framework of a training system in the enterprise based on a scheme to combine work / training, will be counted as working time.
3. In cases where a child is employed by more than one employer, working days and working hours are cumulative.

Article 8

The right of employed women to protection of maternity

With a view to ensuring the effective exercise of the right of employed women to the protection of maternity the parties undertake:

1 to provide either by paid leave, by adequate social security benefits from public funds for employed women to take leave before and after childbirth up to a total of at least fourteen weeks.

2 to consider it as unlawful for an employer to give a women notice of dismissal during the period from the time she notifies her employer that she is pregnant until the end of her maternity leave, or to give her notice of dismissal at such a time that the notice would expire during such a period

3 to provide that mothers who are nursing their infants shall be entitled to sufficient time off for this purpose;

Law 7961, dated 12.07.1995, "Labour Code of the Republic of Albania" amended, in Chapter X "Special Protection of Children and Women" has designated a special protection for women. This chapter has been amended and improved recently with Law 136/2015, dated 12/05/2015, and sub-laws pursuant to it, that predict the matters covered by Article 8 of the CES, apply to women employed in both private and public sectors. Article 104 of the Labour Code stipulates the prohibition of work for pregnant women 35 days before and 63 days after birth (postpartum period is extended from 42 days to 63 days). For women who are pregnant with more than one child, the prenatal period is 60 days.

Pregnant or breastfeeding women can not be employed in heavy work or damaging to the health of mother and child. The Council of Ministers sets out heavy work or damaging to the health of mother and child, as well as specific rules on working conditions for pregnant women and nursing mothers.

When a pregnant woman, the woman who has just given birth and / or woman breastfeeding decides to return to work after the period of 63 days, but the previous place of work is not deemed appropriate, as defined in the legislation to protect the safety and health at work the employer takes the necessary measures to provide temporary adjustment of working conditions and / or hours of work, in order to avoid any danger to an employee and / or child. If adaptation conditions or working hours is objectively impossible, the employer transfers the employee to another job similar, for which it is suited. If the transfer is impossible employee enjoys the benefits under social security legislation in force for the entire period that is necessary to protect the safety and health of her child. Decision no. 634, dated 07.15.2015 "On approval of the

Regulation" On the introduction of measures for safety and health at work of pregnant women and new mothers "that aims to establish detailed rules for safety and health at work of employees pregnant women and new mothers. This regulation requires employers to assess the risks specific to the agents, processes or working conditions, based on the nature, extent and duration of exposure, in the undertaking and / or the workplace where employees are engaged in activities. non-exhaustive list of factors, processes and working conditions affecting safety or health of the mother and / or child, as well as specific rules on working conditions for pregnant women, women who have recently given birth and breastfeeding are defined at this DCM.

In Article 105 of the Labour Code is stipulated that income benefits in cases where the woman's maternity leave determined by the law on social security.

Also, this article has provided the right for pregnant women who bear children after the 63-day period following childbirth, decide for yourself whether you want to work or benefit from social security. If woman decide to work after the period 63 days postpartum, in agreement with the employer, to nourish the child, until the child reaches 1 year, she has the right to: pick a paid vacation, of 2 hours, within the normal duration of work; or duration of work, reduced to 2 hours, with the same pay, if she had worked for the normal duration of the working day. In this article is taken into account Article 15 of Directive 2006/54 / EC provides that a woman on maternity leave after completing her turn right at the workplace or in a job equivalent, in conditions that are not less favorable to, and benefit from any improvements.

In Article 105 / a "women's employment protection" by preventing employers to require pregnancy tests before hiring women (unless the workplace requires to work in conditions that may adversely affect the pregnancy or may harm the life or health of the mother or child) It has imposed a ban on discrimination in hiring women. The woman, during pregnancy, in agreement with the employer, has the right to paid leave for conducting medical examinations, when these are required to be carried out during working hours.

