



**ORGANIZATA DREJTËSI SOCIALE**

Themeluar më 14.12.2020, me vendim të Gjykatës së Shkallës së Parë Tiranë.

ADRESA: Rruga “Riza Cerova” nr. 23, Tiranë, Shqipëri;

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## **GREVIO Report**

The Social Justice Organization is an NGO that operates mainly with the protection of the human rights of Egyptian and Roma minorities, women and other vulnerable group members.

We would like to bring to your attention some issues related to the protection of women rights in Albania.

### **1. Elections**

- The participation of women in the lists with many names of the parties where 1/3 of the winning list must be completed with women's names is a legal tool provided in the Electoral Code that guarantees the numerical representation of women in the Parliament and in municipalities, but not the qualitative one to fight for the protection of women's rights.

### **2. Parliament**

- Lack of parliamentary control in the Council of Ministers for the approval of by-laws within the legal deadlines approved by the parliament. More specifically, the act in implementation of the law no. 43/2015 "On the electricity sector", which would guarantee the supply of energy to families headed by women whose electricity supply is interrupted due to the economic inability to pay the bills.

### **3. Government**

- Lack of dialogue platforms between government institutions, organizations, women of the two minorities to discuss the problems they encounter in different sectors and to suggest their solution. This would help the institutions to better understand the problem, as well as help create a partnership to improve the living conditions of women of the Roma and Egyptian minorities.



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#### **4. Protection of Human Rights**

- In July 2022, the Assembly approved law 55/2022 "On hospital services in the Republic of Albania", which provides for skipping the queue for receiving medical services through the creation of preferential lanes. Now, with the payment of the additional fee, citizens who have economic opportunities can receive medical services faster. Our concern is for women who are heads of families, or who belong to vulnerable groups, for whom access to health care will be difficult due to the economic inability to receive services through preferential lanes.
- Even though we have a new law on social housing, women who are heads of families, or women who are abused because of income, have difficulty benefiting from its programs. The only program that helps them is the "rental bonus". Now with the recent changes to the law, to benefit from this program, a rental contract is not needed as before. But from the cases in the field, we see that the local institutions do not implement this legal change. Also, the program of adaptation of state buildings that are out of order to social housing, which could provide a sustainable solution for the housing of abused women or women heads of families, is not implemented.
- 10 Egyptian women heads of families in the cities of Kavaja and Berat who are treated with economic assistance, are financially unable to prepay for the purpose of concluding a new contract for the supply of electricity, as defined in point 3 of article 28 of the law "On the sector of electricity", the amount of 300 euros. The amount they receive from economic assistance is on average 80 euros per month. As mentioned, they cannot prepay to enter into an electricity supply contract. The lack of energy is the denial of one of the main human rights as its importance is known.
- The passage of all state procedures in e-Albania prevents access to public services for elderly women, women of the Roma and Egyptian community, etc. in the field of civil status, health, etc.
- During our work in 10 municipalities, about 70 Roma and Egyptian children were not registered in the civil registry. The reason was their birth abroad and the impossibility of having an official document certifying their birth. The only possibility is to judge and prove the connection of the child with the mother through DNA analysis. While the costs of performing this analysis are unaffordable for families. The lack of coverage of the costs of DNA analysis during the judicial process for their registration makes their registration impossible.

#### **5. Rule of Law**



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- The new judicial map jeopardizes access to justice for marginalized women and women living in rural areas, due to the concentration of courts in larger cities, the eventual increase in attorneys' fees and transportation costs. It also jeopardizes the progress of cases that are pending in the appeals courts by concentrating on 1 appeals court with general jurisdiction, delaying access to efficient justice for citizens.
- Access to justice for women is hindered by economic difficulties. Despite the provisions of the law "FOR LEGAL ASSISTANCE GUARANTEED BY THE STATE", the budget given by the government is low for the provision of secondary legal aid, to be an effective mechanism for guaranteeing access to justice for women heads of families, regardless of economic or social conditions, status and beyond discrimination. Minority women find it difficult to benefit from the law, due to the objective impossibility of completing the necessary documentation. We have proposed the addition as a special category of beneficiaries by law for members of the Roma and Egyptian communities.
- For cases where women benefit from legal aid guaranteed by the state, they should also be exempted from court costs. However the fee for obtaining DNA analysis for family law matters is not excluded. The fee for performing a DNA analysis is 700 euros. This penalizes women to follow legal processes for the registration of children by court decision, or contesting the alleged paternity.

