



**EUROPEAN COMMITTEE OF SOCIAL
RIGHTS COMITE EUROPEEN DES
DROITS SOCIAUX**

**REPORT
ON THE NON-ACCEPTED PROVISIONS OF THE
EUROPEAN SOCIAL CHARTER**

ALBANIA

Article 9 – Right to vocational guidance

With a view to ensuring the effective exercise of the right to vocational guidance, the Parties undertake to provide or promote, as necessary, a service which will assist all persons, including the handicapped, to solve problems related to occupational choice and progress, with due regard to the individual's characteristics and their relation to occupational opportunity: this assistance should be available free of charge, both to young persons, including schoolchildren, and to adults.

National Agency on Employment and Skills (NAES) (former National Employment Service) was approved on December 2019, and during 2020 followed the procedures of reallocation of the staff of NES to NAES, with the support of Public Administration Department (PAD) for the headquarters employees. After that the recruitment process has also started.

Following capacity building, NAES has developed several processes related to the quality assessment of institutional functioning. One of them is the measurement of customers' satisfaction. At the same time, within the initiative of the Western Balkans countries, the process of institutional self-evaluation was carried out.

Following the drafting of the new protocols implemented during the year 2020-2021 that relate to the profiling/categorization of jobseekers in 3 levels according to their level of difficulty to be included in the labour market and the construction of the individual employment plan, NAES has continue with equipping every jobseeker with these instruments. 78,000 unemployed jobseekers are equipped with these instruments, which ensure a quality treatment in accordance with individual characteristics and needs.

During 2022, about 23000 unemployed jobseekers were registered, categorized and provided with an individual employment plan.

During 2022, NAES was supported by the IPA SREPVET Project for the training of staff, resulting in 643 trainings (a person can be trained more than 1 time) for the employment offices employees.

During 2022, another 360 trainings were conducted with the support of partners on topics related to migration services, quality of services, counselling, etc.

NAES implements this guideline through its Employment Offices, whose staff deals directly with the provision of career counselling for all those interested. Special attention is paid to special groups, under which the following are specifically address by the Law “On Employment Promotion”:

Jobseekers such as mothers with many children, persons over 50 years old, persons younger than 18 years old, long-term unemployed, persons living in families under the poverty level, trafficking victims, persons enrolled in the financial aid programs, persons who lose their jobs following to the restructuring of enterprises and institutions, and to privatization, young unemployed mothers, divorced women with social problems, recently returned emigrants with economic problems, recently graduated students with no labor market orientation, former prison inmates, people with disabilities, Roma, orphans.

Current legislation (no changes from the last report):

The rights and obligations laid out in Article 9 of the Social Charter are anchored in the existing provisions of the Albanian legislation, namely: Article 6, Law 15/2019, of 13.03.2019, “On employment promotion”, which lays out as follows:

“Active labor market policies include:

- a) Employment services
- b) Job creation programmes
- c) Vocational training programmes”

The services are free of charge for jobseekers and employers.

Article of 7 “Employment services” lays out the following:

“Employment services include the following:

- a) Information on vacancy announcements for jobseekers, employer and for any on interested person;
- b) Job placement;
- c) Job counselling, vocational counselling and job orientation”

Article 8/1 on “Information of jobseekers and employers lays” out the following:

“1.The regional / local employment structure provides and provides information on labor supply and demand for both jobseekers and employers. The service includes information on:

- a) the national, local and regional labor market;
- b) employment services and programs for jobseekers' employers;
- c) employment opportunities;
- ç) educational and qualifying offerings of the institutions of vocational education and training;
- d) career and career orientation;
- dh) the right to benefit from support programs, income and application procedures;
- e) labor legislation.”

Article of 9/1 on “Mediation for employment and job matching” lays out following:

9/1 “Employment mediation and job matching aim at finding a suitable workplace for the jobseeker whose formation, skills and qualities comply with the requirements stated by the employer for this job, as well as mediations for active labor market programs.”

Article of 10 on “Counseling and orientation for career, employment and occupation, lays out the following:

“1. Counseling and career orientation, employment and occupation is provided by the regional / local employment structure through special advisory services for jobseekers, students and

students, with regard to their choice and formation in an appropriate profession, with individual qualities and orientation in the labor market.

2. Specialized counseling offers in-depth, accessible, accessible services to specific groups, which have barriers to engaging in employment and whose profile requires intensive support.

3. Counseling and career orientation, employment and occupation is realized through counseling for:

- a) career that helps jobseekers and orientates students and students in choosing a profession appropriate to individual qualities and seeking in the labor market;
- b) a profession that helps jobseekers, students and students to identify missing skills and provide appropriate means for completing them;
- c) employment that helps jobseekers, students and students to identify the purpose of employment, access to employment, and qualification opportunities, and to understand the skills required to seek and maintain a job.

Article 12 on “Vocational training programs” lays out the following;

1. Vocational training serves both jobseekers and employers and is realized through unified vocational training courses.

2. Regional / local employment structures support financially, based on competition procedures, vocational training courses, organized by professional, public or private training institutions.

3. Unemployed jobseekers benefit from free vocational training courses provided by the institution responsible for employment and skills. Unemployed jobseekers may, in special cases, be eligible for a fee for participation in the course as well as subsidizing travel expenses according to applicable tariffs. The Council of Ministers determines by decision the rules on subsidizing travel expenses, benefit cases and the amount of payment for participation in the course.

4. Principles, methods of action and methods of vocational training, generally applied to vocational training programs for persons with disabilities, shall apply in the case of persons referred to in Article 3, point 4, letter "c" of this law. For this group apply the elements of reasonable adaptation, with regard to specific training programs, curricula adapted to the degree and type of disability, trainers / teachers prepared to provide special training for this category.

The adoption of the Law No.15 / 2019 "On Employment Promotion", which in accordance with the EU directives on access to employment services of foreign nationals creates a possibility for foreigners who stay on a regular basis for employment in the Republic of Albania. Article 4 of Law 15/2018 stipulates that: "1. Each jobseeker and employer registered in the regional / local structure benefits from the services provided by this structure. 2. All foreign nationals and stateless persons who enter and stay legally in the territory of the Republic of Albania for employment purposes in the regional / local structure are entitled to receive the services provided in the regional / local structure. the legislation in force for foreigners. 3. Foreigners who have benefited from refugee status as well as asylum seekers in the Republic of Albania in accordance with the legislation in force for asylum have the right to benefit from these services. 4.

Employment services provide the possibility for foreigners to be provided with work permits, pursuant to the legislation in force for foreigners. "

Article 10 1, 2, 3, 4, 5– Right to vocational training

With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake:

- 1. to provide or promote, as necessary, the technical and vocational training of all persons, including the handicapped, in consultation with employers' and workers' organisations, and to grant facilities for access to higher technical and university education, based solely on individual aptitude;**
- 2. to provide or promote a system of apprenticeship and other systematic arrangements for training young boys and girls in their various employments;**
- 3. to provide or promote, as necessary:**
 - a. adequate and readily available training facilities for adult workers;**
 - b. special facilities for the retraining of adult workers needed as a result of technological development or new trends in employment;**
- 4. to provide or promote, as necessary, special measures for the retraining and reintegration of the long-term unemployed;**
- 5. to encourage the full utilisation of the facilities provided by appropriate measures such as:**
 - a. reducing or abolishing any fees or charges;**
 - b. granting financial assistance in appropriate cases;**
 - c. including in the normal working hours time spent on supplementary training taken by the worker, at the request of his employer, during employment;**
 - d. ensuring, through adequate supervision, in consultation with the employers' and workers' organisations, the efficiency of apprenticeship and other training arrangements for young workers, and the adequate protection of young workers generally.**

The existing provisions of the Albanian legislation (no changes from the last report) address the rights and obligations provided under this article of the Social Charter, more precisely: Article 5 of the Law 15/2019 “On Employment Promotion” stipulates:

The responsible ministry for state employment policies, among others: develop programs to support education and vocational training providers, including provision of initial and ongoing qualification

Articles 9, 10 and 12 of the law on employment promotion lay out the policies of the ministry in the field of professional vocational, more concretely: vocational training that is provided through practical and theoretical courses and through direct participation in special work processes. Therefore the focus on vocational training has increased in the public and in the private sector.

Vocational training law no. 15/2017 guarantees the right for life-long vocational training, the possibility to attend induction vocational trainings, and the right to obtain vocational knowledge, by providing for equal opportunities for all.

The Government supports the creation of vocational training capabilities, both in quantitative and qualitative terms, through the development of the public vocational training system. In

addition to the public vocational training centres, private vocational training centres have been licensed from the National Licensing Centre.

NAES implements this guideline through its Employment Offices, whose staff deals directly with the provision of career counselling for all those interested. Special attention is paid to special groups, under which the following are specifically address by the Law “On Employment Promotion”:

Jobseekers such as mothers with many children, persons over 50 years old, persons younger than 18 years old, long-term unemployed, persons living in families under the poverty level, trafficking victims, persons enrolled in the financial aid programs, persons who lose their jobs following to the restructuring of enterprises and institutions, and to privatization, young unemployed mothers, divorced women with social problems, recently returned emigrants with economic problems, recently graduated students with no labor market orientation, former prison inmates, people with disabilities, Roma, orphans who enjoy this status.

Employment promotion programs are implemented by the employment offices. These programs support employers to create and retain jobs, and to provide job placement to the candidates provided by the employment offices.

The support from the state is provided through subventions, and through the compensation of a certain percentage of the costs for the obligatory social insurance. At presence, following employment promotion programs approved through a Council of Minister’s Decree, related to vocational training, are being implemented:

Articles 9, 10 and 12 of the law on employment promotion lay out the policies of the ministry in the field of professional vocation, more concretely: vocational training that is provided through practical and theoretical courses and through direct participation in special work processes. Therefore the focus on vocational training has increased in the public and in the private sector.

Vocational Training Law guarantees the right for life-long vocational training, the possibility to attend induction vocational trainings, and the right to obtain vocational knowledge, by providing for equal opportunities for all.

The Government supports the creation of vocational training capabilities, both in quantitative and qualitative terms, through the development of the public vocational training system. In addition to the public vocational training centres, private vocational training centres have been licensed from the National Licensing Centre.

Public professional training courses are also offered during the afternoon so that all individuals who can be employed, including adult workers, have the opportunity to upskilling reskilling through professional training courses. Vocational training curricula are continuously reviewed by NAVETQ (relevant agency) in order to be updated and in accordance with the demands of the labor market.

During 2021, two new curricula have been approved at the provider level:

- The "Digital Competence" curriculum, which addresses the 5 basic digital competencies according to the EU Digital Competencies Framework 2.0, is designed to serve all citizens, job seekers who want to develop their knowledge in the field of information technology.

The "Fruit and vegetable processor" curriculum, which aims to train trainees to perform professional tasks as employees in various service companies, food products, in commercial

companies that have food service departments or as self-employed for fruit and vegetable processing vegetables.

During 2022 NAES has followed the implementation procedures of 19 curricula for vocational training courses revised or unified by the National Agency for Vocational Education and Training Qualifications (NAVETQ) during 2021. Based on the admission criteria for professional training courses set in the relevant curricula, the list of courses has been updated, as well as the completion with descriptions and admission criteria for each course, of the reference matrix of the government portal e-Albania, which supports the procedure of requests for online applications for professional training courses.

Meanwhile, based on the requirements of the regional labor market, Regional Directories of Public Training Providers have identified the needs for 13 new curricula or revision of existing curricula, which have been referred to NAVETQ for review. 10 other short-term curricula are in the process of being reviewed or drafted by this agency, which are expected to be approved at the beginning of 2023.

During 2022 NAES has started to offer Digital skills curricula through public VET centers. This course is offered free of charge to unemployed job seekers. The objective for 2023 is to achieve 2200 beneficiaries.

Also, at the end of 2022, a new employment promotion program (ALMP) related to the provision (through outsourcing) of advanced training in the field of ICT and mainly programming has been drafted. This program will support unemployed jobseekers with 100% fee coverage and jobseekers with 50% fee coverage. For 2023 it is intended to encourage applications for this new program with the aim of including 1,500 job seekers.

Unemployed jobseekers	Unemployed jobseekers registered (Stock)	Employment Promotion Programs	Vocational training	Total participants in ALMP	%
2020					
PWD	604	67	56	123	20.4%
Roma & Egyptian	7,570	141	128	269	3.6%
Female	43,647	2,778	1,962	4,740	10.9%
NEET (16-29 years old)	18,561	2,157	2,416	4,573	24.6%
Economic assistance	26,633	165	170	335	1.3%
Total unemployed jobseekers	82,921	4,146	4,386	8,532	10.3%
2021					
PWD	475	57	95	152	32.0%
Roma & Egyptian	7,671	166	155	321	4.2%
Female	45,125	2,914	3,144	6,058	13.4%
NEET (16-29 years old)	20,155	2,173	3,687	5,860	29.1%
Economic assistance	27,576	326	433	759	2.8%
Total unemployed jobseekers	87,419	4,834	6,631	11,465	13.1%
2022					
PWD	237	48	83	131	55.3%
Roma & Egyptian	7,198	304	255	559	7.8%
Female	40,620	2,573	4,757	7,330	18.0%
NEET (16-29 years old)	17,598	1,794	5,059	6,853	38.9%

Economic assistance	27,451	692	813	1,505	5.5%
Total unemployed jobseekers	76,879	4,344	9,398	13,742	17.9%

NAES during the period 2021-2022 has implemented the project "Support for Continuing Education of the Unemployed" (SCUL) funded by the EaSI Program of the European Union and implemented by the National Employment and Skills Agency in partnership with UNDP Albania. The main objectives of the project were the development of basic learning (literacy) and digital skills of unemployed job seekers with low qualifications and education (reading and writing) which are long-term, in order to be able to integrate into the labor market. During the project, a dedicated curriculum was built, which is expected to be offered to public vocational training centers. Protocols for the treatment of the targeted have also been established. NAES has planned for the 2023 the implementation of this program through the drafting of a DCM (EPP).

Article 12 – The right to social security

With a view to ensuring the effective exercise of the right to social security, the Parties undertake:

- 1. to establish or maintain a system of social security;**
- 2. to maintain the social security system at a satisfactory level at least equal to that necessary for the ratification of the European Code of Social Security;**
- 3. to endeavor to raise progressively the system of social security to a higher level;**
- 4. to take steps, by the conclusion of appropriate bilateral and multilateral agreements or by other means, and subject to the conditions laid down in such agreements, in order to ensure:**
 - a. equal treatment with their own nationals of the nationals of other Parties in respect of social security rights, including the retention of benefits arising out of social security legislation, whatever movements the persons protected may undertake between the territories of the Parties;**
 - b. the granting, maintenance and resumption of social security rights by such means as the accumulation of insurance or employment periods completed under the legislation of each of the Parties.**

In the framework of last year's SSC&SSR reform program implemented in the countries of South-Eastern Europe, upon our request, an assessment study of the Albanian legislation on the social security was made, which focused, among on its compatibility with the European Code of Social Security. The author of the assessment study recommended to Albania to consider ratifying the European Code of Social Security, also paragraphs 2 and 3 of Article 12 of the Social Charter, as it has already accepted the social security standards of the ILO Convention.

Albanian legislation on Social Insurance covers:

- sickness benefits in cash for employed persons;
- maternity benefits in cash for employed persons and self-employed persons, as well as for employers;
- accidents at work and occupational diseases benefits in cash for employed persons;
- unemployment benefits in cash;
- old-age, disability and survivor pensions for employed and self-employed persons, as well as for employers.