Article 107 of the Labor Code has defined that the termination of the contract of employment, when the pregnant woman pretends to benefit income from Social Security in case of birth or adoption is invalid, while the defense requested in paragraph 2 of Article 8 of the CES is provided in Article 146, paragraph 1, of the Labour Code "termination of the contract without reasonable cause", where it is determined that termination of the contract of employment by the employer is considered without reasonable cause when violates the prohibition of discrimination, as defined in this code and a special law for protection from discrimination. Pregnancy is considered such a motive. Furthermore, paragraph 3 of the same article is considered that termination of the contract without reasonable cause is invalid and the employer is obliged to pay the employee (in this case the pregnant woman) compensation up to a year's salary.

4 to regulate the employment in night work of pregnant women, women who have recently given birth and women nursing their infants;

5 to prohibit the employment of pregnant women, women who have recently given birth or who are nursing their infants in underground mining and all other work which is unsuitable by reason of its dangerous, unhealthy nature and to take appropriate measures to protect the employment rights of these women.

In Article 108 of the Labor Code "Night work" is determined that the employer can not order the work at night for pregnant women and women who have given birth, until the age of 1 year old baby, if it is harmful to safety and health of the woman and / or child, this confirmed with a medical report. Even when a pregnant woman and / or a woman breastfeeding, which decides to return to work after the period 63 days after birth, if verified that it has become unfit to

work at night (but that is not unsuitable to work day) she must be transferred to a similar dayjob, which is appropriate.

Decree No. 634, dated 07.15.2015 "On approval of the Regulation" On the introduction of measures for safety and health at work of pregnant women and new mothers "that aims to establish detailed rules for safety and health at work of employees pregnant women and young mothers, the employer can not order the work at night for an employee within the meaning of Article 2 of this regulation, if it is harmful to the health of women and children, proved that the medical report, in accordance with applicable legislation, guidelines and clinical practice protocols of care women and children in primary health care. The measures set forth herein, entitle employees: a) to be transferred to a similar job in the day; or b) to take paid leave from work or to extend their maternity leave, if the transfer is not possible for technical reasons and / or objective, or can not, objectively, be required on reasoned grounds. Women employees are entitled to paid vacation, no less than 30 minutes every three hours of continuous work during the day. In accordance with legislation, guidelines and protocols of clinical practice of care to women and children in primary health care, employee, within the meaning of Article 2 of this Regulation, are entitled to paid leave from work for visits medical, when these are required to be carried out during working hours. |

In 2014 it approved a new package of services to be offered in all primary health care centers in Albania. The package was approved by a joint agreement of the Minister of Health and Director of the Care Insurance Fund of obligatory medical insurance. In the package is included a section dedicated 'Health Care for Women and reproductive health. The service aims to reduce morbidity and maternal mortality and perinatal mortality, reducing unwanted pregnancy, reduction of unsafe abortions and burdens of early reduction of births premature and underweight, providing services to secure the performance of abortion Sidha control of STI and infections reproductive tesistemit Medical Ethics.

New services mammography initiated for the first time in Albania in January 2015 coordinated by the Institute of Public Health are improving significantly access to services to prevent cancer for women over 40 years old in small towns and villages in Albania . Control service is provided free of women irrespective of whether or not insured. Over 36 residences have been visited while and almost 8,000 women have already benefited from these services 2015 was approved guideline for clinical breast examination at the basic health care centers prepared oprej Public Health Institute. From 2012 till 2015 they have been trained over 800 doctors and nurses on technical standards and guidelines set forth in. All women of working age can benefit from this new preventive service

Article 19

The right of migrant workers and their families to protection and assistance. With a view to ensuring the effective exercise of migrant workers and their families to protection and assistance in the territory of any other party, the parties undertake:

1 to maintain or to satisfy themselves that there are maintained adequate and free services to assist such workers, particularly in obtaining accurate information, and to take all appropriate steps, so far as national laws and regulations permit, against misleading propaganda relating to emigration and immigration;

Pursuant to the law no. 9668, dated 18.12.2006, "On Emigration for employment purposes", as amended by Law no. 10389, dated 03.03.2011 "On some amendments to Law no. 9668, dated 18.12.2006, "On Emigration for employment purposes " and acts adopted for its implementation, continues to inform free migration of Albanian nationals before and after their return to the country. In this regard we have developed a series of workshops on the topic "Entrepreneurship orientation services for returnees and other legal issues" in the period September-November 2013 "in the series of training involved 38 regional and local offices of the National Employment Service, where trained specialists from every office 2-3, in a total of 80 participants. In connection with the Law on Foreigners No. 108/2013 and the operation of the Migration Counters.

