



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

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

**Fifth periodic report submitted by Albania under article 18
of the Convention, due in 2020*****

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* The present document is being issued without formal editing.

** The annexes to the present report may be accessed from the web page of the Committee.



List of abbreviations

ASP	Albanian State Police (Directorate General of State Police)
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CoE	Council of Europe
CPD	Commissioner for Protection from Discrimination
CHIF	Compulsory Health Insurance Fund
CRs	Concluding Remarks
CSO	Civil Society Organisation
DGP	DG Prison
DV	Domestic Violence
EU	European Union
FLAD	Free Legal Aid Directorate
GE	Gender Equality
IMWG	Inter-Ministerial Working Group
MEFA	Ministry for Europe and Foreign Affairs
NMCRDV	National Mechanism Coordinating the Referral of Domestic Violence cases
MoESY	Ministry of Education, Sports and Youth
MoFE	Ministry of Finance and Economy
MoHSP	Ministry of Health and Social Protection
MoI	Ministry of Interior
MoJ	Ministry of Justice
NATO	The North Atlantic Treaty Organisation
NGEC	National Gender Equality Council
NPO	Non-for-profit organisation
NRCAS	National Reception Centre for Asylum-seekers
PA	People's Advocate
RoA	Republic of Albania
SDGs	Sustainable Development Goals
UN	United Nations

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I. Introduction

1. The Republic of Albania has the pleasure of submitting the Fifth National Periodic Report on the implementation of the Convention on the Elimination of all Forms of Discrimination against Women to the Committee on the Elimination of Discrimination against Women (CEDAW Committee).

2. This report, submitted under Article 18 of the Convention on the Elimination of All forms of Discrimination against Women (CEDAW), has been drafted in compliance with the reporting guidelines on the form and content of reports submitted by state parties,¹ and covers the period between July 2016 and September 2020. The Report contains information on the implementation of CEDAW provisions and Committee recommendations, based on the Concluding Remarks (July 2016)². The Report describes the general situation, provides a brief analysis of the effects of the measures taken for the implementation of the Convention, along with the challenges encountered in guaranteeing women's rights free of discrimination.

3. During the reporting period, two very important electoral processes took place in Albania: parliamentary elections (2017) which confirmed the centre-left coalition, and local elections (2019), which due to political developments in the country also enabled the election of centre-left mayors. The 2017 government re-organised the country's main central institutions, including those with competences for the implementation of this Convention.

4. The November 2019 civil emergency following the devastating earthquake and the considerable damages it caused, along with the COVID-19-induced crisis have had their impact on the Concluding Remarks being addressed fully and appropriately by Albanian authorities. However, the empowering of women and countering gender-based violence have continued to remain priorities throughout, including during the COVID-19 lockdown and its restrictions. One of the measures taken from the outset by the Albanian Government was to take special care of the needs of girls and women from vulnerable groups, in particular.

5. This Report was prepared due to the coordination and involvement of all state institutions that are members of the Inter-Ministerial Working Group (IMWG) chaired by the Ministry for Europe and Foreign Affairs (MEFA) with the special support and contribution of the Ministry of Health and Social Protection (MoHSP). Other IMWG members included, inter alia, the Ministry of Interior (MoI), the Albanian State Police (ASP), Ministry of Justice (MoJ), Ministry of Education, Sports and Youth (MoESY), Ministry of Finance and Economy (MoFE), the Albanian Parliament, the People's Advocate, the Commissioner for Protection from Discrimination (CPD).

6. Despite COVID-19 restrictions, an inclusive inter-institutional process was ensured with the on-line presence of civil society and international organisations.

7. The final draft of the report was adopted by Council of Ministers' Decision No. 1077 of 24th 2020.

¹ CEDAW C/74/3, 18 December 2019 Guidance note for the preparation of reports (Article 18) of CEDAW Convention; Resolution 68/268 adopted by the General Assembly, 9 April 2014 "Functioning of the mechanisms of the Conventions".

² (CEDAW/C/ALB/CO/4).

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

Article 1

8. As has been reported in the past, the definition of the discrimination against women in Law 9970/2008 on Gender Equality (Article 4/3) is fully in line with CEDAW's Article 1.

9. The Albanian Parliament has taken a series of measures to both fulfil the CEDAW Committee Recommendations and intensify efforts for the promotion of gender equality:

- Organising public sessions of its Standing Committees, annual report hearings with independent institutions, such as the Office of the Prosecutor General, the People's Advocate, the Commissioner for Protection from Discrimination, to request and obtain information on progress made on CEDAW recommendations;
- Organising hearing sessions with Roma and Egyptian girls and women, some of whom were domestic violence victims, sessions with youngsters on gender discrimination, bullying, violence at school and gender-based violence;
- Establishing the Subcommittee on Gender Equality and the Prevention of Violence against Women (Decision 113/2017), the Human rights Subcommittee (Decision 13/2018), the Sustainable Development Subcommittee (Decision 11/2020), etc.;
- The Parliamentary Gender Equality Subcommittee has organised hearing sessions and taken actions to enhance the efficiency of the Coordinated Referral Mechanisms across the country;
- Adoption of the action programme ³ "For a gender-sensitive Albanian Parliament", focused on legislation that is sensitive to gender issues, gender representation, gender equality bodies, gender-sensitive strategic planning, etc.;
- Exercising parliamentary oversight on the implementation of the principle of equality by central, local or independent institutions, as provided for in the gender equality legislation. Its findings will guide proposals for legal amendments and further parliamentary oversight.
- Increasing the representation of women in Parliament and parliamentary bodies (41 women MPs in this legislature), in international organisations and permanent delegations (30 per cent women, the Chair of the Permanent Delegation to the NATO Parliamentary Assembly is a woman); in constitutional institutions, those established by law, and independent institutions, too [between 2016–2018, Parliament has appointed women at the helm of the following institutions: People's Advocate (Decision 70/2017), the Commissioner for the Protection of the Rights of Children at the People's Advocate's Office (Decision 41/2018), the Commissioner for the Mechanism of Preventing Torture at the People's Advocate's Office (Decision 43/2018), the Authority for Information on the Former State Security Documents/Files (Law 45/ 2015)].

³ Plan of Action "A gender-sensitive parliament" was prepared under the OSCE project "Supporting Parliament and Civic Education" and experts of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in Pogradec (October 2019) during a bilateral meeting with representatives of the Parliament of North Macedonia. see: <https://www.parlament.al/Files/sParliament/Programme%20me%20Ndjeshmeri%20Gjinore.docx>.

- Maintaining gender quotas in boards, committees and commissions (of 41 appointments, 23 were women) or new justice reform institutions, etc.

Article 2

10. During the reporting period, the principles of equality and non-discrimination on the grounds of gender, as enshrined in the country's Constitution and provided for in CEDAW's Article 2, have been included, inter alia, in the following laws:

- *Law 121/2016 "On Social Care Services in the RoA"* in which the principle of non-discrimination for an entirety of reasons, of which gender ranks first, is listed in the basic principles for the provision of these services. The Law also foresees the provision of specialised services for abused or trafficked girls or women, for pregnant girls or women, or single parents with a child of up to 1 year of age, etc.;
- *Law 65/2016 "On Social Enterprises in Albania"*, which, amongst others, aims at the employment of disadvantaged persons in the labour market, such as persons who are in receipt of financial assistance/benefits, disabled persons, orphans, women who are victims of violence and trafficking, etc.;
- *Law 97/2016 "On the Organisation and Functioning of the Prosecution Office in Albania"* improves victims' access to information by establishing the position of a PR Coordinator in each Prosecution Office, whose competence it is to provide information to victims, too;
- *Law 68/2017 "On Local Self-Government Finances"* introduced the idea of gender-sensitive budgeting at local self-government;
- *Law 18/2017 "On the Rights of the Child and their Protection"* lists equality and non-discrimination as part of its general provisions. This Law defines what *child protection* means clarifying "the protection measures" protection officers may apply when children are found to be in an unsafe situation due to violence, abuse, negligence or exploitation. This is the first time that Albanian legislation has provided for the protection of street children, children who work or are exploited for work purposes, and, as such, addressing various forms of violence against children, such as bullying, violence in schools, domestic violence, sexual abuse, economic exploitation, children's safety over the internet, unaccompanied children or victims of trafficking, etc.;
- *Law 37/2017 "The Criminal Justice Code for Juveniles/Minors"* guarantees a legal framework of criminal justice for children, promotes the re-integration of children who have broken the law, the protection of the rights of the child victim and/or the witness to a criminal offence, and prevents the re-victimisation/secondary victimisation of children who have been victims of a criminal offence in the past;
- *Law 111/2017 "On Legal Aid guaranteed by the State"*, guarantees, amongst others, free legal help for special categories, such as victims of domestic violence, sexual abuse, trafficking of human beings, minors who have committed an offence, children in social care institutions, persons whose rights have been infringed by an action or inaction that has led to discrimination, etc.;
- *Law 35/2017 adding to and amending Law 7905/1995 "On the Criminal Procedure Code"*, as amended, foresees new legal provisions that considerably improve the position of the victim in criminal cases, including special procedural rights for the minor victim who has been sexually abused or the minor who is a victim of trafficking in human beings;

- *Law 96/2017 “On the Protection of National Minorities in the RoA”* offers guarantees that non-discrimination and full equality before the law are provided for as early in the law as the scope section of the said law;
- *Law 70/2017 adding to and amending Law 10192/2009 “On the Prevention and Dismantling of Organised Crime and Trafficking through Prevention Measures against Assets”* outlines that should reasonable doubt exist on a person in relation to the offence of trafficking human beings, their assets (belonging to them wholly or partially, directly or indirectly) are placed – following a court decision – in a special social fund which is then used for the rehabilitation and integration of victims of trafficking;
- *Law 32/2017 “On the Protection of Witnesses and those cooperating with the justice system”* provides for special protection measures that are applied to persons who cooperate with the justice system;
- *Law 47/2018 adding to and amending Law 9669/2006 “On Measures against Domestic Violence”* fulfils both CEDAW (2016) and GREVIO (2017) recommendations. Protection and procedural measures have been strengthened to respond more effectively to victims of domestic violence through an Immediate Protection Order (IPO), an order that is issued following a risk assessment that is completed in every single case. Girls and women in intimate relationships who are not in a formal relationship with the perpetrator (marriage or co-habitation) are protected for the first time ever by this law, which was amended in October 2020, providing clear measures for the eviction of the perpetrator from the property, their return once the Order has expired, specific rehabilitation programmes for the perpetrator, the IPO register, etc.;
- *Law 22/2018 “On Social Housing”* reiterates the principle of non-discrimination in relation to planning, equipping, assigning and managing housing to social groups in need. A specialised housing programme provides housing assistance to vulnerable groups, such as victims of trafficking, victims of domestic violence and young single mothers;
- *Law 110/2018 “On Notaries”* strengthens women’s economic empowerment, guaranteeing women’s property rights, including new ways of regulating gender equality in terms of protecting property;
- *Law 111/2018 “On the Cadastre”* also regulates gender equality elements relating to property registration;
- *Law 69/2018 adding to and amending Law 10129/2009 “On the Civil Registry”* provides for the procedure of registration when that has not taken place, when a child was born abroad and the birth document issued by the authorities there is either incomplete or inaccurate;
- *Law 15/2019 “On Promoting Employment”* provides for potential/victims of trafficking, victims of gender-based violence, domestic violence victims and young mothers, as special disadvantaged groups of jobseekers who may benefit from employment services and programmes;
- *Law 57/2019 “On Social Assistance in RoA”* sets out the beneficiary groups of social assistance (benefits), including victims of trafficking upon leaving social care institutions but prior to finding employment, and domestic violence victims for the duration of the immediate/protection order if not looked after in social care institutions;
- *Law 34/2019 “On the Administration of Seized and Confiscated Assets”* reiterates the need for the efficient and effective use and administration of assets that are seized and/or confiscated by judicial institutions or seized by order of

the minister of finance, the return to the community of the proceeds of crime and the compensation of the victims of crime;

- *Law 35/2020 amending Law 7895/1995 “The Criminal Code of Albania”*, as amended, criminalises psychological violence and protects associates or former associates of the perpetrator of the criminal offence, therefore harmonising domestic legislation to Article 3 of the Istanbul Convention. This law also provides for harsher sentences for certain categories of perpetrators of this criminal offence;
- *Law 13/2020 adding to and amending Law 108/2013 “On Foreigners”* outlines better protection for foreign victims of trafficking;
- *Law 59/2020 “On the Ratification of the Loan Agreement between the RoA and the International Bank for Reconstruction and Development on a Development Policy for Gender Equality in Access to Economic Opportunities”* aims to support the Albanian Government to improve its policy framework for equal access to economic opportunities focusing on increasing the access of women to property, establishing equal rules to increase the opportunities for women in the labour market, and strengthening institutional rules for gender-informed policy-making;
- *Law 81/2020 “On the Rights and Treatment of Prisoners and Detainees”* guarantees that detainees and prisoners are treated with dignity, whilst their human rights and fundamental freedoms are respected. Another important guarantee is the prevention of cruel, inhuman and degrading treatment;
- *Law 101/2020 adding to and amending Law 10019/2008 “The Electoral Code of Albania”*, as amended, ensures full respect for the principle of gender equality. Therefore, the underrepresented gender’s direct and active participation in the country’s public and political life is a fundamental instrument for the consolidation of Albania’s democratic system;
- *Law 115/2020 adding to and amending Law 8417/1998 “On the Constitution of the RoA”*, as amended provides for both the electoral system and gender representation;
- The purpose of the *draft-law⁴ adding to and amending Law 10221/2010 “On Protection from Discrimination”* is to add to the existing law other types of discrimination, such as multiple discrimination, intersectional discrimination, hate speech, segregation, sexual harassment, etc., along with the right of the CPD to put into motion the Constitutional Court to seek the incompatibility of a piece of legislation with the Constitution, etc.

11. It is important to highlight a multitude of by-laws that have been adopted to allow for the implementation of the above laws, along with strategies and action plans that have been drafted, revised, adopted and implemented during the reporting period in areas like gender equality, free legal aid, health, education, social protection, property rights, protection from discrimination, protection of special groups, the fight against domestic violence, against trafficking, etc (Appendix 1).

Familiarisation with the Convention, its Additional Protocol and General Recommendations

12. Providing information on international instruments such as CEDAW, the promotion of gender equality actions against gender-based discrimination remain an important part of the activities to strengthen the capacities of the judiciary and other

⁴ Submitted in February 2020 and adopted in October 2020.

professionals, organised by the Ministry of Justice, the School of Magistrates, Directorate General Prisons, the State Police in cooperation with international institutions/agencies. During the reporting period, there have been a series of training courses with judges, prosecutors, Police Officers, Judicial Police, etc. on these topics.