Albanian legislation on coordination of social security schemes is provided through bilateral agreements in the field of social protection, with the following countries:

- Republic of Turkey, effective from 01.02.2005;
- Kingdom of Belgium, effective from 01.01.2016;
- Grand Duchy of Luxembourg, effective from 01.07.2016;
- The Republic of North Macedonia, effective from 01.06.2016;
- Hungary, effective from 01.07.2016;
- Czech Republic effective from 01.02.2017;

- Federal Republic of Germany, effective from 01.12.2017;
- The Republic of Austria, effective from 01.12.2018;
- The Republic of Kosovo effective from 01.07.2022;
- Canada effective from 01.08.2022;
- Republic of Bulgaria effective from 01.05.1923

In addition, bilateral agreements are expected to enter into force with the following countries:

- Romania, ratified by the Albanian Parliament with Law No. 42/2016, dated 14.04.2016;
- Bulgaria, has been approved in principle by DCM No. 820, dated 24.12.2021 and we are in the phase of signing the agreement as soon as we conclude the internal procedures with the Ministry for Europe and Foreign Affairs;
- The Swiss Confederation, entry into force is expected.

Furthermore, with countries like Croatia and Montenegro the negotiations are concluded. With Croatia and Montenegro, we are currently in the phase of approval in principle by the Council of Ministers and then we will proceed with their signing. With Italy, we have concluded negotiations on the framework agreement only, approved in principle by the Council of Ministers and now we are waiting for the Italian Government to be ready for signing.

Also, there has been a technical level meeting with Greece to introduce social insurance schemes and to see the possibility of having an agreement between the two countries.

The bilateral agreements cover 5 aspects, as listed:

- the aspects of equal treatment;
- the aspects of aggregation of completed insurance periods;
- the aspects of payment of benefits in the territory of another country;
- the aspects of equalizing territories to avoid overlap of benefits;
- the aspects of preserving acquired rights and rights that are in the process of being benefited.

In all agreements assigned by the Republic of Albania, there have been applied the basic principles of the Regulation no. 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of systems on social protection.

Article 13 – The right to social and medical assistance

With a view to ensuring the effective exercise of the right to social and medical assistance, the Parties undertake:

1. to ensure that any person who is without adequate resources and who is unable to secure such resources either by his own efforts or from other sources, in particular by benefits under a social security scheme, be granted adequate assistance, and, in case of sickness, the care necessitated by his condition;

Economic Aid Scheme

The economic aid scheme is one of the programs on poverty alleviation providing payments to families in need, supporting people to emerge from poverty and aiming their social integration in cooperation with labor offices. Based on the law no. 57/2019 "On social assistance in republic of Albania", the exclusionary criteria have been removed, application and verification and granting of financial assistance for families in need is carried out efficiently, transparently, using a proxy means tests, the poorest, through the use of a Management Information System that interacts with other information management systems such as taxes, social security, labor offices, real estate offices, transport offices, civil registry offices, etc.

The economic aid scheme is financed by the state budget. Families and individuals in need are supported with additional payments and subsidies to promote education and health care for those families with school-age children. They also benefit from other subsidies related to electricity compensation, free books, etc.

In order to give more autonomy to the Local Government Units, an additional budget is transferred to the LGU-s (6% of the total social protection funds for economic aid) in order to cover poor households who are not benefiting by the proxy means test. The benefiting criteria are developed by the LGU-s themselves.

Management and administration of the scheme:

1. The Ministry of Health and Social protection is the authority responsible for drafting policies and legislation, programming of economic aid funds, as well as control of their implementation at all levels of central and local structures. The ministry collects information, statistics and reports from local government units in order to evaluate and monitor the implementation of policies and achieve standards for economic aid.

2. The General Directorate of State Social Service is a public institution, under the Ministry responsible for social protection. The SSS is responsible for implementing the policies of the Ministry in the field of economic aid for (i) programming and controlling the use of State Budget funds for economic aid; (ii) managing the national electronic register, that includes applicants and beneficiaries of economic aid; and (iii) controlling the activity and implementation of legislation in its subordinate structures and institutions and with the local government, for economic aid.

3. The Regional Structures of the State Social Service for Economic Aid are responsible for: (i) verification of the applicant data with other information management systems (ii) decision-making for beneficiary families and individuals, as well as the amount of benefit.

4. The LGU-s identifies families and individuals in need, conduct socio-economic verifications and fill in the application forms through the national electronic registry for economic aid applicants. The Municipality Council proposes the families and individuals in need that need to benefit economic aid by the state budget, approves the beneficiary families / individuals that benefit economic aid from the additional budget (6%) transferred to the LGU-s and the benefiting criteria.

There are 64,000 families benefiting from the economic aid scheme.

The amount of economic aid is increasing significantly during these years. The last increased was made during the year 2022, which is increased by 20% for 64,000 household beneficiaries. Households in need composed of three and more children benefit double amount of the payment. Women heads of households with two children and household members over 65 years old, single without old age/social pension benefit the double amount of payment as well. The amount of benefit for orphans, victims of domestic violence and victims of trafficking has been tripled.

The government of Albania on December 2022, granted a support package for women households' beneficiary of economic aid, in the amount of 20.000 ALL, for household's beneficiaries of economic aid scheme of 8.000 All and for persons with disabilities of 8,000 All. This support is to alleviate the impact of inflation on basic consumption.

To support the Exit Strategy from Economic Assistance a Joint Order between the Minister of Health and Social Protection and the Minister of Finance and Economy is signed for the referral mechanism for employment and social integration of working age members of families benefiting from the economic assistance scheme. Specifically, through this mechanism, the aim is to achieve the employment of family members in economic assistance that is in working age. Through this mechanism, 3,500 beneficiaries are employed and registered to Vocational Training.

From January 2023 is being implemented a special support program from the state for unemployed women with three and more children up to age 18 years old, to whom the state subsidizes the payment of social and health insurance for the period of child care up to the age of 5 years old.

The goal of social care services reform is to improve the quality of life of social protection beneficiaries and their empowerment for independent and productive life. In the framework of social care reform, the system of social services in Albania, is regulated mainly by the Law no. 121, dated 24.10.2016 "On social care services in Republic of Albania".

According the definition, article 2, alinea 1, "Social care services" means an integrated and organised system of benefits and facilities, that are provided by the practitioners of the respective fields of public or non-public subjects, in order to ensure well-being, independence and social inclusion of individuals and families in need of social care.

Social protection of beneficiaries is based on the principles prescribed in Article 4 of the Law 121/2016 on Social Care Services in RoA, inter alia: respect for the best interests of users in exercising social and respect for human rights and integrity of the beneficiary and prevention of institutionalization and availability of services in the least restrictive environment whenever there are conditions. in their homes or local community through non-institutional forms of protection, provided by various service providers, principle of non-discrimination, with the aim of improving the quality of life of the beneficiary and his social inclusion.

According to article 6 of the Law, the beneficiaries of social services are: i- children and young adults in conflict with the law, as well as those who enjoy international protection upon the decision of the authority responsible for asylum and refugees in the Republic of Albania; ii- adults who have social problems, victims of violence, victims of trafficking, established drug and alcohol addiction; iii- the elderly people in need; iv- persons with disabilities; v- pregnant girls or single parent of a child up to one year old;

Pursuant to Article 8 of the Law, social care services, include the support for community life, counseling-therapeutic and social-educational services, accommodation, emergency interventions and other services.

Chapter III of the Law stipulates that funds for basic financial support are provided from the state budget, in accordance with the budget law. Funds for carrying out the social activities are provided in the state budget and the municipal budget, as well as by carrying out the activities of service providers. Funds for social services are also provided through the participation of beneficiaries, donations, gifts, foundations. If the municipalities are not able to provide funds for the services referred to in paragraph 46 of this Article, the state shall participate in their financing, in accordance with Article 47 of this Law.

Based on the law on Social Care Services, the secondary legislation has been adopted as following: DCM (no. 111/2018 & no.150/2019) on the functioning of Social Fund which stipulates that the sources of funding for the social care services shall be provided from the state budget, municipal budgets, donations and other sources.

Based on Article 6 of the Law “The person who is not a beneficiary of social care services, according the definition, shall have the right, against respective fees, to request temporary accommodation in the institutions providing this service, be them residential or community centres, according to the conditions defined in this law, until the lapse of special circumstances because of which this service is applied for”

The social security system entails the social security scheme, the employment and vocational training scheme, and the social services and social assistance scheme. The social security scheme and the employment scheme are based on the contributive principle. It protects all economically active persons able to contribute in the scheme.

The persons not able to benefit from the social security scheme are supported by the social services and social assistance scheme that consists of three basic programs: i) economic assistance ii) disability allowance iii) social services.

In reliance to Law No.7870 dated 13.10.1994 “On social insurance in the Republic of Albania” , amended, which regulates the funding for the primary health care services in the country through the obligatory contributive insurance for social care, the scheme of the obligatory health insurance also protects the unemployed, disabled, and people who are recipients of economic and social assistance. They are entitled to full or partial reimbursement for their drugs, on the basis of the list of the reimbursable drugs prepared by the Institute of the Health Care Insurance. Under this scheme, several sub-categories enjoy a special status:

People with Disabilities of Category I (full disability), people sick of CA and TBC, children 0 - 12 years old, blind persons, are entitled to receive the first alternative of every drug in the list free of charge.

Pursuant to DCM No.383 dated 19.06.2004 “On the approval of the procedures, tariffs and level of reimbursement of the examination services included in the health care insurance”, amended.

The approval of Law 10383 dated 24.02.2011 “On the obligatory health insurance in the Republic of Albania” (which will enter into force in March 2013) is of a particular importance. The scheme of the obligatory health insurance has widened the scope of its services for its non-contributive beneficiaries, by providing among others for wheelchairs, hearing aids etc.

According to Law 79/2021 On foreigners, foreign citizens in the Republic of Albania enjoy the rights provided for in the Constitution and in ratified international conventions. Article 5 of this law provides that, the responsible authorities when making decisions regarding foreigners apply the provisions of this law in accordance with the basic rights and freedoms provided by the Constitution (Art.5, point 1 and 2 of Law 79/2021).

Medical assistance

Universal Health Coverage remains a continuous commitment of Albanian Government, promoting a healthy life, coordinating efforts and increasing investment in all health-related sectors. Nation Health Strategy 2022-2030 approved by Decision no. 210, date 06.04.2022, a political document of the Albanian government that aims to define and achieve the objectives of the program for the protection and improvement of the health of the Albanian population.

National Health Strategy , 2021 -2030 support in the vision of health, its mission, principles of health and main values of health.

Mission of the strategy: Protection, improvement and promotion of health. Increasing the well-being and productivity of all citizens in Albania. Guaranteeing the provision of timely and affordable quality healthcare for the Albanian population. Ensuring sustainable progress in public health and healthcare. Increasing the resilience of the health system to emergencies and leveraging innovation and integration of care to strengthen the health system.

The priorities are:

P.1: Investing in people's health throughout the life cycle

P2: Progress towards Universal Health Coverage

P3: Strengthening the integrated health system

P4: Strengthening the system's response to emergencies

P.5 Digital health

By means of the new hospital Law no. 55/2022, the first steps are taken for hospital autonomy in Memorial Hospital, Fier.

According to his predictions, autonomy as an integral part of system management public hospital, guarantees equality, accessibility, quality, safety and the provision of timely health service for the patient.

Hospital autonomy aims to ensure:

- Effectiveness and transparency in the administrative management of resources
- financial and human resources;
- Increasing transparency and accountability to citizens;
- Improvement of the mobilization of human and financial resources;
- Increasing the role of the community in decision-making

With the Decision no. 58, date 1.2.2023 for some changes and additions to decision no. 61, dated 3.2.2017, of the council of ministers, "for the approval of reimburseable medical equipment packages", amended, Ministry of Health in collaboration with Compulsory Health Care Insurance Fund) will be reimbursed list of medical equipment (diabetes card) will ensure the free delivery of blood glucose meters as well as puncture needles to every recipient of diabetes bands for the year 2023, for patients aged 0-25 years and from 65 years and older.

Article 14 – The right to benefit from social welfare services

With a view to ensuring the effective exercise of the right to benefit from social welfare services, the Parties undertake:

- 1. to promote or provide services which, by using methods of social work, would contribute to the welfare and development of both individuals and groups in the community, and to their adjustment to the social environment;**
- 2. to encourage the participation of individuals and voluntary or other organisations in the establishment and maintenance of such services.**

In the framework of social care reform, the system of social services in Albania, is regulated mainly by the Law no. 121, dated 24.10.2016 "On social care services in Republic of Albania".

Based on the law on Social Care Services (hereinafter SCS), the secondary legislation has been adopted as following: i- DCM (111/2018 and 150/2019) on the functioning of Social Fund (hereinafter SF) which stipulates that the sources of funding for the social care services shall be provided from the state budget, municipal budgets, donations and other sources; ii- DCM on alternative care services and on specific rules of operation; DCM on functioning and administration of the National Electronic Register, for the management of the cases of citizens in need, including all local and central actors, public and private entities, providing social services for the categories in need; iv- DCM on basket of services to be established at local level, focusing on community-based services and home assistance; v- DCM on certification program for social care professionals, establishing a continuing education` board, designing and monitoring education programs provide the basis that this strategy proposes for achieving the relevant objective; vi) a series of instructions of the minister responsible for social protection that approve the standards of social care services of different types of services, according to the definitions made in Article 8 of Law 121/2016.

This is the basic law, on which underpins the social care system, while cross-cutting points and more detailed regulation are defined in the bylaws listed herein above. To the extent of delivery of social care services, the purpose of the SCS law is to determine the social assistance and services for individuals and social groups in need who are unable to provide for their basic life necessities, develop their personal skills and abilities, and preserve their integrity, due to limited economic, physical, psychological and social circumstances.

Based on article 3, parag.1 “Social care services” means an integrated and organised system of benefits and facilities, that are provided by the professionals of the respective fields of public or non-public subjects, in order to ensure well-being, independence and social inclusion of individuals and families in need of social care.

Social services include in particular information and counselling, advice, rehabilitation support, home care services (assistance in the running of the home, personal hygiene, social support, delivery of meals), residential care, and social emergency care (shelters) and other forms of support as childcare, childminding, domestic violence, family mediation, adoption, foster and residential childcare, services relating to child abuse, and services for the elderly provided from social workers of the local government unit within the needs assessment and case referral structures of the local government units.

Social protection of beneficiaries is based on the principles prescribed in Article 4 of the Law 121/2016 on Social Care Services in RoA, inter alia: respect for the best interests of users in

exercising social and respect for human rights and integrity of the beneficiary and prevention of institutionalization and availability of services in the least restrictive environment whenever there are conditions. in their homes or local community through non-institutional forms of protection, provided by various service providers, principle of non-discrimination, with the aim of improving the quality of life of the beneficiary and his social inclusion.