Reintegration of returned Albanian citizens and members of their families has been the attention of Albanian institutions during the period 2011 - 2015, which have continued to implement the measures of the Action Plan of the Strategy for the Reintegration of Returned Albanian Citizens 2010-2015. The strategy defines reintegration mechanisms applicable and address the Albanian citizens returned voluntarily. Her vision was to provide a stable return for immigrants by supporting the reintegration process, regardless of the form of return. From January 2011 until December 2015, are presented at the Immigration Counters about 4957 returned Albanian citizens. Most of them are group ages 25 years to 34 years, 35 to 44 years old and 45 years old and more.

Most returned Albanian citizens who have resorted to Migration Counters to receive reintegration services are most 9-year education and secondary education. This may relate to difficulties that it faces following categories for their reintegration back into place again.

Over the years 2012- 2015 are receiving these services near SM: employment counseling convert 2,752 citizens, 804 people vocational guidance, information on health services in 1056 persons, information on income support 598 persons, information on business openings 142. Returned Albanian citizens submitted to SM, who requested were referred to vocational training courses. These courses in Public Vocational Training Centres are free.

In the period 2012-2015 participated in vocational training courses at public vocational training centers 634 returned Albanian citizens. Professional courses with the largest attendance of the returnees were those for the network installer and repairer, cooking, sewing, enterprises management, plumbing, hairdressing, installed solar panels. For school-age

returnees are provided facilities to include them easily in the education system. MAS reference data, in the 2013-2014 school year are enrolled in education over 2.060 children returned from exile. Since 2010, it distributes at border crossings and near DAR / ZA information materials on education Albanian citizens returning from abroad.

On April 22, 2014 was held Workshop "The employment offices and efficiency of services for migration" included 38 regional and local offices of the National Employment Service, where trained specialists from every office and among others are addressed procedures device work permit for foreign nationals, pursuant to the law "on foreigners".

ongoing advice is given from the Employment Offices on the application, documentation, criteria and procedures to be followed for the employment of foreigners in Albania.

It provided ongoing advice on ways of application, documentation, criteria and procedures to be followed for obtaining exemption from the obligation to obtain a work permit, Also it is also connected to other employment issues of foreigners in our country.

Information materials are provided to immigrants who come for employment in Albania.

2 to adopt appropriate measures within their own jurisdiction to facilitate the departure,

journey and reception of such workers and their families, and to provide, within their own jurisdiction, appropriate services for health, medical attention and good hygienic conditions during the journey;

Migration policies undertaken before and after Albanian citizens return to the country, aimed preservation and protection of their rights. Information structures established in the local and regional level as the Immigration counters provide information for Albanian citizens before their migration and after their return to the country. Through pre-departure information is intended as a migration informed them about the conditions of the host country as well as organizations that protect the rights of migrants in these countries.

Support of the reintegration of Albanian citizens returned by the health system, health insurance and social protection. At the departments of Public Health and Psychosocial service are set up the Mental Health services, when returned Albanian citizens are treated, according to the needs that they represent. A priority has been to treat children-students come from migrant families and seek to enroll in pre-university educational institutions. Strategy "On the reintegration of Albanian returnees 2010-2015" is intended to update the statistics for students coming from abroad, age, and their performance in teaching and educational process; creating opportunities for improving knowledge in the native language as well as in other cases where they need. The Ministry of Education and Sports is predicting a case by case treatment package, which is working with individual programs, providing free courses for learning Albanian language. In the period June 2010-December 2012 were settled in 4064 pre-university education institutions children returned Albanian citizens. In the 2013-2014 school year were registered for the first time in 1628 pre-university education institutions Albanian children born abroad, and in 2062 following a national pre-university system launched abroad.

During this period continued work on drafting, signing and implementation of bilateral employment agreements with other countries to manage migration flows for employment.