13. At the School of Magistrates, both CEDAW and its Additional Protocol, and their application are an important part of the curriculum of the magistrates' initial training. In 4 years, 93 magistrates and 12 assistants have obtained the required CEDAW-related information: 25 magistrates in 2016, 15 magistrates in 2017, 7 magistrates in 2018, and 46 magistrates and 12 assistants in 2019.

14. The continuous development curriculum of the School of Magistrates includes, inter alia, CEDAW's direct implementation, the role of the court, the role of the justice system, European standards of equality and non-discrimination, the HELP platform and the prohibition of multiple discrimination, and gender theories and prejudice in the court room. Between 2016 and 2020, 157 judges, prosecutors, Judicial Police Officers and High Justice Council inspectors were trained on these topics. There were 44 participants in 2016, 21 in 2017, 64 in 2019 and 18 in 2020.⁵

15. The Ministry of Justice in cooperation with the National Chamber of Mediators and foreign experts trained 32 mediators in 2016 on resolving gender-equality disputes.

16. DG State Police has organised training sessions⁶ on CEDAW and its implementation, on other international mechanisms and domestic legislation on gender equality and domestic violence. Between 2016–2020, 3,499 Police personnel took part in the training.⁷

17. Gender issues and the re-integration of women prisoners are part of the staff training module at Directorate General Prisons. In 2019, 40 members of staff who work with different categories of female prisoners or detainees, were trained on these topics.

18. The Prosecution Office reports of their participation in training sessions and study visits abroad with prosecutors, Judicial Police Officers and legal assistants being part of the groups attending.⁸

The hierarchy of the Convention in the legal system and the harmonisation of legislation

19. CEDAW is directly enforceable in Albanian legislation. However, CPD has found that the number of gender discrimination complaints remains relatively low, with women being primarily the victims of discrimination, which in many cases comes across as multiple discrimination. Discrimination on the grounds of one being with child, of one having given birth and one's health condition continues to be a problem from both public and private bodies.

20. In 2017, the CPD opened three regional offices in Shkodër, Gjirokastër and Korçë to be able to deal with discrimination cases in a more effective manner. Between 2016–2020, CPD dealt with 33 discrimination cases, of which 12 were gender-based: 3 in 2016 (of a total of 6), 1 in 2017 (of 2), 4 in 2018 (of a total of 16), 3 in 2019 (of a total of 7) and 1 in the first 4 months of 2020 (of 2 altogether).

21. CPD has recommended the improvement and harmonisation of legislation in relation to the following: a) the concept of "the head of family" and deriving

⁵ A table indicating the topics and the number of participants is attached as Annex 2 of the report.

⁶ In cooperation with ICITAP, Council of Europe, OSCE, PAMECA V, UN WOMEN, UNDP, etc.

⁷ A table indicating the topics and the number of participants is attached as Annex 2 of the report.

⁸ Information on the topics is attached as Annex 2 of the report.

obligations in the civil status law so as to guarantee the consent of both spouses when declaring their residence (2016); b) the harmonisation of the domestic violence law with Article 3 of the Istanbul Convention and the direct identification in the law of protection from discrimination (2018); c) the Labour Code and preventing discrimination in the calculation of one's annual bonus (pregnant women are paid less than their co-workers because the former are erroneously deemed to have failed to work all year instead); failing to identify discrimination when the annual bonus for those who have taken parental leave is calculated proportionately to the time others have spent at work, therefore discounting the time the member of staff has spent on parental leave, as this is erroneously deemed to be time away from work; granting bonuses or rewards as a form of encouragement despite the amount of work carried out and regardless of whether staff have been on maternal or parental leave.

22. Following the recommendations of the European Commission against Racism and Intolerance, the People's Advocate recommended expanding the scope of the beneficiaries that the new legal aid law would provide for. Some of the key measures to guarantee the provision of free legal aid to groups in need are the sufficient allocation of state funds, raising the community's awareness and increasing access to legal clinics.

23. The Ministry of Health and Social Protection (MoHSP) is the state authority responsible for gender equality (GE) and the fight against domestic violence (DV), overseeing the enforcement of laws, strategies, action plans and all national and international obligations in GE and DV. MoHSP monitors the implementation of the national GE Strategy and its 2016–2020 action plan on an annual basis. It identifies both achievements and challenges encountered by local and central institutions, and reports its findings to the National GE Council. MoHSP formulates all proposals for the improvement of the legal and policy framework in compliance with international standards and EU directives.

24. The 2018 amendments to the domestic violence law were proposed by the MoHSP based on the Concluding Remarks of the CEDAW Committee in 2016 and the first report of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) in 2017, therefore grounding the implementation of the law firmly on both CEDAW and the Istanbul Convention.

25. Vulnerable groups like potential/victims of trafficking, gender-based violence, domestic violence, young mothers, persons with disabilities, minorities, LGBTI persons and the elderly have been taken into consideration either by adopting new laws or amending existing laws on social care services, employment and its programmes, social insurance, compulsory health insurance, social housing, property rights, legal aid, adjustment and access, child protection, Juvenile Criminal Justice Code, the Criminal Procedure Code, etc.

Access to Justice and Legal Aid

26. One of the effective strategies that has been used in recent years in Albania is raising the awareness of the public at large and certain women's groups in particular by organising awareness-raising campaigns, information and education events focused, inter alia, on access to justice (see Article 5).

27. The Minister of Justice, the Directorate of Free Legal Aid, the National Bar Association and the courts are the competent authorities for the implementation of the legal aid law.

28. The Directorate of Free Legal Aid (DFLA) at the Ministry of Justice has organised awareness-raising activities on the right of legal aid. It did so with minors in the Kavaja Minor Institute and the Institute for the Enforcement of Criminal

Decisions in Tirana. Awareness-raising activities are also being organised to promote the 2019–2023 Strategy on the Legal Education of the Public (SLEP) with DFLA being one of the members of the National Network for the Legal Education of the Public. DFLA has disseminated the simplified manual on the criteria for and benefiting from free legal aid to the Municipality of Tirana, People’s Advocate, the Albanian Helsinki Committee and the Prime Minister’s Office. In addition, in September 2020, DFLA distributed 500 posters to key institutions. These posters were prepared with the help of EURALIUS V, the EU technical assistance mission. DFLA also regularly updates the official legal aid website: www.ndihmajuridike.gov.al.

Strengthening the capacities of the State Committee on Legal Aid

29. Pursuant to transitory provisions of the legal aid law, the State Committee on Legal Aid ceases to exist once the DFLA is established.

30. According to the Law, primary legal aid shall be provided by staff who have received special training at the primary legal aid centres or other suitable premises by authorised non-for-profit organisations and legal clinics at higher education institutions. A training module was prepared and approved by the Albanian School of Public Administration. DFLA conducted the first module of the compulsory training of the staff of the service centres of primary legal aid on 24.09.2020, focusing on the legal aid that special categories like victims of violence, sexual exploitation and trafficking for instance can receive.

31. Secondary legal aid must be provided by lawyers as per the National Bar Association list. The Bar School is the competent body for the formulation and implementation of the initial and continuous training programmes of legal professionals. The Bar School is part of the Bar Association and enjoys academic independence. DFLA prepared the draft programme of the continuous training module focusing on the special categories/vulnerable groups that benefit from legal aid. It is reaching an agreement with the Bar Association for continuous training to be provided online by October 2020 to 73 lawyers, secondary legal aid service providers.

32. There are five Primary Legal Aid Service Centres (PLASC)⁹ with three¹⁰ more expected to open by the end of 2020. During 2019–2020, Elbasan PLASC has dealt with 47 cases, 3 of which were violence-related. During January-September 2020, Tirana PLASC dealt with 422 cases. Durres has 21, Fier 126 and Lezhë 215.

33. The 12 NPOs that have been granted authorisation by the Minister of Justice to provide primary legal aid, do so in Tirana, Elbasan, Durrës, Shkodër and Berat. To date, they have dealt with 283 cases.¹¹

⁹ In Tirana, Elbasan, Fier, Lezha and Durrës.

¹⁰ Lushnjë, Pogradec, Gjirokastër.

¹¹ During the period 10–30 September 2020, “Counselling Centre for Girls and Women” handled 27 cases, “Protection of rights of urban and rural women Berat” handled 20 cases, “Centre of Integrated Legal Services and Practices” did not handle any case, “New Intellectuals, hope” handled 5 cases, “Child Rights Centre in Albania (CRCA)” handled 6 cases, “Women’s Forum” has handled 21 cases, “Tirana Legal Aid Service (TLAS)” has handled 117 cases, “Different but Equal” handled 17 cases, “Albanian Legal and Territorial Institute (ALTRI)” handled 5 cases, “Centre for Legal Civic Initiatives” handled 40 cases, “Albanian Consumer Centre” handled 25 cases, “Albanian Services for Refugees and Migrants” did not handle any cases.

34. Law Clinics at 9 higher education institutions¹² are also providers of primary legal aid. Between 01.02.2019–31.01.2020 they have dealt with 1,250 cases (21 were violence-related).

35. In 2019, the lawyers endorsed by the Bar Association have provided secondary legal aid to 21 cases (2 of which were violence-related). 51 women and 38 men have received secondary legal aid between January-September 2020, with 15 requests denied and 1 decision to suspend the case.

36. Mediation has also been provided to groups in need for the first time ever. So as to increase the number of cases that are resolved by way of mediation, the National Mediator Chamber has prepared and is undertaking an awareness-raising campaign at the moment.

37. Some of the legal aid requests are received by the People’s Advocate (PA). Therefore, during 2016–2017, PA forwarded 43 free legal aid requests from individuals (20 requests from women) to the State Committee on Legal Aid. During 2018–2019, 68 requests were filed, 18 of which were from women. Requests filed by women are primarily about family-related matters such as divorce, custody, maintenance or civil matters, such as damage caused, division of property, recognising qualifying years for retirement, etc. Only a handful are criminal cases.

Enforcement of Court Decisions on women’s rights

38. The enforcement of Court Decisions is monitored by the State and Private Bailiff Services. Further to final court decisions, the State Bailiff Service takes enforcement actions within a reasonable timeframe on maintenance-related issues, such as “food pensions (maintenance)”, “meeting/contact with the child/ren”, “child guardianship”, “immediate protection order” and “protection orders”. Court decisions have a direct impact on women, in particular, because in the overwhelming majority of cases children’s upbringing and education is entrusted to the mothers, with fathers being obliged to pay maintenance.

39. Data on “food expenses” (food maintenance) over the following years:¹³

- In 2016, there were 6100 cases in total; in 1593 of these cases the obligation of the parent to cover food expenses was not met due to insolvency issues by the debtor parent, therefore 70 criminal charges were filed on the grounds of failing to provide for their children, in keeping with a court order;
- In 2017, there were 6132 cases in total; in 1758 of these cases the obligation of the parent was not met due to insolvency issues by the debtor parent, therefore 80 criminal charges were filed on the grounds of failing to provide living means for their children, in keeping with a court order;
- In 2018, there were 6547 cases in total; in 2488 of these cases the obligation was not met due to insolvency issues by the debtor parent, therefore 65 criminal charges were filed on the grounds of failing to provide living means for their children, in keeping with a court order;
- In 2019, there were 7221 cases in total; in 2754 of these cases the obligation was not met due to insolvency issues by the debtor parent, therefore 55 criminal

¹² Cooperation agreements have been concluded with the Faculty of Law, University of Tirana; “Beder” University; University College “Luarasi”; University College “Wisdom”; “Albanian University”; University “Aleksandër Moisiu” Durrës; University “Ismail Qemali” Vlorë; “Mediterranean University of Albania” and “European University of Tirana”. The Free Legal Aid Directorate is expected to sign a cooperation agreement with the Law Clinics attached to the “Qiriazi” University College and the Mediterranean University of Tirana.

¹³ For more details, please refer to the relevant table in Annex 3.

charges were filed on the grounds of failing to provide for their children, in keeping with a court order;

- During 01.01.2020–30.09.2020, there were 7205 cases in total; in 2932 of these cases the obligation was not met due to insolvency issues by the debtor parent, therefore 43 criminal charges were filed on the same grounds as above.

40. The continuous monitoring of procedural actions along with the application of legal sanctions where due, confirms the readiness and persistence of the State Bailiff Service to enforce executive titles appropriately despite the institution's heavy workload.

41. During the course of this work, some court decisions have been found not to respond to the best interest of the child and, as such, they render enforcement impossible. This is especially true in child custody cases in which the interest of the parent rather than the child's has taken precedence, or in maintenance cases in which children often do not receive the amount of maintenance the court has ordered the parent to pay, and it is much needed for their education and upbringing. The role of the psychologist in enforcement procedures is necessary, yet there are many cases when the creditor refuses to pay in advance for the psychologist, thus failing to enforce court decisions relating to having contact with the child.

42. Another challenge is the difficulty of confirming the income of the debtor parent who has been ordered to pay maintenance. Often this is because a large number of people simply fail to register their business formally in keeping with the law. In other instances, they and their employer have not signed an employment contract and, therefore, there is no record of their income or of any movable/immovable property registered in their name. This renders the work of bailiffs impossible and leads to non-enforcement of court decisions.

43. Another issue is the migration of many debtor parents, who when divorced, pay no maintenance but have no property registered in their name, therefore none that can be seized. As a result, these executive titles remain unenforced because the debtor parent is not in receipt of unemployment benefits, either, has left the country and simply does not satisfy the criteria to receive such benefits. This affects the enforcement of court decisions within a reasonable timeframe, i.e. the non-fulfilment of the legal right of the interested party. These are obstacles of a legislative and practical nature. The Directorate General of the Bailiff Service organised a training in 2019 on maintenance and contact with the child, which confirmed the enforcement responsibility of the institution and highlighted the need to consider the interest of the child as a central feature for the Bailiff's Office.

The burden of proof

44. The amended Labour Code (2015) obliges employers to take measures to prevent sexual harassment, address concerns of a sexual nature, and prohibits the punishment of the victim because they reported the incident/s of violence in the workplace. When dealing with discrimination on the grounds of sexual orientation and gender identity, the employer is obliged to prove that they have not violated the principle of equal treatment, whereas in sexual harassment cases the law passes the burden of proof to either the employer or the person who allegedly perpetrated the harassment.

