



**Economic and Social
Council**

Distr.
GENERAL

E/1990/5/Add.67
11 April 2005

Original: ENGLISH

Substantive session of 2005

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Initial reports submitted by States parties under
articles 16 and 17 of the Covenant**

Addendum

ALBANIA*

[5 January 2005]

* The information submitted by Albania in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.124).

CONTENTS

	<i>Paragraphs</i>	<i>Page</i>
Introduction	1 - 3	3
Article 1	4 - 9	3
Article 2	10 - 34	11
Article 3	35 - 44	14
Article 6	45 - 100	16
Article 7	101 - 154	27
Article 8	155 - 175	38
Article 9	176 - 226	40
Article 10	227 - 268	54
Article 11	269 - 376	61
Article 12	377 - 505	94
Article 13	506 - 565	126
Article 14	566	145
Article 15	567 - 610	145

Introduction

1. The Republic of Albania adhered to the International Covenant on Economic, Social and Cultural Rights with Law No. 7511 of 8 August 1991, proclaimed by the President of the Republic by Decree No. 18 of 13 August 1991. The Covenant was ratified on 4 October 1991 and entered into force with respect to Albania pursuant to article 27, paragraph 2, of the Covenant on 4 January 1992.
2. This report has been compiled by the Ministry of Foreign Affairs on the basis of contributions from the relevant ministries and NGOs through its permanent group of experts.
3. With slight exceptions, the report contains information on legislation and practices relevant to the Covenant as of 31 December 2003. The information about the later developments will be given in the next periodic report.

Article 1

Right to self-determination

4. The right to self-determination has been fully implemented in the Republic of Albania. Albania is an independent State and a parliamentary republic. It is a united and undivided State and governance is based on a system of elections that are free, equal, general and periodic. The independence of the State and the integrity of its territory, dignity of the individual, human rights and freedoms, social justice, constitutional order, pluralism, national identity and inheritance, religious coexistence, as well as coexistence with, and understanding of, minorities are the bases of the State, which has the duty of respecting and protecting them.
5. These principles have been embodied in the provisions of the new Constitution that was approved by the Parliament (Kuvendi) on 21 October 1998, after people's referenda.
6. The Republic of Albania submitted the initial report on the implementation of the International Covenant on Civil and Political Rights (CCPR/C/ALB/2004/1) in February 2004; for further details on the right to self-determination provided by this article of the Covenant, reference is made to this report.

Disposal of natural resources

7. Article 59 of the Constitution, under social objectives, defines that the State, within its constitutional powers and the means at its disposal, aims to supplement private initiative and responsibility with a healthy and ecologically adequate environment for the present and future generations and rational exploitation of forests, waters, pastures and other natural resources on the basis of the principle of sustainable development.

8. With the view to implementing the principles enshrined in the Constitution, a number of legal acts have been adopted to protect nature and natural resources. Also, several national projects, some of them supported by foreign donors, have been prepared and implemented in the area of protection of nature and its resources.

9. The legal framework in the field of the environment, despite being newly adopted, mainly in the last two years, presents a full panorama of normative acts, legal or sub-legal. However, the process of elaboration, improvement and fulfilment of the above-mentioned legal framework is ongoing. The legal framework in the area of environment is the following:

Legal acts in force

(a) Law No. 8934 (dated 5 September 2002), "On environmental protection", which constitutes the framework law for environmental protection;

(b) Law No. 8897 (dated 16 May 2002), "On protection of air from pollution", aims to guarantee the right of citizens to live in uncontaminated air, through protecting human health, fauna, flora and the natural and cultural values of the Albanian environment from air pollution. This should be realized through the identification of sources and pollution classification, indicators of air quality, the limitation of air emissions, general obligations and the responsibilities for operators regarding air protection, supplying environmental certificates as regards activities which pollute the air as well as with the necessary administrative and penal measures;

(c) Law No. 8905 (dated 6 June 2002), "On the protection of the marine environment protection from pollution and damage", which aims to protect the maritime environment of the Republic of Albania from pollution and damage created by human activities in the coastal areas which affect water quality, maritime resources, fauna and flora, and human health, as well as to make difficult the normal development of the activities in this area.

(d) Law No. 8906 (dated 6 June 2002), "On protected areas", aiming at the preservation, administration, management and sustainable utilization of protected areas and their natural and biological resources, improvement of conditions as regards the development of environmental tourism, information and public education for the profit, directly or indirectly, of the local population and of the private and public sector;

(e) Law No. 8990 (dated 23 January 2003), "On the environmental impact assessment", the scope of which is to ensure: The general assessment, integrated and in due time of environmental impact, of projects or activities need to be implemented, through prevention and relieving negative impacts on environment; and an open and impartial assessment process, through the participation of environmental non-governmental organizations, of the project leader as well as of the legal and natural persons being specialized in this field;

(f) Law No. 8977 (dated 12 December 2002), "On the tax system in the Republic of Albania", in which, for the first time, national taxes have included the following: A carbon tax for gas, benzene, and gasoline, and a tax for plastic packing of liquids (barrels, plastic bottles and plastic boxes of different measures), filled, produced in Albania and being imported for the following products: water, refreshing drink, fruit and vegetable juice, milk and its derivatives, edible and lubricant oils and detergents;

(g) Law No. 9010 (dated 13 February 2003), "On environmental management of solid waste".

By-laws - decisions of the Council of Ministers

(a) Decision of the Council of Ministers No. 103 (dated 31 March 2002) "On environmental monitoring in the Republic of Albania";

(b) Decision of the Council of Ministers "On environmental report 1999-2000";

(c) Decision of the Council of Ministers "On approval of the environmental national action plan";

(d) Decision of the Council of Ministers "On air emission norms";

(e) Decision of the Council of Ministers No. 676 (dated 20 December 2002) "On the declaration of the Albanian monuments of nature";

(f) Decision of the Council of Ministers No. 531 (dated 31 October 2002) "On the declaration of Butrint as a Ramsar area";

(g) Decision of the Council of Ministers No. 364 (18 July 2002) "On approval of the coastal zone administration plan";

(h) Decision of the Council of Ministers "On establishment of the environment Institute";

(i) Decision of the Council of Ministers No. 266 (dated 24 April 2003) "On administrations of protected areas";

(j) Decision of the Council of Ministers No. 267 (dated 24 April 2003) "On rules of protected and buffer zones";

(k) Decision of the Council of Ministers No. 268 (dated 24 April 2003) "On specialists certification for the environmental impact assessment and environmental audit";

(l) Decision of the Council of Ministers "On environmental license documentations and its elements";

(m) Decision of the Council of Ministers "On temporary norms of air emission".

Table 1

**Database of projects entirely or partly financed by foreign donors
for the protection of natural wealth and resources**

No.	Project	Financial institution	Project state/ duration	Budget	Objective
1.	National Water Strategy.	EU Phare Programme AL9306	Finished in 1997	ECU 400 000	To prepare the National Water Strategy.
2.	Albanian National Waste Management Plan.	Phare Programme AL9306	Finished in 1996	ECU 400 000	To prepare a national plan for management of solid urban, industrial and hospital waste, also covering the rehabilitation of existing uncontrolled dump sites. Equipment for Chemical Technological Institute.
3.	Feasibility study and project design for wastewater and sewerage treatment plant in Vlora, Albania.	Phare Programme AL9306	Finished in 1997	ECU 492 400	To prepare and implement appropriate national policies on sewage and wastewater collection and treatment, leading to a reduction of soil and water contamination by uncontrolled disposal of waste and an improvement in sanitary and health conditions.
4.	Feasibility study and project design for wastewater and sewerage treatment plant in Pogradec, Albania.	Phare Programme AL9306	Finished in 1996	ECU 299 400	To provide an adequate wastewater collection and treatment to the municipality of Pogradec and to the communities along the shoreline.
5.	Cleaning of Golem Beach.	Phare Programme AL9306	Finished in 1997	ECU 50 000	To demonstrate the cleaning of the beaches.
6.	Master plan for the conservation and management of Dajti National Park.	Phare Programme AL9306	Finished in 1997	ECU 50 000	To provide guidelines for the sustainable use of the natural resources of the Dajti National Park and providing an example of coexistence of human economic activities that are compatible with nature.

Table 1 (continued)

No.	Project	Financial institution	Project state/ duration	Budget	Objective
7.	Karavasta Lagoon - Wetland Management Project.	Phare Programme AL9306	Finished in 1996	ECU 346 224	To manage the Karavasta Lagoon to protect biodiversity and for the economic benefit of the local communities.
8.	Institutional Strengthening of Committee of Environmental Protection (CEP).	Phare Programme AL9306	Finished in 1995	ECU 695 830.6	Assistance in the implementation of the National Environmental Action Plan and the preparation of the project.
9.	Support to the regional environmental agencies' (REA) staff at prefecture level.	Phare Programme AL9306	Finished in 1997	ECU 92 211.42	The strengthening of CEP at local level by helping REA staff develop or improve their knowledge and skills in respect of environmental monitoring and data management; and to develop knowledge and improve skills in environmental assessment and monitoring, particularly relating to water supply and wastewater, and to develop skills in the processes involved in environmental monitoring and reporting.
10.	Additional equipment for REAs.	Phare Programme AL9306	Finished in 1998	ECU 98 316	To equip the offices of REAs.
11.	Full environmental benchmark survey for the rehabilitation of the Patos-Marinze Oilfield.	Phare Programme AL936	Finished in 1997		To establish the current level and extent of pollution at the oil field; to identify possible remediation measures and their costs; to propose measures for cleaning up of existing pollution and their costs; to propose an ongoing programme of monitoring; to propose low costs measures to minimize the pollution from the current operations.

Table 1 (continued)

No.	Project	Financial institution	Project state/ duration	Budget	Objective
12.	Development of a comprehensive method for impact assessment of smaller uranium liabilities and its application on the radiological effects created during uranium exploration in Albania.	Phare Multi-country Programme	December 1999 16 months	ECU 125 000	Development of a comprehensive method and systematic method for assessment of the impact of smaller uranium liabilities in CEEC on public health and the environment. Field application of this comprehensive method to assess the impact of the uranium liabilities in Albania.
13.	Equipment for scientific research institutions and chemicals for laboratory analysis.	MED-POL/U NEP	Finished	\$40 000	“Equipment for Scientific Research Institutions and Chemicals for Laboratory Analysis” in the framework of the Programme for Monitoring of the Mediterranean Marine Coast Waters (Hydrometeorology Institute, Analytical/Organic Chemical Dept., Faculty of Natural Science).
14.	Organization of the urban waste management in six main Albanian municipalities: a model applicable to towns of other developing countries.	LIFE 96	Finished in 1999	ECU 591 000	The goal implementation - project involving landfills of six Albanian municipalities.
15.	Conservation-wise use of Mediterranean wetlands (extension to non-European Union States under the European Commission's LIFE Programme).	LIFE/ MEDWET 2	Finished in 1998		To study the environmental, economic and social situation of the Kune-Vaini lagoons, as part of a report about the wetlands of country participants in the project (Albania, Algeria, Morocco, Tunisia) and the establishment of a methodology to study the wetlands.

Table 1 (continued)

No.	Project	Financial institution	Project state/ duration	Budget	Objective
16.	The Strategy and Action Plan for Biodiversity Protection in Albania.	GEF/WB	Finished in 1999	\$96 000	To prepare the Strategy for Biodiversity - the Action Plan and National Report.
17.	Lake Ohrid Conservation Project.	GEF/BB	1998-2002	\$1 780 000 for Albania	The conservation of natural value and the biodiversity of Ohrid Lake and collaboration between Albania and FYROM for a joint effective management of the watershed.
18.	Enabling Albania to prepare its First National Communication in response to its commitments to the UNFCCC.	GEF/PNUD	October 1998 2 years (ongoing)	\$278 000	To build capacity and facilitate the process of taking climate change-related issues increasingly into account in Albania, thus enabling the country to deal with climate change and its adverse impacts. To contribute to the global effort to better understand the sources and sinks of greenhouse gases, and potential impacts of climate change.
19.	Removal of toxic wastes: linden, chromium 6 valent and sulphur from the area of the Chemical Production Enterprise in Durres and their storage in a safe place (Bisht-Palle).	Government of Italy	Finished	US\$ 7 630	Removal of toxic wastes (linden, chromium 6 valent and sulphur) from the enterprise area and their storage in a safe place.
20.	Regulatory framework of environmental and institutional strengthening.	Phare COP 96	Finished in 1999 (9 months)	ECU 200 000	Further strengthening of the institutions involved in environmental protection and supporting the development and enforcement of environmental regulations.

Table 1 (continued)

No.	Project	Financial institution	Project state/ duration	Budget	Objective
21.	Institutional strengthening and project preparation.	Phare COP 97	Finished in June 2001	ECU 300 000	To support the Government of Albania with its National Environmental Action Plan, with special focus on the development and the implementation of comprehensive environmental policies which would facilitate the transition to sustainable development.
22.	Minor works at the Karavasta Lagoon.	Phare COP 97	2001	ECU 400 000	To develop sustainable use of natural resources and to protect Albania's biodiversity. The minor works consist of: appropriate fencing for forest protection; drainage of the existing channels; a watchtower; an information centre for visitors.
23.	Conservation of wetlands and coastal ecosystems in the Mediterranean region.	GEF/PNUD MEDWET 3	November 1999 (5 years)	\$US 1.7 million by GEF US\$ 150 000 by Albanian Government	To conserve globally endangered species and their habitats, recognizing nature conservation as an integral part of sustainable human development, while improving the capacity of governmental and non-governmental agencies to address biodiversity conservation issues.
24.	Updating of National Environmental Action Plan - Immediate Measures.	METAP/WB	September 2000 (8 months); finished in June 2001	US\$ 200 000	To update the identification of the key environmental issues; set priorities; and contribution developing a comprehensive national environmental policy. To define concrete proposals relevant to the Immediate Measures.