In April of 2014 it was signed with the State of Qatar "Agreement between the Government of the Republic of Albania and the Government of the State of Qatar in connection with Regulation of employment of citizens of the Republic of Albania in the State of Qatar". The agreement regulates and facilitates the recruitment procedure of the Albanian workforce in the State of Qatar. It establishes collaboration between the Ministry of Labour and Social Affairs of the State of Qatar and the Ministry of Welfare and Youth of the Republic of Albania. The agreement facilitates access application - offering among employers in the State of Qatar and Albanian citizens who wish to be employed in the State of Qatar, through the involvement of state institutions in the process of recruitment. It creates the possibility of recruitment through state channels by strengthening the protection of the rights of the Albanian citizens who are employed in the State of Qatar.

It is in the process of drafting and negotiating the text of the draft agreement between the Swiss Confederation and the Council of Ministers of the Republic of Albania for the exchange of young professionals. The object of the draft employment agreement is for a limited time of Albanian citizens, young professionals in Switzerland in order to further increase their professional knowledge and language and vice versa.

During 2014 was worked for implementation of the Memorandum of Understanding between the Ministry of Labour and Social Policy of the Italian Republic and the Ministry of Labour, Social Affairs and Equal Opportunities of the Republic of Albania on the implementation of the Labour Migration Agreement, signed in July 2011. The implementation of the Memorandum It began in November 2011 until the end of 2013. in its projects that supported its implementation became possible to acquire the right of preference to enter the Italian labor market around 700 candidates, many of whom provided work permit and the opportunity to work in the state.

3 to promote co-operation, as appropriate, between social services, public and private, in emigration and immigration countries;

a the wage and other work and employment conditions;

Following the fulfillment of international obligations in the field of human rights, Albania has taken important steps with respect to changes in the legal framework, we inform you as follows:

Ministry of Social Welfare and Youth has taken the initiative for the improvement of the Labour Code in the cooperation and with the recommendations of the International Labour Office (ILO). The adoption of this law was influenced by the dynamics of socio-economic development and the problems encountered in its implementation and in particular from the case law.

In order to regulate temporary employment of foreign workers in Albania, at the Labor Code has been set the employment of temporary forecast by agency.

This article This article applies in cases where a foreign enterprise:

- a. sends employees in Albania for a period not exceeding 12 months for its account and under its direction, under a contract entered into between the company sending and enterprise registered in tax bodies for which intended works or services provided that, during the delivery period, have an employment relationship between the shipping company and the employees or
- b. sends employees in an enterprise in the territory of Albania, which is part of it, provided that the delivery period, have an employment relationship between the enterprise that performs sending and employees; or
- c. being an agency for temporary work, recruiting an employee for an enterprise user that is created or operating in the territory of Albania, provided that, during delivery, have an employment relationship between the employment agency or temporary employment agency and employee.

Regarding Social Security - they provide protection to foreign nationals and stateless persons, who work in Albania. The employer also has a legal obligation to guarantee employees:

- a) Maximum and minimum duration of working hours;
- b) the duration of paid annual leave;
- c) minimum wage, including increased wages for overtime;
- d) health and safety at work;
- d) protective measures for the work of pregnant women, women who have recently given birth or breastfeeding children;
- f) prohibition of discrimination.

B union membership and enjoyment of the benefits of collective bargaining; c accommodation;

Article 5 of Law No. 108/2013 "On foreigners", which sets out specific obligations and restrictions for the stranger, stipulates that the foreigner applies the Constitution, laws in force and the decisions of state authorities during the entry, stay and departure from the Republic of Albania.

Articles 42 and 43 of the Constitution of the Republic of Albania provides that: Liberty, property, and rights recognized by the Constitution and by law may not be infringed without due process.

In the protection of rights, freedoms and interests of his constitutional and legal, or in the case of charges against him, he has the right to a fair and public hearing within a reasonable time by an independent court and impartial by law.

Everyone has the right to appeal against a court decision in a higher court, except when the Constitution provides otherwise.

Articles 16/1, 46/1 and 50 of the Constitution of the Republic of Albania, guarantee the rights of foreigners in this area.

Article 46 of the Constitution provides that: Everyone has the right to organize collectively for any lawful purpose.