45. The Code of Administrative Procedures (2016) provides that in cases where a party presents evidence to support allegations of discriminatory behaviour and on the basis of which it can be presumed that discrimination has taken place, the other party and/or public body is obliged to prove that the facts do not constitute discrimination,

despite the obligation of the public body to make available to the parties the evidence under its possession (Article 82/2)¹⁴.

46. The Law On Protection against Discrimination, as amended, adopted on 15 October 2020, stipulates that when the applicant presents evidence supporting the allegation of discriminatory behaviour and on the basis of which it can be presumed that there has been discrimination, the other party against which the complaint has been filed, is obliged to prove that the facts do not constitute discrimination (Article 33, paragraph 7/1).

Article 3

47. The new government (2017) reorganized the responsibilities of line ministries, with gender equality and domestic violence assigned to the Ministry of Health and Social Protection (MoHSP)¹⁵. From September 2013 to September 2017, this had been the responsibility of the Ministry of Social Welfare and Youth (which was dissolved)¹⁶.

48. In addition to health, the MoHSP is now also responsible for developing policies to address gender-based violence, child abuse, women and other groups, gender equality, protection of children's rights, non-discrimination on the grounds of sexual orientation, disability, ethnicity and minority, etc. These responsibilities fall under the responsibility of the Sector of Policies and Strategies for Social Inclusion and Gender Equality at the Directorate of Policies and Development of Health and Social Protection, the General Directorate of Policies and Development of Health and Social Protection.

49. The National Council on Gender Equality (with renewed membership according to the Prime Minister's Order No. 239, of 13 December 2017) is the advisory body for leading, determining and developing state policies on gender equality, as well as for coordinating, implementing, monitoring and evaluating policies and measures to prevent and combat all forms of violence covered by the Istanbul Convention.

50. Central and local government institutions have a legal obligation to cooperate with the Minister in charge of gender equality issues, to exchange information and facilitate the fulfilment of this Ministry's function. This collaboration is facilitated through Gender Equality Officers (GEOs). At the central level, GEOs have been assigned to 11 ministries, while contact points are available at the State Police and INSTAT. At local level, 58 out of 61 municipalities have GEOs, which in most cases also play the role of Local Coordinator against Domestic Violence.

51. Prime Minister's Order 32/2018 appoints the Deputy Prime Minister as the national coordinator on gender equality, assigning him a coordinating role strengthening the National Mechanism on Gender Equality.

52. On 04 December 2017, the Assembly adopted the *Resolution on the Condemnation of Violence against Women and Girls and Increasing the Effectiveness of Legal Mechanisms for its Prevention*, establishing the Sub-Committee on Gender Equality and Prevention of Violence Against Women under the Standing Committee on Labour, Social Affairs and Health. As part of its oversight role, this Sub-Committee requests information on the implementation of the NSGE, reporting

¹⁴ For more details on the legal framework on the burden of proof, please refer to Annex 4.

¹⁵ DCM 508, dated 13 September 2017 *On determining the scope of the mandate of the Ministry of Health and Social Protection*.

¹⁶ Youth-related issues have been transferred under the responsibility of the Ministry of Education, Sports and Youth, employment-related responsibilities have been transferred under the responsibility of the Ministry of Finance – currently the Ministry of Finance and Economy, etc.

on domestic violence or discrimination against women, whilst holding hearings with stakeholders and institutions.

53. The Alliance of Women MPs (with renewed membership in 2017) has come as a result of a lobbying movement of women MPs, aimed at promoting gender equality in the Assembly and at advocating for the inclusion of a gender perspective in laws.

54. On 25.11.2017, the Minister of Justice launched the Coordination Office against Domestic Violence with the aim of coordinating institutional actions at central and local level in order to prevent domestic violence, protect and support DV victims, mainly women and girls, as well as to provide assistance in escalating institutional actions in this regard. The Office is composed of representatives from the Ministry of Justice, the Ministry of Health and Social Protection (State Social Service) and the Ministry of Interior (Directorate for Crimes, at the Sector for Domestic Violence and Juvenile Protection).

Effective coordination and cooperation

55. The MoHSP coordinates with line ministries and local self-government units all national awareness campaigns. Inter-institutional coordination is reflected in all activities of the 2016–2020 NSGE, or in other action plans for the Roma and Egyptian communities, LGBTI, PWD, etc. Domestic violence cases, violence against women and girls, child abuse, etc., are addressed by a coordinated multi-sector approach.

56. Central and Local Government Inter-institutional coordination, as well as coordination with all actors and partners, has enabled the collection and reflection of the voice and concerns of women and girls from vulnerable groups. The presence of civil society organizations, especially women’s rights, in the National Gender Equality Council, or in State consultations on drafting new legislation and policies, or reviewing existing ones, is another opportunity to address the needs of women from vulnerable groups.

57. State Police coordinates its work and cooperates with the PA, CPD, MoHSP as well as with international organizations and partners. Some 70 female police officers have received training on gender-related issues in 2016,¹⁷ whereas 15 meetings/roundtables were held with the CPD in 2018, 30 meetings in 2019 with MoHSP and 10 meetings in 2020 with international partners on gender equality and anti-discrimination.

58. In May 2018, the CPD and the People’s Advocate entered into a cooperation agreement with the aim of ensuring effective coordination and cooperation whilst guaranteeing respect for human rights and freedoms, especially for non-discrimination and equality before the law, promoting rights, freedoms and legitimate interests of individuals, as well as monitoring the implementation of GEL.

Implementation of gender budgeting and the 2011–2015 NSGE&DV

59. Gender Responsive Budgeting (GRB) is part of the 2015–2020 National Strategy for Development and Integration and is included in the management of the budget system through the relevant law amendments (2016). The Law on Local Self-Government Finance (2017) has created opportunities for the effective inclusion of GRB at all stages of the local financial management cycle (annual and medium-term budget programming, monitoring and reporting, evaluation and auditing). It is mandatory for LGUs to address issues of gender equality or full respect for gender equality in at least one of the programme policy objectives, by clearly identifying

¹⁷ Supported by ICITAP and UN WOMEN.

gender products and indicators. As such, LGUs must include as financial indicators the expenditures for policies supporting gender equality from the total expenditures.

Application of GRB¹⁸ over years:

<i>Year</i>	<i>No of budgetary programmes</i>	<i>No of budgetary programmes including GRB</i>	<i>No of objectives</i>	<i>No of products</i>	<i>Budgetary GRB funds (in million USD)</i>	<i>% of the total budgetary expenses</i>
2015–2017	84	9	11	14	38.4	1
2016–2018	84	20	27	23	63.4	1.73
2017–2019	84	24	32	33	90	2.3
2018–2020	84	28	41	41	120	2.4
2019–2021	74	33	52	52	285	6.3

60. Evaluation of the implementation of the 2011–2015 NSGE&DV, conducted through a participatory process, preceded drafting of the 2016–2020 NSGE, which reflected the relevant findings and addressed the identified challenges, as follows.

61. The Strategic Goal of strengthening the National Gender Equality Mechanism was partially implemented. There is a significant improvement of the legal framework, but there are also difficulties encountered by the National Mechanism when organizing activities, coordinating with central institutions, and proper monitoring and evaluation of gender equality commitments. Allocation of sufficient funds and the strengthening of the GEO network at the local and central level continue to be the main challenges.

62. Strategic Goal 2 on women’s participation in decision-making was almost fully implemented. Amendments to the Electoral Code (2015) increased gender quotas from 30 per cent to 50 per cent for women candidates in Municipal councils and increased the percentage of female members from 12 per cent (2011) to 34 per cent (2015). Women’s participation in peacekeeping missions and the Police has increased as well. Empowerment of young women within political parties and changes to the Electoral Code prior to the 2017 Parliamentary Elections were identified as challenges.

63. Strategic Goal 3 on the economic and social empowerment of women and men was partially implemented. The following are identified as key developments: increase in the number of women supported through Employment and Vocational Training Programmes, improvement of the legal framework on women’s loans and entrepreneurship, and lack of human capacity and financial support.

64. Strategic Goal 4 on gender-based and domestic violence was partially implemented. The data showed significant increases in reporting and managing cases, particularly in domestic violence cases. Some of the challenges identified are addressing all forms of violence against women, harmonizing the existing legal framework and its enforcement, improving access to justice, increasing the quality and number of services dedicated to victims/survivors of violence, expanding preventive measures, engaging more men/boys in actions against violence, improving access to services, especially for women in rural areas or groups that are subject to multiple discrimination.

¹⁸ Source: National Report on the implementation of the Beijing+25 Platform for Action”, April 2019.

Integration of recommendations of the Committee on the 2016–2020 NSGE

65. The 2016–2020 NSGE was drafted based on the above assessment, through a comprehensive consultation process. Its strategic goals are:

- (a) The economic empowerment of women and men;
- (b) Ensuring the factual and equal participation and engagement of women in political and public decision-making;
- (c) Reduction of gender-based and domestic violence;
- (d) Strengthening the coordinating and monitoring role of the National Gender Equality Mechanism, as well as raising public awareness on the advancement of gender equality.

66. The 2016–2020 NSGE relies on international and EU commitments on gender equality, key national strategies, obligations under international conventions, including CEDAW, Convention on the Rights of Persons with Disabilities, Beijing Platform for Action, Sustainable Development Goals, etc.

Support for the role of the People’s Advocate

67. The Assembly has paid special attention to the implementation of the recommendations of the People’s Advocate. Decision 49/2017 established the Inter-institutional Assembly – Independent Institutions – Government Mechanism, as well as the Online Inter-Institutional Platform, as a transparent system for the efficient evaluation of the implementation of the recommendations of independent institutions by the Executive and subordinate agencies. This platform has strengthened the role of and support for the People’s Advocate.

68. The People’s Advocate is strengthening its activity for the protection of citizens’ rights, promoting accountability by government bodies, monitoring the implementation of important Conventions (including CEDAW), drafting special reports on gender equality (on violence against women, moral and sexual harassment in public administration, the situation of the LGBTI community, monitoring of gender budgeting, etc.).

69. Nevertheless, the People’s Advocate is limited to guaranteeing the protection of women’s rights only from violations by public institutions. The People’s Advocate shares the view that Parliamentary adoption of the *Resolution recognizing and supporting the work of human rights defenders in the promoting, encouraging and protecting human rights and fundamental freedoms* in 2018 is important in terms of strengthening cooperation amongst all stakeholders.

70. The General Directorate of Prisons (DGP) has ensured access to the People’s Advocate’s Office for regular independent inspections on the treatment of women in the prison system, through the Mechanism for the Prevention of Torture. The recommendations given have become part and parcel of the Action Plan for Fulfilling the People’s Advocate’s Recommendations. Access to monitoring has also been provided to the NPOs the DGP has entered into cooperation agreements with.

71. MoHSP carefully reviews all the People’s Advocate’s recommendations on the promotion of gender equality and fight against gender discrimination, as reflected in: a) completing by-laws for the extension of the economic assistance (benefits) scheme throughout the country with the scoring formula, which targets poor families in an improved manner; b) drafting guidelines for new medical criteria for the assessment of disability and establishment of a multidisciplinary commission with female employees/social workers and doctors/physicians, who also assess barriers to participation in daily activities; c) designing the basket of social services and

submitting it to all 61 municipalities so it would be considered whilst re-organising local structures; d) adopting Law 65/2016 *On social enterprises* for the protection and inclusion of vulnerable groups; e) improving actions against domestic violence by adopting legal amendments and relevant instructions for their implementation, strengthening the Coordinating Referral Mechanisms at the national level and unifying the approach through protocols and standard operating procedures; f) strengthening the capacities of professionals to address LGBTI community issues (training in 2019 with health workers/employees and completion of the module in 2020 with a dedicated chapter on gender equality); etc.

Article 4

72. Albanian State Police have strengthened measures to minimise any form of discrimination against women from ethnic communities, linguistic ones, the disabled community, etc. by organising meetings with CSOs that work closely with the communities, including training 60 members of staff to improve their knowledge on gender-equality and non-discrimination legislation; training 252 employees of the basic and first leader roles on sexual harassment in the workplace (2016); training 69 police leaders on gender perspective (2017); training 80 women police officers, some of whom have received awards by the Conference of International Association of Women Police Officers, etc.

73. The State Police has increased the number of women in its ranks. It now employs 1,539 women (962 police officers and 577 civilian ones) or 14.4 per cent of its staff. 14 women hold the leader rank. In line with the National Gender Equality Strategy (NGES), Albanian State Police drafted an action plan for the integration of women personnel, and organised training on gender equality, CEDAW, etc., with the total number of female employees trained in the Police between 2016–2020 coming to 1,507 women.

74. A study by the Commissioner for Protection from Discrimination on “Gender equality and discrimination in appointed bodies of local government” in 2019 proposed that law 139/2015 on local self-government be changed to address the 30 per cent gender quota in line with the provisions of Article 15 of the said law. In addition, an efficient mechanism should be established to ensure women’s representation in recruitment processes for the local administration, and that the gender quota should be respected by all entities, companies or agencies established by the local government.

75. So as to support groups that experience multiple discrimination, several strategies and action plans have been adopted, in the areas of education, health, property rights, social protection, in the fight against trafficking of human beings, protection from discrimination, etc., such as the 2016–2020 National Action Plan for the Integration of Roma and Egyptians in Albania,¹⁹ the 2016–2020 National Action Plan for LGBT Persons in Albania,²⁰ and the 2020 National Action Plan for Disabled Persons.²¹ They all contain special measures for the inclusion and integration of women of these groups in society, employment, participation in and access to all services.

76. Increasing the participation of women from vulnerable groups is also one of the objectives of the Local Gender Equality Plans drafted by 10 municipalities that have

¹⁹ Adopted by DCM no. 1072, dated 23.12.2015. See: http://www.qbz.gov.al/botime/fletore_zyrtare/2015/12/241.pdf.

²⁰ Adopted on 25 May 2016.

²¹ Adopted in June 2016.

signed the European Charter for Equality for Women and Men in local life.²² The Charter has been signed by 13 municipalities: Gjirokastrë, Tiranë, Korçë, Elbasan, Durrës, Shkodër, Përmet,²³ Bulqizë, Dibër, Librazhd, Cërrik, Pogradec and Kamzë.²⁴

77. Some of the special measures that have been taken in favour of groups that suffer multiple discrimination are increasing subsidies for employers who employ women from vulnerable groups, providing for disadvantaged groups in legislation, adopting the minorities law (2017), reducing poverty and enhancing economic empowerment in particular for women in rural areas, etc.