According to article 6 of the Law, the beneficiaries of social services are: i- children and young adults in conflict with the law, as well as those who enjoy international protection upon the decision of the authority responsible for asylum and refugees in the Republic of Albania; ii- adults who have social problems, victims of violence, victims of trafficking, established drug and alcohol addiction; iii- the elderly people in need; iv- persons with disabilities; v- pregnant girls or single parent of a child up to one year old;

Based on article 9 of the law, social care services, according to the manner of financing shall be classified into public and non-public services. Public social services shall include social care services that are provided in community centres, residential centres and day centres or at home. These services shall be funded by the State Budget and the local budget of local government units. Non-public services shall be classified into profit and non-profit services. Profit social services may not request or obtain funding from the State Budget and the municipal budget. Non-profit social services shall enjoy the right to request or to be granted funding from the State Budget or the municipal budget, only if they have concluded a contract with the subject responsible for providing social care service. The functioning of those non-profit organization is regulated with the Law 8788/2001.

The main and most important sublegal act, based on social care services law is the DCM 518/2018, enter in force March 2019, “On the criteria and procedures for admission with the residential centres and use of services in the community”. The decision defines “the basket” of social services and the object and the subject of all social care services in order to enforce their mandatory and uniformity throughout the territory of the Republic, in order that the geographical distribution of these services shall be sufficiently wide. With regard to the basket of services, one of the opportunities that this project can give is the possibility not only to include a list of services as part of the new law by also to divide by importance such list of services. The services can be divided into basic, minimal and mandatory. These services shall be provided by the LGU’s which should be provided with the necessary funds support for their delivery.

The Ministry of Health and Social Protection, in the context of the social care reform, has included, as well, as priority reform, the digitalization of social care services program, with the involvement of all actors at central and local level.

Decision of Council of Ministers No 136/2018 “On specific rules of operation and administration of the National Electronic Register” stipulates the set-up of IT system for the management of citizens in need cases, including all local and central actors, public and private entities providing social services for the needy categories.

The National Electronic Register of Social Care Services (hereafter NERSCS) is an integrated information system for the administration (identification, referral, intervention and monitoring) of social care services using an unique single-sign-on identification mechanism, for the three information systems (Economical Aid; Persons with Disability and NERSCS).

The aim of the functioning of NERSCS, is to: (i) facilitate procedures for applicants and avoid bureaucracies (ii) obtain information for every applicant citizen in real time; (iii) case

management and follow-up through the National Electronic Register by interacting with any local or central level; (iv) increase the quality and transparency of the services provided, (v) collect and process unified qualitative and real-time data.

The municipalities are populating the NERSCS. Up to now, 1587 users are assigned 169 users are assigned. 1552 cases have been entered to the NERSCS in all Municipalities historic and daily information (or stock and flow) of social care service recipients, so far.

Generally speaking, in terms of service quality ensuring and compliance with standards, Article 30 - 38 of the SCS law describes the main public institutions and its competences responsible for administering, monitoring and inspection system of social care services, as the following:

- a) ministry responsible for social affairs and its subordinate institutions (State Social Services and State Social Service Inspection);
- b) the region;
- c) the municipality.

The State Social Service (SSS), based on articles 32-33 of SS Law and DCM 136/2016, shall monitor the quality of services provided, totally or partially financed by the state budget. The SSS is the central and regional institution that from a legislative, managerial, and resources point of view, has all the possibilities to carry out this process.

The Inspectorate of Social Care Services, as the responsible entity for the control and verification of compliance with the legal requirements in the field of social care services, pursuant article 34, inspect the standards of services provided by the providers of the social care services and impose fines and other administrative measures against public and non-public subjects, when violation of provisions of this law is found.

The social workers of the local government units (in municipality) shall be part of the special social care services structures and/or needs assessment and case referral unit (hereinafter NARUs). Based on both social care and decentralisation laws municipalities are expected to assess needs in their territory and prepare local social care plans, by setting up social staff (Needs Assessment and Referral Units (NARUs) with Social Workers professionals, but, actually, they are lacking human and financial resources to fulfil this task.

Enhancing the professional capacity of employees working directly in social services through continuing education programs and other measures includes: (a) developing relevant tools related to duties and job descriptions as per the service and role; (b) Development of qualifications, including modules at university level; (c) Certification of qualifications, including the possibility of recognizing those obtained in advance; In 2021, satisfactory work has been carried out to empower professionals working in the area of social care services. More specifically, in December 2021, the first Assembly of the Social Workers Order convened, and elections for steering fora were organized, thus finalizing the process of electing the Head of the Social Workers Order and 9 members of the National Council.

Another important step was the establishment of the National Agency on Health and Social Care Quality Assurance upon DCM No. 637, dated 27.10.2021, the mission of which is improving the quality of healthcare in Albania by developing and promoting continuing education quality standards for health and social care services professionals.

In terms of standards of social services, there is a good legal basis which consists protection for target groups: victims of domestic violence; persons (woman, children LGBTIQ+) trafficked or at risk of trafficking; elderly in day centres and residential centres; children in day and

residential institutions; persons with disabilities; ROMA & Egyptian people; LGBTIQ+ Community.

The rights of the client to be protected is regulated by article 50 of the law. When the applicant/beneficiary of social services, deems that the official decision of the respective body is unfair, he/she has the right to appeal within a written complaint before the local government unit/State Social Service. In urgent cases of discrimination and violation against human dignity, the beneficiary, conform of social services standards, approved by the sublegal act, has the right to complain against services, rules, procedures that directly or indirectly affect them.

Based on regulatory framework of Social Fund, which was making operational in 2019 and Decentralisation Law 139/2015, this mechanism is designed as the co-financing mechanism through which financial support is provided to local self-government units in order to set up on-site social care services for vulnerable groups by guaranteeing minimal social care services (baskets), to expand and improve the provision of social care services to better meet the needs of vulnerable communities, as well as the sustainability of current services according to the territorial needs defined in the Social Plan. Local Social Plans require municipalities to outline priority programmes and subsequent social care services, whilst identifying and mobilizing necessary human and financial resources. All municipalities have drafted coasted and budgeted Local Social Plans.

The total fund disbursed for the local government by the Social Fund during 2019- 2022 is 539 million ALL, so far. This fund has supported the local level to set up 40 social care services (27 social services at municipality level and 13 specialized services in 6 regions), in partnership with local and international NGOs. 10,477 people have benefited from these services. including: children at risk situation, person with disability, elderly people, victims of trafficking, victims of domestic violence, family in need, Roma and Egyptian people, LGBTIQ+.

The municipalities, in the framework of calls for proposal (2019-2021), lunched by MoHSP, have drafted Social Plans (61 municipalities with Local Social Plans, so far), coasted for 3 years, by conducting needs analysis in the community, identifying vulnerable groups, as well as services to be set up or improved, aiming meeting the needs, as one of the main conditions for receiving funds.

One of the priorities of the MoHSP, for the approval of supporting funds in the framework of SF are municipalities that do not provide any social services, or with 1 or 2 social services delivered, which in most cases are municipalities with low financial resources.

Based on the funding methodology, already adopted by the Council of Ministers (150/2019), each municipality, in order to improve and ensure the continuity and sustainability of providing the services, should provide financial support from their budget a) up to 10% of the cost for the first year of service delivery; b) up to 40% of the cost for the second year of service deliver; c) up to 70% in the following years.

Said that, the municipalities as part of the implementation of the project financed within the social fund are involved as co-financiers, and generally, to ensure the implementation of the Social Plan, plan funds in their medium-term budget plan (social service program) for its overall realization, as well.

The Evaluation Commission is entitled to examine project proposals based on some specific criteria: i) approved and budgeted social plans; ii) the greatest need for social services; iii) better coverage with social services for each municipality, iv) geographic and demographic

distribution of services, v) social and economic situation of municipalities; vi) the application for a common service that includes several border municipalities, accompanied by an agreement between them.

The municipalities benefiting from the Social Fund will sign an agreement with the Ministry of Social Affairs, where they are committed to the continuity of funding and guaranteeing the stability of the operation of the financed social services.

Funding allocated for the SF for the first year of its operation was quite modest, while during 2022 the amount of Social Fund has been increasing by 24% compared to 2019, and for the next three years, by 90% compared to 2020. Specifically, within the Mid-Term Budget 2023-2025, the Social Fund under the Social Care Program is foreseen, as a separate section, 300 billion for the year 2023, increased by 50% compared to 2022. This amount could cover, at least the set-up of 10 new social care services/for each year.

It is important to emphasize that, in the end, the licensing process as an instrument of facilitation for service providers, whether resident or community-based, that the approval before their license to be issued by the national business center be done by the social security inspectorate because it is which evaluates standards and quality of service. Number of public and non-public residential social care licensed institutions is 96; Number of public and non-public community based care licensed institutions is 280 (October 2022, National Business Center).

Type of services		No. of residential cares			No. of beneficiaries			ROMA&Egyptien
		Total	Residential	Day-care services	Total	No. of beneficiaries in residential cares	No. of beneficiaries in day-care cares	
For Childre	public	30	9	22	1,838	188	1,650	665
	nopublic	51	21	31	4,663	288	4,375	919
For young persons	public	7	0	7	459	0	459	40
	nopublic	17	4	15	1,249	78	1,171	143
For women	public	19	3	17	845	20	825	20
	nopublic	19	8	14	1,299	214	1,085	83
For elderly	public	31	8	26	1,628	348	1,280	130
	nopublic	14	9	5	693	237	456	41
Person with disability (PwD)	public	34	7	27	1,342	205	1,137	75
	nopublic	28	11	19	1,161	184	977	32
	public	121	27	99	6,112	761	5,351	930
	nopublic	129	53	84	9,065	1,001	8,064	1,218
Total (Source SSS)		250	80	183	15,177	1,762	13,415	2,148

In terms of volunteering, during its evaluation and inspection work, DISSS, concludes:

- Presence of individuals who voluntarily contribute to various non-public religious centers, mainly residential care.
- Local organizations, as a volunteer community of individuals, providing social care services with the aim of the well-being of the communities to which they belong.

Social care institutions have mandatory prescribed procedures for filing beneficiary complaints, based on standards already approved, have defined mandatory procedures for the application of restrictive procedures and measures against beneficiaries, have formed an internal team of employees in charge of dealing with cases of violence against beneficiaries.

According to the Law on Social Care Service, a beneficiary who is not satisfied with the provided service, procedure or behavior of the service provider may file a complaint to the competent authority (Article 50).

A complaint due to discrimination may be submitted to the Commissioner for the Antidiscrimination Protection by:

- any natural or legal person or group of persons who considers that they have suffered discrimination,
- organizations dealing with the protection of human rights and any other person, on behalf of and with the consent of the person who considers that he/she has suffered discrimination;
- In the case of discrimination against a group of persons, the human rights organization may lodge a complaint on its own behalf, without the consent of the person considered to have suffered discrimination.

Beneficiaries of social protection can be both foreign citizens who enjoys international protection in the Republic of Albania, according to the legislation in force on asylum, except asylum-seekers who have not been granted the status of refugee.

The Law on Personal Data Protection No. 9887 was adopted in 2008.

This Law regulates the right to protection of natural persons in connection to the processing of their personal data, and the free flow of such data, the principles of processing, the rights of data subjects, obligations of data controllers and processors, code of conduct, transfer of personal data to others states and international organizations, supervision over the implementation of this Law, legal remedies, liability and penalties in case of violation of the rights of natural persons in connection to the processing of their personal data, as well as special cases of processing.

This Law also regulates the right to protection of natural persons in connection to the processing of their personal data by the competent authorities for the purposes of prevention, investigation and detection of criminal offenses, prosecution of perpetrators or execution of criminal sanctions, including prevention and protection from threats to public and national security, as well as the free flow of such data.

Article 15 – The right of persons with disabilities to independence, social integration and participation in the life of the community

With a view to ensuring to persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular:

- 1. to take the necessary measures to provide persons with disabilities with guidance, education and vocational training in the framework of general schemes wherever possible or, where this is not possible, through specialised bodies, public or private;**
- 2. to promote their access to employment through all measures tending to encourage employers to hire and keep in employment persons with disabilities in the ordinary working environment and to adjust the working conditions to the needs of the disabled or, where this is not possible by reason of the disability, by arranging for or creating sheltered employment according to the level of disability. In certain cases, such measures may require recourse to specialized placement and support services;**
- 3. to promote their full social integration and participation in the life of the community in particular through measures, including technical aids, aiming to overcome barriers to communication and mobility and enabling access to transport, housing, cultural activities and leisure.**

In the Albanian Constitution, “Social Objectives”, Article 59, provides for the right to employment, housing, care health, education, rehabilitation and integration of people with disabilities, improvement of their living conditions, care, assistance for the disabled, with a view to protecting them from social exclusion.

Ministry of Health and Social Protection coordinates and monitors policies for social inclusion across all categories of People with Disabilities in line with the principles of UN Convention on the Rights of Persons with Disabilities.

Law Nr. 93, dated 24.07.2014 "On the inclusion and accessibility of persons with disabilities" provides for the right to inclusion, accessibility of persons with disabilities, and legal, institutional obligations in the implementation of inclusion, integration of persons with disabilities in accordance with the principles of the CRPD.

Law Nr.93/2014 guarantees the promotion and protection of the rights of persons with disabilities to enable their full participation, effective in all spheres of society, on equal terms with others, enabling autonomy and independent living through providing support. Law outlines the role of public, non-public structures, including state, central, local, in implementing the principles of inclusion and accessibility to reduce, to the extent possible, obstacles for persons with disabilities.

Under Law Nr.93/2014 was approved DCM no. 1074, dated 23.12.2015, "On measures to remove environmental and infrastructural barriers in the provision of public services" for physical accessibility and accessible information.

Law Nr. 10221, dated 4.2.2010 "On Protection from Discrimination" regulates the implementation, respecting the principle of equality and non-discrimination in relation to

gender, race, color, ethnicity, language, gender identity, sexual orientation, political, religious or philosophical beliefs, or social status, pregnancy, parental responsibility, age, family or marital status, civil status, place of residence, health status, genetic predisposition, disability, belonging to a particular group or any other cause.

MHSP has started the social care reform with the new sectorial Law no. 121/2016 "On social services in the Republic of Albania". The implementation of the social care services reform is based on the decentralization, deinstitutionalization and diversification principles.

Social care services play a key role in supporting and improving the well-being of individuals, PwD as well, to overcome risks, provided closer to them, respecting the principle of subsidiarity. However, the coverage of social services in Albania is rather unevenly distributed, with gaps in coverage.

The social care law aims at developing an integrated functional system of social and health care services, at the local level, that promote choice, independence and encourage full and effective participation in society through equal access for all citizens in need of such services.

Establishing of new services for persons with disabilities, alongside the existing residential care services, has been supported through the Social Fund, financial mechanism of the Ministry of Health and Social Protection for the establishment of new services. Within the SF for the 1st time 5 specialized mobile services in 5 Municipalities. More than 600 beneficiaries and their families

Actually, there are 18 residential facilities (7 public services & 11 nonpublic ones) and 46 community day care services (27 public services & 19 nonpublic ones) benefiting 2,400 persons with disabilities.

Law no. 111/2017 "On state-guaranteed legal aid" defines the forms, conditions, procedures and rules for the organization and administration of legal aid guaranteed by the state and PwD are one of the benefitting categories.

Regional Employment Offices offeres different services such as job and vocational guidance, vocational training, employment mediation, etc. Free of charge professional training for people with disabilities is provided in public vocational training centers in different professions, They attend vocational education and training courses, which are intended to be accessible to all categories of people with disabilities.

MHSP aims to ensure that persons with disabilities have equal access to healthcare, including the prevention and provision of healthcare without discrimination. Measures have been taken by the MHSP for persons with disabilities as follows: Determining diagnoses that cause disabilities for adults and children.