Article 50 of the Constitution provides that: Employees have the right to unite freely in labor organizations for the protection of their labor interests.

4 to secure for such workers lawfully within their territories, insofar as such matters are regulated by law or regulations or are subject to the control of administrative authorities, treatment not less favourable than that of their own nationals in respect of the following matters:

a.

remuneration and other employment and working conditions;

b.

membership of trade unions and enjoyment of the benefits of collective bargaining;

c.

accommodation

The most important event in the improvement of Albanian legislation on migration during 2013- 2014 was the adoption of the Law "On Foreigners" No. 108/2013 adopted in dt.28.3.2013, published in the Official Gazette on April 5, 2013, which came into force on April 20, 2013.

During 2013-2014 part of the migratory norms are made:

- Decisions of CM. 76, 77, 69, 68, 67, 66, 85, 84, 83, 82, 81, 80, 79, 78, 74 dhe 75, dated 12.02.2014, "On the criteria, documentation of the procedure for the device, rejection and cancellation of the work permit .. "which includes all kinds of respectively for foreign employment.
- Decision of CM no.70, dated 12.2.2014, "On the criteria, documentation and procedure for issuing registration certificate to work. "
- • Decision of CM. No. 265, dated 07.05.2014, "On the exemption from the obligation to obtain a work permit or certificate of registration to work for the citizens of the Republic of Kosovo and the Republic of Serbian citizens of Albanian ethnicity"

Law "On Foreigners" 108/2013 which aims inclusion and implementation of the commitments undertaken by the Government of the Republic of Albania in the framework of the National Plan for the Approximation of Legislation and Implementation of the Stabilisation and Association Agreement. Also in this law they are also reflected provisions of the acquis of the European Union in the field of migration and the recent recommendations of the EU.

It guarantees access to the labor market for citizens of the EU for employment without applying for a work permit and treat them as an Albanian national, in terms of employment, conditions of employment, remuneration, study, training, organization in workers' organizations.

Improvements related to social protection, for the treatment of foreigners to prevent discrimination in the treatment of employees.

There has been an expansion in the area of the rights of migrant workers, Article 5 of the law "For foreigners" defines the obligations and restrictions specific to the stranger, the foreigner applies the Constitution, laws in force and the decisions of state authorities over entry, residence and leaving the territory of the Republic of Albania.

The law No. 108/2013 "On foreigners", removed the article on the rights of foreigners employed in the Republic of Albania, which was considered as a limitation on the rights of foreigners not mentioned in that article, since the Constitution of the Republic of Albania was clear that foreigners in the Republic of Albania enjoy the same rights as the Albanian citizens, which increases the space and removing restrictions on the rights of foreign nationals in the Republic of Albania.-

In relation to labor law, a foreigner may be employed in the Republic of Albania with a work permit or business registration certificate, unless provided otherwise:

- Law "On foreigners"
- international agreements recognized by the Republic of Albania
- biased attitudes expressed by the Council of Ministers

The employer can not employ an alien who is illegally in the Republic of Albania.

A foreigner, who in accordance with the legislation on asylum and the integration of asylum seekers who have been granted refugee status, have the right to apply for a work permit for special occasions, up to a year.

Foreigners, victims of trafficking or potential victims of trafficking in compliance with the assessment made by the relevant state authorities, have the right to obtain work permits for special occasions, up to a year.

In accordance with the Law on Foreigners, public institutions cooperate, according to competence, social partners, non-governmental organizations and international organizations for the promotion and implementation of programs of integration of foreigners into society.

In all activities conducted, public institutions and NGOs to provide foreigners with protection against any form of discrimination.

Direct and indirect discrimination by legal persons, public and private, throughout the process of immigration for employment is prohibited.

5 to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals with regard to employment taxes, dues or contributions payable in respect of employed persons;

As regard the right to work, every adult member of the family of the foreign worker with a residence permit in the Republic of Albania, motivated family reunification, have the right to be provided with a work permit for one year, on the basis of a contract with a employer or a certificate of employment in the family business.

A work permit for family members of foreign workers issued provided that the member has lived with the foreigner, regularly and without interruption, for at least three years.