Article 5

78. In the framework of the global campaign of the 16 days of activism against gender-based violence (25 Nov–10 Dec), Albania has organised activities that raise awareness on the country's legislation, protection mechanisms and services. Activities were coordinated by MoHSP²⁵ in partnership with line ministries, local government and civil society organisations, as per the 2016–2020 NGES. The main slogans during the campaign included: in 2016, *Violence is unacceptable, report it*; in 2017, *Put a stop to violence against girls and women*; in 2018, *Listen to me, too*; and in 2019, *Equality Generation against sexual violence*.

79. Under the UNiTE campaign, there have been awareness-raising activities, such as messages by girls/women who have survived violence,²⁶ from groups suffering multiple discrimination,²⁷ messages on the role of the Coordinated Referral Mechanisms,²⁸ advocating platform for youth, medias and CSOs to address harmful practices, gender-based violence, SDGs and ICPD,²⁹ using innovative tools against gender-based violence,³⁰ lighting up landmarks or government buildings in orange, etc. Awareness-raising activities have also been organised annually in March.

80. In July 2017, CPD organised Open Days³¹ with representatives of the Roma and Egyptian communities to raise awareness on the law for protection from discrimination, to get to know the problems faced by the community and to receive complaints. This initiative continued in 2020³² with organisations operating on the ground. During January–March 2018, CPD organised 12 awareness-raising seminars with the staff of the education sector, social services, domestic violence and child protection units at municipal level, regional employment offices and specialised

²² https://www.ccre.org/img/uploads/piecesjointe/filename/charte_egalite_al.pdf.

²³ With UN Women support, from the municipalities of Gjirokastra and Permet that have not drafted the Action Plan on Gender Equality 2018–2020.

²⁴ With USAID Planning and Local Governance Project, of which only the Municipality of Kamza has not drafted the Local Action Plan on Gender equality 2020–2023.

²⁵ With UN Agencies and other international organisations support.

²⁶ <http://abcnews.al/grise-masken-folfushata-kunder-dhunen-ne-familje/>.

²⁷ <https://www.youtube.com/watch?v=rejoAqVHIB4>.

²⁸ <https://www.facebook.com/PNUDSHQIPERI/photos/pcb.1669355986456504/1669355389789897/?type=3&theater/https://twitter.com/PoliciaeShtetit/status/943867810295566341?s=19>.

²⁹ In particular, the UNFPA has been working in this regard to inform the young girls and boys and the civil society organisations, and lobby women MPs on gender-based violence and the ICPD.

³⁰ “Jo vetëm në 8 Mars (Not only on March 8)” is the title of the video winning the bootcamp with the students of the University of Tirana preparing awareness-raising campaigns. www.al.undp.org/content/albania/en/home/presscenter/articles/2016/03/08/on-international-women-s-day-students-launch-an-innovative-campaign-to-%20end-violence-against-women-and-girls-.html.

³¹ In Shkodër, Fier, Berat and Korçë.

³² In Fier and Shkodër.

NGOs.³³ Two TV spots and awareness-raising in on-line platforms were part 2 information campaigns in 2020. Leaflets were prepared and on-line meetings continuously organised with civil society activists on joint awareness-raising initiatives, parades and exhibitions.

81. Recent studies have shown that child marriage has been explored only a little, and that it affects girls from different fragments of society. It is mostly fostered by gender inequality and social exclusion, and has a series of harmful effects. In October 2018, a well-researched study³⁴ came out – under the patronage of the MoHSP – on attitudes to early marriages, perceptions, push factors, sanctions and norms in Albania. Its findings and recommendations will guide future tackling of this matter.

82. According to INSTAT figures, in 2017, 16.9 per cent of registered marriages involved female spouses under 19 but only 0.5 per cent were male spouses under 19. In 2019, 20 girls had been married before they turned 18. That is 4 fewer than in 2018. That same year, the percentage of girls who married between 15 and 17 years old was very low, with the highest figures at the age of 18 and 19 at 8.2 per cent and 6.8 per cent respectively. No boys were married before turning 18, and only 1 per cent married when they were still between 18 and 19.

Gender-based violence: Free legal aid and the 24-hr phone number

83. Information on free legal aid is found in paragraphs 22 and 23 of this report.

84. The National Counselling Line 116-117 was launched on 24.11.2016 as a 24/7 service in line with the Istanbul Convention. In 2017, 1489 telephone calls were received and 636 face-to-face counselling sessions organised. In 2018, there were 540 telephone calls and 708 sessions. In 2019, 3014 telephone calls and 861 sessions. Between January–September 2020, 4,226 telephone calls were received and there were 488 counselling sessions. The Counselling Line was working during the COVID-19 lockdown, too. In April 2020, there were 60 per cent more telephone calls than on the same month the previous year. Types of violence reported include psychological violence (57 per cent), physical (42 per cent), financial (31 per cent) and sexual violence (7 cases), often combined. There is huge reluctance in reporting sexual violence. Reported cases are far and few.

85. People can also dial 129 (or 112 in Tirana) to reach the Police. Offences, including domestic or gender-based violence may be reported here free of charge 24/7. In 2016, Police received 1567 such telephone calls. In 2017, 2463; in 2018, 2607 calls; in 2019, 1855 and between January–September 2020, there were 1,554 calls.

86. The Ministry of Justice made available the 24-hr service on the free 08001010 number, which anyone can call for free legal aid.

87. Children who are subjected to violence can call the ALO 116111 specialised service, which is also free of charge, and receives state budget funds. ALO 116111 received 2345 telephone calls and referred 774 cases in 2016; 2374 calls and 581 referred cases in 2017, 2212 telephone calls and 1034 cases in 2018; and 4765 calls and 979 managed cases in 2019.

³³ In Durrës, Elbasan, Lushnjë, Fier, Vlorë, Lezhë, Shkodër, Korçë, Kukës, Berat, Gjirokastër, Tiranë.

³⁴ Report “Child Marriage – Knowledge, Attitudes and Perceptions among the affected communities in Albania”, in close cooperation with UNICEF and UNFPA in Albania and with the financial support of the Swedish International Development Agency.

How the Coordinated Referral Mechanisms work

88. Domestic violence cases are dealt with through a well-coordinated and multi-sectoral response, called Coordinated Referral Mechanisms at the local level. CRMs have been established in 56³⁵ out of 61 municipalities with work in the other 5 continuing so the process is completed by the end of 2020. Based on the 2019 assessment report, work has continued to increase the effectiveness of existing CRMs.

89. Under the leadership of MoHSP, some of the main areas of intervention are strengthening the capacities of local coordinators, handling cases as per the type of violence perpetrated (e.g. sexual violence), improving coordination amongst CRM members, drafting/using SOPs or case management protocols, awareness-raising, improving data collection and updating the REVALB system.

90. In February 2020, MoHSP Minister issued orders for the drafting and adoption of SOPs for health and social care workers when dealing with a domestic or gender-based violence case, to enhance the cooperation of CRM members³⁶. For healthcare workers SOPs were approved so as to reduce the risk of experiencing gender-based violence in civil emergency situations. Using SOPs increases CRM effectiveness. In July 2020, 9 online training courses were organised on the use of SOPs with local coordinators, healthcare workers, and social services personnel from all 61 municipalities, a total of 1678 participants.

91. In May 2020, two protocols were prepared³⁷ on how CRMs were to manage COVID-19-related domestic violence cases, and sent to all 61 municipalities for approval by the CRM Steering Committee. Two (2) on-line training sessions were also organised with the local coordinators of all municipalities. Protocols are being prepared to manage sexual violence cases in minors and adults.

92. DCM 334/2011 on the functioning of CRMs is being reviewed to be fully in line with CEDAW and GREVIO recommendations. The first consultations³⁸ have already taken place and the reviewed draft is being completed.

Specialised support services

93. There are 18 specialised support services dealing with housing in Albania, which are managed by either the state or NGOs (or a combination of both). 7 are long-term shelters and 11 are emergency ones (9 built between 2016–2020). The way they work is regulated by adopted standards, in line with the Istanbul Convention. In April 2020, MoHSP ministerial order no. 254/2020 was approved, which is the protocol for the operation of the shelters during the COVID-19 emergency.³⁹ An on-line training session was organised on the operation of the shelters. 37 shelter staff and local municipal coordinators where the service is provided were trained accordingly.

94. The National Centre for Domestic Violence Victims, a state-run shelter, has handled the following cases: 75 (28 women, 47 children) in 2015; 95 (36 women, 59 children) in 2016; 85 (35 women, 50 children) in 2017; 91 (35 women, 56 children) in 2018; 91 (38 women, 53 children) in 2019 and 48 cases (18 women, 30 children) between Jan–Sep 2020.

³⁵ With support from UNDP, UN Women, SCPA, SIDA and other international organisations and NGOs.

³⁶ Prepared with UNFPA support.

³⁷ With UNDP support.

³⁸ With UNDP support.

³⁹ With the support of UN Women. See: <https://shendetesia.gov.al/wp-content/uploads/2020/05/Urdhri-254-per-protokoll-strehezat..pdf>.

95. Following CEDAW and GREVIO recommendations, an assessment of the situation was conducted, along with research on international models/best practices,⁴⁰ a study visit to South Korea and preparing the SoPs.⁴¹ Further to this work, LILIUM, the first crisis management centre for sexual violence victims was established in December 2018. It is a one-stop centre providing 24/7 emergency services for the victims/survivors of sexual violence and their family members in the short-term (24–72 hrs). A multi-disciplinary team of professionals (gynaecologists, paediatricians, psychiatrists, clinical psychologists, social workers, police officers, prosecutors, lawyers and nurses) provides socio-medical services – cooperating with CRMs for long-term treatments at this centre, which was reconstructed to meet necessary service standards. During the COVID-19 lockdown, an additional Regulation was drafted to help with its operation. 60 cases of sexual violence have been treated at Lilium to date.

	<i>0–6 yrs</i>	<i>7–12 yrs</i>	<i>13–18 yrs</i>	<i>19–25 yrs</i>	<i>26–46 yrs</i>	<i>47–60 yrs</i>	<i>over 60 yrs</i>
2019							
Girls/Women	0	4	19	4	2	2	0
Boys/Men	2	1	3	2	0	0	0
2020							
Girls/Women	0	8	9	2	1	0	0
Boys/Men	1	0	0	0	0	0	0

96. There is also advice and counselling for boys and men who have perpetrated sexual violence. This is provided by the two Counselling Lines for Boys and Men (CLBMs) in Tirana and Shkodra. Between 2016 and 2020, Tirana CLBM has treated a total of 366 cases. Cases referred to the CLBM were obliged to take part in the rehabilitation programme for perpetrators of sexual violence.

	<i>Total no. cases</i>	<i>Referred by institutions</i>	<i>Self-referred</i>
2016	46	39	7
2017	67	53	14
2018	90	78	12
2019	110	76	34
January – June 2020	53	23	30

97. Minors, victims of sexual abuse and VoTs enjoy the right to medical care, psychological care and other related-services, which are provided to them by the authorities, various organisations and responsible institutions.

Enforcement of court decisions

98. Albanian State Police have completed and filed a total of 11879 requests for Immediate/Protection Orders (restraining order) to the courts: 2207 in 2016; 2593 in 2017; 3037 in 2018; 2836 in 2019 and 1206 between January-June 2020.

99. The State Bailiff Service has enforced the following within the prescribed timeframe: 296 Immediate/Protection (I/PO) decisions in 2016; 430 I/PO decisions in 2017; 502 I/PO decisions in 2018 and 360 I/PO decisions in 2019. There were also 215 decisions in continuous enforcement in 2019: 147 POs and 68 IPOs. In January–

⁴⁰ With the support of UN Women.

⁴¹ With UNDP support.

April 2020, 160 I/PO decisions were referred to the Bailiff Service for enforcement, 60 of which have been completely enforced, 95 are still under way, and 5 were terminated by the courts.

100. Bailiffs have had to deal with a) work overload; b) unclear protection measures in court decisions, or the court ordering the adverse party to vacate their home and requiring social services to find the perpetrator/adverse party housing whilst social services are unable to provide the service; c) lack of cooperation with other state institutions to meet the needs of the DV victim, such as financial support, medical and social care, housing, psychological treatment, etc. Bailiff training throughout 2020 is a necessity, in conjunction with judges, prosecutors, police officers, psychologists, etc.

Article 6

Investigation, prosecution and conviction of traffickers

101. Albania is a Tier 2 country in the 2020 US State Department TIP Report. The implementation of the 2018–2020 Action Plan for the Fight against Trafficking of Human Beings is implemented by the Anti-Trafficking Section of the Ministry of Interior. Its tasks focus primarily on strengthening national structures, identification, referral and protection of victims, controlling internal trafficking, mainly of girls and women, intensifying prevention and awareness-raising efforts.⁴²

102. Article 75/a of the Criminal Procedure Code (2017) sets out the mandate of the Special Court against Corruption and Organised Crime and provides for the criminal offences that can be tried by this Court. These are any criminal offences committed by a structured criminal group, criminal organisation, terrorist organisation and armed group, as per the Criminal Code. Trafficking in persons is part of the competences of this court, provided the criminal offence is the result of the activity of the above-mentioned groups. Alternatively, these offences are tried in ordinary (district) courts.

103. Law 34/2019 on the administration of seized/confiscated assets outlines the efficient and effective use and administration of assets that are seized or confiscated by judicial institutions or seized by order of the minister of finance, the return to the community of proceeds of crime and the compensation of victims of crime.

104. Law 70/2017 adding to and amending the law on the prevention and dismantling of organised crime and trafficking through prevention measures against assets is enforced on assets that are owned wholly or partially, directly or indirectly by a person for whom reasonable doubt exists of an offence listed under the trafficking section of the Criminal Code, be it the trafficking of minors or adults.

105. In 2016, the State Police identified 69 TIP offences and 103 TIP-related offences. It also conducted 22 Police operations with 222 perpetrators of whom 41 were arrested, 17 were declared wanted, 33 were apprehended and 130 are being prosecuted without being detained (on bail). Two (2) Police operations were conducted in cooperation with international partners. In 2017, the anti-trafficking bodies referred 94 criminal proceedings to the Prosecution, and 2 joint investigations were conducted in cooperation with foreign counterparts against 18 Albanian citizens. 202 TIP criminal offences were detected, for 154 of which 260 perpetrators were identified. 7 criminal groups were dismantled with 92 persons implicated, 37 of whom arrested, 8 apprehended, 19 prosecuted on bail and 5 declared wanted. In 2018, 38 TIP criminal offences and 93 TIP-related criminal offences were identified. Three (3)

⁴² The legal framework against trafficking in human beings is presented in detail in Annex 6 of the report.

operations were completed with 25 perpetrators, 7 of whom arrested ad flagrante, 16 prosecuted whilst on bail, and 4 declared wanted. In 2019, a total of 134 TIP/-related criminal offences were identified. Annex 7 outlines all additional elements reported by the Prosecution, the Ministry of Justice and courts of various instances.