Pursuant to law no. 57/2019 "On social assistance in the Republic of Albania" and Decision no. 722, dated 11.11.2019 of the Council of Ministers "On determining the measure, criteria, procedures and documentation for the assessment and benefit of the disabled and the personal assistant, and of the responsible structures and their duties" as amended by DCM no. 77, dated 02.02.2022, the bio-psycho-social assessment scheme is being progressively rolled out, and so far is being implemented in 12 regions of the country. The bio-psycho-social assessment criteria

approved by Instruction No. 21, dated 07.10.2016 are special for children and adults, bringing a qualitative change for an adequate assessment that affects the services provided. 32 multidisciplinary commissions have been established and are composed by professional figures, doctors and social workers, which are accessible and meet the standards of providing a quality service. In the framework of this reform, communication campaigns were developed and staff capacities were raised through continuous and accredited training.

The disability assessment reform aims to improve the quality of life of people with disabilities by integrating cash benefits with services, such as social care services, healthcare services, educational, employment and vocational training services, in collaboration with all the involved actors and structures at the central, regional and local level.

Regarding mental health care and persons with intellectual disability, the community approach of mental health service is specifically stated in Law No.44/2012 “On Mental Health”. The vision for the future continues to be inspired by the philosophy of protection of the rights of persons with mental disabilities and special needs on mental health and the fight against exclusion and social discrimination through the establishment of an integrated network of mental health services for treatment, rehabilitation and social reintegration.

The establishment of this network of Integrated Services of Mental Health is based on the fulfillment of the two main strategic objectives, namely the Decentralization of Mental Health Services, through the extension and enrichment of the existing network with services closer to the community and Deinstitutionalization, the reduction of the number of psychiatric beds through development and strengthening of the community mental health services (Action Plan for the Development of Mental Health Services 2013-2020).

In this framework 9 (nine) Community Mental Health Centers (community ambulatory services) and 13 (thirteen) Supported Homes (community residential services), were established. Supported Homes are functional units of mental health services, aiming the provision of residential services to individuals in a similar environment as family, where the main purpose is the care and rehabilitation of individuals with mental disorder. The beneficiaries of these type of services are also persons with intellectual disabilities and currently these services accommodate about 130 people with long term mental health disorders.

Inclusive education is guaranteed through: equipment with didactic material base suitable for the inclusion of disabled children in ordinary classes; respect for standards that overcome barriers to the integration of disabled children in kindergarten and school; Inter-institutional cohesion for the implementation of an inclusive quality system of disabled children.

Ministry of Education and Sports has supported professional networks of assistant teachers for PwD, training and professional development. Inclusive and quality education of children with disabilities continues to be a policy priority in the system educational. Based on Instruction of the Minister of Education and Sports, were set the criteria of assistant teachers for students with disabilities in public institutions of pre-university education. The number of assistant teachers has increased. Currently, we are in a more advanced stage, where comprehensive education, as one of the objectives of the National Plan for PWD 2021-2025, the role of the assistant teacher has been strengthened. There are 250 assistant teachers that have been added at the national

level by the Ministry of Education and Sports for the school year 2022-2023, reaching a number of over 1,700 assistant teachers (ratio of 1 teacher for 2 students with different abilities). The number of children with disabilities in schools in public education has increased. There are two special education institutions which will be transformed in resource centers, respectively, Institute for the Blind and Institute for Hearing Impaired Children. The latter has started classes for secondary school (from 10th grade to 12th grade) with oriented secondary education and has provided education for children above the 9th grade. Students are covered for accommodation, textbooks, etc.

An important change with an impact on Persons with Disabilities is the increase in the number of psycho-social workers with 235 new employees for the years 2022-2023, in addition to the 634 psycho-social workers in 2021-2022.

From the social protection program, pupils and students with disabilities who attend secondary or higher education, or during inclusion in professional training courses, are supported with doubled and tripled payments.

Students, including deaf people in pre-university education benefit from free transport, free treatment in special education institutions and free textbooks and compensation for the price of textbooks, allocated to groups in need. At the same time, students benefit from and scholarships and reduction of tuition fees at public institutions of higher education. In the Institute for Deaf Children, a specialized institution, students are treated and educated, covering expenses for accommodation, textbooks, etc.

Article 16 – The right of the family to social, legal and economic protection

With a view to ensuring the necessary conditions for the full development of the family, which is a fundamental unit of society, the Parties undertake to promote the economic, legal and social protection of family life by such means as social and family benefits, fiscal arrangements, provision of family housing, benefits for the newly married and other appropriate means.

Achieving gender equality as well as reducing violence against women and girls and domestic violence are among the priority objectives of the Albanian Government. In cooperation and with the support of civil society and international organizations, particularly UN organizations, a series of legal improvement initiatives have been undertaken; specific policies and programs have been implemented; supporting structures have been strengthened; the capacity of employees engaged in these issues has been increased; as well as the collection and systematization of data.

Since September 2017, the Ministry of Health and Social Protection has been responsible for these issues.

I-Legislation

Specifically ratified human rights conventions in this field: The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), ratified in 1993; The Council of Europe's Convention for the Prevention and Combating of Violence against Women and Domestic Violence (Istanbul Convention) ratified in 2012.

Specific Laws: Law no. 9770, dated 24.07.2008 "On gender equality in society" and Law No.9669, dated 18.12.2006 "On Measures against Domestic Violence", as amended

Review of Legislation in the Protection of Women's Rights and Domestic Violence:

-Inclusion in the Criminal Code of some forms of violence against women. The amendment of the Criminal Code in 2012 (where domestic violence, prosecution and the sanctions for perpetrators were foreseen) were followed by a series of changes in 2013, which include, inter alia, a criminal offense: " coercion or obstruction to coexist, to conclude / settle marriage "; "intentional serious injury"; "suicide", "sexual violence", "sexual intercourse by violence and between spouses / cohabitants", "sexual harassment" and other offenses related to trafficking and discrimination.

-In the framework of harmonization of Albanian legislation with the CEDAW Convention and the Istanbul Convention, the Ministry of Health and Social Protection has taken the legal initiative for amendments of Law No.9669, dated 18.12.2006 "On Measures against Domestic Violence", as amended.

Improvement of the protective measures provided by law under the Immediate Protection Order (UMM) and the Order of Defense (UM), taking into account in particular the improvement of child protection measures;

- Defining clear procedural deadlines for registration of the Request for Protection Order (UM) and Immediate Protection Orders (UMM) and for appeals against judicial decisions;

Forecasting the Order for Immediate Precautionary Measures (UMPMM), issued by the State Police;

- Increasing the circle of subjects that are protected by law and predicting intimate relationships;

Increase of qualified judicial assistance free of charge;

- A clearer definition of bodies responsible for performing the duties and responsibilities of officials;

The explicit provision of the obligation of state bodies to provide free of charge, any expertise service in cases of domestic violence;

- Increase the participation of perpetrators in specific rehabilitation services with a special focus on alcoholic abusers, drug addicts, or mental health problems, clearly disclosed in court decisions for issuing protection orders.

In compliance with law no. 47, three guidelines have been adopted:

- Guidelines No. 816, dated 27.11.2018, of the Minister of Health and Social Protection "On the adoption of service delivery standards and the functioning of crisis management centres for sexual violence cases" [2]

- The Joint Instruction of the Minister of Health and Social Protection and the Minister of Interior no. 912, dated 27.12.2018 "On the Procedures and Model of the Order for Preliminary Provisions of Immediate Protection", Official Gazette 204/2018

issuing the "Order of Preliminary Protection Measures", as well as its model

- Joint Instruction of the Minister of Health and Social Protection and Interior Minister No.866, dated 20.12.2018 "On the Procedures and Model of Risk for Domestic Violence cases", Official Gazette 204/2018

Amendments made to Law no. 125 dated 15.10.2020 "On some additions and changes to Law no. 9669, dated 18.12.2006 "On measures against violence in family relationships", as amended, relate to emphasizing special attention to women, girls, children, the elderly and persons with disabilities, subject to this law; ordering by the court, as a protective measure of domestic violence, for the immediate removal of the abuser from the apartment for a certain period of time, when the victim and the abuser live in the same shelter; rehabilitation of offenders; inclusion in the order for the precautionary measures of immediate protection, of the immediate removal of the abuser from the apartment, when the victim and the abuser live in the same shelter, unless the abuser is a minor, elderly or disabled person - until the court issue the immediate protection order or protection order; application by the police of a request to the court for the issuance of a protection order, without first requesting the issuance of an immediate protection order, if a state of emergency has been declared in the country; etc.

Domestic violence and its types are also provided as a criminal offense in the Penal Code of the Republic of Albania. This was also improved with the changes made to the Penal Code in 2020, where psychological violence was added as one of the forms of criminal offence, as follows: "Battering, as well as any other act of physical, psychological violence, against the person who is

a spouse , ex-spouse, cohabitant or ex-cohabitant, close relative (pre-born, unborn, brothers, sisters, mother-in-law, nephews, nieces, children of brothers and sisters), or close relative (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, step-son, step-daughter, step-son or step-daughter), or in a relationship or former intimate relationship with the perpetrator of the criminal offense, with the consequence of violating his physical, psycho-social and economic integrity, shall be punished with imprisonment up to in three years.

Information of the ‘right to adequate housing’ is addressed in the next chapter, dealing with article 31. However, for the purpose of article 16, it can be mentioned that the whole legislation of ‘social housing’, as well as the aim of the housing policy as defined in the “National Strategy for Social Housing for the Period 2016-2025” focus on the individual and the family and the improvement of their living conditions. The objective of the Strategy stipulates that by 2025 at least 60% of the registered housing requests by individuals/families should be addressed. The process of budget planning takes into consideration this objective and aims to involve local self-governments as the primary responsible for managing the housing situation within their jurisdictions in co-financing as well as in raising their responsiveness towards completion of this objective.

With regard to “The destruction of housing or forced evacuation of villages is contrary to Article 16.”, article 5 of the law no. 22/2018 “On Social Housing” defines the ‘security of tenure’ as one of the 9 principles of housing policy. It stipulates that an individual or family cannot be forcibly evicted from their place of residence, except of cases as foreseen by the law. In such cases, procedures for displacement are defined as by a Decree of the Government. During 2018 a draft DoG is prepared and presented and discussed with a wide range of stakeholders from ministries, local governments and civil society. The DoG is completed and is waiting for approval in the next meeting of the Council of Ministers (information on 30.05.2019)

One of the preconditions for displacements is that the family should be informed well in advance; that they should not become homeless and prior to displacement alternative housing solutions should be provided. Through the state and local government budget there are some 400 displaced families whose rents in the free market are fully covered by subsidy. These are families that are displaced due to public investments in Tirana and Vlora, whose houses were demolished, but the property was not registered in the Cadaster office (mostly because they were built informally).

With DCM No. 85, dated 10.02.2021 "For an addition to decision no. 597, dated 04.09.2019, of the Council of Ministers, "On determining the procedures, documentation and monthly measure of the benefit of economic assistance and the use of the additional fund on the conditional fund for economic assistance." ,with the aim of mitigating the effects caused by the Covid-19 pandemic, vulnerable groups including victims of domestic violence provided with protection order benefit from doubling the economic assistance for a period of 6 months, starting the financial effects from January 1, 2021.

The strategic document related to issues of gender equality and gender-based violence and domestic violence is the National Strategy for Gender Equality 2021-2030, approved by DCM. 400, dated 30.06.2021, with a vision for the future is a society that values equality and gender

justice as necessary conditions for the sustainable social, economic and political development of the country, empowering all individuals to enjoy rights and equal opportunities in all areas of life, does not allow anyone to be left behind, and is based on the principle of zero tolerance against harmful practices, gender-based violence and domestic violence, punishing perpetrators and protecting, rehabilitating reintegrated abused persons". NSGE 2021-2030, under the strategic goal III, state institutions charged with responsibilities in this area, in partnership with other institutions and organizations, will focus on the following specific objectives:

- Better protection of women, men, young women, young men, girls and boys in all their diversity, from all forms of harmful practices, sexism, gender-based violence and domestic violence, by improving and effectively implementing legislation, providing specialist support services to individuals victim of violence, punishing perpetrators, and putting in place rehabilitation programs.

- Better access to specialist support services for women, men, young women, young men, girls and boys in all their diversity who have been subjected to harmful practices, sexual violence, and other forms of gender-based violence and domestic violence, in both normal situations and situations of humanitarian crises and natural disasters.

- Better access to justice for women, young women, and girls in all their diversity, to protect their rights.

- Preparing a new generation equality where women, men, young women, young men, girls and boys in all their diversity, are change agents against discriminatory social norms, gender stereotypes, as well as on prevention and fight against sexism.

- Empowering women, young women, and girls in all their diversity to have full control over, and decide freely and responsibly on matters related to tel sexual and reproductive health.

Law no. 9669, dated 18.12.2006, "On measures against violence in family relationships" (amended) aims at preventing and reducing domestic violence in all its forms, as well as guaranteeing the protection measures for family members, who are victims of domestic violence, paying special attention to children, women and girls, the elderly and persons with disabilities.

The recommendations of the CEDAW Committee (2016) and the GREVIO Committee (2017) related to the improvement of legislation on violence against women and domestic violence have been met through the adoption of amendments to the existing law against domestic violence and the Criminal Code, with amendments and additions to the sub-legal framework that were made in 2018 and 2020.

Domestic violence and its types are also provided as a criminal offense in the Penal Code of the Republic of Albania. This was also improved with the changes made to the Penal Code in 2020, where psychological violence was added as one of the forms of criminal offence, as follows: "Battering, as well as any other act of physical, psychological violence, against the person who is a spouse , ex-spouse, cohabitant or ex-cohabitant, close relative (pre-born, unborn, brothers, sisters, mother-in-law, nephews, nieces, children of brothers and sisters), or close relative (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, step-son, step-daughter, step-son or step-daughter), or in a relationship or former intimate relationship with the perpetrator of the criminal offense, with the consequence of violating his physical, psycho-social and economic integrity, shall be punished with imprisonment up to in three years.

According to DCM No. 327, dated 02.06.2021 "On the mechanism of coordination of work between the responsible authorities, for the referral of cases of violence in family relationships, as

well as its proceedings, for the support and rehabilitation of victims of violence", the mechanisms are defined of identifying, reporting, referring and managing cases of violence, supporting and rehabilitating victims of all forms of this violence, as well as punishing perpetrators and giving them the opportunity to rehabilitate in relevant programs.

Monitoring the implementation of protection orders has been defined as a joint responsibility of police officers and local coordinators against domestic violence in the municipality. The employees of the municipality, after continuous monitoring of the implementation of protective orders through various forms of contact with the victim/survivor, regularly prepare and submit a monitoring report to the police structures every 60 days. If during the monitoring they notice elements of violation of the implementation of protective orders, the local coordinators prepare and submit the monitoring report before the 60-day period, thus notifying the police immediately. The instructions on monitoring and the relevant forms are explained in the "Protocol for the management of cases of domestic violence, at the local level, through the members of the National Referral Mechanisms".

National Referral Mechanisms (NRMs) have been set up in all municipalities in the country (61 municipalities). The focus of the work is to strengthen and increase their effectiveness and accountability in the way of handling cases, according to the philosophy that characterizes them, as well as for the performance of all functions (so not only that of case management in a multi-sectoral coordinated manner, but also functions

The empowerment of the professionals who are part of the NRMs and in particular the empowerment of the local coordinator against domestic violence, is the focus of the work of the Ministry of Education and Culture by developing their training on an ongoing and periodic basis. In the last two years, over 600 professional members of NRMs have been empowered through specific trainings conducted with different through coordination, prevention and information, training and capacity building of professionals, collection, processing and analysis of data, as well as documentation).