STATISTICS

Disaggregated data on the characteristics and nature of migratory flows (immigration, transit and immigration movements).

In the period 2011 - 2015, Albanian emigration is characterized by the return of Albanian migrants in their country of origin. Part of the Albanian citizens returning from abroad, driven by the need to obtain services that facilitate their reintegration in the country, presented to the Migration Counters. Immigration counters (SM) are structures established to assist returned Albanian citizens to facilitate their reintegration in the country upon return. Across the country have set up 36 Sportele Migration. In implementing the Strategy for the Reintegration of Returned Albanian Citizens 2010 - 2015 and its Plan of Action, these structures Interview returned Albanian citizens who appear in the window, provide information for public and private, in accordance with the needs identified (when there) and make reference to public and private services (if any) as well as specific projects of civil society in accordance with the needs of its citizens to return. Albanian citizens returned voluntarily appear at these counters.

From January 2011 to June 2015 were submitted to the 4673 Immigration Counters returned Albanian citizens. Since 2012 until 2015 there is a decrease in the number of Albanians who are featured in the SM. Women make up half of returned Albanian citizens present at the counters of migration. Although their number has been decreasing associated with this reduction citizens presented in the report counters compared with men returning nationals remains almost the same. This may be related to the fact that most migrants are presented in counters say they have made a long-term return and family.

Table 1. Returned albanian citizens registered at the Immigration counters (SM) by year

YEAR	Year2011	Year 2012	Year 2013	Year 2014	Janary-June2015
Albanian citizens	896	1536	1171	834	236

Source: Monitoring Report of the Action Plan of the Strategy for the Reintegration of Returned Albanian Citizens 2010-2015. Ministry of Social Welfare and Youth. National Employment Service.

The largest number of returns is long-term return and family. This group of citizens show a greater need for support for reintegration. Because they were thought to have a long-term return and a family turning their reintegration needs were greatest doing to address the SM to receive services. A small part of turning citizens have said that temporary and individual returns. The latter may be related to their reluctance to stay in Albania after the return, after the presentation at the counters shows that have the need for services for their reintegration.

From two countries have returned Albanian citizens are Greece and Italy. This coincides with the Emigration which is mostly concentrated in these two countries. Most of returned Albanian citizens submitted to SM returned from Greece representing approximately 80% of all registered returnees registered migration counters. Much less are citizens who have returned from Italy with around 14% of registered returnees in counters. Returnees from other EU and non EU presented in SM occupy a very small place in these datas.

Table 2. Albanian citizens introduced at the sportel counter by the Ë paraqitur në SM according to the state of returned years 2012, 2013, 2014, 2015

YEAR	Year 2012		Year 2013		Year 2014		Janary-June 2015	
Country		%		%		%		%
Greqia	1321	86	963	82 %	679	81	166	70 %
Italia	188	12.2	131	11 %	121	14	59	25 %
Other EU countries	17	1.1	64	5.4 %	21	2.5	8	3 %
Non-EU countries	10	1	13	1 %	12	2	3	1.2 %

Source: monitoring report of the Action Plan of the Strategy for the Reintegration of Returned Albanian Citizens 2010-2015. Ministry of Social Welfare and Youth. National Employment Service.

Most returns occurred because of unemployment in the host country. A portion of returns has been due to lack of documentation in the host country but it's not a big voice compared to the number of returns due to unemployment. It is noted that from 2012 to 2015 has been increasing the number of returnees to return for other reasons among which the investment, however it still remains small. One reason for the small number of them can be even failure of this group because the windows come with a well thought plan and work to implement. Part appearing in SM may be a part which has not yet consolidated or lacks good enough funds to invest and open their own business or need more information in this regard. In general, the reasons that have pushed back the Albanian citizens during the years 2012, 2013, 2014 have not been major changes. However in 2014 there was a downward trend of returns due to lack of documentation and an increase in returns for other reasons (not unemployment).