Identification of victims of trafficking (VoTs)

106. In 2016, a total of 134 Border Police employees were trained⁴³ on the identification of irregular migrants who enter or leave Albania.

107. That same year, the Security Academy, in cooperation with the Border and Migration Department,⁴⁴ organised training courses for over 40 Border and Migration Police employees.

108. In 2018, the Border and Migration Department trained 41 staff, 23 of whom received training on countering trafficking of human beings⁴⁵ whilst 18 were trained on the identification of vulnerable groups in mixed migratory flows.⁴⁶

109. In 2019, DG State Police trained 1,163 Border and Migration Police staff on SoPs to be followed by them when identifying, protecting and referring potential/VoTs. Further details on the training are found in Annex 8.

Protection of VoTs

110. Albanian legislation provides for VoTs' exemption from conviction rather than prosecution. Paragraph 2 of Article 52/a of the Criminal Code highlights that "the aggrieved party due to criminal offences related to trafficking in human beings, may be exempt from sentencing for committing criminal offences whilst they were trafficked since the person had been obliged to commit the illegal actions or omissions." In practice, VoTs are not prosecuted because of the criminal offence they were obliged to commit as a result of having been trafficked. In these cases, the Prosecution will argue that the VoT should not be held liable for offences committed due to trafficking because she had no free will and, as such, the subjective aspect of the committing of the criminal offence is lacking.

111. In almost all cases, VoTs are placed in specialised centres where they are provided with shelter, food and other services free of charge. Should they feel threatened, they have the right to join the witness protection programme. Assistance to and protection of potential/VoTs is not dependent on her cooperating with law-enforcement institutions.

112. The Criminal Procedure Code, amended in 2017, includes the victim's right to refuse to answer questions about their private life, when they have no bearing on the criminal offence itself. They may also ask to be heard via audio-visual means, as per the provisions of this Code. There are also provisions for minor (under-age) potential/VoTs or victims of sexual exploitation. The Code has taken on the rights and guarantees provided in the Lanzarote Convention on the child being accompanied by a trusted person, maintaining the confidentiality of all personal data, the trial taking place behind closed doors, etc.

⁴³ From Albanian Caritas.

⁴⁴ With support from International Organisation for Migration (IOM).

⁴⁵ Organised by FRONTEX and Academy of Security.

⁴⁶ Organised in cooperation with IOM.

Financing mobile units

113. There are 6 mobile units⁴⁷ in Tirana, Vlora, Elbasan, Dibër, Kukës and Shkodër, which in 2019 alone, have identified 42 potential/VoTs.

Increasing funds for service centres

114. There is one specialised national shelter and three NPO-run specialised centres, which receive state budget support.⁴⁸ The shelters have trained their staff to ensure the victims safety. Another NPO centre in Tirana⁴⁹ provides immediate care for child victims and shelter up to 21 days.

Service centres	Funds transferred per annum in all				
	2016	2017	2018	2019	2020
National Reception Centre of Victims of Trafficking	21 704 000	22 219 660	22 476 939	20 910 000	20 820 000
Different but Equal Centre, Tirana	6 473 439	9 804 597	8 467 317	9 054 487	9 054 487
Other Vision Centre, Elbasan	7 769 002	5 792 615	7 599 365	7 982 615	7 982 615
Vatra Centre, Vlora	7 635 367	10 489 020	10 729 920	11 283 364	11 283 364

Article 7

Gender quotas and elections

115. There are 41 women MPs in the present legislature of the Albanian Parliament. This is the highest number of women deputies the Albanian Parliament has ever had before. The Deputy Speaker, the Chairs of three Standing Committees and three Subcommittees are women. There are 8 female ministers in the Cabinet, making up 57 per cent of this body. The most recent changes to the Electoral Code in 2020 reiterate that the obligation to respect the principle of gender equality lies with electoral subjects, the electoral administration and the court. The Central Election Commission (CEC) has the right to intervene at any time either to demand that any GE violation is put an end to immediately, or, in case of omission, to have it established in its entirety.

116. During August 2016–June 2017, which marked the end of the 2013–2017 parliamentary legislature, the CEC filled three seats that were notified by Parliament. The GE provision was also respected when the seat was conferred to the female candidate on the multiple-name list of the Democratic Party in the constituency of Dibër (decision 108/2016).

117. 18 political parties and 2,666 candidates were registered for the 2017 parliamentary elections. 1,073 candidates were women, making up 40 per cent of the total number. Pursuant to Article 67, point 6 of the Electoral Code, at least 30 per cent

⁴⁷ Mobile units are groups of human resources from the state institutions, specifically, police employee and CPW of the unit and one NPO member. The target group are mostly children in street situation and vulnerable persons. The standards of their operation have been drafted in cooperation with the organisation “Equal and Different”.

⁴⁸ National Centre of Reception of Victims of Trafficking (QKPVT) in Tirana; *Equal and Different* Centre in Tirana; *Another vision* Centre in Elbasan.

⁴⁹ *Plan & Go* (NPO).

of the multi-name list and one of the first three names in every constituency shall belong to each gender. The CEC imposes administrative sanctions when the gender criterion of the lists is infringed. The CEC fined the Socialist Party ALL 1 million for failure to respect the gender quota in Berat constituency. Similarly, it fined the Socialist Movement for Integration the same amount for failure to respect the gender quota in Tirana constituency. The Democratic Party was fined ALL 12 million for failure to respect the gender quota in 12 constituencies. To date, this is the largest fine ever imposed on a political party from the commencement of the quota system.

118. The Democratic Party appealed the CEC decision (566/2017) but the Electoral College found in favour of the CEC.

119. In 2019, the Albanian Parliament notified the CEC of the 58 seats that had become vacant following the decision of the Democratic Party and the Socialist Movement for Integration to renounce their mandates. The CEC followed procedures accordingly and in full respect of the gender quota.

120. A total of 97 mayoral candidates registered for the 2019 local elections – 80 men and 17 women. There were also 231 multi-name lists for municipal councils with 9,872 candidates, of whom 5,033 were men and 4,839 women. 43.7 per cent of the municipal councils throughout the country are composed of women members. The CEC checked the composition of the lists against the gender criterion, and sent non-compliant cases to the proposing entities. The latter corrected the lists accordingly and had them re-submitted within the legal deadline.

121. Given that the lists were corrected to meet the gender quota, the CEC did not have to apply any sanctions for non-compliant lists. A total of 1,619 candidates became municipal councillors of whom 913 are men and 706 are women.

122. Political parties met the 30 per cent gender quota in the lists they put forward for members for the second-tier electoral commissions (CEAZs) in all electoral processes that were conducted during the reporting period.

Monitoring the implementation of the quota for the participation of women in decision-making

123. A 2019 study published by the CPD⁵⁰ found that of the 58 municipalities that responded, 37 have more than one deputy mayor and 21 have only one (none are women). Of the 20 municipalities with a single/male deputy mayor, none are run by female mayors. Of the 37 municipalities with at least 2 deputy mayors, only 15 have complied with the gender quota. 20 of 37 municipalities have no female deputy mayor although the municipality's organigramme includes at least 2. Of 343 administrators appointed in the 58 municipalities, only 52 are women, making up 15 per cent of the total.

124. Women's participation in academia, as staff members of public and private higher education institutions, rose from 55 per cent in 2015–2016 to 56.6 per cent in 2018–2019. Female teacher numbers also went up from 74 per cent in the 2015–2016 academic year to 77 per cent in 2019–2020. The organigramme of the Ministry of Education, Sports and Youth has 50 per cent more women in 2020 than it did in 2016.

125. The Ministry of Culture has a staff of 59 women and 22 men. 15 management positions are held by women, and 24 by men. The Minister is a woman.

126. The staff of the Ministry for Europe and Foreign Affairs includes 113 women (59 per cent), 31 of whom (50 per cent) have managing positions.

⁵⁰ "Gender equality and discrimination in appointed local government bodies" in cooperation with UN Women Albania.

127. The number of women employed in the Police continues to be low with no considerable changes in the past five years. In 2019, 14.5 per cent of the police force (a total of 10,434 police personnel) were women, according to rank and gender. No woman police officer holds the rank of Executive Leader. In 2019, only one woman obtained the Senior Leader rank and another woman Senior Leader became First Leader. The lower the rank, the larger the number of women. Women officers are found mostly to hold the Inspector and Deputy Commissar ranks. In 2019, 43.7 per cent of the women employed in the State Police were Inspectors in rank, and 11.4 per cent were Deputy Commissars.

128. In the Armed Forces, the first woman ever promoted to the Brigadier General rank, did so in 2016, and was later appointed Commander of the Doctrine and Training Division. She is now the Deputy Chief of the General Staff of the Albanian Armed Forces. In 2018, a former military officer, a reserve colonel, a woman, was appointed Prefect of Tirana. Until March 2019, 9 civilian women and 4 female military officers held the following positions: Minister of Defence, Secretary General of the Ministry of Defence, Deputy Chief of the General Staff of the Armed Forces, director, deputy director and deputy Attaché. Between 2014-March 2019, 50 women military officers (officer, non-commissioned officer, soldier) took part in missions and NATO operations in Afghanistan, Latvia, Kosovo and the Aegean Sea. The first time a woman officer, a second lieutenant, took part in a peace-keeping mission, in Afghanistan, was in 2019 where she served as platoon commander. Two (2) women military officers became part of a UN mission, in South Sudan, for the first time ever in April 2019. In 2019, the percentage of women in the Armed Forces was 19.4 per cent.

129. The percentage of women CEOs or female business owners was 25.7 per cent in 2018, and 25.4 per cent in 2019. The percentage of women CEOs/business owners is higher among small businesses (1–4 employees) at 25.8 per cent, although this figure is lower than in 2018. When compared to the previous year, however, the percentage of women CEOs/owners has increased in companies with 5–9, 10–49 or over 50 employees.

130. Between 2014–2020, the percentage of women employed in the senior management level of the public sector is as follows:

<i>01/2020 – 08/2020</i>	<i>40.3%</i>
2019	41.3%
2018	44.2%
2017	40%
2016	38.8%
2015	34.8%
2014	41.3%

131. The percentage of women appointed across the civil service (in executive, lower management, mid-management and senior management) is as follows:

<i>Year</i>	<i>Percentage</i>
2019	49
2018	54
2017	58
2016	60

<i>Year</i>	<i>Percentage</i>
2015	56.4
2014	60

Participation of women from disadvantaged communities

132. Law 96/2017 on the protection of national minorities includes provisions for the participation of minority girls and women in the public, cultural, social and economic life of the country, in particular in the preservation, protection and promotion of the culture, traditions and identity of the national minority they are part of.

Article 8

133. In 2018, 14 Ambassadors and 1 chargé d'affaires of a total of 72 RoA diplomatic missions were women. Of 63 diplomats at the MEFA, 52.4 per cent are women and 47.6 per cent are men. Women hold the following MEFA senior positions: 1 Deputy Minister, 1 Director General, 4 Directors and 10 Heads of Section. In 2019, female participation in diplomatic missions was comparable to males. The percentage of women is lower in ambassadorships and third secretary positions but higher than men's in the following: minister plenipotentiary, minister counsellor, first secretary and second secretary.

Participation in diplomatic missions, 2019

<i>Post</i>	<i>Number</i>		<i>%</i>	
	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>
Ambassador	36	15	70.6	29.4
Minister Plenipotentiary	3	6	33.3	66.7
Minister Counsellor	6	7	46.2	53.8
Counsellor	9	11	45.0	55.0
First Secretary	8	16	33.3	66.7
Second Secretary	13	20	39.4	60.6
Third Secretary	2	1	66.7	33.3

134. In RoA's diplomatic missions, there are 76 women diplomats (49 per cent), 15 of whom (29 per cent) hold senior positions. Compliance with the gender quota has been reflected in MEFA's 2019–2020 MTBP.

Removing impediments

135. The issue involving the registration of children born to undocumented Albanian parents in Greece was resolved in 2016, as children are now registered upon a statement made by the parents at the Albanian consular office. Greek authorities were unable to add a child whose parents were either undocumented or not in possession of a residence permit to their civil register. Albanian children would, therefore, remain unregistered in the neighbouring country. As of 2016, children can be registered upon submission of a statement made by the parents at their nearest Albanian consular office.

136. According to the data generated by the National Civil Register, 38,513 newborns were both born and registered in 2017. In addition, 6,387 babies were born in

2016 but registered in 2017. 21,482 babies were born and registered between January-August 2018. 7,006 babies were born in 2017 but were registered in 2018. 28,853 babies were registered in 2019 and 17,610 others were registered between January and August 2020.

137. In 2018, some of the child registration provisions of the law on the civil registry were amended, therefore serving as an incentive for the registration of babies immediately after their birth,⁵¹ the registration of babies who have not been registered and children who were born abroad.⁵² Provisions have been made for the registration of children who were born abroad and whose birth document is incomplete (without the child's name) and of a child that is either found or whose parents are unknown (in this case, a statement is made by local authority representatives or public order officials under the territorial jurisdiction of the location where the child is found). Should the afore-mentioned have failed to register the child, the registration procedure is completed by either a civil registry officer or a member of the local child protection unit. The civil registry officer at the local hospital undertakes online searches/verification of the status of the mother and registers the child in the National Civil Register.

Article 9

138. As per previous reports, Albanian legislation on the nationality of women and their children is in full compliance with Article 9 of the Convention.

Article 10

139. Between 2014–2020, several measures have been taken to include Roma and Egyptian children and adults in education. Adopted DCMs and instructions allow for: a) free textbooks and transport for children in 9-year education; b) priority to Roma children in enrolment in kindergarten, and basic and secondary part-time education; c) 50 per cent reduction of tuition fees for post-graduate studies (second cycle/Master's degree) for Roma and Egyptian students;⁵³ d) simplifying school enrolment/return procedures for children, who due to their circumstances, either were unable to attend basic education for at least two academic years, are school drop-outs, street children or not enrolled; e) making it easier for women who have not completed their basic education on a full-time basis to do so on a part-time basis, one or two

⁵¹ The Albanian Government has adopted DCM no. 740, dated 12.12.2018 "Determining the immediate financial assistance (Bonus) for new mothers and its delivery procedure". Such financial assistance is granted to children born in Albania and abroad, registered in a timely manner, according to the time limits provided in the provisions of the civil registration law. Concerning children who will be born from January 1, 2019, in addition to the bonus of 5,000 ALL allocated for the timely registration, within the deadline provided by law, the Albanian government grants another bonus for each child birth amounting to: 35,000, 75,000 or 115,000 ALL. This process is regulated by the Decision of the Council of Ministers and a joint Instruction of two ministers, the Minister of the Interior and the Minister of Health and Social Protection.