Article 2

Prohibition of discrimination

10. A fundamental element of constitutional democracy in Albania is the establishment of specific limitations of the State's rights over the individual. The second part of the Constitution, which refers to "Fundamental human rights and freedoms", lists the rights and guarantees of every individual, either Albanian or foreigner, enjoys towards State intervention in his/her private life.

11. Article 18 of the Constitution guarantees that all are equal before law. No one may be unjustly discriminated against for reasons such as gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic condition, education, social status, or ancestry. No one may be discriminated against for the reasons mentioned above if reasonable and objective legal grounds do not exist.

12. The fundamental rights and freedoms, and the duties, contemplated in the Constitution for Albanian citizens are also valid for foreigners and Stateless persons in the territory of the Republic of Albania, except for cases when the Constitution specifically attaches the exercise of particular rights and freedoms with Albanian citizenship. The fundamental rights and freedoms and the duties contemplated in this Constitution are valid also for juridical persons so long as they comport with the general purposes of these persons and with the core of these rights, freedoms and duties (art. 16).

13. Pursuant to article 17, the limitation of the rights and freedoms provided for in this Constitution may be established only by law for the public interest or for the protection of the rights of others. A limitation shall be in proportion to the situation that has dictated it. These limitations may not infringe the essence of the rights and freedoms and in no case may exceed the limitations provided for in the European Convention on Human Rights.

14. According to article 39 of the Constitution, the collective expulsion of foreigners is prohibited. The expulsion of individuals is permitted under the conditions specified by law. According to article 40, the foreigners have the right of shelter in Albania in compliance with the provisions of the law.

15. The definition of discrimination is provided in article 9 of the Labour Code, No. 7961, of 12 July 1995, amended by Law No. 8085, of 13 March 1996, and in 2003.

16. Pursuant to the code, discrimination corresponds to any distinction, exclusion or preference grounded on race, colour, sex, age, religion, political conviction, nationality, social origin, family relations, mental or physical disabilities that violates the right of an individual to be equal in employment and treatment.

17. The law "On Pre-university Education System" broadly reflects the integrity of the non-discrimination principle, protection of the individual from discrimination, treating them in the context of respecting the provisions, the principles and the standards of international agreements on basic human rights and freedoms in the field of education.

18. This law guarantees the equal right of the citizens of the Republic of Albania to all levels of pre-university education, despite social situation, nationality, language, sex, religion, political views, health situation and economic level (art. 3) and the right of national minorities to education in the mother tongue, study of their national history and culture (art. 10).

19. Some other Albanian legal acts contain no legal definition of discrimination or definition of direct and indirect discrimination. However, according to the provisions of the Constitution, Criminal Procedural Code and Civil Servant Law, respectively, discrimination is:

- Inequality before the law;
- Unequal rights during criminal proceedings;
- Different rules and procedures for admission in the civil service.

20. Pursuant to the provisions of the Civil Code, article 608, a person who illegally and by his fault causes damage to another person is obliged to recompense the damage caused. Article 625, the person who suffers damage, different by property damage, has the right to claim compensation if he has suffered injury to his health or harm to his honour.

21. According to the law "On innocence, amnesty and rehabilitation of ex-political convicts and persecuted", amended by Law No. 7660 of 14 January 1993 and the law of 29 June 1993, persons having been found innocent, amnestied and eligible for rehabilitation, are remunerated for damages suffered for the discrimination because of their political convictions and also recompensed for normal living conditions, according to rules approved by special provisions, in conformity with international criteria. They are entitled to have restored or be compensated for previously confiscated properties. Relatives, or legal inheritors of ex-persecuted persons who are not alive, as well as relatives of persons executed without court decision, or dead persons not sentenced by court are also entitled for compensation due to damages suffered.

22. Pursuant to the provisions on retirement funds, relatives of executed persons and relatives of sentenced persons without court decision, as well as relatives of dead persons in prison or dead persons in prison without court decision, have the right to enjoy retirement allowances (art. 5/d, dh, e).

23. According to the above-mentioned law, ex-political convicted persons are entitled to recompense and pensions from the moment they are entitled, for the duration of their sentence in prisons or labour camps, pursuant to regulations provided by special provisions in conformity with the international criteria. The children of ex-political convicted persons are also entitled to these rights when they attend school, regardless of their age. Relatives of ex-convict political persons are also entitled to recompense for the entire duration of their sentence in prison or in labour camps. When the ex-convicted persons are dead, their relatives are entitled to receive the rest of the pension. They enjoy the right to be compensated or to restore the confiscated properties, pursuant to the relevant legal or by-law provisions.

24. The text of the Covenant was published in 1994 by Albanian Helsinki Committee. The text of the Covenant is also available in the web page of the Ministry of Foreign Affairs. Most educational institutions, State agencies, private companies and organizations have access to the Internet, enabling easy access to international documents, including the Covenant.

Equal treatment for persons with various disabilities, or families with more children

25. The benefit modalities for disability are provided by Law No. 7710, of 18 May 1993 "On social aid and care", Law No. 8098 of 28 March 1996, "On the status of blind persons" and Law No. 8626, dated 22 June 2000, on the "Status of paraplegic and tetraplegic invalids", combined with a set of sub-legal acts.

26. In compliance with the above-mentioned legislation, the social care provided by the State through the State Social Service consists in cash and in kind services. The payment for disability in cash is made in two ways, as payment for disability and care. The social care in kind is provided through social-medical services at public, private and daily residential centres.

27. Families with more children, which meet the criteria defined by the respective legal provisions, are entitled to economic aid in cash, while families facing social difficulties are provided with residential institutional services by the state, even if these families do not meet the legal criteria.

28. In 2003, the State Social Service allocated an annual fund consisting of 330,771 leks for the financial support of 129,958 families, who meet the criteria established by law. There are 39,357 families with more than six members benefiting from the economic aid. During 2003, for this reason 116,608 leks were allocated.

29. During 2003, 43,880 disabled persons were provided with financial assistance from the social aid scheme, covered with a fund of 540,368 leks. Every disabled individual has received approximately 7,009 leks on a monthly basis. The institutional network of social care consists of 24 regional public institutions, offering social services and care for approximately 1,038 clients.

Equal treatment of the elderly

30. The State Social Service administers 5 residential centres for the elderly in Tirana, Kavaja, Fier, Gjirokaster and Shkodra, offering services to 265 elderly individuals with various social problems. In addition there are 2 daily polyvalent centres in Saranda and Kamez, frequented by approximately 70 older persons.

31. In total, there are 102 social workers serving in the above-mentioned residential and daily centres throughout the country. The priorities of the strategy on elderly for the future consist in offering social services within communities for all groups that are in need of it, with the purpose of their integration in the community, organizing entertaining activities, providing specialized services, individual services at home, counselling activities for the community and the establishment of new daily centres.

32. Law No. 7961 of 12 July 1995, "Labour Code of the Republic of Albania", provides for the non-discrimination against persons on the ground of age and gender. The legal provisions on social affairs do not provide any discrimination in benefiting from social services. Pursuant to the relevant provisions, all persons in social-economic difficulty are entitled to social services.

33. Nowadays, social services for the elderly have been significantly consolidated, due to the growing cooperation between the central and local authorities with the local- and foreign-based NGOs. The role of NGOs in the area of social services for the elderly is considered to be very important, especially on the issue of integration of the elderly in community life.

34. With regard to the above, it can be mentioned that, during recent years, there have been established a number of daily centres for the elderly, such as Balashe Centres in Durres and Elbasan, Joshua Centre offering social and health services, and there are also projects on private social services for elderly. The NGOs offering services for elderly are headed by "ASAG", with the platform "Towards a society for all ages". Apart from the above-mentioned centres, there are also two residential centres for the elderly (women and men) administered by the association "Missionaries of Charity".

Article 3

Equality between men and women

35. The principle of equality between men and women is an integral part of the Albanian legal system, laid down in the Constitution and domestic legislation. Article 18 of the Constitution provides that all are equal before the law. No one may be unjustly discriminated against for reasons such as gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic condition, education, social status, or ancestry.

36. The Republic of Albania is party to the following international instruments:

- The Convention on the Elimination of All Forms of Discrimination Against Women, ratified with Law No. 7767/1993;
- The Additional Protocol to the Convention, ratified by Law No. 9052 of 17 April 2003 "On the adherence to the Additional Protocol of the Convention on the Elimination of All Forms of Discrimination Against Women";
- The United Nations Convention Against Transnational Organized Crime, and its Additional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- The Convention on the Nationality of Married Women, ratified on 27 July 1960;
- The Convention on the Political Rights of Women, ratified on 12 May 1955;

- The Amending Protocol to the Convention on the Prevention of Trafficking of Women and Children, and the Convention on the Prevention of the Traffic in Women of Full Age, ratified on 25 July 1949;
- The International Convention on the Prevention of Trafficking of Women and Children, ratified on 13 October 1924;
- The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, ratified on 6 November 1958, with reservation to article 22, and
- The Final Protocol to the Convention, ratified on 6 November 1958.

Within this framework, the Republic of Albania is also party to a number of ILO conventions.

37. Recently, a number of NGOs in the area of the protection of the rights of women set up a working group, which presented in February 2004 before the Parliament a draft law “On an equal gender society”, also backed by a number of deputies. The purpose of this law is to ensure equal rights for women and men as provided in article 18 of the Constitution of the Republic of Albania, to set out measures to promote equal opportunities among men and women aimed at eliminating direct and indirect discrimination on the grounds of gender in the country’s public life and to set out the responsibilities of the central and local administration for drafting policies aimed at promoting an equal gender society. The law also provides concrete measures towards promoting equal opportunities between sexes, in order to eliminate direct and indirect discrimination. The Albanian Parliament adopted the law on 1 July 2004.

Legal cases

38. The Albanian authorities have no information with regard to judicial cases related to the implementation of articles of the Convention. Regardless of that fact, a short-term study of the Committee on Equal Opportunities will aim at conducting a research on the topic, having taken into consideration the fact that this issue was also one of the recommendations of the CEDAW Committee, after the presentation of the first combined report of Albania on the implementation of CEDAW.

Research on gender issues

39. Currently, research on gender issues is conducted by State agencies or institutions through particular studies or projects on gender issues. The research is mainly focused on specific issues related to women, such as health care, education, labour, etc.

40. At the same time, the Committee on Equal Opportunities carries out different studies on a regular basis with the purpose of gathering information on the real situation, such as two very important studies on rural women, periodical statistical studies, studies on the number of women in leadership, public and political life, analysis of the governmental mechanisms on women, etc.

41. A Gender Institute has been established in the framework of the Social Sciences Faculty of the University of Tirana, and one of the main outputs of the UNDP project “Gender mainstreaming” is the consolidation of this Institute. Apart from the above, some NGOs carry out various projects, which aim at conducting research initiatives on gender issues throughout the country.

National and international cooperation

42. The Committee on Equal Opportunities closely cooperates with central and local governmental institutions, prefectures and municipalities in the implementation of different projects on gender issues. The cooperation tends to raise awareness on the inclusion of sensible gender policies within institutions, the organization of joint activities, common statistical studies based on gender, etc. Due to the lack of sufficient funding from the State budget, the Committee on Equal Opportunities often applies to national and foreign donors for additional funds.

43. During the first three months of 2004 alone, the Committee has organized various activities on women, their rights, problems, etc. Ongoing projects include:

- “Gender mainstreaming in local government”, which foresees four local seminars in Korca, Durrës, Sarandë, Kukës during February-June 2004, with the financial support of the Friedrich Ebert Foundation;
- The UNDP project “Gender mainstreaming”, where the Committee on Equal Opportunities is one of the major partners. The project will last one year, aiming at the establishment of core gender points at the level of central Government.

44. For further details on gender equality in the Republic of Albania and limitation of rights (articles 4 and 5 of the Covenant), see the initial report of Albania (CCPR/C/ALB/2004/1).

Article 6

Right to employment

45. The Republic of Albania became a Member State of the United Nations on 14 December 1955. As a Member State, the Republic of Albania closely observes the provisions of the Universal Declaration of Human Rights that provides, under its article 23, the right of everyone to employment and to freely choose work.

46. The Republic of Albania is party to:

- The ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), ratified in 1997;
- The International Convention on the Elimination of All Forms of Racial Discrimination;

- The Convention on the Elimination of All Forms of Discrimination against Women;
- The International Labour Organization Forced Labour Convention, 1930 (No. 29), ratified on 25 June 1957;
- The ILO Abolition of Forced Labour Convention, 1957 (No. 105), ratified on 27 February 1997;
- The ILO Night Work of Young Persons (Industry) Convention, 1919 (No. 6), ratified on 17 March 1932.

47. The Republic of Albania has ratified the European Convention on Human Rights, which prohibits forced labour or mandatory work. On 24 October 2002, the Parliament of the Republic ratified the Revised European Social Charter, articles 1-8, 11, 19-26, 28 and 29.

Levels and tendencies of employment

48. According to statistical data from the Ministry of Labour and Social Affairs (Department on Employment Policies), the employment situation is as follows:

- Total employees in December 2002 - 395,278 persons;
- Total employees in March 2003 - 396,983 persons, of which 189,739 were in the public and 207,199 persons in the private sector. Apart from these, 526,347 persons were employed in the agricultural sector.

49. The highest level of employment has been registered in Tirana (approximately 179,000 persons), whilst in other parts of the country, compared to the capital, the level of employment is relatively low. An example of this can be found in the fact that the number of employees in Durres is approximately 25,000, in Elbasan approximately 20,000, etc.

Analysis of employment pursuant to the "Strategy of employment and vocational formation"

50. Until 1997 the activity of employment offices mainly consisted in showing evidence of new job opportunities created as a result of the economic development of the regions and in genuine interventions in favour of job-seekers. Even though during these periods there are approximately 16,000 new jobs per year, job search and intervention were more spontaneous than part of any planned objective.