During the 2021-2022 period, the Ministry of Health and Social Protection has set up, through the financing of the Social Fund, 34 services that operate for the entities provided for by law, which offer comprehensive services such as housing, health, legal, psycho-social services, protection, security, anti-trafficking services, education, childcare, telephone counseling, specialized services for the treatment and support of victims of gender-based violence and domestic violence. These centers are operational at any time, 24/7.

The Ministry of Health and Social Protection has been supporting for several years, two National Counseling lines, the one for Women and Girls 116-117 and for children Alo 116-111, which offer counseling services through telephone communication, as well as referral to the responsible institutions of cases of violence, or specific issues related to special needs that women, girls and children may have.

In addition to the National Center for the Treatment of Victims of Domestic Violence, in 2018 the Ministry of Education and Culture established an emergency service for victims of sexual violence - the "Lilium" Center. At the "Lilium" Center, services are provided by a multi-disciplinary team, trained to deal specifically with cases of sexual violence. The principle of confidentiality, independence of the survivors and obtaining informed consent are the main principles for any treatment, as well as where it is understood clearly the gendered nature of

violence against women, the stigma and prejudices that especially accompany victims of sexual assault.

In the Liliun center, a total of 36 cases have been treated for 2022, 31 of them are girls and 4 of them are boys, and one of them is woman. From 2019 to 2022, 129 cases were treated.

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During the period January - July 2021, the Ministry of Health and Social Protection has developed several periodic activities with the local coordinators against domestic violence in the municipality, related to their experiences and positive experiences during the management of cases of domestic violence by the members of the mechanisms. Also, the Ministry of Health and Social Protection has been part of awareness-raising activities related to the prevention and protection of victims of domestic violence during regional meetings, organized by NGOs. The Ministry of Health and Social Protection, with the support of UNDP, in the framework of the United Nations Joint Program "Ending Violence against Women in Albania", with funding from the Swedish Government, in the framework of International Women's Day in March 2021, organized the meeting "Women and Girls in Leadership: Achieving an Equitable Future in a World with COVID-19". The purpose of this meeting was to highlight the role of women / girls who have made a special contribution in the aspects of leadership, gender-based violence and domestic violence.

In 2022, the campaign of 16 days of activism against gender-based violence against women and girls was carried out with the slogan: "Activate to end violence against women and girls", accompanied by activities throughout the country by institutions at the central level and local, civil society organizations, in schools and with the students of the faculties of journalism, economics, law, etc.

Commission for Protection for Discrimination has signed a Cooperation Agreement with UNDP within the large comprehensive program "Expansion of free legal aid for women and men in Albania" EFLAS, for the implementation of the specific project with the theme: "Support for strengthening the institutional capacities of CPD in the protection of basic human rights and freedoms to promote the principle of equality and non-discrimination with a gender lens" project code number 00115507 and no. Protocol KMD 1294 dated 29.09.2022.

Through this project, the in-depth treatment of discrimination based on gender and the principle of equality, new forms of discrimination, in relation to the family composition and parental identity of the person is aimed. For a better legal and social understanding in order to highlight the problems and address them, a study report will be prepared on the concept of the head of the family in local legislation and its gender and practical implications in the equal enjoyment of rights and access to public services, as well as gender reflections in administrative practice on the application of the surname and identification of the person through paternity and maternity.

This goal includes the realization of the following specific objectives:

Increasing the capacity and awareness of the judiciary for the practical implementation of equality and non-discrimination, with a focus on specific procedural instruments related to cases of discrimination and new forms of discrimination provided for in the law.

Promotion and advocacy of new concepts and ways of protecting human rights through representative actions such as collective lawsuits and systematic discrimination.

The drafting of a study report on the concept of the head of the family in local legislation and its practical implications in the equal enjoyment of rights and access to public services which are conditioned by the concept of the head of the family.

Results:

Clarification and unification in similar judicial practices of the use of the concept of equality and non-discrimination.

Collective action as a procedural tool in action to protect the human rights of a group and widely used in the field of activity it covers. Building practices in the application of collective lawsuits, as precedents for issues related to discrimination.

In-depth study and analysis to find the legal and juridical-administrative but also social causes as well as the gender implications of the concept of the head of the family with the aim of proposing the necessary practical legal and administrative changes as well as addressing the benefits of social payments.

Information of the ‘right to adequate housing’ is addressed in the next chapter, dealing with article 31. However, for the purpose of article 16, it can be mentioned that the whole legislation of ‘social housing’, as well as the aim of the housing policy as defined in the “National Strategy for Social Housing for the Period 2016-2025” focus on the individual and the family and the improvement of their living conditions. The objective of the Strategy stipulates that by 2025 at least 60% of the registered housing requests by individuals/families should be addressed. The process of budget planning takes into consideration this objective and aims to involve local self-governments as the primary responsible for managing the housing situation within their jurisdictions in co-financing as well as in raising their responsiveness towards completion of this objective. By the end of 2022, the needs of 16,258 families have been addressed, realizing the long-term objective to the extent of 65%.

With regard to “The destruction of housing or forced evacuation of villages is contrary to Article 16”, article 5 of the law no. 22/2018 “On Social Housing” defines the ‘security of tenure’ as one of the 9 principles of housing policy. It stipulates that an individual or family cannot be forcibly evicted from their place of residence, except of cases as foreseen by the law. One of the preconditions for displacements is that the family should be informed well in advance; that they should not become homeless and prior to displacement alternative housing solutions should be provided. In May 2019 it was approved DCM no.361, date 29.5.2019 "On the procedures for the resettlement of individuals / families from their houses or places of living, in cases provided by law, and the institutional cooperation”;

Article 17 – The right of children and young persons to social, legal and economic protection

With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

1. a to ensure that children and young persons, taking account of the rights and duties of their parents, have the care, the assistance, the education and the training they need, in particular by providing for the establishment or maintenance of institutions and services sufficient and adequate for this purpose;

b. to protect children and young persons against negligence, violence or exploitation;

c. to provide protection and special aid from the state for children and young person temporarily or definitively deprived of their family's support;

2. to provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools.

With the adoption of the Laws No.121/2016 “On Social Care Services in the Republic of Albania” and No. 18/2017 ‘On the Rights and Protection of the Child’, the alternative care system has been redefined giving priority to the measures to support home care services, while encompassing the interventions to protect children from abuse and exploitation. The principles of deinstitutionalisation and empowering of the family are integrated as key principles of the social care services.

The DCM No. 149/2018, repealing DCM 89/2012 and Instruction 11/2015, regulates the establishment and functioning of an organized foster care services. The DCM strengthens the system, including specifying structures responsible for the alternative care service for children in foster families as well the processes, identification, assessment placement and monitoring of the child in the foster family, associated financing costs, etc. The DCM also envisions the development of the National Electronic Services Registry, which will facilitate the application procedures and improve the management and tracking of each case on all levels.

In 2017, a new service typology was established with the DCM No. 106/2017, according to which, children aged 0-18 years old may be placed in nine public institutions/children’s home according to the following age groups: 0-5, 6-15, and 16-18 years old.

For the purpose of guaranteeing and promoting the right that “every child who is raised at residential institutions or is at any risk related to an institutionalized system, is entitled to live in a healthy and caring family, having the necessary prosperity and a strong and child-friendly community”, the Ministry of Health and Social Protection (MHSP) has approved the National Action Plan on Deinstitutionalization (NAPD).

During the first phase of drafting the action plan, MHSP in cooperation with its national and international partners, such as UNICEF and Save the Children, has conducted a needs assessment

study addressing 232 children residing in 9 (nine) Public Care Services Institutions (residential). For the first time, the families of the children and their extended family members have been included and evaluated exclusively in the respective study. In this intervening period of time, the necessary financial and human resources considered decisive to empower the child and family have also been identified for each assessed child, accompanied by 232 individual transition plans, comprehensively developed for each of them.

Within the implementation of DEI National Plan the MoHSP has already:

- + funded with Social Fund, the sett up of 2 new social care services (Family & Child Hub” in Korca and Vlora
- + within Social Fund, a new service is funded which aim the transfer of 8 children from public residential institution of Shkodra, to alternative family-home service, as well
- + designed standards for 2 new typologies of service: specialized mobile social care service and safe emergency social care service, already delivered in 6 Municipalities
- + there are reported, for the 1st semester 2022, as follows:
 - ✓ Return to biological families: 8 children. From 2018 until today there 103 children returned to their biological families
 - ✓ Adopted: 5 children
 - ✓ Independent living: 14 children
 - ✓ 19 Families of children placed in Social Care Institutions have been supported through psychosocial economic administrative empowerment programs.
 - ✓ 308 children with disability are supported with specialized mobile service in order to prevent their placement in social care facilities.
 - ✓ 23 children at risk of institutionalization are supported to prevent the separation from their biological family.

The deinstitutionalization is considered as an ongoing process of transition of the residential institutions into community-based services with the view of reducing the number of children living in these institutions until their full replacement into social fostering services which would provide children with a family environment ensuring the child's best interests.

Transformation (transition) process is an ongoing course of actions aiming at accurate assessment of the following components: the situation of the children placed in these institutions and the relevant plans for finding new placement (an on-going evaluation process); Existing human resources their qualifications, competencies and willingness to accept change; Existing financial resources - budgeted and spending, expenditure categories, funding sources and children's costs; Services provided to children in public care services institutions; Existing community-based services;

There are 9 (nine) public child-care service institutions, 5 (five) development centers and 21 (eighteen) non-public residential care institutions for children in Albania, respectively **186 children** in the 9 (nine) public care service institutions for children, comparing to 318 in 2018 or 238 in 2020 (the first year of DEI process), and **261** children in 21 non-public residential institutions and **50** children in development centers comparing to 71 in 2020. 354 children in foster care, so far.

The new Law 18/2017 "On the Rights and Protection of Child", approved in February 2017 defines the rights that every child enjoyed and child protection through the implementation of a

comprehensive legal framework, the measures to secure the child the exercise of rights based on its highest interest.

The law 18/2017 “On the rights and protection of the child” transposes the right of the child as by UN Convention “On the Rights of the Child”. This law applies to the child of Albanian citizenship (inside and outside of the Albanian territory), stateless child, or child of foreign citizenship who is located within the territory of the Republic of Albania.

The child has the right to access and attend free and quality education, on the basis of equal opportunities and non-discrimination, in accordance with his/her age and maturity. This right is guaranteed also to the child who wishes to pursue further education upon the completion of compulsory education. The parent or legal guardian of the child takes appropriate measures to ensure that the child attends compulsory education or other levels of education, as preferred by the child, and guarantee that they attend education on regular basis and barrier-free. There is an institutional mechanism in place that identifies and referral cases of school dropouts or not registration.

The child is guaranteed the right to free health care and the highest attainable standard and entitlement to facilities for the treatment of illnesses and rehabilitation of health. This right is not limited regardless of whether the child is registered with the civil registry and whether the parents of the child have paid taxes.

According to the law, the child is protected from all forms of violence including abuse, neglect, exploitation, trafficking, kidnapping, pornography, sexual abuse, and other forms of violence, regardless of where it occurs. There are guaranteed free legal aid and psychological assistance, in any administrative and judicial proceedings in accordance with the development and maturity of the child.

Law 18/2017 defines what are the advisory and institutional coordination mechanisms and child protection structures at central and local level, duties, legal responsibilities and the way of their interaction to ensure the realization and protection of children's rights.

According to the law, the advisory and institutional coordination mechanisms are:

- a) National Council for the Rights and Protection of Children at the central level;
- b) Cross-sectoral technical group at municipal level or administrative unit at local level.

The structures for the rights and protection of the child at the central level are:

- a) The Minister coordinating the work on issues of child rights and protection;
- b) State Agency for the Rights and Protection of the Child;
- c) Each minister responsible, according to the scope of his / her coverage, regarding the rights of the child and their protection.

The child protection structures at the local level are:

- a) the municipality;
- b) the structure responsible for social services in the municipality;
- c) Child Protection Unit within the structure responsible for social services in the municipality;
- ç) a needs assessment and referral unit at the municipality or administrative units;
- d) the child protection worker at the child protection unit and the needs assessment and referral unit.

The State Agency for the Rights and Protection of Children is the authority responsible for coordinating and organizing integrated child protection systems.

Based on DCM No. 636 dated 26.10.2018 "On the types and method of exchange and processing of information and statistical data required by State Agency for Child Rights and Protection (SACRP), from the responsible state structures, at the central and local level", (amended) CPUs, periodically report to SACRP, every three months and once a year for their work in case management of children in need of protection from violence, abuse, neglect or exploitation.

Actually there are 241 child protection workers in Albania and they manage yearly an average of 2200 cases of children in need.

This Law has been completed with its 18 by-laws, which make it enforceable by the relevant institutions, both at the central level and at the local, including the way of their interaction to ensure the realization and protection of children's rights.

DCM 111/2019 sets out detailed procedures and rules on the process of returning unaccompanied, foreign or stateless children residing in the territory of the Republic of Albania, repatriation of unaccompanied children, Albanians, located in the territory of a foreign country, providing them with the highest possible protection through the creation of an integrated effective protection and coordination system of all state institutions and non-profit organizations.

In terms of occupational safety and health DCM No. 186/2019 "On the criteria for employment of the staff of the structures for the protection of children and employees working with children"

The National Agenda for the Rights of the Children 2021-2026, (NACR) which is approved with DCM No. 659, date 03.11.2021, has a cross-sectorial nature that includes goals, objectives and measures, which aim at:

- To affect the lives of children, by improving the quality of services at all levels;
- To promote a culture of children's rights and to lay the foundations for meaningful participation of children in Albania;
- To enable protection from all forms of violence;
- To provide quality data in order to improve the policies and programs designed for them;
- To realize education in order to protect children online, thus guaranteeing well-being and a better future for children.

The views of children were collected through a large consultation process, with the aim of informing the development of this very important national strategic document in the field of children's rights. In total, 14 focus group discussions were held, with 210 children and young people aged 12-18, from 14 areas of Albania, including urban and rural areas. The findings and results of this report have influenced the preparation for many measures provided in this document.

NARC is a document that was produced with the help of children, with their input and ideas taken into consideration. In the spirit of the United Nations Convention on the Rights of the Child (CRC), national report presented in compliance with paragraph 5 of the annex to Human Rights Council resolution 16/21, Albania Universal Periodic Review, Council of Europe Strategy for the Rights of the Child (2016-2021), and the European Union Strategy on the Rights of the Child, NARC presents a multidisciplinary and systematic framework, which should be integrated in all documents, plans, and other national and local activities related to children. The four general principles of the Convention on the Rights of the Child (CRC) guide NARC's work: Non-discrimination, best interest of the child, the right to survival and development, and participation.

Of the 17 goals of the 2030 Agenda for Sustainable Development, the National Agenda for the Rights of the Child is linked with SDG 1 - End poverty in all its forms everywhere, SDG 2 - Zero Hunger, SDG 3 - Good Health and Well-being, SDG 4 - Quality Education, SDG 5 - Gender

Equality, SDG 8 - Decent Work and Economic Growth, SDG 10 - Reduced Inequality, SDG 16 - Peace and Justice Strong Institutions, etc.