Table 3. Return Albanian citizens registered in the SM by reason of return for years 2012, 2013, 2014, 2015

YEAR	Year2012		Year 2013		Year2014		Janary- June 2015	
CAUSE of RETURN		%		%		%		%
unemployed	1348	88 %	1060	91 %	736	88 %	206	87 %

Lack of documentation	31	2 %	67	5.1 %	43	5 %	15	6.3 %
To invest	9	1 %						
Other reasons			43	3.7 %	55	6.5 %	15	6.3 %

Source: monitoring report of the Action Plan of the Strategy for the Reintegration of Returned Albanian Citizens 2010-2015. Ministry of Social Welfare and Youth. National Employment Service.

Most of its citizens to convert introduced immigration counters belonging ages 25 years to 34 years, 35 to 44 years and 45 years or more. This may relate to the fact that these age groups are those formed when individual and family when he is looking for work and meeting other needs for himself and his family. No major change over the years in terms of age groups returned Albanian citizens who are featured in the windows.

Most returned Albanian citizens who have resorted to Migration Counters to receive reintegration services are most 9-year education and secondary education. This may relate to difficulties that it faces following categories for their reintegration back into place again. Returnees with basic education and higher education make up a small part of the returns filed in SM. It is noted that there is a consistency in the number of returned Albanian citizens with primary education introduced in years .

Statistical information for foreigners, 2011-2014.

The number of foreigners immigrating to Albania for labor is increasing, because Albania is an attractive place for foreigners as well as to the positive business climate. Albanian legislation with the support of the employment of foreign citizens in Albania eased. The employment situation of foreigners by sectors of activities that exercise compared with previous years is as follows:

During 2011, about 2300 foreiners are equipped with a work permit and 74 foreign nationals are exempt from work permits device.

In 2012, about 2,499 foreiners are equipped with a work permit and 180 foreign nationals are exempt from work permits device.They have been granted for the first 1,830 foreigners or 73% of the total.

2013: There are 2,958 work permits to foreign nationals (2.189 769 permits and employment certificates) issued by the National Employment Service and the Employment Office under his.

In 2014, work permits for foreign nationals 3,443 (2,054 + 1,389 work permit employment certificates) or 16% more than a year ago.

The region with the largest flux of foreign nationals with work permit is Tirana, with about

50% of work permits for the years 2012 and 2013 and 41.1% for 2014.

Table 1. Shpërndarja e lejeve të punës së lëshuarapër të huajt, sipas Zyrave të Punës

Shpërndarja e lejeve të punës	2011	2012	2013	2014
DRSHKP –Tirane	50%	48 %	50 %	41.1%
DPSHKP	16%	20%	13.7 %	13%
DRSHKP- Lezhe		1.3%	7.7 %	2.6%
DRSHKP- Fier	8%	9%	7.7 %	8.6%
DRSHKP-Shkodër	7%	2.6%	2.8%	1.41%
DRSHKP-Durrës		5.1%	5.7%	4.4%
DRSHKP Elbasan		3.3%	6.9%	14%
Total	2300	2499	2189	2054

Source: General Directorate of NES, Tirana on, 2015

According to sources from MMSR, occupied first place for a work permit requirements for the category of employees, (1938 in 2011, 1,802 in 2012, 1,888 in 2013 and 1,792 in 2014. In second place are the requirements of the self-employed (161 2011, 258 2012, 234 in 2013 and 177 in 2014). in third place are the demands of investors.

The sector most sought for employment of foreigners is construction (10% in 2011 to 19% in 2012 to 25% in 2013 and 31% in 2014), followed by services (11% in 2011, 7% in 2012, 13% in 2013 and 17% in 2014), extractive industry (12% in 2011, 12% in 2012, 10% in 2013 and 14% in 2014) and trade (16% per year, 15% in year 2012 12% in 2013 and 9% in 2014).

According to nationality, the first place occupied nationals from countries not members of the EU, the Turks (25% 2011, 19% in 2012, 39.5% in 2013 and 52% in 2014), followed by Chinese (11% in 2011 7.5% in 2012, 5% in 2013 and 12% in 2014) and Canadians (7.5% in 2011, 8% in 2012, 7% in 2013 and 8% in 2014).