51. After 1997, employment offices became implementers of new active programmes in the labour market, such as public work programmes during 1998-1999 and the employment programme starting from 1999. During this period, 47,297 persons were employed part-time through public work programmes, equal to 11,000 annual jobs. During the same period a 30 per cent lower number of new jobs was noted by the Employment Offices. This was due to the fact that the work of these offices was mainly focused in creating new jobs through active programmes, neglecting in a way the evidence of new jobs created by the regional economic development.

52. From an analysis of employment dynamics for 2002, it was shown that 5,700 persons found a job within the given calendar year. Most (60 per cent) consisted of jobs generated as a result of business development, and 35 per cent, or 2,000 vacancies, through the intermediary role carried out by employment offices. The above figures are certainly reflected in the decreasing unemployment rate. This indicator was 13.1 per cent in September 2002, or 0.4 per cent lower than the registered rate at the end of 2001.

Unemployment

53. From the analysis carried out by the Strategy of Employment and Vocational Formation, a very high level of unemployment was noted during 1990-1993, with its peak in 1993, with up to 467,000 unemployed receiving jobless benefits. Fifty per cent of unemployed persons were females. This fact is closely related to the closure, restructuring, and privatization of many enterprises where women were massively employed.

54. After 1993, the rate of unemployment decreases significantly. During 1996 there were 158,000 unemployed registered at the Employment Offices throughout the country. This was mainly the result of the exclusion of the rural population from the unemployment scheme, the adjustment of another part of the unemployed to the newly established reality, etc. From the data from the Employment Offices, every month during this period some 1,900 employed registered, outside the total number of unemployed.

55. The highest rate of unemployment between 1993-1996 was registered in the central part of the country, comprising 14 per cent of the workforce. This was due to the massive internal immigration from rural towards urban areas.

56. These fluctuations were mainly headed towards the cities of Tirana, Durrës and their suburbs. As a result of the collapse of several pyramid schemes, in 1997-1998 the level of unemployment increased significantly.

57. To illustrate this fact, it can be mentioned that, in 1998, the number of registered unemployed reached 235,000 persons, or 16.6 per cent of the total workforce. The level of unemployment in 1998 was even higher in comparison with 1997. In order to cope with the situation, during 1998-1999 a set of measures were adopted, mainly legislative and administrative measures, comprising the establishment of the National Employment Service (NES).

58. For the first time, after 1999 active programmes were applied to employment, such as public works and employment programmes. Due to these measures, the unemployment rate started to decrease.

59. During 1999 the number of unemployed persons was reduced by 7,660 job-seekers. Positive results of these programmes were reflected in significant decreases of the number of the unemployed, which in the year 2000 reached 215,000 persons, whilst in 2001 this figure was 180,000, or 13.5 per cent of the overall workforce.

60. Carrying out an analysis of the unemployment rate by comparing this phenomena in various districts, it can be noted that Durres, Fier, Gjirokastra, Tirana and Vlora have lower rates of employment, whilst districts of Kucova, Lac, Kukes, Mirdita, Puka, Tropoja and Shkodra, which are mostly situated in the north-eastern part of the country have higher rates of employment than the country's average. However, this rate was slightly lower than a year ago (2002).

61. In the north-eastern part of the country, the percentage of unemployment is the highest, 18.4 per cent. This has been due to several factors, among which the most important are the relatively limited possibilities for development, the low level of business development and the structure of overall business, dominated mainly by small and medium enterprises. Other factors that took place in those regions were the tendencies to transfer businesses from that area and social problems after the agrarian reform, which constrained many individuals to be registered as job-seekers.

62. Referring to statistical data, during 2002 the number of job-seekers was 172,000, or 13 per cent of the total active forces. The supply of active services in the labour market, focused mainly on facilitating employment and the implementation of employment programmes, contributed to the decrease of the number of registered job-seekers at the Employment Offices throughout the country.

Table 2

Number of unemployed during 1990-2001

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Total number of unemployed (in thousands)	150.7	139.8	394	301	261.8	171	158.1	193.5	235	240	215	181	172

Most affected persons, groups and regions with regard to unemployment

63. Persons and groups most affected by unemployment:

- Women over 35 years old;
- Disabled persons;
- Trafficked women;
- Persons who benefit from social schemes;
- Persons becoming jobless due to privatization, reform and restructuring of State enterprises or institutions;
- Young unemployed mothers;
- Previously trafficked young girls;

- Divorced women facing economic problems;
- Immigrants returning in the country with economic problems;
- Recent graduates not yet familiar with the labour market;
- Ex-prisoners;
- Women with children;
- Persons under 18 years;
- The long-term unemployed;
- Persons from families under the poverty level.

The most problematic regions with regard to unemployment are Kucova, 28.6 per cent; Laci, 45.5 per cent; Kukesi, 28.9 per cent; Mirdita, 26.2 per cent; Puka, 34.1 per cent; Tropoja, 42 per cent; and Shkodra, 28.8 per cent.

Employment offices and their role

64. On the basis of information from the Employment Offices in the country, the number of employed persons in the republic by the end of May 2003 was 398,392, out of which 190,439 were employed in the State sector while 207,953 persons were employed in the private non-agriculture sector.

65. Employment in the State sector is concentrated mainly in education, 20 per cent, in the health-care system, 13 per cent, in the gas and power sector, 10 per cent, hostelry, 10 per cent, etc. At the same time, in the private sector employment is concentrated in commerce, 28 per cent, construction, 17 per cent, the processing industry, 16 per cent, hostelry and tourism, 13 per cent, etc.

66. By the end of May 2002, 166,126 job-seekers were registered, 12.54 per cent of the overall workforce. In May 2002 the highest percentage of unemployed was registered in the region of Shkodra, 21 per cent, Kukes, 20 per cent, and Lezha, 22.1 per cent, while the lowest percentage was registered in the regions of Vlora, Tirana, Gjirokastra and Durrës. From the above numbers of registered job-seekers, 47 per cent were females while 44 per cent were heads of families and breadwinners.

67. With regard to the age structure, the largest percentage (50 per cent) of job-seekers is older than 45 years. This is due to the fact that the labour market seeks young professionals, trained and qualified. This older group of persons (50-plus) represents the most vulnerable group that needs support through special programmes of employment and formation, in order to facilitate their integration in the labour market.

68. These findings are confirmed by the fact that 52 per cent of the total numbers of job-seekers have completed only an eight-year education, while only 2 per cent of those have graduated from a faculty. These data make more difficult the Employment Office's efforts

towards the integration of job-seekers in the labour market. This has been deemed to be one of the principal reasons for the appearance of so-called long-term job-seekers, persons seeking a job for more than one year. In percentage, they represent 68 per cent of the total. The other part seems to be in continuous movement.

69. From the data of the Local Employment Offices, every month approximately 3,600 job-seekers are registered: 40 per cent of this number is generated from job cuts, 35 per cent from families benefiting economic aid, 3 per cent from newly graduated students and 22 per cent due to other reasons.

70. Meanwhile, approximately 5,000 persons leave Employment Office schemes every month, 15 per cent of them because they have found a job, 40 per cent no longer interested in being assisted by these offices, 3 per cent to take a training course, and the other part are subject to internal or external demographic movements, etc. At the end of April 2003 there were 141,053 unemployed persons benefiting from economic aid and jobless benefits, according to particular decisions of the Council of Ministers.

71. The employment of this category of individuals is very difficult as a result of the limited opportunities the Employment Offices have in offering suitable jobs, and even when found, certain jobs are shunned because of the low salary, unsatisfying working conditions, or unsuitable working status. Due to the above reasons, job-seekers prefer State support, satisfying their needs by working part-time, informally, etc.

Employment of foreigners

72. Foreign workers in Albania, including foreign investors who intend to work in Albania, must apply for a work permit in accordance with Law No. 7939 "On migration" and subsequently obtain a residency permit. The work permit (which is valid for one year and is renewable) must be applied for at least one month before the commencement of employment. There are three main types of work permits:

- One for foreign investors who plan to invest in Albania;
- Self-employed persons who limit their activity to a specific geographical area;
- Work permit for seasonal foreign workers.

73. A work permit application is made with the Emigration Department of the Ministry of Labour and Social Affairs. The following documents must be presented to the above authorities in order to obtain a work permit:

- A written request;
- Where the applicant is an employee, a report from the employer on its activity in Albania; alternatively, where the applicant is a self-employed foreign investor, a notarized copy of the court decision registering the applicant as either a physical person or as a shareholder of an Albanian company;

- A valid passport or a certified copy of the same;
- A valid visa for Albania;
- The professional certification of the applicant;
- Where the applicant is an employee, a signed employment contract;
- A document demonstrating voluntary participation in the social security scheme;
- Certification from the competent authorities of the applicant's home country on the existence or lack of a criminal record;
- A medical certificate;
- Five passport-sized photographs;
- A non-refundable application fee.

74. Following the approval of the work permit application, the Ministry of Labour and Social Affairs forwards the relevant materials to the Ministry of Public Order for issuance of a residency permit.

Employment promotion

75. The fundamental measures undertaken by the Government of Albania comprise active and passive policies for the promotion of employment.

76. One of the first programmes implemented in this regard by the Employment Offices was the programme of jobless benefits. This programme constitutes part of labour market policies, which provide financial benefits to the recently unemployed. Its main objectives are: (a) to boost the incomes of the unemployed, (b) to support actively the beneficiaries of jobless benefits in order to help them find work as soon as possible.

77. The active policies pursued and implemented by the Employment Offices consist of employment services, employment promotion programmes and vocational training.

78. The employment services aim at serving as a basic source for overall information on the labour market and its situation. The information they accumulate comprises detailed data on available job opportunities and possible candidates. At the same time, it assists various candidates to choose their career and other candidates to refocus their perspectives for their career. These services also offer information on the opportunity of training, and serve as one of the main sources for recruitment on the basis of available vacancies offered by the employers. Furthermore, these services represent an important source of information on labour market development and the formulation and implementation of relevant policies for the labour market.

79. Employment promotion represents one of the most active programmes; it affects employment demand through providing transitory employment that directly reflects unemployment reduction. Through this programme, the Employment Offices can objectively and truly intervene for the promotion and support of the generation of vacancies, through active cooperation with employers, directly financing part of wages and mandatory insurance contributions for the employers and their vocational training and formation. This programme first started to be implemented during 1999, in the framework of governmental policies focused in active measures for the reduction of unemployment, which at that time reached 17.1 per cent. The programme was deemed to be successful, given the fact that during 1999-2001 alone there were 29,000 new jobs, thus contributing to the reduction of the unemployment percentage to 13 per cent at the end of 2000, or 4 per cent lower in comparison with 1999.

80. Vocational training aims at professional training of unemployed persons, making possible the concordance of their profession with labour market requirements. The Employment Offices guide unemployed persons to the appropriate profession with regard to the labour market requirements. The professional training system consists of the public network (eight public centres), the private and NGO network, as well.

81. The Ministry of Labour and Social Affairs, through the National Service of Employment, carries out some principal policies to assist without discrimination everybody in need of a job. These policies are:

- Employment promotion programmes, starting from 1999 and concluded in 2003;
- Employment intervention, on which basis during the first five months of 2003 alone, there were 2,623 genuine interventions, of which 389 were in the public and 2,235 in the private sector. Apart from the figures above, there were also 5,689 other jobs found with the intervention of the Employment Offices, due to the economic development of the country;
- The vocational training programme, on which basis during the first five months of 2003, 3,477 trainees were certified in 9 public vocational training centres, of which 2,180 unemployed persons and 3,416 females. Referring to the subject of the courses it can be noted that 1,896 trainees were awarded certificates in foreign languages, 839 in computer proficiency, 289 in tailoring, and 164 in secretarial courses.

82. The increase of institutional capacities and vocational training levels are carried out through the public and private system and the system itself is influenced by the market requirements.

Technical and vocational training

83. Technical and vocational training is carried out by two separate systems that operate in parallel, public and private training. If the public system until now has appeared basically in the shape of the vocational training centres, the private system is characterized by a much more liberal spirit, due to an open licensing policy in the NGO sector.

84. At present, there are eight centres for vocational training, operating in Shkoder, Tirana, Durres, Elbasan, Korce and Tepelena. On the other hand, with the adoption of the recent law "On vocational education and training in the Republic of Albania", it intends to reorganize the network of public institutions of vocational formation centres, in order to achieve two basic objectives:

- Satisfaction of labour market requirements by providing qualified individuals;
- Increase of cooperation with private businesses in the area of vocational training and counselling towards meeting business requirements.

85. Public vocational training centres organize short-term courses on various professions and specializations, such as foreign languages, computer and secretarial skills, vehicle maintenance, cosmetics, sewing, electro-domestic adjustments, shoemaking, hydraulics, radio/television repair, soldering, etc.

86. From the statistics, it can be concluded that the number of trainees in these centres have been increasing, even though the budgetary funds allocated for this purpose have not experienced any increase. The same can be said of the number of trainees in the private system of vocational training, a fact that clearly indicates the increasing market requirements for trained individuals in different professions during a short period of time.

87. Furthermore, the vocational training system tends to grow in two ways, first in a horizontal extension, and also in broadening the choice of courses it currently offers. As a near-term objective, the reconstruction of centres in Vlora, Shkodra, Elbasan, Gjirokastra and Lezha can be mentioned.

88. Regarding the increasing needs of the labour market, the setting up of new courses in priority economic areas such as tourism, agro-business, agro-tourism, construction and handicrafts, is in the planning phase.

89. With regard to vocational training, their funding through the state budget has been carried out in two ways:

- Firstly, through funding the vocational centres of formation, based on the number of trainees (unemployed persons);
- Secondly, through funding the legal entities that offer vocational formation, in cases when after termination of the training it is guaranteed the employment of at least 20 per cent of the participants, or in cases when employers recruit unemployed persons in order to train them through the working process.

90. Regardless of the different legal basis, it is considered that the programmes on vocational training and employment promotion are closely and essentially interrelated.

91. There are mainly two ways of recruiting the participants (trainees) in the public vocational training centres:

- Through Employment Offices, which offer as trainees the unemployed persons registered;
- Independently, other persons from these schemes who might require vocational formation, due to changes in occupation requirements.