The Agenda confirms the commitment to implementing some key premises, such as all planning actions should be evidence-based, coordinated, and effectively monitored and assessed to ensure better overall results for children in a fair manner, all child services should be of high quality, adhering to child-friendly principles and standards and a human-rights-based approach, and resources should be efficiently allocated and managed.

NARC has four strategic goals:

- (i) good governance to respect, protect, and fulfill children's rights;
- (ii) the elimination of all forms of violence and child protection;
- (iii) child and adolescent-friendly systems and services; and
- (iv) the promotion of children's rights in the digital world.

The defined goals allow for the continuation of the previous National Agenda as well as alignment with the European Strategy, which includes the Council of Europe's priorities as well as the current Sophia Strategy.

The goal “Elimination of all forms of violence and protecting children” includes the upbringing of children in a supportive environment with positive parenting practices that protect them from violence and abuse. This goal focuses on the functioning of a beneficial and comprehensive child protection system by improving the normative, budgetary, and reporting framework on child protection and building the capacities of mechanisms and services for addressing violence against children. Albania aims to prioritize the establishment and improvement of special and integrated mechanisms and services for addressing the gravest forms of violence, including sexual abuse and online abuse and exploitation.

There are three specific goals that interlinks with this policy:

- ✚ Supportive environment with positive parenting practices, which protect children from violence and abuse.
- ✚ Functioning of a comprehensive and beneficial child protection system.
- ✚ Special and integrated mechanisms and services for addressing the gravest forms of violence, including sexual abuse and online abuse and exploitation. Establishment of specialized and functional services set up for children, victims of violence and sexual abuse.

During pandemic situation COVID 19, Instruction No. 253, dated 10.04.2020 “On the management of cases of children in need of protection during the period of natural disaster due to the epidemic caused by COVID-19”, determines the concrete procedures and actions of child protection structures for the management of cases of children in need of protection during this period.

Municipalities, in cooperation with the State Social Service, identified emergency services for the protection of children, as well as any other services for the protection of children during the situation of the epidemic caused by COVID-19. There are 2 national emergency centres that provide services to children.

Cases of children (and parents) in need of psychological support were directed to the relevant services, such as:

- a) Website the newest free psychological service for all citizens, for children and any person in need of such support during the pandemic through the green line 0884040 every day from 8:00-22:00;
- b) Helpline ALO 116 111– by calling the toll-free number 116 111;
- c) Online counseling on www.nukjevetem.al. The platform offers counseling via messages or individual therapy via chat service;
- d) Online counseling by the psychologists of the respective school of the children.
- e) Service offered by the Order of Psychologist, "Albanian psychologists online", through the official website (<https://arsimi.gov.al/kontakto-psikologun/>).

During the year 2020, were made 34,912 calls to this line, out of which 983 cases of violence, abuse, neglect, exploitation, bullying etc. were reported, 893 cases were referred to partner institutions and organizations.

During the year 2021, a number of 32,116 phone calls were made, among which there were a number of referral cases for 887 children, as well as counseling for 2383 children.

While for the period January-October 2022, a number of 23,060 phone calls were made, among which there were a number of referral cases for 460 children, as well as counseling for 1404 children.

There are in place one-stop emergency for child victims/survivors of sexual abuse and other serious forms of violence, (in addition to the Liliun center) providing specific treatment respecting the standards already approved.

The approval of Law No. 129/2021 "On the status of "Children in the care of the Republic" aims to take into the protection and state care children, where one or both of their parents or, in their absence, the person legally charged with their guardianship have lost their lives under the conditions defined by the law "For the status of "Martyr of the Motherland", such as:

- i- in an effort to protect public property or the protection of an individual's life;
- ii- as a result of an act of self-sacrifice or patriotism;
- iii- due to wounds received or illnesses caused as a result of the responsible performance of the duty and exercise of the profession in extraordinary conditions or natural disaster.

Since the adoption of this law and until December 2022, 20 children have earned this status.

The "Baby Check" is a new social policy, which aims to influence the birth rate, as well as a universal policy for all families, not only for families in need, but also for every Albanian child born, inside and outside the country.

For the year 2022, there are 42,767 newborns benefiting from the baby bonus; year 2021, there are 43159 and year 2020, there are 36,161 beneficiaries.

The **group of deputies "Friends of Children"** functions as an ad-hoc group in the Parliament of Albania. Participation in it is open to any deputy who shows sensitivity and advocacy for children's rights. During the meetings, legal initiatives can be taken or effective policies can be proposed to prevent violence against children. The group of deputies offers all the necessary support to the state institutions to keep their work, but at the same time to account for the achievements and challenges.

The **Criminal Justice Code for Juveniles** is one of the innovations of the Albanian legislation that came into force on 1 January 2018. This code has brought a lot of novelty and treatment to juveniles who are in conflict with the law, victims or witnesses criminal offenses. The Code

contains special provisions on criminal liability of children; procedural rules relating to investigation, criminal prosecution, court proceedings, execution of criminal sentences, rehabilitation or other measures involving a child in conflict with the law, as well as a child victim and/or witness of the criminal offence

"Minimum age of criminal responsibility" is 14 years of age in case of commission of a felony and 16 years of age in case of commission of misdemeanors foreseen by the Criminal Code. For children that are in conflict with the law but they are under the minimum age of criminal responsibility, there is another DCM No. 635, dated 26.10.2018 that regulates rules and procedures in treatment of these children

Within the legal framework of the Rights and Protection of Child Law;

Article 30, Parental Care Exercise- The parent or guardian has the obligation to provide the child with the emotional, physical, social and material well-being, taking care of him and taking the necessary measures to exercise all the rights provided for in this law.

Law no. 18/2017 "On the Rights and Protection of Child", clarifies child protection structures and strengthens measures that employees can use when identifying cases of children at risk for violence, abuse, neglect or exploitation, including emergency measures to immediately remove the child from a dangerous situation. It also imposes immediate obligation on all professionals working with children who have to report child abuse.

Article 23, Protection from all forms of violence -The child has the right to defend himself against all forms of violence, including abuse, neglect, exploitation, trafficking, kidnapping, pornography, sexual abuse, and other forms of violence, regardless of where it is performed, as provided for in legislation power. The child is also protected from all forms of illegal migration, according to the legislation in force for control and surveillance of the state border.

Article 29 The right to legal and psychological assistance during an administrative or judicial process- A child is guaranteed free legal and psychological assistance in any judicial and administrative process, in accordance with his interests, development and abilities

In the pursuant to point 3, article 65 of Law no. 18/2017 "On the Rights and Protection of Child" has been approved the DCM No. 635, dated 26.10.2018 "On the activity of child protection structures in relation to a child under age for criminal responsibility who is suspected or committed a criminal offense"

The purpose of this decision is to regulate the activity of child protection structures for the treatment of a child under the age of criminal responsibility and who suspects or has committed a criminal offense, taking into account the child's highest interest. This decision determines the role and responsibilities of the structures and mechanisms involved in the protection of a child under the age of criminal responsibility who is suspected or committed a criminal offense.

Article 49 and 50 clarify that Child Protection Units and Worker for the Protection of Child are the key structures for child protection at the local level, which identify, evaluate and manage the cases of children in need of protection. Each municipality with more than 3,000 children should have a PMF who is acting as a case manager and is responsible for tasks related solely to the protection of children

Article 55 reflect all the Protection measures which are a) Emergency protection measure, which is a temporary measure of protection for the removal of the child from the family and placement in alternative care;b) the protection measure for placement of the child in alternative care;c) The measure of protection for the child's specialized supervision in the family environment.

The Decision of Council of Ministers “On procedures for identification, immediate assistance and referral of exploited children, including children in street situation” is already approved by the Council of Ministers in 2018.

There are identified 349 cases of children in street situation in the country, 286 cases of them are under the management process. Regarding to the purpose of protecting children and removing them from exploitation situations, for 30 children have been applied “protection measures”; 12 cases of parents who exploited their children are sent to prosecution.

DCM Nr. 578/2018 "On Procedures for Referral and Case Management, Design and Content of the Individual Protection Plan, Financial Safeguards for the Implementation of Safeguards" contains guidelines for the effective implementation and functioning of key elements of the child protection system. For the first time, this DCM covers the budget for interventions and child protection services. It sets out referral procedures and case management procedures with seven steps to respond to children in need of protection.

One of the main pillars of the Agenda is the Elimination of All Forms of Violence for Children. This can be achieved through the establishment of an integrated and effective child protection system through a significantly improved legal and institutional framework, as well as addressing various forms of violence against children such as bullying, violence in schools, positive outbreaks, violence in the family, sexual abuse, economic exploitation and street children, child safety in the digital environment, unaccompanied children or victims of trafficking etc. An important focus is prevention as a key strategy for protecting children from all forms of violence, giving particular focus to programs aimed at promoting positive non-violent parenting.

The education system in Albania is based on the Constitution of the Republic of Albania, which, together with the main laws, legal acts and other strategic documents, considers the education sector as a priority.

"Constitution of the Republic of Albania", amended, Article 57 (5) states that "Compulsory education, as well as general secondary education in public schools is offered free of charge".

Another characteristic of the right to education guaranteed by the Constitution is the pluralistic nature of education. This characteristic of the local education system allows parents to choose the institution where they will educate their children, which can be public or private, secular or religious, etc.

The achievement and respect of standards within the framework of Albania's integration into the European Union, as well as the fulfillment of the obligations of the Stabilization and Association Agreement for the approximation of legislation, brought about the reformation of the regulatory legal framework for pre-university education.

Thus, in 2012, law no. 69/2012 "On the pre-university education system in the Republic of Albania". (This law has been amended twice, in 2015 and 2018).

The adoption of this law guaranteed the constitutional right to education, according to the relevant legal framework, and the functioning of the pre-university system.

The principles and specific regulations of the law are fully aligned with the Charter of Fundamental Rights and Freedoms of the European Union. The law emphasizes the guarantees of the right to education in the Albanian system as a constitutional right for Albanian citizens, foreigners and stateless persons, protecting them from discrimination for any reason. Guaranteed free public education for compulsory and secondary education, respect and promotion of fundamental human rights and freedoms; respect and promotion of children's rights; secular, non-political and plural education system; protection of the highest interest of students; protection from discrimination for any reason, from violence, physical or moral abuse; guaranteeing the right to quality education and equal opportunities; inclusiveness and access; special care for students from

families in need and with disabilities; the involvement of parents, students and teachers in improving the quality of the education system; recognizing the decentralization and autonomy of educational institutions.

The law specifically mentions protection from discrimination for any reason and the right of minorities to be educated in their native language, as well as the right of Albanian children abroad to benefit from special education programs in the Albanian language. .

This law defines the right to education of every Albanian citizen, at all levels of education, without any kind of discrimination, regardless of nationality, language, gender, religion, political beliefs, health status, economic situation, etc.

The Ministry of Education and Sports (MES) is the highest public administrative institution in the national education sector. This institution approves the basic provisions for educational institutions, school programs and curriculum and gives instructions for the new school year.

MES is also responsible for drafting and monitoring the applicability of the Education Strategy. The current vision for the education system has put the student and his needs at the center, so that the next generation can benefit through this service of skills, habits and values that will help him individually to face the challenges of a globalized market, but that will bring a contribution to human capital, marking a new social progress.

Albania acceded to the United Nations Convention on the Rights of the Child on February 27, 1992, and ratified its optional protocols. With the ratification of the Convention on the Rights of the Child, the Republic of Albania has assumed the responsibility of harmonizing national legislation and practices with the standards represented by the Convention.

Albanian legislation in the field of education has advanced significantly in the last decade. This achievement is also recognized by the latest EU report, from 2020, which estimates that, from the perspective of educational legislation, Albania is moderately prepared in this field as a whole for EU membership. In terms of EU integration, the National Education Strategy, 2021–2026, is in full coherence with the strategic objectives of the framework for "European Cooperation in education and training towards the European Education Area and beyond (2021–2030)". This legislation consists of four framework laws:

- Law no. 69/2012 "On the pre-university education system in the Republic of Albania", amended;
- Law no. 80/2015 "On higher education and scientific research in higher education institutions in the Republic of Albania";
- Law no. 15/2017 "On education and professional training in the Republic of Albania";
- Law no. 10 247, dated 4.3.2010 "On the Albanian Framework of Qualifications", amended;

Also, a number of by-laws have been approved, including decisions of the Council of Ministers (CoM), orders and instructions of the minister.

Human and children's rights, as well as legal education for them, are clearly expressed in the basic documents of pre-university education, from the curricular framework, subject programs and textbooks. They are also part of the teacher qualification curriculum.

In implementation of the "Agenda for Sustainable Development 2020-2030", objective 4: "Ensuring a quality, equal and inclusive education by promoting lifelong learning opportunities", MAS has undertaken initiatives and measures related to:

- Implementation of a comprehensive education;
- Ensuring and respecting children's rights;

- Increasing community awareness of children's rights and their protection;
- Creating a safe learning environment to combat violence and extremism in the educational system;
- Reduction of dropouts in pre-university educational institutions;
- Improving the skills of professionals in the field of education, increasing their knowledge and competences regarding the respect of children's rights.

One of the main objectives of the National Education Strategy 2021-2026 is inclusiveness, conceived as an approach where all children learn together without distinction of race, gender, ethnicity, disability or any other distinction.

The protection and respect of children's rights in Albanian education includes every policy and initiative such as:

- Education of children with disabilities;
- Education of Roma and Egyptian children;
- Education of children in street situations;
- Education of children returned from emigration;
- Education of children of national minorities;
- Education of children returned from conflict areas, victims of trafficking, children in migration, asylum or stateless situations;
- Children's education in non-school institutions;
- Psycho-social service;
- We do our homework;
- Community Center Schools;
- Security officers in pre-university education institutions.

Article 18 – The right to engage in a gainful occupation in the territory of other Parties
With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Party, the Parties undertake:

- 1. to apply existing regulations in a spirit of liberality;**
- 2. to simplify existing formalities and to reduce or abolish chancery dues and other charges payable by foreign workers or their employers;**
- 3. to liberalise, individually or collectively, regulations governing the employment of foreign workers;**
- 4. the right of their nationals to leave the country to engage in a gainful occupation in the territories of the other Parties.**

During the years 2020, 2021 and 2022, the improvement of the legislation for foreigners was achieved, in accordance with EU directives. In October 2021, the new law 79/2021 "For foreigners" was approved. The new law was drafted in implementation of the obligations related to the European integration process and especially the approximation of the directives of Chapter 24 "Freedom, justice, security".

This law aims to improve the rights of foreigners in terms of the protection of migrants and their family members, refugees, asylum seekers, as well as bringing as an innovation an integrated work and residence permit as the only permit issued by the Albanian authorities and enables foreigners to work and stay in the Republic of Albania. Law 79/2021 On foreigners, has simplified the procedures since now foreigners do not have to go to several counters and make several applications, but make a unique application and are the institutions that communicate with each other. During 2021 and 2022, most of the bylaws of Law 79/2021 on foreigners have been drafted and approved, and a few acts are still in process. Since January 2023, the procedure and application for a unique permit is possible online at the e-albania.al portal.

Foreign citizens who wish to work in the territory of Republic of Albania, have been assisted by the employees of the National Agency for Employment and Skills with the necessary information, which facilitates their application, to be equipped with the relevant documentation that authorizes their employment.