## 6. Minimum Living Wage

The Albanian legislation still lacks a special provision dedicated to the vital minimum both in the legal definition and in the legal obligation for its calculation. The first important definition of the minimum living wage in Albania was given in the Labor Code of 1995, but with the changes made in the following years, the concept of the minimum living wage was removed. The study by the People's Advocate of 2016 "Calculation of the living minimum", showed through the calculations made that the living minimum per capita in 2015 resulted in about 16,000 Lek per month (7,089 Lek per month for food expenses and 8,913 Lek per month for non-food expenses).

Meanwhile, last year's Ombudsman's report on the Standard of Living in Albania showed that the value of the minimum living wage has had an insignificant change over the past 5 years. From the analysis carried out, it turned out that the value of the vital minimum for the year 2019 in Albania is approximately 17,875 ALL. The lack of determination of the vital minimum fundamentally affects the lives of abused women or heads of families who are treated with economic assistance.



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### 7. Employment

- For women who are victims of domestic violence, there are no legal means to guarantee their employment in public and/or private institutions. One of the forms that can help in their employment is the provision of subsidies for businesses that will employ women, such as the removal of personal tax, social insurance, etc., or giving grants for opening new businesses.
- There have been positive developments in the employment of women of the Roma and Egyptian minorities through the "Public Works in the Community" program, which has had a positive impact on their willingness to be employed and removed from the benefit of economic assistance, but the lack of sustainability (the program employed for only 1 year), the low salary, the non-combination of this program with other employment promotion programs, are the main problems of this program.

### 8. Education

- The addition of schools in our country that are towards segregation with the children of Roma and Egyptian minorities. This is due to the lack of specific policies from the Ministry of Education and Sports for their desegregation, which affects school dropout by girls of the Roma and Egyptian minorities, due to the lack of diversity.
- Dropping out of school by girls from the Roma and Egyptian minorities is a constant concern for us. There are several reasons for abandonment, but one of the reasons is the financial reason. The government has approved DCM No. 666, dated 10.10.2019 "ON THE FINANCIAL QUOTAS OF FOOD IN THE CANTEEN AND BOARDING HOUSES AND THE DETERMINATION OF THE CRITERIA FOR THE BENEFIT OF SCHOLARSHIPS AND PAYMENTS FOR STUDENTS OF PRE-UNIVERSITY EDUCATION IN PUBLIC EDUCATIONAL INSTITUTIONS", but this DCM needs to be amended, determining as a specific beneficiary category, the girls of the Roma and Egyptian minorities.
- No program has been approved by the Ministry of Education to support Roma and Egyptian girls to fill the gaps that were created during the Covid-19 period due to the lack of technology for online learning. Also, this affects girls dropping out of school in grades 6, 7, 8, 9.

### 9. Pensions



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- The age to benefit from the social pension is 70 years, while the old-age pension is earned starting at the age of 65. Women aged 65-69, who cannot receive an old-age pension due to the lack of years of work, encounter great difficulty in obtaining economic assistance. As a result, they are forced to collect recyclable waste, or beg to provide medicine or basic items.
- Elderly women have been deprived of access to public services due to the transfer of services to e-Albania, including the application for pension benefits, disability pension according to the law.
- There have been many women excluded from the disability pension scheme due to changes in assessment methods by the relevant doctors, which are not transparent and known to the public.