92. The intensification of activities within the public institutions of vocational training, the enhancement of their competencies, their decentralization, as well as the opportunity of establishing discretionary relations with private businesses, are considered essential in increasing the need for vocational training, and in increasing the human resources capacity.

Difficulties faced in the fulfilment of employment objectives

93. The following can be considered as the most frequent encountered difficulties in achieving the employment objectives:

- The impossibility of founding the National Employment Fund, as laid down by Law No. 7995 of 20 September 1995 "For the encouragement of employment". This law provides that the Fund would have had different financial sources, among which the most important would be the State budget, the social insurance fund, donations, etc. It was estimated that the establishing of the Fund would have brought to the fundraising for active employment programmes, consequently reducing the unemployment;
- Another difficulty faced during this period has been the tendency of reducing the State budget assistance intended for the employment encouragement programmes.

94. There are no data on members belonging to national, ethno-linguistic, religious and other minorities trained within the vocational training centres in Albania, due to the fact that the Ministry of Labour and Social Affairs considers that the collection of these statistics would have a discriminatory character.

95. Referring to articles 16 and 18 of the Constitution, which provide equal legal status of Albanian citizens, foreigners and individuals without citizenship, there has not been noted any discrimination in the area of vocational training. The registration of trainees in these centres requires the documents as provided by the law "On the civil status", thus it never requires data on race, colour, religion or national origin.

International cooperation

96. In the framework of international assistance, there have been some assistance programmes in the area of labour market, as follows:

- A project of the World Bank has been implemented during the recent years and its objective was the short-term assessment of the labour market;

- Another project of the World Bank had as its objective the introduction of a labour market information system;
- Furthermore, enormous assistance to the improvement of labour market assessment has been implemented through the Phare project VET 95. This project made possible the review and compilation of a guideline on the registration of unemployed persons at the Local Employment Offices, thus improving the release of reliable statistics. This technique was implemented primarily in 12 Employment Offices based in prefectures, extending it in the whole territory of the country, with the intention of unifying this technique;
- One of the components of the Phare project VET was the support for vocational education and formation. Thus, the project provided support, assistance, curricula and didactic equipments for the Vocational Formation Centre No. 4 in Tirana;
- A USAID-funded project made possible the establishment of an Albanian network of vocational training centres.

97. Apart from public vocational training, this service is offered also by national and foreign NGOs, and non-public institutions. Although the public institutions offer dignitary services, it cannot be assumed that the system can currently satisfy in quality and quantity all the needs for vocational training within the labour market. Their achievements in the labour market are generally a consequence of the enormous need the market generates for knowledge that can be easily identified, such as secretarial and computer skills, cosmetics, foreign languages, etc.

98. Public and private structures and institutions of formation generally encounter a lack of funding for their activities, expressed in the lack of sufficient funds to set up and maintain training capacities, and also in the lack of fee-paying capacities of the population expected to be trained (through private courses).

99. The issues related to the reform of the vocational training system can be divided into issues relating to property matters, dependence, guidance and financing of existing centres of vocational training, as well as the establishment of a funding outline, which will support the vocational training.

100. The solution to the above problems must first of all satisfy the enormous need of the Albanian labour market for vocational training, both in quality and quantity. At the same time the remedy should not require enormous and inert investments, but it has to take advantage of human resources, logistics and existing facility infrastructure. The remedy should be able to attract potential financial sponsors, be they central or local authorities, international programmes or agencies, and must be also flexible and adaptable.

Article 7

Right to just and favourable working conditions

101. The Republic of Albania has ratified the following International Labour Organization (ILO) Conventions:

- The Minimum Wage Convention, No. 138 (1973), ratified on 16 February 1998;
- The Equal Remuneration Convention, No. 100 (1951), ratified on 3 June 1957;
- The Labour Inspection (Agriculture) Convention, No. 129 (1969);
- The Occupational Safety and Health Convention, No. 154 (1981).

With Law No. 8185 of 23 January 1997, the Republic of Albania acceded to the ILO Labour Inspection Convention, No. 81 (1947), the Workers' Representatives Convention No. 135 (1971) and the Rural Workers' Organizations Convention No. 141 (1975). No report has been so far submitted to the ILO's respective bodies on the implementation of the above Conventions.

102. Article 55 of the Constitution provides that citizens enjoy in an equal manner the right to health care from the State. The State, within its constitutional powers and the means at its disposal, aims to supplement private initiative and responsibility with employment under suitable conditions for all persons who are able to work (art. 59).

103. The observation on the legal requirements in employment relations and working standards and conditions is carried out by the Labour Inspectorate. The main objectives of Law No. 7986, dated 13 September 1995, "On the Labour Inspectorate", are to assure the implementation of legal labour provisions by employers and their employees.

Wages

104. The level of wages and their delineation are provided by Law No. 8487, dated 13 May 1999, "On competencies of wage determination", and amended by Law No. 8935 of 12 September 2002. In compliance with the law, the Parliament, the Council of Ministers, Ministries, central independent institutions, local government bodies, State enterprises, and other juridical or physical entities have competencies in defining the wage levels.

105. Within the budgetary State sector, wage levels are determined by State organs, according to competencies provided by the law, while the Council of Ministers defines the minimal and maximal wages in the non-budgetary sectors. In the case of independent institutions, wages are determined by their managerial bodies.

106. Generally, the wages are fixed by comparing the functions, but currently the Ministry of Labour and Social Affairs is working on some initiatives for the implementation of an evaluation method that would primarily take into account an evaluation of the work position.

Minimum wage

107. Pursuant to Law No. 8487, dated 13 May 1999, "On competencies for work wages classification" and Law No. 8935, dated 12 September 2002, "On some amendments to Law No. 8487", the Council of Ministers, with the proposal of Minister of Labour and Social Affairs, approved:

- The minimum monthly wage, which is considered obligatory to be implemented by any natural and juridical person, native or foreigner;
- The wage's structure for employees of the public central administration;
- The number of categories, the wage's ceiling and its premium based on categories, for the employees of public administration not covered by Law No. 8549, dated 11 November 1999, "On the status of civil servants";
- The rate of wage indexes, according to the changes expected in the consumer price indexes, by the beginning of any year, and the rules for its implementation.

108. Law No. 7961, of 12 July 1995, amended by Law No. 8085, of 13 March 1996, "Labour Code of the Republic of Albania", in article 111 provides that the wage cannot be lower than the minimum wage established by the decision of the Council of Ministers. The minimum wage is established based on:

(a) The Economic factors, requirements of economic development, the decrease of unemployment, and production growth;

(b) Needs of the employees and their families, having regard to the overall standard of living, incomes from social insurance and standard of living of different social groups.

109. Decisions of the Council of Ministers related to wages include:

- The decision of the Council of Ministers, No. 424 of 11 June 2002, "On some amendments to Council of Ministers Decision No. 726, dated 21 December 2000, 'On wages of the budget institution employees' ", provided a general increase of wages by the amount of 8 per cent. This decision has extended its retroactive effect since 1 July 2001;
- The decision of the Council of Ministers No. 378, dated 14 July 2000, which amended the decision of Council of Ministers No. 393, dated 3 September 1992, (abolished by the decision of the Council of Ministers No. 726, dated 21 December 2000), provided an average increase of the wages of budget institution's employees by the amount of 10 per cent;
- The decision of the Council of Ministers No. 214, dated 28 March 1998, "On some amendments to decision of the Council of Ministers No. 345, dated 10 August 1992, 'On reward of employee's work' ", set out in the point 1, that the minimum base wage become 5,800 lek, and its financial effects start since 1 April 1998. In the

same decision, (point 1/b), has been provided that in the State enterprise and in the non-budget and partly non-budget State institutions, the average wage will increase up to 20 per cent, plus compensations;

- The decision of the Council of Ministers No. 423 dated 11 June 2001, “On the classification of the average monthly wage”, has clearly defined that the minimum base wage for the employees all over the country is 7,580 leks. In addition, the above-mentioned decision abolished the decision of Council of Ministers No. 24, dated 14 July 2000, “On the increase of the minimum wage”, which forecast a minimum wage of 7,018 leks;
- The decision of the Council of Ministers No. 382, dated 14 July 2000, “On the increase of the unemployment payment level” forecast, in point 1, that the unemployment payment level in the country become 3,100 leks;
- The decision of the Council of Ministers No. 551, dated 7 November 2002, “On function classifications and grouping of local government units for wage effects as well as for classification of the wage ceiling of local government unit employees”, abolished part of the decision No. 726, with regard to the local government units. The wage for high school graduates is 9,000 lek, the addition for seniority is 2 per cent after every work year up to 25 years and is counted in the group wage. Point 15 of above-mentioned decision provided that the wage level of employees who have functions in the civil service, but don’t have higher education, are classified to a maximum ceiling up to 25,000 leks. Point 16 sets out that the wages of other employees who are not civil servants of local government units are defined by the relevant decision of the Council of Ministers to a maximum ceiling up to 20,000 lek. This decision took effect on 1 January 2003.

110. Law No. 8983 of 20 December 2002, “On the State budget for the year 2003”, provides in article 2 that the minimum wage, for the purposes of the payment of social and health insurance contributions until the increase of these wages, is 9,403 lek per month. After an increase, the Council of Ministers defines new wages. Every year wages increase according to real financial opportunities, pursuant to the estimate of the State budget, and priority is given to the minimum wage. Thus, the increase in minimum wages is proportionally greater than the variation of the index for consumer prices.

111. A study conducted during 2002 ascertained the living minimum wage per capita, the minimum for an employee and the minimum for a family of four members. The study served as a tool for drawing up wage policies in general, and for the determination of the minimum wage countrywide. As an outcome of this study, the living minimum for an employee was calculated to be 13,404 leks per month.

112. The minimum wages in different branches of the economy are defined by collective agreements between social partners. A special role for the definition of the minimum wage has been assigned to the National Labour Council (NLC), established pursuant to article 200 of the Labour Code of the Republic of Albania, due to the fact that one of the most important commissions within the NLC structure is the Wage Commission. The National Labour Council is composed of 25 members (office-holders) and 25 candidates, of whom 10 office-holders

and 10 candidates are representatives of employers, 10 office-holders and 10 candidates are representatives of employees, and 10 are representatives of the Government, both as office-holders and candidates.

113. The provisions on the minimum wage are binding. Thus, article 111/1 of the Labour Code provides that, when the employer applies wages lower than those stipulated, he is subject to fines equal to 30 monthly minimum wages. The lawsuits against persons residing in the territory of the Republic are brought before the court of the place where the defendant has its domicile or residence. The Labour Inspectorate is the competent authority, which supervises the implementation of rules provided by the Labour Code with regard to the protection of employees.

Classification and trend of the wage levels

114. Classification of wages is based on Law No. 8487, dated 13 May 1999, amended by Law No. 8935, dated 12 September 2002, "On competencies in classification of work wages". According to this law, the competencies for classification of work wages are given to the Assembly, Council of Ministers, ministries, central institutions, local governments units, State enterprise and the other juridical and physical persons, domestic and foreigner.

115. In the State budget sector, the wages are classified by the State's structures in compliance with the competencies stipulated by law, whereas in the non-State budget sector, the minimum and maximum wage is classified by the Council of Ministers. For the other institutions, it is under the competencies of their managerial structures.

116. The main means of wage classification is comparison of functions. The wage level is closely related to the possibilities of the State budget and the consumer price's index increase.

117. The minimum wage scale is classified by a decision of the Council of Ministers, grounded in article 5 of Law No. 8487, dated 13 May 1999. This is obligatory for every juridical and physical person, native and foreigner. The minimum wage is being defined by collective bargaining through the partners, and is not lower than the minimum wage scale in the country.

118. The wage is a very important element of the labour market and, as such, in the course of the last 10 years continuing changes have occurred. Until the end of 1989, the wage was considered the only source of population's income. Until 1990 the wage system was unique, unchangeable and defined by the State. This system was based on compensation according to the quantity and quality of work.

119. The implementation of a very complex programme for restructuring and reform of the Albanian economy started at the moment when the country inherited a very high budget deficit and, on the other hand, domestic production was going down. In these conditions, the wage was a very important element of monetary policy and a very important factor with high social sensitivity that should be adapted to the new conditions.

120. The first increase of wages occurred in the course of 1991, when the competencies for defining and controlling them in enterprises were liberalized. This was accompanied with negative consequences, because it did not increase production. The new wage system marked the beginning of a differentiated system among the wages for qualified and non-qualified work.

121. By the end of 1993, the ratio between the lowest wage and the highest was 1 to 4. Based on the development programmes of the economy, during the period 1992-1994, it was determined that the wages of State sector employees should be reviewed twice a year according to the consumer price index. For the first time, apart from quantitative improvement of the wage's level, a new element was added, namely, compensation for food costs and later for fuel and electric power, which was conditioned on the full liberalization of their prices. All these changes achieved by the end of 1994 brought about certain outcomes in the labour market. The average monthly wage of an employee in the State sector by the end of 1994 had increased eight times in comparison with the year 1990. The official minimum wage by the end of 1994 increased approximately 3.5 times in comparison with the year 1990. The average wage of a manager was approximately twice as high as that of his subordinate.

122. The average monthly wage (1994) of an employee in the budgetary sector increased by 60 per cent in comparison with the previous year. The average wage for the period 1990-1994 increased 8 times, while prices of consumer goods have increased approximately 10 times.

123. During 1997, there was no change in the level of wages. By the end of 1997 the average salary appeared to be 17 times higher than in 1990, while prices were 19 times higher, the real wage in 1997 decreased approximately 17 per cent. This decrease had a direct influence in lowering the standard of living of the population.

124. During 1998 there was an increase of approximately 20 per cent in the average salary in the State sector. By the end of 1998, wages and prices had increased approximately 20 times compared with those in 1990.