Labor mobility in the region has been another direction of labor migration policies during this period. On December 21, 2021, the "Agreement on the conditions for free access to the labor market in the Western Balkans" was signed in Tirana. The agreement was signed by the three countries of the Western Balkans, the Republic of Albania, the Republic of North Macedonia and the Republic of Serbia, and aims to strengthen regional cooperation and mutual understanding, to contribute to economic development and economic growth, investment and employment in the Balkans. Western and ensuring progress and economic prosperity.

On October 2, 2020, the "Cooperation Agreement between the Ministry of Finance and Economy" was signed in Tirana by the Minister of Finance and Economy of the Government of the Republic of Albania and the Minister of Economy, Employment, Trade, Entrepreneurship and Strategic Investments of the Government of the Republic of Kosovo of the Republic of Albania and the Ministry of Labor and Social Welfare of the Republic of Kosovo for Mobility at Work". It aims at the further development of cooperation between institutions at the policy-making and implementation level of the government of the Republic of Albania and the government of the Republic of Kosovo, in terms of the free movement of workers in order to maximize the benefits for both parties. Through this agreement, the cooperation between the implementing agencies of employment and professional training policies increases, creating the possibility of exchanging

best practices and of the mobility and employment of workers of one state in the territory of another state. The agreement aims to remove administrative barriers for the employment of citizens of one party in the territory of the other party. Also, cooperation is established in terms of information exchange for the needs of the labor market, exchange and cooperation for employment services, professional training, counseling for regular migration and recognition of certificates at the national level issued by the respective institutions of the two countries.

There has been a special focus on improving legislation and implementing rules for private employment agencies. During the year 2021, through cooperation and support with GIZ, it has been possible to create a first database for assessing the situation in terms of legal regulations for private employment agencies and their applicability, such as "List of professional and ethical standards", Study "Review and adaptation of the legal framework that regulates the operation and activity of private employment agencies in Albania", the study "Analysis of the monitoring system of private employment agencies and temporary employment agencies" as well as the activities "Development and implementation of an effective migration policy of work. Increasing the role of private employment agencies in relation to regular migration", as well as the activity "Multilateral dialogue on migration and diaspora. Regular migration from Albania: Dialogue about its laws, policies and impact on migratory processes", in November 2021.

During the years 2020, 2021 and 2022, the implementation of the Action Plan of the National Strategy for Migration 2019 - 2022 has continued. Cooperation with IOM during the years 2020, 2021 and 2022 has also been essential for the implementation of the measures of the Action Plan of the National Strategy for Migration 2019-2022.

With the completion of the evaluation period of the SKM and its action plan, the Albanian institutions have started work on the drafting of the new National Migration Strategy 2023-2027 and its action plan. By Order No. 9, dt. 26.01.2023 of the Prime Minister "On the establishment of the inter-institutional work group for the drafting of the National Strategy for Migration and its Action Plan", the inter-institutional work group was established with representatives from each line ministry we will work on the drafting of these documents.

Law No.9668, dated 18.12.2006, "On emigration of Albanian citizens for employment purposes", as amended, recognizes the right to emigrate Albanian citizens in accordance with the conditions set forth in this law and with the general principles of international acts, obligatory to be enforced by the Republic of Albania. According to this law, the right to emigrate is limited only to cases where national security, public health and the rights and freedoms of others, are affected and when there is a final court decision.

The National Employment and Skills Agency, in accordance with its mission, has provided services for Albanian citizens who want to emigrate, those who return from emigration, as well as for foreign citizens who want to work in our country. On the official website of the National Agency for Employment and Skills, Albanian citizens who wish to emigrate can find information on the procedures, rules and regular procedures for emigration according to different categories of employees. This information is available for all countries of the European Union and is also possible in cooperation with the office of the delegation of the European Commission in the Republic of Albania by using the information located on the EU Immigration Portal website.

Article 23 – The right of elderly persons to social protection

With a view to ensuring the effective exercise of the right of elderly persons to social protection, the Parties undertake to adopt or encourage, either directly or in co-operation with public or private organisations, appropriate measures designed in particular:

to enable elderly persons to remain full members of society for as long as possible, by means of:

a. adequate resources enabling them to lead a decent life and play an active part in public, social and cultural life;

b. provision of information about services and facilities available for elderly persons and their opportunities to make use of them;

to enable elderly persons to choose their life-style freely and to lead independent lives in their familiar surroundings for as long as they wish and are able, by means of:

a. provision of housing suited to their needs and their state of health or of adequate support for adapting their housing;

b. the health care and the services necessitated by their state;

to guarantee elderly persons living in institutions appropriate support, while respecting their privacy, and participation in decisions concerning living conditions in the institution.

Albania has made progress in protecting the rights, dignity, and independence of older people, as a national priority for more than 30 years.

A good example of it is the mainstreaming of ageing issues into the principal political document of the country such as Strategy for Development and Integration 2023-2030 (under the adoption process), as well as, in the new Social Inclusion Policy Document 2023-2027 (under the adoption process), and recently in the National Political Document on Aging, 2020–2024, and its action plan. Other examples are new laws such as Law No. 121/2016 on social care services and Law no. 22/2018 on Social Housing, which includes specifically older people.

The issues related to the creation of a protective environment for individuals in need, including the third age, have gradually been included in the list of priorities of the Albanian government during the last ten years. Recently, with Decision no. 864, dated 24.12.2019, of the Council of Ministers, the National Political Document on Aging, 2020-2024, and its action plan were approved.



Albanian National
Action Plan on

The focal point of older adults and aging within the Albania Government is the Ministry of Health and Social Protection; the Social Care Development Program Unit runs the majority of ageing issues.

The overall goal is:

Albanian elderly live and contribute with dignity, included and not discriminated against the realization of their potential in a society that supports them to maintain their functional abilities and health by providing access to quality health and social services.

The specific policies and objectives of the National Action Plan on Aging 2020-2024 are also in line with the Sustainable Development Goals of the 2030 Agenda (Goals 1&2&3&4&5&8&11)

The drafting and approval of this plan is a response to the demographic and social challenge of aging in a period of demographic transformation never seen before in the history of Albania, a period during which the number of elderly persons has increased several times, while it has decreased the number of children, as a result of the decline in fertility, as well as the number of young people, as a result of emigration. There are more and more people who can and should continue to participate actively in society even during retirement age.

The Political Document aims to support a better integration of the elderly in society, quality services for all, as well as a long, healthy and productive life for them. Concretely, through the measures provided in this action plan, the realization and financing of new community health social services is possible, starting with the training of personnel dedicated to the domestic assistance service and then the provision of medical and social assistance for the elderly living in lonely, for those who live in difficult economic conditions, for the elderly who cannot leave the house alone and who require support and companionship, for those who need psycho-social support.

The ageing plan is based on three main pillars: Social Protection and Social Inclusion; Integrated social services to help older people throughout their lives; Accessible health services.

With the implementation of this Plan, the Government of Albania aims to improve the pension system and access to public transport for thousands of vulnerable elderly people. Thousands more elderly people will be able to benefit from new day centers and social activities organized by the government and municipalities, while there will be more housing options and residential centers for those with special needs. Also, every year, thousands of older people will have new opportunities for integrated and higher quality social and health services.

The pension scheme faces challenges related to demographics and the economy. The old-age dependency ratio almost doubled from 8.6 percent in 1989 to 16.7 percent in 2011. In 2030, this ratio is expected to double again to reach 32.9 percent.

The pension reform, approved in 2014, takes into consideration the aging of the Albanian population, which affects both people who are over 65 years old, as well as those who are still younger.

A social pension was introduced for the first time in 2015, to safeguard the interests of the elderly population in need. The social pension is equal to the minimum partial pension benefits at the minimum wage, for a contribution period of 15 years. Residents of Albania with income below the social benefit are eligible for the social pension. In 2015 and 2016, 1,775 and 2,415 persons, respectively, benefited from the social pension; total spending was ALL 99 million and ALL 140 million in 2015 and 2016 (709,000 and EUR 1 million), respectively. The maximum size of the social pension is higher than the average social assistance benefit for a four-member household; however, it remains precarious.

The harmonization of the pension system, the increase of the retirement age and contribution years, as well as the introduction of social pensions, serve as a basis for the stabilization of the contract

between generations in the future and prepare society for the gradual increase of the elderly left outside the system.

With the implementation of the measures of the Aging Plan, the Government of Albania must guarantee living conditions with dignity through the adoption of the minimum pension and the gradual improvement of lower pensions, providing sustainable support for the poorest elderly.

For this reason, it is necessary to first determine the criteria for the minimum pension and gradually improve the low pensions in accordance with these criteria.

The realization of this objective is: gradual adaptation of the minimum pension. This process will accompany the gradual strengthening of the entire pension system.

The structure of the financing mix in social protection has been stable over the past decade. However, deep reforms have been undertaken in each of the three main programmes (insurance, social assistance and disability) in recent years, with the aim of improving fiscal sustainability and the targeting of the programmes.

Within the framework of the economic assistance scheme, the elderly who belong to families in need benefit from the measure of economic assistance, free health service.

In the disability payment scheme, elderly people with disabilities commissioned by the Medical Commission on Determining Ability at Work KMCAPs, who meet the conditions for benefit, are treated with payments, according to the category to which they belong.

More than three thousand disabled people (with mental/physical disability), aged 60+ benefit disability payments, in accordance with law 57/2019 "On social assistance". A personal assistant supports disabled people when KMCSPs assesses that they need personal care.

Persons who meet the conditions for benefiting from the status of blind and / or the status of paraplegic quadriplegic, who have become such at retirement age, benefit disability payment from the social protection program, as well as all the facilities provided by law No. 8626, dated 22.6.2000 "Status of paraplegic and tetraplegia invalid" amended and law No. 8098, dated 28.3.1996 "On the status of the blind", as amended.

In order to address challenges of the third age is guaranteed the provision of alternative integrated social and health services, mobile services in the family and in the community; for a sustainable society with solidarity and equal opportunities for all the elderly in response to demographic changes.

In the framework of the financing program of the Social Fund, the Ministry has financed the establishment of 6 new services for this beneficiary category benefiting 557 elderly.

For the first time, with the financial support from the Social Fund 2021, the Tirana District is implementing the provision of domestic assistance for the elderly in the apartment, as a new typology of services with its standards, already approved.

The target group includes 80 elderly people without family support with social and economic needs, including health care, meals, social cultural activities and occupational therapy. Impact: socialization and support of the elderly.

There are currently 31 public centers (9 centers financed annually from the central budget for employee salaries and food) and 14 non-public centers for the elderly operating in Albania, where 2,300 elderly people benefit.

Healthy ageing continues to be a primary focus of the Albania Government, both through advances to public health, and in increasing the access, affordability, and quality of healthcare for older persons.

The Social Security Act was passed in 1993 to support the economic and general welfare of older adults. Then in 2011, the Law “*On the Mandatory Provision of the Healthcare in the Republic of Albania*” was adopted. It is already accepted that the ageing of society gives health prevention and early detection a decisive role in increasing the quality of life while at the same time containing medical costs.

The new check-up program introduced in 2015 is an investment for a better quality for the later life of today adults, while it is being expanded to include the existing elderly, improving their access to basic healthcare. In the same time, there is a clear awareness to include specific services, tasks and recourses to the dedicated care for the elderly.

These programs continue to form the cornerstones of the Albania system for supporting the health, economic security, and social wellbeing for thousand of seniors, individuals with disabilities, and their families. Because of these programs, thousand of older Albanian has lived more secure, healthier, and meaningful lives. Demographic and health data show that life expectancy of Albanians has continued to raise being among the highest among Western Balkans countries. Additionally, age-standardized mortality from most non- communicable diseases during the last ten years has started to decline. Health and social reforms has helped Albania to continue to be a country that has achieved “good health at low cost”, with a very high life expectancy given its level of economic development.

Two new national plans on control of non-communicable diseases and cancers have been developed. They will provide further guarantee for the Ministry of Health and Social Protection to continue with cost-effective programs and sustain the health gains for the older adults.

The establishment of this Integrated Health & Social Care Services Network is based on the fulfillment of two major strategic objectives, the **decentralization** of health services through the extension and enrichment of the existing network of services closer to the community and the **deinstitutionalization**, by reducing the number of hospital beds and the establishment and strengthen of rehabilitation community health & social care services ensuring independent living.

Integration of social and health care into the MoHSP provides an excellent opportunity to take a step further inpatient support and care integration. The recent approval of the **Strategy on Development of Primary Health Care Services**, covering the period 2020-2025, could be a lucky and fortunate momentum, as this document provides, for a comprehensive and logic framework on how to pilot and expand the home-based care services by integrating them with social component and providing fundamental resources (human and financial) on this topic. The role of community nurse is introduced for the first time, who will provide health assistance at home, which reduces by 5% the hospitalization of cases with treatable diseases: hypertension, diabetes, asthma.

The new National Health Strategy 2021-2030 foreseen specific objectives with their actions and interventions, generated by all care providers within the framework of a person's life as a (i) strengthen community care; (ii) strengthen integrated long-term care; (iii) strengthen and expand rehabilitation services.

Rehabilitation describes specialized health and social care dedicated to improving, maintaining or restoring physical strength, cognition and mobility with maximized results. Typically, rehabilitation helps people gain greater independence after illness.

With a decree of Albanian Government (No 352, dated 12.6.2018) is approved an improved and broader package of essential health services to be provided at primary health care centres. In the package, there is included 'health care for the elderly', where the health centre is depicted as 'friendly' for the older people. There are 12 services related to the diagnoses and the following up, as well as 17 services for the prevention and counselling. The services included in the package are comprehensive and aim at a longer and healthy life for the older people. They include home care, psychological assistance and screening for potential abuse.

During the pandemic situation COVID 19, the Government of Albania has taken a series of restrictive measures to prevent its mass spread in the community, since the elderly are the most endangered category. Social distancing and isolation have also included the limitation of a range of services in the community and prevented outbreaks in its residential institutions. All municipalities provided family service for 54,980 lonely elderly people, with the help of civil society and community volunteer teams, mainly distributing food packages, medicines or psychosocial support.

There is an increase of civil society involvement in provision of care for vulnerable older people as well as in the efforts to improve their social inclusion. Civil society groups during last 5 years have organized more than 30 community workshops all over the country with the scope to inform older people and encourage them to take an active role in the society (self help approaches, support groups and advocacy). Thousands of older women and men were reached by these activities throughout the country.

An evaluation of pensioner's associations and other NGOs working with older people showed that there is a change in the interest in the topic of the social inclusion of the older people in Albania in recent years. MOSHA network (a network of pensioners associations and other NGOs with interest in aging field) activities and the media involvement have clearly contributed to that, alongside other stakeholders and partners. However, still much needs to be done for improving the capacities and involvement of civil society organizations in care provision or support for vulnerable older people. MOSHA network in Albania is comprised of NGOs that are coordinated by the older people. Their activities are well recognized by the stakeholders in the system as members of the network use different channels to communicate with general public and various system actors. Some of the organizations have grown in membership that is the indication of the increase in awareness for representation among older people.

(<https://mosha-network.org/>)

Relating the third age issues, Government of Albania, through Ministry of Health and Social Protection has prepared the Nation Report on the Implementation of the Madrid International Plan of Action on Ageing and its Regional Implementation Strategy (MIPAA/RIS) 2018-2022, published in October 2021 in the link below:

<https://unece.org/sites/default/files/2021-10/mipaa20-report-albania.pdf>

Article 27 – The right of workers with family responsibilities to equal opportunities and equal treatment

With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake:

1. to take appropriate measures:

a. to enable workers with family responsibilities to enter and remain in employment, as well as to reenter employment after an absence due to those responsibilities, including measures in the field of vocational guidance and training;

b. to take account of their needs in terms of conditions of employment and social security;

c. to develop or promote services, public or private, in particular child daycare services and other childcare arrangements;

2. to provide a possibility for either parent to obtain, during a period after maternity leave, parental leave to take care of a child, the duration and conditions of which should be determined by national legislation, collective agreements or practice;

3. to ensure that family responsibilities shall not, as such, constitute a valid reason for termination of employment.