⁵² Three by-laws, three instructions of the Minister of the Interior, have been drafted, have entered into force and have become effective for resolving cases. Instruction no. 284, dated 11.03. 2019 "On the procedure of keeping the birth certificate of children, in case of failure to observe the deadline for their registration, within 60 days from the date of birth." Instruction no. 285, dated 11.03.2019 "On the creation, administering and updating of the temporary register of reported births". Instruction no. 286, dated 11.03.2019 "Defining the administrative procedure applied by the civil registry offices when the field of the name in the birth certificate kept outside the Republic of Albania is incomplete".

⁵³ DCM no. 780, dated 26.12.2018.

grades above the one stated on the last school document they have, upon approval by a relevant body;⁵⁴ f) exempting Roma and Egyptian students from tuition fees for undergraduate studies (first cycle/bachelor degree)⁵⁵; g) signing inter-ministerial MoUs to identify and enrol all children subject to mandatory education, including street children; h) eliminating exclusionary and second-rate attitudes towards Roma and Egyptian children in the school community, and i) the preservation and development of the cultural identity, inter alia, of Roma and Egyptian pupils and students.

140. Ministry of Education, Sports and Youth and subordinate institutions at the local level completed the RomAlb portal, as a data source. The implementation of the 2016–2020 National Action Plan on the Integration of Roma and Egyptian Communities remains a challenge for the MoESY in 2020, too.

141. During the 2018–2019 academic year, 15,923 Roma and Egyptian pupils and students (4,823 Roma and 11,100 Egyptian) attended pre-university education, which is an additional 915 when compared to the previous year. During the 2019–2020 academic year, 14,515 Roma and Egyptian pupils and students (4,862 Roma and 9,653 Egyptian) attended pre-university education, or 39 more than the previous academic year. Of 3,792 Roma students enrolled in basic and the upper level of 9-year education, 1,703 are girls. Of 7,915 Egyptian students enrolled in basic and the upper level of 9-year education, 3,513 are girls.

142. The number of Roma and Egyptian girls and women enrolled in pre-university education on a part-time basis has increased in the past four years. The number of Roma girls who attended pre-university education was as follows: 32 between 2019–2020 and 12 between 2017–2018. The number of Egyptian girls who attended pre-university education was as follows: 28 between 2019–2020 and 16 between 2016–2017.

143. The country's legal framework guarantees non-discrimination on the grounds of gender or disability. The database of disabled children is updated every academic year, entering data on age, gender, class, type of disability and place of residence. The needs of disabled children are identified using these data.

144. During the 2019–2020 academic year, over 33 per cent (N=1,540) of disabled children enrolled in basic and the upper level of 9-year education, are girls. Only 10 per cent attend special needs schools. The remaining 90 per cent attend ordinary schools. Girls make up for almost 50 per cent of disabled students attending secondary education.

145. Local education authorities have established multidisciplinary committees that assess the needs of disabled children for an assistant teacher and an individual lesson both at the beginning of the school year and during the academic year. A disabled child is assessed by the school committee, which both monitors the progress of the child and drafts and implements their individual plan.

146. During the 2019–2020 school year, there were 1,318 assistant teachers for disabled children in pre-university educational institutions, including 158 private ones. The number of assistant teachers went up by 34 per cent.

147. Girls' drop-out rates fell to 0.61 per cent in 2016–2017, and to 0.58 per cent in 2018–2019, including:

⁵⁴ For paragraph d) and e) see Instruction no. 17, dated 09.05.2018, "On procedure of attendance of compulsory education by the students who have failed to attend at least two years of basic education and on the part-time basic education".

⁵⁵ DCM 40 dated 23.01.2019.

(a) From 0.53 per cent in 2016–2017 to 0.46 per cent in 2018–2019 in basic education,

(b) From 0.50 per cent in 2016–2017 to 0.44 per cent in 2018–2019 in primary education, and

(c) From 0.56 per cent in 2016–2017 to 0.47 per cent in 2018–2019 in secondary education.

148. According to INSTAT, the percentage of students who graduated with a degree in STEM-related subjects from 2016–2019 is as follows:⁵⁶

Subject	2016–2017		2017–2018		2018–2019	
	F	M	F	M	F	M
Engineering, manufacturing and construction	5%	14%	5.8%	16.1%	5.3%	17.5%
Natural sciences, mathematics and statistics	5%	4%	4.7%	3.5%	4.7%	2.9%
Information Technology, Communication	4%	9%	4.7%	10.4%	3.7%	8.6%
Agriculture, Forestry Fishing and Veterinary	2%	4%	2.9%	5.9%	2.2%	5.3%

Article 11

149. The National Skills and Employment Strategy (NSES) and its 2014–2020 Action Plan were revised and extended to 2022, confirming all four strategic priorities as relevant. Indicators, also revised to 2022, are based on a set of data in close cooperation with INSTAT. All monitoring services and programmes provided by the National Skills and Employment Agency (NSEA) also include GE indicators, which are reflected in the statistical programme revised at the end of every calendar year, and reflected accordingly in all periodic reports. The Employment Service database also include gender-related labour market data.

150. Women’s employment rates (15–64 years) have increased. They were respectively 58.3 per cent (2016), 57.7 per cent (2017), 59.7 per cent (2018) and 61.6 per cent (2019). Employment Offices have found employment in 25,170 cases in 2016 (53.5 per cent women), 23,136 in 2017 (50.5 per cent women), 32,846 in 2018 (50.4 per cent women) and 30,391 in 2019 (49 per cent women). The number of long-term unemployed jobseekers has decreased from 54,323 persons (28,007 women) in 2016 to 35,194 persons (19,221 women) in 2019.⁵⁷

151. Employment rates (15–64 years) in 2019 were 68.2 per cent for men and 54.4 per cent for women. 27.1 per cent of women were in paid employment whereas 15.2 per cent were not paid for the work they provided to the family business. Rates of men in paid and unpaid employment are respectively 31.3 per cent and 10.8 per cent. Self-employment rates are 26.1 per cent (men) and 12.1 per cent (women). The majority of both men and women tend to be employed in the agricultural sector.

152. Employment of both men and women in the agricultural sector has decreased: 45.4 per cent women and 36.2 per cent men in 2016, 42.5 per cent women and 34.9

⁵⁶ INSTAT, publication “Women and men in Albania”, in 2018, 2019 and 2020.

⁵⁷ INSTAT, “Men and Women in Albania, 2020”. See: <http://www.instat.gov.al/media/7376/burra-dhe-gra-2020.pdf>.

per cent men in 2017, 42.3 per cent women and 33.5 per cent men in 2018, and 41.6 per cent women and 32.3 per cent men in 2019. A decrease is noted in the mining industry, energy, gas and water supply sector with 1 per cent women and 3.9 per cent men in 2016, 0.6 per cent women and 3.7 per cent men in 2017, 0.8 per cent women and 3.3 per cent men in 2018 and 0.8 per cent women and 3.2 per cent men in 2019.⁵⁸

153. 2019 unemployment rates (15–64 years) were 12.2 per cent men and 11.8 per cent women. Compared to 2018, unemployment rates had gone down for both genders, falling by 1.0 per cent for men and 0.5 per cent for women.⁵⁹

154. The total number of unemployed jobseekers who were part of the employment promotion scheme in 2016 was 5,211 persons (2,233 women), 5,264 persons (3,239 women) in 2017, 4,808 persons (2,260 women) in 2018, and 5,338 persons (3,045 women) in 2019.

155. The number of unemployed jobseekers enrolled in a vocational training course was 12,710 persons (7,032 women) in 2016, 17,297 persons (6,200 women) in 2017, 12,403 persons (4,931 women) in 2018, and 8,818 persons (3,882 women) in 2019.

156. 19,019 students enrolled in vocational high schools across the country in 2017–2018. 2,715 (14 per cent) were girls. 19,311 students (3,102 female students, 16 per cent) enrolled in the same schools the following academic year.

157. Average gross monthly wages have increased for both genders, as follows:

Year	Average gross wages p.c.m. in ALL	
	Men	Women
2016	50 084	44 354
2017	51 392	46 018
2018	53 181	47 490
2019	54 940	49 411

158. In 2019, the gender pay gap (GPG) was highest in the manufacturing sector (24.6 per cent) and lowest in the construction sector (0.7 per cent). The highest GPG rate (24.2 per cent) is found in persons who are involved in crafts or who assemble equipment and machineries. GPG's lowest rate (3 per cent) is in the Armed Forces. In other words, men are paid 3.0 per cent more than women in AF.

159. Public employment services are provided free of charge to both employers and employees. Law 15/2019 obliges the Albanian state to take all necessary steps and provide appropriate resources to ensure that employment offices provide specialised services to special needs groups who are seeking help joining the labour market. In addition, information is to be provided in a way that is easily understood by disabled unemployed jobseekers.

National Employment Service data

	2015	2016	2017	2018	2019
Total number of unemployed jobseekers	145 147	93 889	83 497	64 781	68 589
Unemployed women jobseekers	73 208	49 735	44 220	34 172	36 523

⁵⁸ INSTAT, "Men and Women in Albania", 2020.

⁵⁹ Labour Force Survey. More data on women's employment are found on Annex 9 of this report.

	2015	2016	2017	2018	2019
Unemployed persons who receive financial assistance and unemployment benefits	65 458	45 738	41 251	22 345	24 651
Women	33 061	23 960	21 181	11 225	12 454
Long-term unemployed jobseekers	68 885	54 323	42 594	32 473	35 194
Women	33 721	28 007	21 622	17 850	19 221
Unemployed jobseekers from special groups	13 470	7 600	7 162	6 557	7 919
Women	6 164	3 778	3 602	3 168	3 835
Total number of persons employed through employment offices	1 222	25 170	23 136	32 846	30 391
Women	53%	53.5%	50.5%	50.4%	49%
Unemployed persons involved in employment-promotion programmes	5 805	5 211	5 264	4 808	5 338
Women	70%	56%	62%	55%	50%
Unemployed jobseekers who have enrolled in free vocational training courses in public centres	13 887	12 710	9 461	8 470	8 714
Women	5 672	5 678	4 454	4 779	4 832

Article 12

Contraceptive method

160. Integrated health care for women in all health centres across the country includes care before, during and after birth for both mother and baby, family planning, prevention and early diagnosis of breast and cervical cancer, sexual health, prevention and treatment of sexually transmitted diseases (STDs) and other infections/diseases of the reproductive tract, managing violence against women and domestic violence, etc. The service aims to reduce maternal and perinatal diseases and mortality, decrease the number of unwanted pregnancies, unsafe abortions, early pregnancies, premature and under-weight births, and to provide safe abortion services and STD controls.

Abortion data, 2015–2019.

Years	Births	Abortions	Abortion Rapport	Birth-to-Abortion Ratio
2015	32 715	5 880	180	5.6 :1
2016	31 733	5 410	170	5.9 :1
2017	30 869	5 279	171	5.8 :1
2018	28 934	5 532	191	5.2 :1
2019	28 561	5 183	181	5.5 :1

161. The majority of abortions are found in the 20–34 age group. In the 15–17 age group, the highest abortion rate was in 16-year-olds: 132 abortions per 1,000 live births. In 2019, the highest number of terminated pregnancies was in young women who had completed 9-year secondary education (34.8 per cent) and high school education (25.6 per cent). Abortion rates are lowest in women with primary education alone (2.6 per cent) and highest (23.3 per cent) in women with higher education. 78.2 per cent of women who terminated their pregnancy were married, and 7.8 per cent single. Abortion rates in divorced or widowed women are very low. Trends have

remained more or less the same for abortions by either unemployed or uninsured women (55.1 per cent). There was an increase (2.1 per cent) in the abortion rate of employed women in 2019.

Marginalised women's access to health services

162. Albanians between 35 and 70 years of age can obtain health checks at their health centre free of charge. MoHSP organised the How are you? large-scale awareness-raising campaign with posters and other materials explaining how a health check is arranged, and their significance to one's health. 482,716 checks were conducted in 2019, that is 7,716 more health checks than the projected 475,000.

163. Although limited to a five-year-period, the 2016–2020 National Health Strategy has set out the key objectives to improve health care by 2025. The Strategy aims to increase investments in health infrastructure and medical equipment to ensure universal access and quality in the provision of healthcare. The cost of reconstruction works to take place in 105 health centres in 2020 will be covered by a limit fund of ALL 651,153,042 over two years. ALL 422,991,042 have already been allocated in 2020 with the remainder due in 2021.

164. Albania's MoHSP is implementing the 2011–2020 National Action Plan against Cancer. 15 stationary and 2 mobile mammogram machines provide breast cancer screening across the country. The data from the public health system show that 8837 tests were conducted in 2016, 10393 in 2017, 16032 in 2018, and 19626 in 2019.

165. Albania has taken important steps to strengthen inclusive sex education in schools. The bodies involved in these efforts are MoESY, the Continuous Education Institute and CSOs with financial support from international organisations. Teacher training programmes are extended through the academic year with 110 hours in 3–4-day modules, including individual teacher work.

166. The *Life Skills and Sex Education Programme* comprises modules in biology, health and physical education, and is compulsory for children from 10 years onwards with a total of 140 teaching hours. Children learn about development at different ages, reproduction, reproductive organs, sexual maturity, the development of the foetus during pregnancy and the impact of drugs, disease and diet, contraceptive methods, abortion, sexual relations at an early age, the STDs mostly found in Albania, including HIV/AIDS, gonorrhoea, syphilis, etc.

Health sector budget

167. Since 2015, Albanian patients receive 10 nephrology and cardio surgery services free of charge in both public and private hospitals, as follows: dialysis, kidney transplants, transplant rejection therapy, pacemaker implantation, coronary angiography, coronary angioplasty, aortic valve interventions, congenital interventions, coronary bypass, and cochlear implantation in children who are hard of hearing. These procedures, which are refunded completely by the Compulsory Health Insurance Fund (CHIF), are provided on the basis of MoHSP protocols. Funding will first go to the public hospitals. Should they be unable to carry out these procedures, the CHIF will make sure that private hospitals will carry them out instead. Patients receive treatment after being put on the waiting list, for which clear and transparent rules have been ensured.

168. Albania remains a country with low HIV prevalence (0.03 per cent, whilst incidence is 0.003 per cent), although there has been an increase in diagnosed cases in recent years.