#### **10. Maternal maternity**

- In one week, two women lost their lives after appearing at the doors of the maternity hospital. Mimoza Veizaj (30 years old) and Etleva Çullhaj (34 years old) presented themselves to the Tirana and Elbasan maternity hospitals, respectively, without showing other health complications that would complicate the birth process in one case and abortion in the other case.
- Maternal mortality represents one of the most direct issues related to unequal health care for mothers from low-income families compared to mothers from high-income families. Many of the girls and women have almost no access to health services, family planning or care during and after birth. The situation becomes even more alarming when we talk about poor and patriarchal societies, such as ours. In societies where men traditionally control household finances, women's health is often not considered a priority, and women are often unable to seek care for themselves and their children.

#### **11. Lack of hospital services**

- The malfunction of the equipment in the oncology hospital has endangered the lives of 600 women who are being treated for cancer. According to the report of the High Council of the State carried out for the treatment of tumor diseases, there is a lack of a number of devices in the radiotherapy unit, the number of patients diagnosed with tumor diseases is increasing, while the number of cancer checks in female patients is far from predictions.
- According to the audit of the Ministry of Health and Social Protection, the Ministry of Health and Social Protection has not clearly defined the objectives regarding the number of breast and cervical cancer screenings (checks) in the National Health Strategy 2021-2030 compared



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to the National Cancer Control Program Cancer 2021-2030 for the screenings carried out for 2022, and they have not achieved the objectives foreseen for these screenings".

- According to the report for 2022, 26,464 women were screened for breast cancer, while the targets set in the National Cancer Control Program for 2021-2030 were 50,000 women per year.
- For the year 2022, according to the report, 10,421 women were screened for cervical cancer, even though the target was 20,000 women per year.

## **12. VIOLENCE AGAINST WOMEN AND GIRLS IN ALBANIA**

- More than half of women and girls aged 15-74 have experienced one or more of five types of violence (intimate partner violence, dating violence, non-partner violence, sexual harassment, and/or stalking) during their lifetime, according to a survey conducted by INSTAT in 2018.
- 1/3 of women and girls, about 37%, have experienced violence during the last 12 months. The most common type of violence is dating violence; the second most common type of violence is intimate partner violence and the third is sexual harassment.

## **13. Femicide / discouraging women and girls to report violence**

- 16 women were killed throughout the year 2023 by men with whom they had close blood, family or sentimental relations, some of whom had sought and received a protection order from their killer.
- The institutional response is often insufficient, despite the desire and will of the persons working with the management of cases of violence. Also, there is a lack of shelters in the country and that the economic assistance for the victims is extremely low.

## **14. Sexist language on national television**

- Spartak Ngjela, former prosecutor and minister of justice of Albania, would declare in a primetime television show on the national television "Top Channel" that "women forced to be raped give up out of pleasure", inciting a flood of criticism on the network for inciting hate speech for rape victims, as well as gender-based discrimination for girls and women rape victims. "Social Justice" has complained about this show to the Audiovisual Media Authority, which has taken measures to remove the sequence from YouTube. Also, we have appealed to the Commission for Protection from Discrimination to fine the lawyer Spartak Ngjela on the grounds that he incites gender-based discrimination, as well as to the "Top



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Channel" television, which have not taken any position on the interruption of the conversation.

**15. The difference in pay for girls and women in journalism and beyond**

- According to the study carried out by the "Lajmetarja" center, there is a 13% pay gap, where women and girls are paid less than men in journalism.
- Also, according to the report published by the High State Control, employed women of working age are fewer in number compared to men from 2017 to 2021.
- "Only 50% of working-age women were employed in 2017, compared to 64% of employed working-age men. While in 2018 this indicator was 52.4% women compared to 66.7% men, in 2019 it is 54.4% women compared to 68.2% men, and in 2021 a decrease is seen for both sexes, for women it was 54.8% for Men to 61.4%, a decrease that is below the level of 2017", the report states.