125. In 1999, average prices increased approximately 10 per cent, in 2000, 17.7 per cent, in 2001, 15.1 per cent and in 2002, 10.5 per cent. Consumer prices from 1999 until 2003 have almost been stabilized with a 1 to 4.3 per cent increase. Thus, by the end of 1999, the real wage showed a 10 per cent increase; in 2000 increased by 17.7 per cent while in 2001 it rose 11.6 per cent.

126. In addition to the measures to liberalize wages, the Government has been attentive to the minimum wage by increasing it continuously and by influencing the reduction of the number of employees receiving the minimum wage. In comparison with the situation in 1999, the minimum wage has been increased approximately 24 times, while the number of those who are paid with a minimum wage has been reduced rapidly. At present (2003), only 3 per cent of the State sector is paid the minimum wage. In 2002, the minimum wage at the national level has been increased 25 per cent, while wages in general increased approximately 10.5 per cent.

127. Apart from increasing the minimum wage, priority was given to increasing wages for pre-university-education employees by about 12 per cent and by differentiating those of middle education, which were increased with 13-17 per cent. Health system employees have benefited

as well. Following the overall growth of wages of 12 per cent, 3,269 employees with higher education working in the University Hospital Centre, district hospitals and paediatric service benefited an increase of wages by 26 per cent.

128. In the area of wage policy, especially in the non-budgetary and private sectors, there has been marked a good cooperation between employees and employers, aiming at reaching a social understanding, in order to make wages a crucial element to foster economic activities and reduce poverty. This is realized through the mediation offered by the Ministry of Labour and Social Affairs to employees and employers and through the functioning of the Wage Commission in the National Labour Council.

Equal remuneration for work of equal value

129. The legal basis for the wage system in Albania consists mainly of the following legal acts:

- The Labour Code of the Republic of Albania;
- The law “On competencies of wage determination”;
- The law “On the civil servant’s status”, as well as other by-laws adopted for the implementation of the above acts.

130. The entire legislation given above basically is grounded on the ILO Conventions Nos. 26, 52, 95 and Convention No. 100 (1951) concerning equal remuneration.

131. Moreover, article 115 of the Labour Code expressly imposes an “equal pay for equal work” obligation. Nevertheless, wage differences based on unprejudiced criteria, such as the quality and quantity of work, vocational qualifications and years of work are not considered as discriminatory, regardless of gender.

132. The wages of employees in budgetary institutions are determined by a decision of the Council of Ministers. The most important sub-legal acts in this framework are the following decisions of the Council of Ministers:

- Decision No. 726 of 21 December 2000 “On the structure and wage levels in the institutions of central administration of the Presidency, the Parliament and the Council of Ministers”;
- Decision of the Council of Ministers “On wages of the employees in budgetary institutions”, and other decisions on particular structures, such as the Armed Forces, the State Police, etc.

133. With regard to joint stock companies, commercial companies and privately owned companies, wages are determined by collective or individual agreement, fully in compliance with the minimum and maximum limits provided by the decision of the Council of Ministers “On the minimum wage countrywide” and the decision “On the employee’s remuneration”.

134. Based on the above, the decisions of the Council of Ministers determine the wage levels considering mainly the working positions, job descriptions, the requirements for a particular vacancy, and never gender differences.

135. The State supervises the wages in non-budgetary State companies (where the State has possession of up to 100 per cent of the capital) and in other privately owned companies through the constant supervision carried out by the State Labour Inspectorate. During the supervision of the individual employment contracts, there has not been noted any case of discrimination related to the minimum wage, or different remuneration for work of equal value. The inspectorate has not so far recorded any complaint related to discrimination either toward women or men. Pursuant to the law on the State Labour Inspectorate, the Inspectorate is entitled to take administrative measures on each entity, be it a State owned or private entity.

136. The State is actively cooperating with employers and employees, especially in the non-budgetary and private sector, in order to achieve social understanding in formulating the wage policies, and to really evaluate the role of wages as an important element in economic development and poverty reduction. This cooperation has been implemented through the intermediation between employers and employees carried out by the Ministry of Labour and Social Affairs, and also through the measures taken by the Wage Commission within the National Labour Council.

Table 3

Statistics on wages for the reporting period

Average monthly wage in public sector and official minimum wage 1990-2001 (in leks)

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Public sector	570	727	1 783	3 084	4 778	6 406	8 638	9 558	11 509	12 708	14 963	17 218
Official minimum wage	345	675	840	1 200	2 440	3 400	4 400	4 400	5 800	6 380	7 000	7 580

Source: Statistical Yearbook, 1993-2001.

Table 4

Wage increases in the public sector (percentage)

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Monthly wage changes	27.5	145.3	72.8	54.9	34.1	34.8	10.6	20.40	10.40	17.70	15.10
Changes in consumer prices	35.5	226	85	22.5	7.8	12.7	33.2	20.6	0.39	0.00	3.10
Real increase/decrease in wages	-5.9	-24.8	-6.6	26.4	24.4	19.6	-16.9	-0.17	9.9	17.7	11.6

Source: Statistical Yearbook, 1993-2001.

Table 5
**Average monthly wage for an employee, according to main
groups of professions in the public sector (in leks)**

	1993	1994	1995	1996	1997	1998	1999	2000	2001
Average monthly wage for:	3 084	4 778	6 406	8 638	9 558	11 509	12 708	24 437	29 043
Managers	4 595	7 503	10 105	14 067	16 129	19 450	22 750	24 437	29 043
Professionals	3 447	5 334	7 747	10 158	11 554	13 877	15 913	18 159	20 217
Technicians	3 044	4 756	6 286	8 237	8 440	9 411	11 951	13 482	16 310
Clerks	2 905	4 674	6 116	7 645	8 483	9 603	12 829	14 415	15 637
Workers	2 833	4 215	5 701	7 242	7 974	9 119	8 605	12 394	13 846

Source: Statistical Yearbook, 1993-2001.

Table 6
**Average monthly wage and salary per employee
(Public and private sector 1997, 1998) (in leks)**

Economic activity	Year	
	1997	1998
Industry	9 411	10 792
Construction	8 340	10 617
Transport and communication	9 350	11 744
Trade	8 819	9 653
Services	7 814	11 856
Total	9 063	10 894

Source: Annual Business Structural Survey 1997, 1998, INSTAT.

Safe and healthy working conditions

137. Chapter VIII of the Labour Code of the Republic of Albania on "Health safety and protection", articles 39-75, provides very clearly the conditions of work that should be guaranteed, in order to protect the employee's health.

138. This chapter also contains provisions on the responsibility of the employer, the qualification level of the employee, the workplace, the work environment, the level of noise and vibrations, dangerous engines, the risk of fires, protection from atmospheric conditions, personal equipment, sanitary installation, first aid, etc.

139. Protection in the workplace excludes positions related to the work of an adviser, and also cases where work is done voluntarily, on a neighbourly basis or within the family.

Labour accidents

140. During the previous five years (1998-2003) there have been approximately 68 to 73 accidents in the workplace per year, and a total of 57 cases followed by fatal consequences (death). Generally these accidents have occurred due to the non-observance of the codes on technical safety by employees and the negligence of employers in providing their employees with the necessary collective and individual safety facilities.

141. Statistics show that every year there are 400-450 employees hospitalized, mostly diagnosed with work-related lung and blood illnesses. However, it has to be mentioned that these statistics comprise also chronic cases from the previous years, due to the fact that, starting in 1991, the Ministry of Health did not distinguish between the new and previous cases.

142. From an analysis of the accidents, it appears that most of them take place during the summer, when temperatures within the working premises are significantly higher. From the analysis, it also appears that accidents are significantly more frequent among untrained and unqualified personnel, reasons that sometimes have brought very grave consequences. Labour inspectors have an important role in raising awareness of the necessity of health safety and protection through constant inspections at the workplace. The negligence of these measures by the employer and the employee increases the possibility of accidents in the workplace. From the statistics it can be concluded that the greatest number of serious accidents have occurred on construction sites, with as principal cause a fall.

143. The production sector can be considered another “risky” sector. Typical among the accidents are fingers cut, various fractures and eyes being poked out. During the previous five years alone, there were 392 cases of grave accidents, resulting in temporary loss of working capability. There have repeatedly been occupation diseases related to work at shoe-production enterprises. Due to the fact that most of them represent previous cases and frequent change of job positions, within or outside the enterprise, there is not any precise number related to this category.

Working time, rest time and leave

144. Articles 76 to 97 of the Labour Code provide for the daily working hours, working time and daily breaks, leave, night work, weekly working hours, weekly leave and holidays, annual leave and other leaves.

Holidays

145. Employees are entitled to the following local Albanian holidays each calendar year:

- New Year’s Day;
- Lesser Bairam/Id Al Fitr (end of Ramadan);
- Greater Bajram (Feast of the Sacrifice);

- Easter (Catholic and Orthodox);
- Summer day (14 March);
- Nevruz (Religious (bektashi) holiday);
- May Day;
- Mother Teresa Day;
- Independence Day;
- Liberation Day;
- Christmas.

146. When a holiday falls on a weekend (Friday or Saturday), the holiday will be observed, as is the custom in Albania. Should a holiday occur during an employee's vacation, the day will be charged as a holiday. No holiday will be paid while the employee is on unpaid leave. In the event that the employee works on a holiday, the employee will be entitled to take another day of the week as a rest period, or be entitled to additional compensation at the rate of 1.25 times the regular rate for the hours worked on the holiday.

147. Regular part-time employees are eligible for a portion of the holiday, based on the ratio of hours per week worked to the standard workweek in Albania. For example, an employee working half-time would be entitled to half pay for the holiday.

Annual leave and vacation

148. Workers shall be entitled to an annual paid leave of a minimum of 28 days. Any unused leave remaining at the end of the calendar year shall be paid out, through payroll, no later than three months after the close of the calendar year. Employee's supervisor must approve leave in advance.

Other leave

149. The employee shall be entitled to take exceptional paid leave of five days on marriage or in the event of the death of a family member. The employee shall be entitled to take unpaid exceptional leave of 10 days in the event of sickness of a family member, verified by a medical report.

150. Pregnant women are excluded from work 35 days before the predicted date of delivery, and 42 days after delivery; the first period shall be of 60 days when the woman is pregnant with the second child. In case the pregnant woman already has at least one child, the period before the birth becomes 60 days. Pregnant women, during their pregnancy leave, benefit from social security payments only if they have paid at least 12 months of contributions.

151. The Albanian Parliament has recently passed some amendments to the Labour Code. Law No. 9125, dated 29 July 2003, "On some amendments to the Labour Code", is effective as of 3 September 2003.

152. The following articles of the code, concerning the issues above have been amended as follows:

- Article 78 stipulates that daily working hours may not exceed eight hours. It is determined by a decision of the Council of Ministers in the collective or individual employment contract, within the limits of the maximum weekly working hours;
- Article 83 stipulates that weekly working hours may not exceed 40 hours. It is determined by a decision of the Council of Ministers in the collective or individual employment contract;
- Article 86 stipulates that when the official holiday falls on the weekend (Saturday and Sunday), the holiday is postponed to the next working day;
- Article 87 stipulates that work performed on the weekend or during official holidays is compensated by an additional payment of not less than 25 per cent or by a holiday equal to the duration of the work accomplished plus an additional holiday not less than 25 per cent of the duration of his working hours. This holiday is taken a week before or after the work is performed;
- Article 92 stipulates that the duration of annual leave is not less than four calendar weeks;
- Article 93 stipulates that annual leave should be given within the working year or within the first quarter of the successive year, but in any case should not be less than one calendar week without interruption;
- Articles 104 and 105 stipulate that pregnant women must not work 35 days before, and 42 days after, giving birth. When the woman is pregnant with more than one baby, the first period becomes 60 days. After the 42-day period after giving birth, the woman decides whether to work or to benefit from the social security scheme.

153. Besides the above, there also exist some factors influencing the thorough implementation of the rights provided by article 7 of the present Covenant, such as uncontrolled migration from rural areas, the low level of awareness of social partners, low economic levels, etc.

International cooperation

154. For the implementation of the rights provided by this article, in the framework of international cooperation, the Ministry of Labour and Social Affairs is currently cooperating with ILO on the "Elimination of child labour" project.

Article 8

Right to organize in trade unions

155. The Republic of Albania is a party to:

- The International Covenant on Civil and Political Rights;
- The ILO Convention on the Freedom of Association and Protection of the Right to Organize, No. 87 (1948), ratified in 1957;
- The ILO Convention on the Right to Organise and Collective Bargaining, No. 98 (1949), ratified in 1957;
- The ILO Convention on Labour Relations (Public Service), No. 151 (1978);

In 2003 the Ministry of Labour and Social Affairs presented reports on the implementation of ILO Conventions 87, 98 and 131.

156. According to articles 50 and 51 of the Constitution, employees have the right to join trade unions for the protection of their labour interests. The right to labour-related strikes is guaranteed. Limitations for special categories of employees may be determined by law for the guarantee of the necessary public utilities.

157. Activities of trade unions in Albania are regulated by the Labour Code adopted in 1995 (amended in 1996 and 2003). The requirements for the establishment of trade unions are provided in articles 177 to 179 of the Labour Code. Albania has very liberal principles for setting up trade unions and the required number of members is very low - only 20 persons.

158. There are some restrictions on setting up trade unions, in particular in the defence forces and the police. There are no restrictions on the membership and formation of trade unions on grounds of race, nationality, citizenship or language.

159. For setting up a trade union, the statute of each trade union organization must be signed by at least 20 persons. The statute must define the name of the organization, the place of its residence, its goals, conditions of acceptance and exclusion of its members, rights and obligations of the members, composition and functioning of the executive bodies, duration of its mandate, participation in federations or confederations and the measures to be taken with its dissolution.

160. The trade unions, federations and confederations shall submit their statutes to the Tirana Court of First Instance for their recognition as a legal entity. The organization becomes a legal entity 60 days after the submission of the documentation to the Tirana Court of First Instance, with exception for the cases when the court decides on the contrary (art. 178).

161. The court may not add other requirements, and especially may not impose conditions not in compliance with the fundamental human rights guaranteed by the Constitution and article 181 of the Labour Code.