HIV/AIDS incidence according to years and gender⁶⁰

<i>Years</i>	<i>Number</i>		<i>%</i>	
	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>
2016	105	23	82.0	18.0
2017	69	25	73.4	26.6
2018	76	26	74.5	25.5
2019	72	29	71.3	28.7

169. Treatment and care of HIV/AIDS patients is provided at the Mother Theresa University Hospital Centre, primarily at the Infectious Diseases Hospital and the Paediatric Hospital, in which direct care is received. Other hospital services are involved, too, such as the Diagnostic Imaging Department, Clinical Laboratory, Microbiology, Immunology and the Pharmacy section. First line ARV medication is provided free of charge by a special MoHSP fund.⁶¹

Number of HIV patients receiving ARV therapy

2015	
Women	130
Men	293
Total	423
2016	
Women	145
Men	352
Total	497
2017	
Women	157
Men	411
Total	568
2018	
Women	179
Men	402
Total	581
2019	
Women	187
Men	424
Total	611

Article 13

170. The improved legal framework for the economic empowerment of women was analysed earlier in this report (Article 2). In 2019, 0.5 per cent of the population had

⁶⁰ Institute of Public Health.

⁶¹ Strategic Document and Action Plan on Sexual and Reproductive Health, 2017–2021, MoHSP (pg. 42). https://shendetesia.gov.al/wp-content/uploads/2018/08/SRH_National_Strategic_Document_2017_-_2021.pdf.

access to the basic package of social care services. In 2017, this figure was 0.4 per cent.

171. In 2018, the Council of Ministers adopted a decision in aid of the implementation of the law on social enterprises. The decision provides a fund of 249,760,000 ALL between 2019–2021, of which 37,000,000 ALL are to go towards the creation of new jobs, 7,776,000 ALL towards compulsory health and social insurance for employees from disadvantaged groups, and the remainder for social enterprises themselves upon presentation of a business plan. The new business has to employ at least three new people with a disadvantaged background within the first 12 months of operation commencing the day the subsidy is received. Subsidies are dependent on employment of disadvantaged groups for a period of no less than 2 years.

172. Local Self-Government Units (LGUs) may also apply for the social fund to meet the needs of disadvantaged groups. Almost 80 per cent of LGUs have drafted Social Plans with the support of international organisations and State Social Services, including measures for DV victims, VoTs and other vulnerable women. However, municipal councils have yet to approve all plans. In April 2019, MoHSP launched the first call for LGUs to apply for the Social Fund. In November 2019, 14 municipalities had been disbursed 69,117,366 ALL (around 690,000 EUR) to fund social services for 12 months, i.e. the needs of disabled persons, the elderly, children and women in emergency situations/DV victims, etc. In 2020, two municipalities were financed via the Social Fund to establish emergency centres in their areas.

173. In 2019, 4,932 women received economic assistance/benefits. Following the November 2019 devastating earthquake, a decision was taken to award around 63,510 families twice the amount of benefits. 4,524 families that had applied for economic assistance/benefits between Jul 2019-March 2020, were identified as families in need, and, as such, although they were not part of the scheme, they received payments of 16,000 ALL each.

174. DV victims are awarded 3,000 lekë/month: 42 in 2016, 9 in 2017, 11 in 2018 and 55 in 2019.

175. Public social services are provided in 30 residential centres and 119 community/day centres, whereas private ones are provided by either NPOs or religious charities/organisations in 86 community/day centres and 41 residential ones. There is a total of 276 centres providing various services across the country. Non-public centres ensure the provision of around 46 per cent of social services, whilst public ones 54 per cent. Community/day centres deal cover around 74 per cent of social services, whilst residential centres 26 per cent. In 2019, the state provided public residential/day centre services to 1,716 people. The number of children who receive alternative custody (not a residential service) has increased by 13 per cent. 0.5 per cent of the population has access to the basic package of social services. The total of the fund financing social services in municipalities and qarks in 2019 was 149,195,353 ALL. In 2019, 12 specialised services were funded in 6 qarks, the total coming to 62,000,000 ALL.

176. The National Action Plan for the Socio-Economic Re-integration of girls and women who were P/VoTs was adopted in 2016.⁶² It aims to address their re-integration by providing economic empowerment, employment and vocational training, housing, education and social care.⁶³

⁶² DCM 115/2016.

⁶³ See Annex outlining economic empowerment activities.

177. Law 111/2018 “On the Cadastre” has regulated GE in property registration. When a property due for registration was acquired after marriage, pursuant to Article 76 of the Family Code, the title deed reflects both spouses, unless they prove that the property is subject to a special property regime. As to title deeds issued before the entry into force of this law, there are also provisions in it for spouses to write to the local property registration office and ask for the title deed to be updated so as to show their name, too, as long as this property was acquired after marriage. This provision applies to the registration of legalised properties, construction contracts, or the promise of sale when the aim is to pass the ownership of the property from one party to another in the future.

178. In 2018, CPD recommended that the Agency for Legalisation, Urbanisation and Integration of Informal Areas/Construction takes appropriate measures to ensure the registration of the legalisation permit in the names of both former/spouses.

Article 14

179. The Ministry of Agriculture and Rural Development intends to continue to address issues of importance for women in rural areas, such as the reduction of poverty and their economic empowerment. The guidelines for the use of the Agriculture and Rural Development Fund (ARDF) awards 5 additional points to female applicants applying for the Investment Scheme. As to the National Scheme, the 2018 ARDF achieved the following: (i) support for investments in agro-tourism upon submission of a business plan, up to 50 per cent of the total value of tax invoices but no more than 20 million lekë – 5 women applicants were beneficiaries of this scheme; (ii) incubator support to produce local traditional products, up to 70 per cent of the value of the tax invoices issued but no more than 15 million lekë, as per the business plan – 5 women applicants became beneficiaries of this scheme; (iii) support to build or reconstruct rural tourism premises with at least 6–10 rooms, up to 50 per cent of the value of tax invoices but no more than 1.5 million lekë – 5 women applicants were beneficiaries.

180. Extension services were offered to 7,100 women farmers (11 per cent) in 2016, and 7,300 women farmers (11 per cent) each year in both 2017 and 2018. A total of 2,650 farmers applied to the ARDF in 2016, 479 (18 per cent) of whom were women. Of 999 farmers who applied for ARDF funds, 159 (16 per cent) were women. 779 women applied to the National Support Scheme in 2018. 734 women applied to the direct schemes, whilst 45 to the investment scheme. A total of 627 women became beneficiaries, 607 women in the direct schemes and 20 in the investment one. In 2019, the Agricultural and Rural Development Agency (ARDA) published the list of 4,009 applicants who would become recipients ARDA subsidies, 571 (19 per cent) of whom were women. Budget funds disbursed to women in 2019 came to 99 million lekë. Extension personnel in the 4 regional agricultural extension agencies have contacted and provided information to around 70,000 farmers, of whom 7,000 were women (10 per cent).

Article 15

Elderly women

181. A recommendation followed the assessment of the sectoral laws regulating aging-related matters (the law on social assistance, social housing, social care services, etc.) and reforms undertaken in this area. However, the conclusion reached was that a law specifically on the elderly was unnecessary.

182. A national policy document on aging has been adopted, along with the 2020–2024 national action plan (DCM 864/2019). It addresses elderly rights to social and health services according to their needs, providing services in proximity to the client, guaranteeing the right to these services and the right to choose an alternative, or providing multidisciplinary services with the aim of the re-/integration and/or the improvement of the quality of life of the elderly. It also sets out the responsibilities of various actors and empowers municipalities in the discharge of their duties.

183. In 2018, the structure of urban and rural pensions was almost the same, despite the various categories included in this heading. On average, 78 per cent of the total number of urban pensions are retirement ones (394,744 persons in total, of which 190,663 were women). 13 per cent are invalidity/disability pensions (63,045 persons in total, of whom 26,033 women) and 9 per cent are family pensions (46,861 persons in total, 22,615 women). On average, 89 per cent of rural pensions are retirement ones (113,763 persons in total, of which 75,949 women). 6 per cent are invalidity/disability pensions (total of 7,129 persons, 3,171 women) and 5 per cent are family pensions (6,192 persons in total, 3,082 women). In 2018, the average urban pension p.c.m. went up by 2.2 per cent from the previous year (from 15,527 ALL in 2017 to 15,875 ALL in 2018), whilst rural pensions decreased by 0.1 per cent (from 8,808 ALL in 2018 to 8,792 ALL in 2019).

184. 47.1 per cent of the total number of urban pension recipients in 2019 were women. The gender ratio of rural pensions is considerably different with 66.4 per cent of the total being women. The average retirement age is 65.1 years for men and 61 for women, other than mothers of numerous children, who can retire at the age of 55.8. In 2020, 5,453 persons have contributed voluntarily to the insurance scheme. 63.3 per cent are women.

185. The following categories of Albanian citizens are eligible for social pensions: (i) have turned 70; (ii) have been permanently resident in Albania for at least the past five years; (iii) fails to meet the criteria for any type of pension from the compulsory scheme; and (iv) has no income, or the income from other sources is smaller than the social pension. The basic social pension has gone up from 6,750 ALL/month in 2015 to 7,283 ALL/month in 2018. Those in receipt of income from property, bank interests, shares, etc. receive a smaller amount – 7,262 ALL/month, dependant on the amount of income received. According to data from the Social Insurance Institute, 2,173 women have been in receipt of this type of pension from the entry into force of this law in 2015.

Roma and Egyptian women

186. The 2016–2020 National Action Plan for the Integration of Roma and Egyptian Persons aims to increase the access of both communities to public services by permanently removing barriers across all sectors, and for them to be in receipt of a more comprehensive education, more employment and better integration in society. Some of the main objectives of this plan are to increase the number of Roma and Egyptian persons who use basic health services, more Roma and Egyptian girls and boys who complete all levels of education, more Roma and Egyptian families included in direct or indirect social housing programmes, and more Roma and Egyptian community members included in social protection programmes.

187. MoHSP is the institution implementing the 2016–2020 NAP for the Integration of Roma and Egyptian Persons, a complex document that addresses some of the most important issues and challenges the Roma and Egyptian communities are faced with. The Plan outlines the strategic goals in various areas, such as civil registration, education and the promotion of inter-cultural dialogue, employment and vocational training, health care, housing, urban integration and social protection.

188. In 2018, MoHSP adopted the National Community Health Care Programme through which it provided dedicated health services to Roma and Egyptian women free of charge. These services included gynaecological and obstetrician ultrasound scans, smear tests, consultation visits and all necessary services. The objective of the initiative is to improve the life of every single woman, in particular women from marginalised communities, to enable them to receive quality health services in a timely fashion. For instance, Roma and Egyptian women and women from other marginalised communities are able to receive dedicated gynaecological services at a particular time slot at the Queen Geraldine Maternity Hospital in Tirana.

189. In 2015, the government adopted a decision setting out the primary health services of the public health sector, funded by the Compulsory Health Insurance Fund. The document highlights the attention that must be paid to individual health plans for Roma and Egyptian women, including regular health checks and follow-up and advice from health care personnel, in conjunction with the obstetrician/s at the local clinic/hospital.

190. The RomAlb system shows that the mother and baby care programme for Roma and Egyptian mothers giving birth in hospital was a success with numbers going up considerably in the past five years from 1,961 in 2016 to 2,059 in 2017, 7,753 in 2018 and 11,797 in 2019.

191. Awareness of Roma and Egyptian women was raised on physical, mental and reproductive health, STDs, the immunisation of children between the ages of 0–14, the dangers of using drugs, etc., as per the table below.

	<i>Total no of Roma & Egyptian persons</i>	<i>Roma & Egyptian Women</i>
2016	4 605	2 775
2017	10 258	5 285
2018	16 650	9 877
2019	30 003	17 850

192. Roma and Egyptian women who receive economic assistance/benefits, have been included in re-integration programmes with increasing numbers: 201 Roma (112) and Egyptian (89) women in 2016, 849 Roma (554) and Egyptian (295) women in 2017, 1,065 Roma (729) and Egyptian (336) women in 2018, and 2,631 Roma (1,785) and Egyptian (846) women in 2019.

193. The social protection programme was extended to 4 Roma and Egyptian VoTs in 2016, 2 Roma and Egyptian VoTs in 2017, 1 VoT in 2018, and 3 Roma and Egyptian VoTs in 2019. The National DV Victim Training Centre provided services to: 4 Roma (2 women, 2 children) and 9 Egyptian (4 women, 5 children) domestic violence victims (DVs) in 2016, 2 Roma (1 woman, 1 child) and 3 unaccompanied minor Egyptian DVs in 2017, 11 Roma (4 women, 7 children) DVs in 2018, 11 Roma (3 women, 8 children) and 2 Egyptian (1 woman, 1 child) DVs in 2019, and 4 Roma (1 woman, 3 children) DVs in 2020.

Disabled women

194. The 2016–2020 National Action Plan for Persons with Disabilities (PwDs) was drafted in full compliance with the fundamental principles of the UN Convention on the Rights of Persons with Disabilities and the European Disability Strategy (2010–2020). The strategic objectives of this plan extend to disabled women, too, and include access to services and information, access to the justice system, labour market participation, good quality and comprehensive education, accessible and equal health

care, participation in public and political life, and accessible and affordable services/benefits. The national action plan that will cover the forthcoming 5 years is being drafted at the moment. Of a total number of 55,235 persons with disabilities in Albania, 22,407 are girls and women.

195. In 2019, 281 out of 542 PwDs were women/unemployed jobseekers that had registered with the National Employment Offices across the country. It is very difficult to find employment for females with disabilities. However, they are part of the consultation round tables, part of the discussions regarding draft-policies or legislation, and in inter-ministerial meetings or hearing sessions in Parliament.

Migrant women

196. The Ministry of Interior has always respected all international principles for the treatment of migrant women, such as non-discrimination, gender equality, family reunification and *non-refoulement*.

197. The Albanian legal framework has been approximated with the EU *acquis* in the past few years, therefore allowing for and demanding a migration policy that is both robust and coherent. Normative acts have improved procedures, travel documents, visas, employment, stay, and the protection of all migrants and their families, including the observance of international principles for the treatment of migrant women.