Article 27, paragraph 1/b of the Charter is reflected in Law 7703 dated 11.05.1993 “On the social insurance in the Republic of Albania” amended. Article 2 of the above-mentioned law provides that social security is obligatory, and has a protective social role towards:

a) Employees with regard to:

- Temporary disability to work because of illness
- Pregnancy
- Third age, disability, loss of the head of the family
- Job-related injuries and diseases
- Unemployment
- Other economically active persons (employers and self-employed) with regard to:
 - Pregnancy
 - Third age, disability, loss of the head of the family

The payment of the social insurance guarantee the compensation of the decrease of income for the purpose of ensuring a minimal life standard, that is set by the Council of Ministers. If considered appropriate, in-kind benefits may be also provided, in line with the regulation of the Social Insurance Institute.

There is an addition in Law no. 7703, dated 11.05.1993 ‘On Social Insurance in the Republic of Albania’, which is Article 5/1 "Social Pension" (Added by Law No. 104 of 31.07.2014), which includes all citizens who have reached the age of 70 and have no pension or any other income. This article is as follows:

Article 5/1 Social Pension

The social pension is a benefit granted to any Albanian citizen at the age of 70, who has been a permanent resident in Albania for at least the past five years, is not eligible for any other kind of pension under the compulsory scheme, has no any other income at all or income from other resources is lower than income from the social pension. The social pension amount is equal to the minimum income from the partial old age pension awarded with 15 years of insurance upon the minimum wage, calculated on 31/12/2014.

For the individuals getting incomes from other resources, the social pension amount shall be equal to the difference between the social pension and beneficiary's other income amount. The criteria, procedures and documentation relating the social pension are determined under a decision of the Council of Ministers.

Article 6 provides that "Social Insurance protect necessarily all economically active citizens in Albania, that is, also in case of the decrease of their income as a result of pregnancy, old age, disability, or loss of the head of the family.

The social insurance system also protect all those employed in case their income decreases as a result of the temporary inability to work because of disease, job-related injury, or unemployment.

The Council of Ministers may decide to enlarge the scope of the social protection provided by the scheme, or to specify exceptions in the case of:

- Temporary or seasonal employees
- Self-employed in the agricultural sector;
- Unpaid workers of the families of the self-employed persons;
- Interns and students for the duration of the internship/course that are insured only against job-related injuries from the employer.
- pensioners (added to the amendments to the law 7703, dated 11.05.1993 with Law No. 25 dated 09.03.2017

In 2022 was approved DCM No. 751, dated 1.12.2022 "For a special protection from the state for unemployed women with three or more children aged up to 18 years". This DCM is intended to provide special protection, by the state, to unemployed women with three or more children aged up to 18 years, where one of the children is under the age of 5 and the family has income below 100,000 ALL per month, the period of care for the child up to the age of 5 is recognized as an insurance period for the effect of old age pension and maternity. The benefits are paid at the level of the national minimum wage. It is estimated that there are about 5580 unemployed women who belong to the targeted category.

Article 27, paragraph 2 of the Charter is supported by Law 7703.

Chapter II, articles 26, 27, 28, and 29 of Law 7703, provides benefits for the pregnancy:

Article 26 The payable insurance for the paid pregnancy leave consists of:

- a) income for the pregnancy period
- b) compensation for the pregnancy, in case the job position changes because of it
- c) childbirth reward

Article 27 Income for the pregnancy period

1. The income during the period of pregnancy is paid to the insured women if she has been insured for at least 12 months, except for the case the woman is entitled to another pregnancy benefit.

2. The income shall be granted for 365 calendar days, including a minimum of 35 days before the birth date and a minimum of 42 days after the birth date. If the women is pregnant with more than one child, the income shall be granted for 390 calendar days, including a minimum of 60 days before and 42 days after the birth of the children.

3. The pregnancy income for the insured women amounts to:

- 80% of the average daily baseline income of the last calendar year for the pre-birth period and for 150 calendar days after the childbirth.

- 50% of the average daily baseline income of the last calendar year for the remaining period.

4. The pregnancy income for economically active women is equal to the basic element of the retirement pension.

5. The mother who adopts a child up to 1 years old, is entitled to post-pregnancy leave, provided that she has been insured for not less than 12 months. This leave commences on the day of adoption, not earlier than the 42nd day after the birth of the adopted child, and it continues for not longer than 330 days from the day of the birth of the child. The minimum number of leave days for the adoptive mother is 28 days.

6. If a child is adopted during the pregnancy leave, the mother who has given birth to the child is entitled to an income until the day of adoption, for not less than 42 days after giving birth.

Article 27 of Law No. 7703 dated 11.05.1993, amended by Law No. 104 dated 31.07.2014, improved and facilitated the legal conditions for obtaining a maternity leave and also included the right of men to obtain a maternity leave for child caring. This article is as follows:

Article 27 Maternity Benefit

1. The maternity benefit shall be payable to an insured woman with regard to pregnancy and child delivery, provided she has acquired 12 months of insurance in respect of each contingency. The contingency of where the insured woman's eligibility for another maternity benefit occurs within 24 months from the birth date of the previous child shall be exempted from this rule.

2. The benefit period shall be 365 calendar days, including a minimum of 35 days prior to and 63 days after the child delivery. For the insured woman carrying more than one child, the benefit period shall be 390 calendar days, including a minimum of 60 days prior to and 63 days after the children delivery.

3. The rate of maternity benefit for the insured woman shall be:

➤ 80% of the average daily net assessment base in the last 12 months from the eligibility date, - for the period prior to child delivery, and - for 150 calendar days, after child delivery;

➤ 50% of the average daily net assessment base in the last 12 months from the eligibility date for the rest of the period.

4. The maternity benefit for the self-employed women in agriculture is calculated according to item 3 of this Article. For the period until contributions of self-employed in agriculture equalize with those of self-employed in non-agricultural sector, maternity benefit shall be determined under a decision of the Council of Ministers.

5. When a child of up to one year of age is adopted, the adoptive mother insured for not less than 12 months is eligible for a maternity benefit, which starts the adoption day, but not prior the 63rd day of

the child delivery. This eligibility extends to the maximum of 330 days from the child delivery. The minimum period for the adoptive mother is 28 days.

6. When a child is adopted during the maternity leave, the biological mother is entitled to a maternity benefit lasting until the adoption day, but not less than 63 days from the child delivery.

7. After the 63 day period from the child delivery, the insured biological or adoptive father as well is eligible for a leave to look after the child, provided the mother does not exercise such a right or is not qualified for the maternity leave.

Article 28 Compensations for the change of the job position because the pregnancy

1.If an insured woman has to change her job position on the basis of the relevant medical commission decision because of her pregnancy, she is entitled to compensation for the missing revenue. This compensation is awarded if the woman has been insured for not less than 12 months.

2.The compensation amount is equal to the difference between the income from the new workplace with the old. It cannot exceed 50% of the average baseline daily payment of the last calendar year.

Point 2 has been changed, Article 28, with Law 104 date, 31.07.2014

2. The amount of such benefit provided as compensation shall be equal difference between the previous and present wages. This compensation cannot be higher than 50 percent of the average daily net assessment base in the past 12 months from the eligibility date.

Article 29 Childbirth reward

1.The mother or father of a newborn child is entitled to the childbirth reward, provided that one of them has contributed for at least 1 year to the social security scheme. The reward is payable only once and the mother will be considered as a priority for receiving this benefit in case she is insured.

2. The reward for every childbirth shall be equal to 50 percent of the minimum monthly wage.

Considering the above presentation, paragraph 2 of Article 29 is acceptable to us.

Law 22/2018 “On Social Housing”, defines elderly’ as a priority category to be housed. Article 16§b§ii – Criteria for the selection of beneficiaries - defines ‘elderly’, those that have completed the retirement age and are not housed in public institution for social care, as a priority group. In addition, ‘Specialised houses’, which are not be considered as houses only for a specific group, but mostly as houses where a special care service should be provided, should be provided with barrier free and with necessary infrastructure for allowing easy to find signals for notifying urgent matters, etc. Until the end of 2022, about 265 elderly people have benefited from social housing programs.

Article 30 – The right to protection against poverty and social exclusion

With a view to ensuring the effective exercise of the right to protection against poverty and social exclusion, the Parties undertake:

a. to take measures within the framework of an overall and coordinated approach to promote the effective access of persons who live or risk living in a situation of social exclusion or poverty, as well as their families, to, in particular, employment, housing, training, education, culture and social and medical assistance;

b. to review these measures with a view to their adaptation if necessary.

Government of Albania aims at reduction of poverty and discrimination to provide for the right to protection against poverty and social exclusion.

The Social Inclusion Policy Document (SIPD) 2023-2027, under the consultation process with all actors will ensure a transparent, accountable, and regular system for measurement and assessing of social inclusion across the policy domains of exclusion and poverty, social protection, employment and skills, health, education, housing and deprivation of basic needs, and human rights. The overall objective of the SIPD is to implement and achieve a balanced and sustainable framework for ensuring that social inclusion is measured, monitored, and reported in Albania through a robust set of indicators, thereby improving ways in which social inclusion is linked to improving results and impact of Government policies and Albania's progress towards EU membership.

The National Action Plan for Persons with Disabilities (2021-2025), the National Action Plan for Equality, Inclusion and Participation of Roma and Egyptians (2021-2025), the National Action Plan on Aging 2020-2024, the National Action Plan for LGBTI+ 2021-2027, the National Strategy for Gender Equality (2021-2030), the Agenda for Children's Rights (2022 - 2026)—among others—express the commitment of the government of Albania to promoting social inclusion. The goal of the National Action Plan for Persons with Disabilities (2021-2025) is “to continue promoting and supporting the integration of persons with disabilities in the social-economic life of the country.” The plan has established goals such as guaranteeing equal access to the justice system, improving participation in the labor market, ensuring inclusive education, improving the quality of life, providing affordable and quality health care, and guaranteeing participation in public and political life. The National Action Plan for Equality, Inclusion and Participation of Roma and Egyptians (2021-2025) has established priorities in the areas of justice, education and culture, employment, housing, social protection, and non-discrimination. The National Strategy for Gender Equality (2021-2030), similar to the previous strategy of gender equality (2016-2020), includes as one of the main strategic objectives ensuring economic and social empowerment of women and men by addressing gender inequalities that lead to poverty and by promoting social inclusion. The Agenda for Children's Rights (2022 - 2026) expresses the priorities of state institutions in the field of children's rights, and it contains three strategic pillars: (1) governance in the function of promoting, respecting and protecting children's rights; (2) elimination of all forms of violence against children; and (3) child friendly and adolescent systems and services: development and education, justice, health and nutrition and social protection.

The detailed information about the issues of social protection and social inclusion have been elaborated in the Articles 13&14&15&16&17&23.

Article 31 1,2,3 – Right to housing

With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed:

- 1. to promote access to housing of an adequate standard;**
- 2. to prevent and reduce homelessness with a view to its gradual elimination;**
- 3. to make the price of housing accessible to those without adequate resources.**

Legal framework:

The Constitution of the Republic of Albania, considers housing as one of the social objectives of the state. Article 59 states that the state, within the constitutional powers and the means at its disposal, as well as in complementing the private initiative and responsibility, aims (among others) to meet the needs of citizens for housing. Fulfilment of social objectives cannot be sought directly in court. The law defines the conditions and the extent to which the fulfilment of these objectives may be requested.

The law no. 22/2018 “On social housing” introduces the fundamental principles of housing policy, which derive from the international and European conventions and more specifically Article 25 of the Universal Declaration of Human Rights, Article 11 of the Convention on Economic, Social and Cultural Rights on the right to housing Convenient, Explanatory Comments Nr. 4 and no. 7 of the Committee on Economic, Social and Cultural Rights on the factors determining adequate housing and security of tenure and forced evictions, European Social Charter, Article 31 of the European Social Charter which defines the right to adequate housing as a means of achieving the policy goals of the signatory countries.

There are 7 fundamental principles, out of which some of them are mentioned and explained below:

- 1- "Security of tenure", according to which an individual or family cannot be forcibly evicted from residence. In cases provided for by the law, procedures will be followed according to regulations set by sub-legal acts for their displacement. This measure is particularly important in case of family relocation due to public investment, which is realized only after the state has provided alternative housing and following precise procedures for notification, protection of vulnerable groups, weather conditions, etc...
- 2- "Affordable housing" that sets the standards of how much a very low-income, low and medium-income family can spend on housing for this to be considered affordable
- 3- "Adequate housing" which stipulates that for housing to be considered as adequate it should comply with standards for sufficient space, weather protection, energy efficiency, residential services, distances from employment centers, safety and security, privacy, etc.

Other principles include: the cultural adequacy; transparency; participation and non-discrimination

The law defines different housing programs for addressing gradually the housing needs and the need of different income groups, starting with temporary houses considered to shelter the basic need for emergency cases and ending with affordable housing (in Albanian: ‘low-cost housing), targeting those that earn an average income.

Specifically the housing programs as by the law , include:

- (1) Social housing programs, provided by public and/or private sector and rented to poor and vulnerable groups with limited rent at affordable levels
- (2) Low-cost housing, which are intended to be owned by future buyers, through different fiscal instruments
- (3) Program to improve existing housing conditions that pose a risk of collapse, as well as those that are depreciated and need the necessary interventions and improvements that benefit families with special needs such as persons with disabilities; individuals with orphan status; the elderly; Roma, Egyptian, rural communities, etc.;
- (4) The Temporary Housing Program, which is indispensable in terms of addressing emergency needs such as natural disasters, migrants, etc.;
- (5) Specialized housing program, which addresses social problems of particular groups, such as: the elderly and / or persons with disabilities; victims of trafficking; victims of domestic violence; children who are without parental care; etc ..
- (6) Land development for housing purposes, where families can build by themselves their houses on a land provided by local authorities, together with the urban study. This program aims to replicate the housing developments in the informal sector, using the self-help contribution of inhabitants.

The law also provides instruments for making housing affordable to tenants or future owners, more specifically:

- (1) Contribution of the construction sector to the provision of social housing. With the adoption of the law, every private subject that builds over 2000 m² of building area passes 3% of the area to the municipality to be included in the public housing fund.
- (2) Cooperation with the private sector in cases of development of a residential area on public land. The acquired surfaces will be transferred to the municipality, which will be used as social housing for rent.
- (3) Lump-sum subsidy for specific social groups, to be used either for buying a low-cost housing or for improving the existing one;
- (4) Competing grants for local governments for specific housing projects, particularly for improving the living conditions of poor and marginalized groups;
- (5) Rent subsidy, which can be used either for public rental housing, or to cover the affordability gap in a private rental market

Therefore, despite the fact that housing is not considered as an element of the human rights and article 31 of the Charter on Social, Economic and Cultural Rights is not accepted as bounding for the Republic of Albania, provisions of the law, ensures a progressive realization of this right as well as immediate addressing of issues that infringe those rights (like measures for forced evictions, or discrimination)