162. Trade unions are social organizations, constituted as voluntary associations of employees, aiming at the protection and representation of the economic, social and professional rights and interests of the members. The organizations of employers or employees have the right to constitute federations and confederations and to be part of them. Any organization, federation or confederation has the right to be a member of international organizations of employers or employees. Pensioners and the unemployed may be registered in employee organizations (art. 176).

163. With Law No. 9125, dated 29 July 2003, the above article changes as follows:

- Trade unions and employers' associations are professional organizations. The professional organizations of employers and employees are social, independent organizations established as voluntary unions, whose objective is the protection and representation of the rights and economic, social and professional interests of their members.

164. Organizations of employers or employees have the right to constitute federations, confederations and be part of them. The voluntary association of two or more professional associations constitutes a federation. The voluntary association of two or more federations constitutes a confederation. Any organization, federation or confederation has the right to be a member of international organizations of employers or employees.

165. A trade union is freely organized and administered and drafts its own programme. Every trade union shall act in compliance with the law. Discrimination towards trade union representatives is forbidden (art. 181). Any employees' organization recognized as a legal entity may address the court for the protection of the interests of its members and the fulfilment of the collective contracts (art. 182).

166. The intervention of State authorities during the establishment, activity or administration of the trade union is forbidden as is the intervention of the employers' association (art. 184).

167. The State authority does not interfere in cases of limitations of rights provided by article 182 of this Code, except for violations of law. The trade union may direct the court to prevent any interference or threat (art. 185).

168. The closing of a trade union can be done in accordance with the provisions of the statute. On request of the Minister of Labour or any other authority determined by the law, the Tirana District Court can decide the closing of a trade union in the event of evident violations of the law (art. 187).

169. At present in Albania there are two main confederations of trade unions, the Union of Independent Trade Unions of Albania (BSPSH) and the Confederation of the Trade Unions of Albania (KSSH), with approximately 90,000 members each.

170. Both KSSH and BSPSH, as well as their member organizations, have established extensive international relations with trade union organizations in Europe and in other countries. KSSH is a member of the International Confederation of Free Trade Unions (ICFTU).

171. Further details on the right to organize collectively and the statistics on trade unions in Albania can be found in the initial report (CCPR/C/ALB/2004/1) on the implementation of the International Covenant on Civil and Political Rights that Albania submitted in February 2004.

Right to collective bargaining

172. The Ministry of Labour and Social Affairs promotes collective bargaining. To this end, the Ministry has prepared drafts for various collective agreements, and specialists in labour relations of the Ministry of Labour and Social Affairs attend negotiations on a regular basis and sign collective agreements between interested parties.

Right to strike

173. According to the Constitution and the Labour Code, the right to strike is guaranteed. Trade unions have the right to strike for the solution of their social and economic requests in compliance with the provisions of the Labour Code. Participation in strikes is voluntary. No one can be obliged to participate in a strike against his will.

174. The right to strike may be exercised only after the conclusion of intermediation and conciliation efforts, with the purpose of concluding labour agreements.

175. Further details, information and statistics on the right to join and establish trade unions, trade unions in Albania and right to strike can be found in the initial report cited above.

Article 9

Right to social insurance

176. Albania is not a party to ILO Conventions No. 102, 121, 128, 130 or 168. As a result, no report on the implementation of the above conventions has been submitted to the ILO structures.

177. In Albania, the following social insurance schemes have been implemented:

- Sickness insurance;
- Maternity insurance;
- Occupational-disease and workplace accident insurance;
- Pensions and disability insurance, and insurance of pensions for dependent persons of the insured party who dies;
- Unemployment insurance.

Social insurance

178. The overall social insurance system consists of:

- Mandatory insurance;
- Voluntary insurance;
- Supplementary insurance; and
- Special State pensions.

179. The Albanian system of social insurance provides coverage only to employed persons. The scheme is funded by contributions by employed persons, employers and the self-employed, representing as such a “pay-as-you-go” approach, which guarantees the perennity of the scheme. It guarantees benefits for persons whose incomes are interrupted because of disease, old age, invalidity, unemployment, an accident at work, pregnancy, or the death of the family breadwinner.

Social security benefits awarded because of disease

180. The objectives are coverage of the temporary loss of working capability, as a consequence of a disease in general, and not a consequence due to work accident or vocational disease. All insured persons whose temporary loss of working capability can be proved by a sick leave, are entitled to benefits under this security scheme. Social security benefits paid because of disease start 15 days after the inability to work has occurred. The benefits under this branch are received in cash.

Unemployment benefits

181. Unemployment benefits comprise a base amount sufficient to ensure a minimum living standard, which is annually established by a decision of the Council of Ministers, taking into account the annual index of prices. All persons insured for at least 12 months are entitled to receive these benefits, if they can prove their unemployment. They have no other benefits from the social security services, except partial disability benefit.

Maternity benefits

182. The period of benefits for maternity leave is 365 days, including a minimum of 35 days before delivery and 42 days after delivery (art. 104, Labour Code). These benefits are in cash. Apart from pregnancy, one of the preconditions to be entitled to receive it is having contributed to the social insurance scheme for at least 12 months. An employed woman receives during maternity leave 80 per cent of the average daily payment for the period before birth and 50 per cent of the average daily payment for 150 days after birth, based on the average of her previous year's salary. Maternity-leave benefits for employed women are equal to her pension benefits. For each child born, the benefits comprise 50 per cent of the minimum monthly wage.

Social insurance benefits due to accidents at work

183. Persons eligible for benefits under this insurance scheme are those who have accidents at work and vocational sicknesses. The benefits under this scheme comprise:

- Medical care and supplements for rehabilitation;
- Benefits in the case of disability;
- Compensation for reasonable damages; and
- Benefits in the case of death.

184. In the case of permanent disability, the amount comprises 100 per cent coverage for 12 months, calculated on the average daily payment for the last 3 years, and 80 per cent of the average daily payment for the last 3 years, in case of partial disability.

Old-age pension, disability and family benefits

185. Pursuant to Albanian legal provisions, women are entitled to their full pension at the age of 60 and men at 65, provided they have been insured for 35 years and do not perform any economic activity. Those who have been insured for more than 20 years and are older than 35 are eligible to receive a partial pension.

186. All persons who become disabled because of serious mutilations or bodily harm (attested by the Medical Commission Responsible for the Determination of the Incapacity for Work) during the insurance period are entitled to a disability pension, except for cases of accidents at work and vocational sickness.

187. The provisions on social insurance provide also for a partial disability pension, assuming that the disabled person can work in special working conditions. This pension amounts to half of the full disability pension.

188. A person is eligible for a family pension after it is proved that he was maintained by the person who died, within the calendar year after the insurance termination, provided that the deceased was receiving a retirement pension or had fulfilled the requirements for a disability or old-age pension.

Mandatory insurance

189. Mandatory insurance in Albania is based on contributions paid by the employer, the self-employed worker or an employee. The employee has to be insured for temporary disability due to sickness, pregnancy, old age or invalidity, loss of a family carer, workplace accidents, work-related diseases and unemployment.

190. The employer and the self-employed worker have to be insured for maternity leave, old age, invalidity and loss of family carer. Mandatory social insurance is provided by the amended Law No. 7703, dated 11 May 1993.

191. Due to objective reasons, voluntary payment of contributions for benefits from the mandatory social insurance scheme is permitted. This is done based on article 3 of the Law No. 7703, dated 11 May 1993, and Regulation No. 9, dated 21 October 1994, "On voluntary insurance in ISI (Institution of Social Insurance)". For the management of the mandatory social insurance scheme in June 1992, a decision of the Council of Ministers established the Institution of Social Insurance.

Percentage and types of contributions

Employers' and employees' contributions

192. The social insurance contribution of 38.5 per cent is divided between the employer and employee pursuant to the type of insurance, as follows: in case of insurance for sickness, maternity leave, invalidity, family and old-age pensions, the employer pays 23.5 per cent of the gross amount listed in the payroll, whilst the employee pays 9.5 per cent of his gross salary. The above percentages are applied to the following salaries, minimum salary 10,343 lek and maximum salary 51,000 lek. (The above salaries are in force since 1 July 2003. The Council of Ministers, every year for social insurance contribution reasons, defines by decision the minimum and maximum salary.)

193. The employer is liable to pay contributions of 0.5 per cent of the payroll for employment accidents and occupational diseases and 5 per cent of payroll in case of unemployment.

Sickness insurance branch

194. Pursuant to the Albanian law on social insurance, the sickness benefit shall be awarded to the insured persons provided they are temporarily incapable to work due to general sickness and not an employment accident or occupational disease. The main condition for being awarded a sickness benefit is that the person to be insured must be medically certified as being temporarily incapable of work due to general sickness. The waiting period is 15 days. The benefits are in cash.

195. The benefit period lasts not more than six months from the date of the payment. The benefit period may be exceptionally extended for another three months, provided that a medical experts' committee certifies that the insured person concerned shall recover in that period and not be declared as disabled. The benefit period for seasonal and temporary workers, who have been employed at least 3 months in the last 12 months, shall be up to 75 days. Another benefit is income compensation in the case of job place changing. Only employed persons are entitled to the above benefit.

196. According to the Albanian legislation, the waiting period is 14 days. Thus, within the first 14 days (as provided in the Labour Code as well) the employer is liable to pay the benefit to the employee and, after that period, the employee regularly receives benefits from social security.

Unemployment benefits

197. The Albanian legislation provides the following conditions for the unemployment benefit branch:

- The interested person must have contributed to social insurance for at least 12 months;
- The person must be certified by the competent office as being unemployed and willing to undergo training and retraining; and
- Has no other benefit by the social insurance, except the partial disability pension.

198. The unemployment benefit shall be a flat rate, of an amount to provide at least for a minimum living standard, annually indexed by the decision of the Council of Ministers with regard to the price index of selected commodities. The flat-rate-base benefit shall be decided by the Council of Ministers.

199. The beneficiary with dependent children of up to 15 years of age shall receive a flat-rate family supplement, payable in respect of each dependent child, at the level of 5 per cent of the unemployment benefit, subject to a maximum of 20 per cent. If one of the parents is employed or entitled to a full pension, such a supplement should be reduced by 50 per cent. The unemployment benefit shall be payable up to 12 months.

200. According to our legal provisions, the protected person is the employed one. Pursuant to the Albanian legislation, the person is eligible to receive the benefit from the first day of unemployment for up to 12 months.

Maternity

201. According to the Albanian law on social insurance, maternity benefits shall be payable to a woman provided that she has acquired 12 months of social insurance. The law provides income compensation in case of her changing her job.

Employment accidents

202. Insured persons who suffer an employment accident or workplace disease are entitled to benefits, regardless of work level. The benefit includes: (a) additional medical care and rehabilitation; (b) benefits in case of incapacity; (c) compensation for reasonable damages; and (d) benefits in case of death.

203. In case of temporary incapacity, the employee shall be awarded a benefit equal to 100 per cent of average daily wage for the last three years, payable for a benefit period of up to 12 months. The benefit in respect of permanent working disability, incurring at least 67 per cent of working capacity lost, shall be equal to 80 per cent of the average wage for the last three years. The benefit in respect of partial permanent disability to work, incurring at least a 33 per cent loss of working capacity, shall equal 80 per cent of the average wage of the last

three years. This depends upon the degree of the working capacity lost, but not less than 50 per cent. The benefit in respect of minor permanent incapacity, of less than 33 per cent but more than 10 per cent, shall be a lump sum paid at once.

204. The person who supplies the funeral expenses for an insured person who died due to an employment accident or occupational disease shall be fully reimbursed. When an insured person dies, his dependants shall be entitled to a survivor's pension.

Old-age, disability and family pensions

205. Old-age pension: According to the Albanian law, insured persons shall be eligible for a full basic pension, provided they have reached the age of 65 for men and 60 for women, paid 35 years of insurance, and retired from economic activity. A person who has acquired less than 35, but more than 20, years of insurance shall be awarded a partial pension when reaching 65 for men and 60 for women.

206. Disability pension: The disabled person being insured (as per the decision of medical experts' committee) shall receive a disability pension, provided he has acquired a minimum insurance period and becomes disabled for reasons other than employment accidents or occupational diseases. He is eligible for the above pension if he becomes disabled for economic activity, or has suffered severe physical harm (including the blind). The minimum insurance period to qualify for a disability pension shall be equal to half the period that the disability age of the insured person exceeds 20 years of age.

207. Partial disability pension shall be granted when the person has acquired the minimum insurance period as defined above, but the difference with the full disability pension consists in the fact that the person becomes disabled to perform last employment, but may work under special working conditions. The partial disability pension shall be 50 per cent of the full disability pension, and shall be calculated in the same manner as a full disability pension.

208. When the beneficiary of an invalidity pension becomes physically or mentally helpless and needs constant care of another person (as decided by the medical experts' committee), he shall be awarded an allowance of 15 per cent of his assessment basis. If the disabled person has dependent children up to 15 years of age, he shall receive a family supplement payable at 5 per cent of the basic pension rate, in respect of each dependent child, subject to a maximum of 20 per cent. On reaching pensionable age, the disability pensioner shall have the right to opt for an old-age pension, if that shall be more favourable for him.

209. Persons dependent upon an insured person who dies shall be eligible for a family pension, provided that the deceased insured person, within the calendar year after the insurance period has been finished, was or would have been entitled to an old-age or disability pension. The eligible survivors shall include the widow, provided she is caring for a dependent child up to 8 years old of the deceased person, is disabled, or is 50 years of age. A widower, provided he is caring for a dependent child of a deceased person of up to 8 years old, must be disabled or 60 years of age. The orphan, when shown to be dependent upon the deceased, must be under 18 years of age; or under 25, if studying; or disabled before these ages. Parents are eligible when they have reached the age of 65, or when they are disabled. Grandparents and

stepfathers or stepmothers are eligible when they do not have other persons liable to take care of them, if it can be proved they shared the same household with the deceased for at least one year before the death, have reached the age of 65, or are disabled.