198. The National Migration Strategy and its Action Plan, approved by DCM 400/2019, aims to improve the awareness of migrants about their rights, to facilitate their access to the support or various types of services that are available to them. Special attention is paid to the elimination of barriers for women migrants to be able to enjoy these rights effectively. Some of the measures aim the following: the formulation, by the end of 2020, of a new contingency plan to manage mixed migratory flows, in particular when considering the vulnerabilities of the people on the move (unaccompanied minors, VoTs, asylum-seekers, PwDs, etc.). Other measures aim to improve the infrastructure of border crossing points so as to meet the needs of various groups of migrants (children, the elderly, PwDs), train border staff to identify the most vulnerable categories of migrants when they are part of massive mixed flows, formulate and follow clear SoPs for assisted voluntary return, including vulnerable categories, and encourage women to become part of border police.

199. In 2019, the authorities stopped 11,890 irregular migrants (2,790 women), a considerable increase to the 6,893 irregular migrants (404 women) in 2018.

200. In 2015, there were 10,563 foreign nationals (3,877 women) in possession of a residence permit in Albania. In 2016, this number was 12,519 persons (4,195 women), in 2017 there were 12,906 persons (4,511 women), in 2018 14,162 persons (4,959 women), whereas in 2019 the number of foreign nationals in possession of a residence permit was 13,507 (5,001 women).⁶⁴

201. In 2015, 67,100 Albanian citizens applied for asylum in the EU.⁶⁵ In 2016, there were 29,645 asylum applications by Albanian citizens, 22,735 applications in 2017, 19,825 in 2018, and 20,740 applications in 2019.

⁶⁴ <http://www.instat.gov.al/al/temat/treguesit-demografik%C3%AB-dhe-social%C3%AB/migracioni-dhe-integrimi-i-migrant%C3%ABve/#tab2>.

⁶⁵ <https://easo.europa.eu/sites/default/files/Statistical-tables-2.pdf>.

LBTI Women

202. Albanian State Police has improved its IT system, which generates data on the motive behind an offence – whether it was due to one’s sexual orientation, and hate speech.

203. No hate speech/sexual orientation related offences were identified in either 2016 or 2017. There were 6 hate speech-related (due to one’s sexual orientation) offences in 2018, 7 in 2019 and 0 recorded in the system in 2020.

204. The State Police and the Security Academy have refreshed/updated their training modules⁶⁶ with special attention to LGBTI issues.

Women in detention centres/penitentiary institutions

205. The 2019–2021 Prison System Action Plan includes measures and rehabilitation programmes/activities for women detainees/convicted prisoners, and staff training.

206. DG Prisons signed MoUs with 8 NPOs with expertise in human rights issues to help improve the treatment of women in penitentiary institutions, provide services and conduct activities of a rehabilitating/re-integrating nature. NPOs provide, inter alia, psychological, legal and medical services, and implement projects⁶⁷ for the re-integration and awareness-raising of women detainees or inmates who have been convicted of domestic violence offences.

207. Treatment programmes⁶⁸ have been provided to perpetrators to prevent violence against girls and women in the future. As of October 2017, girls at the Kavaja institution for minors are being trained in pyrography.⁶⁹ In 2019, a new website was launched – Made in Prison⁷⁰ – for the sale of products that are hand-made by female detainees or prisoners.

208. Female detainees and prisoners are accommodated in a separate penitentiary institution, which is run and looked after by female personnel only.

209. The table below sets out the number of female detainees and prisoners in the penitentiary system for the period of July 2016–May 2020.

<i>Women in penitentiary institutions from 2016–May 2020</i>			
<i>Years</i>	<i>Convicted prisoners</i>	<i>Detainees</i>	<i>Total</i>
2016	56	47	103
2017	48	41	89
2018	63	39	102
2019	60	31	91
May 2020	30	19	49

210. Women in the penitentiary system are treated according to their education, socio-economic status, capacities and skills. DG Prison staff provide moral support, encourage professional qualifications, education, training, advice, counselling,

⁶⁶ Supported by the Council of Europe.

⁶⁷ With the support of UN Agencies or EU Delegation.

⁶⁸ In cooperation with “Counselling Line for Men and Boys”.

⁶⁹ In cooperation with Albanian CARITAS.

⁷⁰ This initiative was part of the *Orkidea* project implemented by an NPO funded by the US Embassy.

participation in other activities and contacts outside the institutions with the aim of enabling their re-integration in society serving their sentence.

211. Social care personnel assess the psychological and social needs, along with the skills and vocational training/education of each inmate. An individual plan is then prepared by a team of psychologists, social workers and educators, which includes counselling, therapy, education, vocational training, employment, library services, and other relevant service/s.

212. Cognitive behaviour therapy, which tends to reduce the likelihood of recidivism, gives the girls and women the chance to strengthen pro-social skills and attitudes, decreasing attitudes of a criminal nature. Professional training courses⁷¹ provide childcare skills, secretarial skills, tailoring, hairdressing, etc. to help prisoners gain skills that will enable them to provide for themselves upon release. Employment opportunities are also be provided within prison premises. Art therapy is encouraged through painting, pyrography, crafts, etc. Various activities are also organised, including educational, cultural, sports and religious ones.

213. Mental health problems are examined and followed by prison psychiatrists, who provide psychological examination and, where necessary, antipsychotic medication. These women are treated in a Special Care Unit in compliance with the Mental Health Law and MoHSP-approved protocols. 3 women are being treated at present for various mental health disorders/illnesses.

214. A release plan/programme is formulated for all women inmates 6 months prior to their release. In October 2017, the Prison Service signed an MoU with Tirana Municipality on the re-integration support networks in the community, providing backing for initiatives or social projects that involve, inter alia, women in penitentiary institutions and minors in conflict with the law. A similar process is also under way with other municipalities to enable re-integration services for women (and other inmates) for their successful re-integration in society.

215. Maintaining, improving or re-establishing constructive relationships with family members is very important. Mothers of young children/minors attend a course on Distance Parenting to help them cope whilst serving their sentence and during re-entry. Women can meet their loved ones 4 times a month plus on special occasions or during festivities when the duration of the visit is longer. Women inmates are allowed to be with their babies/children until they turn 3 by allowing them to be accommodated in the special mother and child unit. There are also special crèches/nurseries available.

216. In September 2016, DGP conducted a needs assessment of the inmates with the aim of strengthening access to education and vocational training. 70 inmates were involved, including 20 minors and 10 women inmates. Its findings were forwarded to and discussed with representatives of stakeholder institutions.

217. The Council of Europe recommendations for the Prison System have been translated into Albanian with the support of the OSCE Presence in Albania.

218. Gender issues and the re-integration of women inmates in society are part of the staff modules. In 2019, 40 members of staff covering various disciplines were trained because of their work with women inmates/detainees.

219. All detainees or convicted prisoners are no longer economically active and, therefore, receive health services free of charge, as provided for by the health

⁷¹ On average 70 women in prison attend the vocational training courses during a one-month period. Courses are selected based on women's requests and skills.

insurance scheme. Upon entering the prison service, all women are examined – the prison hospital laboratory takes no longer than 72 hours to provide test results.

220. 27 mammograms and 27 smear tests were conducted in 2016, 40 check-ups, 32 mammograms and 50 smear tests in 2018, and 15 mammograms in 2019. Information sessions were conducted in conjunction with MoHSP⁷² on all medical examinations. 24 women (in 2018) and 14 others (in 2019) took part in voluntary examinations of Hepatitis B & C, and HIV/AIDS.

Women asylum-seekers

221. The Asylum and Citizenship Directorate ensures that asylum-seekers have free legal representation and an interpreter in the language they understand, recording all information provided by the individual submitting the asylum application.

222. Asylum-seekers have the right to stay in the National Reception Centre for Asylum-seekers (NRCAS) for the entire length of the procedure until asylum/international protection is granted or their application dealt with. When the application for asylum is rejected, the asylum-seeker is allowed to stay in the country or at the centre until the appeal process is exhausted. A (female) asylum-seeker who can afford to live independently outside the Reception Centre, is given 30-days' notice to leave the premises of the Reception. Asylum-seekers are given residence permits and health cards. The Directorate takes a consensual and collegial decision by way of a majority of votes, and then puts it in writing with the reasoning.

223. Asylum-seekers and family members who have travelled with them have the right to remain in the territory of RoA until the completion of their asylum application. They are guaranteed rights such as non-refoulement, housing, food, healthcare, and other public services on strictly personal needs, provided at the NRCAS. Minor asylum-seekers stay with their parents or adult family member who are responsible for them.

224. NRCAS is where non-Albanian citizens or stateless persons who seek international protection are accommodated. Their basic needs are met, and healthcare provided in either public or private health institutions, along with psychological treatment and legal representation. All apartments have en-suite toilets and showers, 24/7 running water, heating and air-conditioning, wi-fi, special food if suffering from particular health conditions (e.g. diabetes), etc. The NRCAS Director and the Asylum-seekers' Support Unit make sure asylum-seekers are accompanied and their access to health centres, if needed, facilitated.

225. NRCAS provides social and integration services, and psycho-social assistance. It shows respect for diversity on the grounds of race, ethnicity, religion, culture, etc. NRCAS organises activities and makes travel arrangements accordingly. The Centre also covers all expenses for the education/training asylum-seekers receive whilst there. CCTV cameras surround the premises, offering 24/7 security. A private security firm provides all security-related services to the Centre.

226. At the Centre, asylum-seekers are provided with washing detergents or personal hygiene products. Common areas and outer grounds (canteen, library, internet room, children's playroom, outside grounds) are cleaned and disinfected periodically. There is also a laundry room in the Centre, along with the internet room, the library and the children's playroom.

227. 21 girls/women were accommodated at the Centre in 2017, 246 in 2018, 829 in 2019, and 295 between January and April 2020. NRCAS has a good working

⁷² And Stop Aids organisation.

relationship with international organisations who work with asylum-seekers and refugees.⁷³

Article 16

Joint ownership for both spouses

228. Law 110/2018 on the notary has regulated GE aspects to protect the property rights of girls and women. Notaries are obliged to declare the presumption of legal joint ownership if the property was acquired after marriage, and the spouses have no other prior agreement outlining separate property ownership arrangements. In addition, a will cannot encroach on the property rights of the surviving spouse in relation to the share owned by the spouse presumed joint owner of properties acquired after marriage. Notaries must attach the marriage certificate to the property transfer document for the purpose of the surviving spouse.

229. When dealing with the transfer of a property title, the notary has to attach to the notary deed the buyer's family certificate, and their marriage certificate if the buyer is married. In that case, the notary must also reflect in the contract the name of the spouse of the buyer, as co-buyer/joint owner, although the spouse him/herself may not even present. The absent spouse is granted this right by law, as the property is being purchased after the marriage, and, therefore, the joint matrimonial property regime applies.

230. When a property acquired after marriage has been registered in the name of only one spouse whilst the other, who is the presumed joint owner has subsequently died, the notary must request a certificate of inheritance be issued so the names of all the heirs of the presumed joint owner can be registered accordingly in the property certificate before proceeding with the disposal of the property.

Child marriage

231. This information has already been provided in Article 5 (paragraphs 75 and 76).

Housebound girls and women

232. DG State Police have drafted and approved Action Plan 2057/2018 to help prevent, detect, document and fight criminal offences committed in the context of blood feuds.⁷⁴ A task force has been established for the purpose of leading and coordinating the activities of subordinate structures in the fight against this phenomenon.

233. There are 75 housebound families in Albania due to blood feuds, with a total of 159 housebound persons, 25 of whom are children. 15 families with a total of 56 persons have left Albania. Women do not have to be housebound but they have to cope with the repercussions of their male family members having to be housebound due to blood feuds.

⁷³ UNHCR, RMSA, red Cross, Caritas, etc.

⁷⁴ The objective of this Action Plan is to counter the phenomenon of blood feud and revenge in close cooperation with local government and non-profit organizations on resolution of conflicts by reconciliation; to enhance cooperation with the prosecution in order to conduct quick investigation against such criminal offences and to bring the offenders before justice; to organize comprehensive measures to apprehend the offenders of murders in general and blood feud in particular as a major preventive measure against blood feud; to enhance cooperation with Directorates of Education and schools in order to educate the young generation with the spirit of tolerance and crime prevention.

Beijing Declaration and Platform for Action

234. Albania relies on the recommendations of the Committee in the areas of GE and fight against DV. It also takes into consideration the Beijing Declaration and its Platform for Action reflecting them in its policies, strategies and action plans.

Sustainable Development Agenda

235. In December 2017, the Albanian Parliament adopted a resolution pledging support for the promotion, implementation and monitoring of Agenda 2030 and the SDGs through inclusive development policies and processes, in full compliance with the country's development and EU integration priorities. In July 2018, Albania presented its Voluntary National Review on Sustainable Development Goals to the UN's High-Level Political Forum. Both the budget analysis report on the cost of the implementation of the SDGs and the INSTAT needs assessment report are under way.⁷⁵

236. UN agency support for the implementation of Agenda 2030 dates back to the formulation of the National Strategy for Development and Integration (NSDI, 2015–2020) and piloting governance indicators for SDG 16. Working closely with INSTAT, the UN Country Team identified the manner in which SDG indicators were to be reported. A joint UN-INSTAT group was established in 2016, and a Task Force in 2017 to provide support for the preparation of the Voluntary National Review, awareness-raising and advocacy on the SDGs and Agenda 2030, and the methodology to foresee the costs of achieving national SDGs. The awareness-raising efforts of UN agencies led to the signature of MoUs with 25 universities in September 2017. The SDG Acceleration Fund was launched at the end of 2018 to support the implementation of Agenda 2030.

Dissemination of Concluding Remarks

237. CEDAW Concluding Remarks have been taken into consideration and sent to all institutions and NGOs to coordinate their actions for the full implementation of the recommendation/s given to them.

Technical Support

238. The Albanian Government has received continuous technical support from international organisations, in particular UN agencies, for the implementation of CEDAW Convention and the obligations deriving from ratified international instruments.

239. In 2018, MEFA implemented a project to monitor international human rights conventions, with support from the UNFPA and UN-Women in Tirana. This platform, which is found on MEFA's webpage, is a monitoring mechanism to follow the implementation of CEDAW and UPR recommendations. These agencies have also supported Albanian institutions with expertise for the drafting and examination of the

⁷⁵ INSTAT has made an inventory of the indicators related to SDG; it has created the SDG dashboard (in cooperation with UNDP) it has prepared 2 publications; it has exploited internal sources (existing observations) by adding new modules to measure additional SDG indicators etc.

National Report, given the UPR Mechanism in 2019. Their contribution was especially invaluable at the preparation and consultation stage.

240. In the past few years, UN agencies in Tirana have provided a fundamental contribution in key priority areas for the implementation of the Convention, such as support for the development and consolidation of the legal framework on women's rights and gender equality, strengthening national capacities in gender budgeting, gender statistics and violence against women.