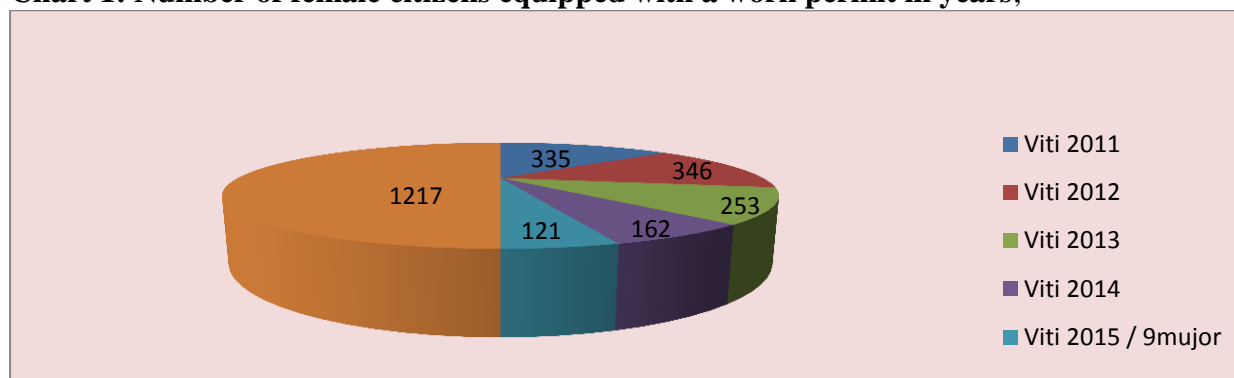
Table 2. Lëshimi i lejeve të punës, kategorizuar sipas shteteve

	2011		2012		2013		2014	
	WP	%	WP	%	WP	%	WP	%
Turqi	593	26	474	19	865	39.5	1068	52
Kine	273	12	188	7.5	112	5	248	12
Kanada	-		195	8	156	7.1	162	7.8
India	-		17	0.6	37	1.7	54	2.6
Serbia	-		11	0.4	15	0.6	37	1.8
Egjipti	-		26	1	47	2.1	32	1.5
Total	2300		2499		2189		2054	

Source: General Directorate of NES, Tirana on 2015

Foreigners with work permit were mostly male (86.2% in 2012, 88.5% in 2013 and 92% in 2014).

Chart 1: Number of female citizens equipped with a work permit in years;



Source: Ministry of Social Welfare and Youth

Ps: Në tabelë nuk është vendosur numri i vërtetimeve të deklarimit, lëshuar shtetaseve të BE, Zonës Shengen, U.S.A dhe Shtetasve të Republikës së Kosovës dhe shtetasve të Republikës së Serbisë, të përkatësisë etnike shqiptare, të cilët që nga vitet 2013-14 nuk pajisen me leje pune për të punuar në Shqipëri.

Over the years 2011, 2012, 2013 and 2014 are excluding from the obligation to obtain a work permit respectively 74, 180, 199 and 194. Most of these exceptions are in Tirana (89% 2011, 58% in 2012 and 2013, 64% in 2014), in Elbasan (respectively 24% in 2012, 1.5% in 2013 and 11% in 2014) and Shkodra (2.7% (2012), 24% (2013), 6% (2014)).

By citizenship, most exemptions are made for Turkish citizens (0.5% in 2012, 18% in 2013 to 22% in 2014), South Koreans (3% in 2013 and 14, 4% in 2014), Chinese (respectively 14 %, 9%, 12%), Brazilians (respectively 4.5% in 2013 and 10% in 2014), Indians (respectively 3%, 7%, 8% and Canadian (respectively 0.5% in 2012 and 5.6% in 2014). Most the excluded from this obligation are religious missionaries, professionals and voluntary workers. In 2014 they accounted for respectively 60.3%, 14% and 10.3% of exemptions.

Article 19 "The right of migrant workers and their families to protection and assistance"

	Year 2012	Year 2013	Year 2014	Year 2015
Private entities inspected	15966	14427	10743	7567
Total registered employees	159323	157809	165849	144288
Foreign employees identified at work	1954	1003	2236	1739
Foreign employees identified without a work permit (% compared to foreign workers)	10%	4%	1.2%	0.8%