210. Grandchildren are eligible if they were dependent upon the deceased and shared a household with him. In such a case, they shall be treated as orphans. The widow and widower shall lose their right to a survivor's pension on marriage. The family pension shall be a portion of the pension the deceased person had or would have had and shall be:

- (a) 50 per cent for a widow or widower; and
- (b) 25 per cent for an orphan and other eligible dependants.

211. The pension for orphans is 50 per cent, when the pension established by item (a) of this article is not received. If there is more than one orphan eligible for a family pension, the pension for each of them shall not exceed 25 per cent.

212. The amount of a family pension should not exceed the amount of the pension that the deceased had or would have received. The orphan shall have the right to family pension even if the surviving parent is employed or otherwise economically active, or receives a pension as of his own right.

213. In such a case, the total pension awarded to orphans or other eligible persons shall be 25 per cent of the pension the deceased was entitled to, but shall not exceed 50 per cent of the pension. The orphan who lost both parents shall receive an orphan's pension in respect of each of them.

214. A grant shall be awarded to the insured person or pensioner in case of death of a dependent member of his family, or to the person who took care of the deceased insured person and paid the funeral expenses.

215. The death grant shall be equal to one month's basic old-age pension. The payment of the benefit shall be made through the Albanian Post Office S.A. The payment of contributions shall be made through second-tier banks.

216. The employer, through the Social Securities Fund, shall pay the short-term benefits either for sickness or maternity. Since 1 July 2003 the monthly flat-rate base benefit has been 6,728 leks in urban areas and 2,590 leks in rural areas. The remuneration for giving birth to a child is 50 per cent of the minimum monthly salary. Since 1 July 2003 the monthly salary of 10,343 leks is applicable, thus the remuneration is one half of the above salary. The monthly payment for unemployment is 3,300 leks.

Reforms carried out under various schemes

217. The Social Insurance Institute is currently implementing the social security strategy that is intended to last until 2020. The institute has already started with the implementation of the strategy, consisting mainly in implementing various reforms on the reduction of the retirement age, reduction of contribution period, gradual equalization of rural and urban contributions and the increase of minimum/maximum contribution rates from one third to one fifth.

218. In compliance with the National Strategy on Social and Economic Development (NSSD), during 2003 the activities of the Ministry of Labour and Social Affairs with regard to social security were mainly focused on strengthening the managerial capacities with the objective of achieving the sustainability of the system, aiming not only at the functionality of the scheme on the basis of the contributions, but also at the implementation of comprehensive social policies.

219. Accordingly, the following are considered as major challenges for the future:

- Improvement of the dependency rate, mainly through intensifying efforts to increase the number of contributors in the scheme;
- Reduction of possible evasion of contributions and minimization of budgetary subventions;
- Implementation of the third phase of the reform with the intention of further tightening differences between rural and urban pensions;
- Improvement of the system by reforming the legal basis of social insurance, at the same time promoting research.

220. There have been significant results in implementing the reform in this area, as follows:

- The number of urban contributors in the scheme during 2003 increased to 16,815 persons (5.5 per cent). During the first six months of 2003 alone, the number of urban contributors increased to approximately 11,000 persons;
- On 1 July 2002 urban pensions increased by 10 per cent, invalidity pensions by 20 per cent and rural pensions by 25 per cent. During 2004 another increase of pensions is foreseen, 10 per cent for urban and 20 per cent for rural pensions;
- During 2002, 22,000 persons benefited from the reform tightening the amount of rural and urban pensions. During 2004 it is foreseen that 95,000 persons will benefit, costing the State budget approximately 172 million leks;
- In the framework of this reform, several decisions, regulations and also law amendments have been adopted, or are about to be adopted;
- There have been 16 seminars organized and a number of international activities in the framework of the reform during 2003. Some of the above activities have encouraged international cooperation, bringing to negotiation and signature several protocols of understanding with foreign counterparts;
- During the reform, several research projects on the insurance system in the country and possible approaches for its improvement were carried out;

- There have been also some efforts to encourage the establishment of Private Insurance Institutes;
- During 2003 the deficit of the urban pensions scheme as a percentage of GDP was reduced to 0.25 from 0.32 per cent, while the coefficient of the dependence of the system significantly improved. In this context, the proportion of the number of contributors to the working population has improved. This ratio was estimated to be 0.26 in 2000, 0.31 in 2001 and 0.38 in 2002. The reform has until now included also the establishment and opening of new insurance agencies, in order to improve the service.

Table 7

**Percentages of the national budget spent for
social insurance purposes**

Year	Percentage
1997	27.3
1998	22.8
1999	25.4
2000	27
2001	28
2002	25.3

221. The Social Insurance budget for 2003 consisted of 37.56 billion leks under the mandatory social insurance and 2.91 billion leks under the supplementary insurance scheme. During the same year the health insurance budget consisted of 4.55 billion leks.

222. The possible imbalance in the social and health insurance funds is covered by the warranty fund of the Social Insurance Institute and the reserve fund of the Health Care Insurance Institute (HCII). Statistics of the Ministry of Labour and Social Affairs for 2003 indicate that:

- Expenditures for the social fund corresponded to 6 per cent of GDP, in comparison with 4.7 per cent of GDP during 2002;
- The funds allocated for social protection and insurance during 2003 consisted of 27 per cent of the State budget;
- Transfers from the State budget intended for social insurance correspond to 1.7 per cent of GDP;
- The income from social insurance contributions comprises up to 4.3 per cent of GDP.

223. Legislation on private social insurance was enacted in 1995, however, no private insurance company operates in the market. With regard to beneficiaries, it can cover every insured person, regardless of membership in any social group.

224. In the framework of systematic measures taken by the Government, pensions have been increased every year, or even twice a year since 1992. The amount of pension increases has varied from year to year, being applied more to small pensions, invalidity or family pensions. During the reporting period, rural pensions have been increasing more than urban pensions.

Statistics on State pensions

Table 8
Contributors to the social insurance scheme
(average number, 1994-1999)

	1994	1995	1996	1997	1998	1999
According to entities:	386 435	381 896	343 046	306 140	328 518	389 609
Budgetary	145 588	148 887	145 083	136 396	144 907	146 603
Non-budgetary	131 158	109 154	92 932	78 439	73 684	59 530
Private companies	34 428	47 764	49 482	50 041	54 091	53 743
The self-employed	32 933	32 178	22 172	13 662	13 968	13 815
The self-employed in rural areas	42 328	43 881	32 563	26 723	38 537	113 894
Contributors to the voluntary scheme		32	814	879	3 331	2 024
By the State budget:	94 000	78 571	89 154	41 898	33 879	33 334
Soldiers	43 000	32 571	31 000	9 436	7 766	7 525
Persons entitled to unemployment benefits	51 000	46 000	58 154	32 462	26 113	23 963
Persons under transitional payment						89
Military men under reform						1 757
Total	480 435	460 467	432 200	348 038	362 397	422 943

Table 9
Contributory wages (1994-1999)
(leks per month)

	1994	1995	1996	1997	1998	1999
Minimum	2 560	3 180	4 100	4 910	6 040	6 645
Maximum	7 680	9 540	12 300	14 730	18 120	19 935

Table 10

Urban pensions in the social insurance scheme (1994-1999)

End of period	1994	1995	1996	1997	1998	1999
Urban pensions						
Total	317 035	321 218	331 160	336 782	340 983	349 602
Female	127 510	130 519	131 906	133 871	136 841	138 786
Old-age pensions						
Total	247 310	249 274	252 861	254 588	257 775	265 964
Female	115 199	115 958	117 225	116 219	118 548	121 743
Invalidity pensions						
Total	21 766	22 324	23 117	25 289	25 585	26 015
Female	7 824	8 449	8 023	8 607	9 129	9 293
Survivors' pensions						
Total	46 258	47 769	48 703	49 863	50 986	51 069
Female	4 454	6 078	6 394	8 726	8 922	7 507
Others						
Total	1 701	1 851	6 479	7 042	6 637	6 554
Female	33	34	264	319	242	243

Table 11

Rural pensions in the social insurance scheme (1994-1999)

	1994	1995	1996	1997	1998	1999
Rural pensions						
Total	156 258	161 118	165 950	169 394	174 249	177 205
Female	81 305	85 951	85 971	87 513	90 349	91 567
of which:						
Old-age pensions						
Total	130 301	134 888	140 049	143 098	147 984	151 502
Female	76 192	79 727	80 566	81 703	84 366	85 906
Invalidity pensions						
Total	4 748	4 652	4 409	4 473	4 296	4 027
Female	2 043	2 019	1 838	1 676	1 644	1 545
Survivors' pensions						
Total	21 209	21 578	21 492	21 823	21 969	21 676
Female	3 070	4 205	3 567	4 143	4 339	4 116

Table 12

Old-age pension amount (1994-1999)
(leks per month)

	1994	1995	1996	1997	1998	1999
Minimum monthly pension						
State pensions	2 200	2 710	3 250	3 250	4 000	4 400
Rural pensions	700	700	875	875	1 050	1 155
Maximum monthly pension						
State pensions	3 840	4 400	5 420	6 500	8 000	8 800
Average monthly pension						
State pensions	2 240	2 840	3 380	3 514	4 212	4 653
Rural pensions	700	700	875	818	984	1 058

Table 13

**Disabled that benefit from social protection and total fund
of disability benefit (1995-1999)**

End of period	1995	1996	1997	1998	1999
In total number	16 739	19 159	18 703	25 647	30 692
In municipalities	6 049	6 733	8 173	10 983	13 454
In communes	10 690	12 426	10 530	14 664	17 238
Total fund	271 196	581 718	746 881	1 347 427	1 511 518
(in thousand leks)					
In municipalities	100 668	215 624	332 123	613 162	666 276
In communes	170 528	366 094	414 758	734 265	845 242

Table 14

Unemployment benefits (1992-1999)
(in leks)

	1992	1993	1994	1995	1996	1997	1998	1999
Monthly unemployment benefit	1 180	1 237	1 920	2 200	2 500	2 500	2 500	2 500

Table 15
Contribution rate by social insurance (1994-1999)
(in percentage rate)

	1994	1995	1996	1997	1998	1999
Sickness	1.5	1.5	1.5	1.5	1.5	1.5
Maternity	2.8	2.8	2.8	2.8	2.8	2.8
Pensions (old-age, invalidity, survivors')	31.7	31.7	31.7	31.7	31.7	31.7
Employment injuries and occupational diseases	0.5	0.5	0.5	0.5	0.5	0.5
Unemployment	6.0	6.0	6.0	6.0	6.0	6.0
Total	42.5	42.5	42.5	42.5	42.5	42.5

Table 16
Average monthly pension during 2002
(in leks)

State pensions:	
Retirement pension	6 446
Invalidity pension	4 842
Survivor pension	3 176
Rural pensions:	
Retirement pension	1 575
Invalidity pension	1 617
Survivor pension	731

Source: Social Insurance Institute.

Table 17
Minimum and maximum monthly retirement pension, 2002

Urban	
Minimum pension	6 116
Maximum pension	12 232
Rural	2 158

Source: Social Insurance Institute.

Table 18

**Invalidity and survivor State pensions due to accidents at work
and occupational diseases (year 2002-end of period)**

	Total	Female
Total number of State invalidity pensions of which:	27 290	6 848
Number of invalidity pensions due to accidents at work and occupational diseases	2 892	287
Permanent	488	77
10-32 per cent invalidity	84	7
33-66 per cent invalidity	1 818	166
67 per cent invalidity	502	37
Total number of State survivor pensions of which:	53 050	7 991
Due to accidents at work	480	24

Source: Social Insurance Institute.

International cooperation

225. Albanian insurance legislation is relatively recent and, as such, its structure has been subject to the most noted insurance principles, being constantly assisted during its compilation and implementation by international organizations in the area. Bringing Albanian insurance legislation closer to the European standards represents a constant obligation of the Government of Albania. The frequent amendments and improvements of the law on social insurance aim at including more persons in the scheme, to increase the level and variety of benefits and bring legal conditions within present standards.

226. Assistance from foreign donors has been always present in the area of social insurance. Some of these projects are shown below:

- The “Social Insurance Component” project was implemented during 1993-1998, under the mega-project “Development of the Social Protection Network” of the World Bank, with funding of US\$ 4.1 million;
- A donation from the Government of Italy assisted in formulating a 30-year strategy on the development of the social insurance system in Albania. The cooperation has been considered particularly successful, bringing visible progress in training capacities in the area of pensions and legislative reform of the social insurance system in the country. Within the framework of the project some issues have been discussed related to the delays in paying contributions, organization and restructuring of the Social Insurance Institute and raising public awareness with regard to the pension system;
- The Council of Europe funded in recent years a regional project on the approximation of the social insurance legislation with that of the European Union.

Article 10

Right to marriage and family

227. The Republic of Albania is a party to:

- The International Covenant on Civil and Political Rights;
- The Convention on the Rights of the Child;
- The Convention on the Elimination of All Forms of Discrimination against Women;
- The ILO Minimum Age Convention No. 138 (1973), ratified in 1998.

The Republic of Albania has submitted reports on the implementation of the above international instruments, with exception of the ILO Minimum Age Convention.

228. According to the Constitution, article 53, everyone has the right to get married and have a family, and marriage and the family enjoy special protection from the State. The entering into and dissolution of marriage are regulated by the provisions of the Family Code (Law No. 9062, 8 May 2003) and by the provisions of the Civil Code.

229. According to article 1 of the Family Code, marriage as legal cohabitation is founded on the moral and juridical equality of spouses, love, reciprocal respect and understanding, as grounds of family unity. Marriage and the family enjoy special protection from the State.

Rights of the child

230. Under Albanian legislation, a child means any human being, born alive, who is below the age of 18, when he acquires the full juridical capacity to act. After birth, the child automatically enjoys this legal capacity, which accompanies him for the rest of his life. With regard to the protection of children's rights before they are born, the Civil Code (art. 2) stipulates that legal capacity starts with the birth of the person, and ends with his death. The child, when born alive, enjoys legal capacity from the moment of conception.

231. Article 320 of the Civil Code likewise provides for the protection of the rights of a child to inherit, with rights to inheritance being acquired as of the moment he has been conceived. This provision states in concrete terms that a person has the capacity to inherit who, at the time of the inheritance, is alive, or who has been conceived before the death of the person leaving the inheritance, and is born alive.

232. From the moment of his birth until the age of 14, the child has only legal capacity. From the age of 14 to the age of 18, a child has partial legal capacity to act. The minor who has attained the age of 14 may perform legal transactions only with the prior approval of his legal representative. Nevertheless, he may participate in social organizations, dispose of the earnings from his work, deposit his savings, and make these deposits himself. Under the provisions of the Civil Code, the procedure for the creation of associations is not made conditional on age. This means that children are also entitled to being organized into associations fitting their interests.

233. A minor who has not attained the age of 14 does not have the capacity to act. He may perform legal transactions that fit his age, as well as legal transactions that bring benefits without compensation. The legal representative performs all the other legal transactions on his behalf. Under family law, any female and male who have attained the age of 18 are entitled to marry. The district court may permit their marriage before 18 only for important reasons. A child finishes obligatory education at the age of 14 or 15, depending on the age when he started school.

234. Under articles 98 and 99 of the Labour Code, children are admitted for employment at the minimum age of 16. Children aged 14 to 18 may be employed to do light work during school vacations. The Council of Ministers defines light work and establishes the working hours.

235. Under article 100 of the Labour Code, only adults may be employed in difficult work or work that is potentially hazardous to one's health and personality. The Council of Ministers defines difficult or hazardous work.

236. Under Law No. 7527, dated 2 November 1991, "On military service", male citizens may enlist for military service as soon as they attain the age of 18.

237. Under the Civil Procedure Code (art. 356), children may give testimony to court after they attain the age of 16. According to article 6 of the Family Code, in every proceeding with respect to children, they have the right to be heard, commensurate with their age and ability to understand things.

238. A minor's request to be heard during various proceedings cannot be rejected, unless there are important reasons. In every procedure with respect to minors, the presence of a psychologist is obligatory, in order to evaluate the child's claims in accordance with his mental development and social situation.

239. A child faces criminal responsibility for criminal offences after he attains the age of 14, and for criminal transgressions after he reaches the age of 16. For minors who, at the time they committed the criminal offence, were below the age of 18, imprisonment sentence cannot exceed half of the term of punishment that the law provides for adults (art. 51 of the Criminal Code).

Right to enter into marriage and limitation of this right

240. According to the Constitution, article 53, everyone has the right to get married and to have a family, and marriage and family enjoy the special protection of the State.

241. In compliance with articles 8 and 9 of the Family Code, marriages are established in front of a civil status official, with the free acceptance of both future spouses. A person who is already married cannot establish another marriage, until the previous one has been declared as null and void.

242. A marriage cannot be established between parents and their children, sisters and brothers, an uncle and his niece, an aunt and her nephew, or between the children of brothers and sisters. For important reasons the court may permit the marriage between children of brothers and

sisters (art. 10). In addition, pursuant to articles 11 and 12 of the Code, a marriage cannot be established between a father-in-law and his daughter-in-law, a mother-in-law and her son-in-law, a stepfather and a stepchild.

243. Persons suffering from a heavy psychological disability cannot enter into marriage, nor can those who are mentally retarded to the point they cannot understand the purpose of marriage. The marriage between a tutor and the person under tutorship is prohibited, while marriage between foster parents and foster children is prohibited also, among foster children and between the foster child and the children of the foster parents. Regardless of adoption, a foster child cannot enter into marriage with biological relatives, as provided by article 10 of the Code.

244. Ownership in marriage is regulated by the provisions of the Civil Code, 1994 (arts. 86 and 87). According to article 86, "Movables, bank deposits and everything acquired by spouses during marriage, excluding personal belongings, are common property." Common property presumes that each spouse's part is equal, unless the contrary is proved on the basis of appropriate criteria. Spouses are entitled to equal rights to common property, even when one of them has been performing housework. Such legal provision was not recognized before the entering into force of the 1982 Code. However, since in most cases the wife moves upon marriage into the house of the husband (which is not, as a consequence, acquired during marriage), very often the wife has no claim to the house.

Number of marriages and divorces

245. Details on the number of marriages and divorces can be found in the initial report (CCPR/C/ALB/2004/1, p. 24). In addition, during 2000 there were 2,168 divorces, or 8.4 divorces for every 100 marriages and in 2001 there were in total 2,462 divorces, or 10.4 divorces per 100 marriages.

Table 19

Divorces by number of children

Years	Divorces Total	By the number of children				
		Couples without children	One	Two	Three	Four children or more
1990	2 675	1 281	706	450	150	88
1991	2 236	1 057	600	368	145	66
1992	2 480	-	-	-	-	-
1993	2 251	921	700	392	154	84
1994	2 108	877	545	436	167	83
1995	2 331	978	646	475	150	82
1996	1 901	740	535	460	109	57
1997	1 430	545	436	335	87	27
1998	2 005	780	615	433	117	60
1999	2 114	805	658	444	154	53
2000	2 168	754	569	557	186	102
2001	2 462	982	692	566	148	74

Table 20

Divorces by years of conjugal life

Years	Total divorces	By years of conjugal life				
		Up to one year	One or two years	Three to four years	Five to nine years	10 years and above
1990	2 675	652	525	688	459	351
1991	2 236	518	512	534	366	306
1992	2 480	532	779	546	378	245
1993	2 251	442	580	572	385	272
1994	2 108	429	466	565	399	249
1995	2 331	528	623	540	342	298
1996	1 901	526	452	415	259	249
1997	1 430	337	370	318	182	223
1998	2 005	367	439	463	372	364
1999	2 114	368	436	473	443	394
2000	2 168	377	429	458	484	420
2001	2 462	508	504	576	469	405

Table 21

Divorces by educational level

Years	Total divorces	Illiterate	Elementary school	Primary school	Secondary school	Tertiary education
1993	2 251		181	1 148	833	89
1994	2 108		216	989	792	111
1995	2 331	81	147	1 118	877	108
1996	1 901	95	125	863	732	86
1997	1 430	46	200	544	586	54
1998	2 005	88	135	821	834	127
1999	2 114	66	151	925	831	141
2000	2 168	18	210	958	793	189
2001	2 462	14	131	1 153	1 013	151

Source: INSTAT - Women and Men in Albania (October 2002).

Assistance to families

246. All poor families or individuals are entitled to this assistance, provided they fulfil the legal requirements. The benefits under this scheme are provided without any distinction based on ethnicity, belief, gender, etc. In any case, it has to be mentioned that some poor families are not entitled to this benefit, because they do not meet the legal requirements. The highest percentage within this group consists of families who migrated by choice. These families, however, have received short-term and partial benefits after being identified by social service

regional offices. They have also given priority during the assistance provided by various NGO programmes and international organizations, such as the World Food Programme, Catholic Relief Services, Mercy International, and Care International.

247. One of the most challenging problems faced with regard to insurance is the incompatibility of the current law (Law No. 7710, of 18 May 1993) with the new challenges that emerged during its implementation. For that reason, the Social Insurance Institute is currently working on a new draft law, whose adoption would respond to the actual developments in the country, the decentralization reform of social services and other social problems.

Protection of mothers before and after childbirth

248. Law No. 7703, of 11 May 1993, "On social insurance in the Republic of Albania" (amended), provides that mandatory insurance is a non-profit scheme, protecting employed persons and other economically active persons (employers and self-employed people) in respect of maternity (art. 2).

249. The maternity benefit shall be payable to a woman with regard to pregnancy and childbirth, provided she has acquired 12 months of social insurance. The benefit period shall be 365 calendar days, including a minimum of 35 days before and 42 days after childbirth. For pregnant women who have more than one child, the benefit period shall be 390 calendar days, including a minimum of 60 days before and 42 days after childbirth.

250. The rate of maternity benefits for an insured woman shall be:

- 80 per cent of the daily average of the assessment basis of the last calendar year for the period prior to birth, and for 150 calendar days after the birth;
- 50 per cent of the daily average of the assessment basis of the last calendar year for the rest of period.

251. Maternity benefits are paid at the workplace by the employer, with the social insurance funds designated for this purpose in conformity with the respective documentation. For the purpose of social protection, the maternity period is considered as the insurance period.

252. The amount of maternity benefit for an economically active woman shall be equal to the base flat-rate old-age pension. When a child of up to 1 year of age is adopted, the adoptive mother, having not less than 12 months of insurance, shall have a maternity benefit beginning from the day the adoption occurred. This shall not begin before the 42nd day of childbirth, subject to a maximum of 330 days from delivery of the baby. The minimum period of benefits for the adoptive mother shall be 28 days. When a child is adopted during the maternity leave, the real mother shall have a benefit period until the day the adoption occurred, but not less than 42 days after childbirth (art. 27).

253. The maternity allowance benefit shall be awarded to reimburse the loss of wages of an insured person who has to change employment for reasons of pregnancy, in conformity with a decision of a medical experts' committee, provided one year's contributions has been paid,

prior to being eligible to benefits. The amount of such a benefit shall be equal to the difference between the previous and present wages, subject to a maximum of 50 per cent of the daily average of annual assessment basis for the last calendar year (art. 28).

254. A birth grant shall be awarded to an insured person who is the mother or father of a newborn child, provided that one of them has contributed for one year prior to the childbirth. The grant shall be payable only once and the mother shall have priority in eligibility, if insured. The birth grant shall be a lump sum equal to 50 per cent of the minimum monthly wage (art. 29).

Equal right of children to protection

255. The work of the Labour Inspectorate in general and above-mentioned cooperation with the ILO-OPEC programme in particular, aims to maximize the prevention of children's labour and especially the prevention of their employment in jobs that are harmful for their health and dangerous for their life. Awareness of all social structures, either governmental or non-governmental, and associations would reduce this negative phenomenon of our society.

256. Chapter X of the Labour Code defines the minimum age under which a child should not be employed, that is, 16 years old. There are exceptional cases of school-age children from 14 to 16 years old, who are allowed to do easy jobs during summer school vacations.

257. According to statistical data drawn from the Labour Inspectorate, there are approximately 600 children mostly between 16 and 18 years of age, who are employed mostly in social catering, tailoring, at shoe factories, etc.

258. Children are employed in different branches or economic sectors. It is understandable that such social groups or individuals do not, or only partially, enjoy their rights to education or leisure.

259. According to the Albanian legislation, social services do not differentiate by age, gender or race. Consequently there are not any categories of children to whom the protection measures are not provided. Social services offered to orphans, abandoned children, or to children deprived of family, aim firstly at providing them with good upbringing and education, and secondly at finding a permanent family for them (by adoptions). The problem of accommodating mentally handicapped children in development centres, whether residential or diurnal, remains unsolved because of the insufficient capacities of such centres.

260. Elements for informing children about their rights are included in syllabuses or curricula of the second level of elementary-school (middle) school. In addition, various associations like the above-mentioned, yield useful contributions in this regard.

261. Although Albanian legislation pertaining to the social area has been published and disseminated, State social services organize frequent trainings and workshops aimed at making this generation aware of their rights. A lot of work in this regard is done by social inspectors of the Aid and Social Care Service, regional offices placed in all of 12 prefectures. Thus, in cooperation with various NGOs, a folder for State social services was drawn up as well as a number of posters.

262. Difficulties faced in the promotion of children's rights have been caused by uncontrolled movements of people, low economic standards, particularly in rural zones, and insufficient work of social partners in making children conscious of their rights.

263. More detailed information on children and their rights in the context of article 10 can be found in the initial periodic report of the Republic of Albania on implementation of CRC (CRC/C/11/Add.27), and in the initial report on the implementation of the International Covenant on Civil and Political Rights (CCPR/C/ALB/2004/1).

International cooperation

Projects implemented in the Ministry of Labour and Social Affairs

264. A project of the Ministry of Labour and Social Affairs and ILO-IPEC aims at enhancing the capacity of the Ministry of Labour and Social Affairs in the framework of its fight against child labour in Albania. This project shall contribute in the progressive elimination of child labour through enhancing the institutional capacity of the Ministry of Labour and Social Affairs and the Labour Inspectorate, establishing an institutional structure to implement a national programme on elimination of child labour. The project will also contribute to the elimination of child labour in Albania through prevention and protection of employed children, their retirement and rehabilitation, ensuring professional advisory services, concrete actions, gathering and dissemination of information, etc. The project lasted 18 months (February 2002-August 2003) and a donation from IPEC of US\$ 18,285, and a contribution from MPCs of US\$ 14,000 (in-kind) have facilitated it.

265. Through a project for enhancing the capacity of labour inspectors to combat the worst forms of child labour, training of labour inspectors and representatives of institutions concerned with child labour will be carried out so that they have the necessary knowledge and skills for the identification and monitoring of the child labour issue, and assistance by trained inspectors of all country districts, including a foreign expert.

266. This project gives priority to the enhancement of labour inspectors' capacities in order to challenge systematically and comprehensively the worst forms of child labour, not only within formal sectors, but also in the informal sectors. This project addresses the needs and contributes to the enhancement of general awareness of both national and regional conditions. The project lasted 12 months (May 2003-May 2004), with an IPEC donation of US\$ 22,700, and a donation from MPCs of US\$ 17,000 (in-kind).

267. A project on revising domestic legislation concerning child labour and harmonizing it with international standards will produce recommendations for the improvement of the institutional legal framework with regard to child labour, increasing their legal protection, and ensuring a comprehensive analysis of the actual situation. This project will be the first step towards bringing our domestic legislation concerning child labour into line with respective international regulations. This project lasted four months (October 2003-January 2004) and was funded by a donation from IPEC of US\$ 3,500, and one from UNICEF of US\$ 2,000.

268. A project on national policies to fight against child labour and elimination of the worst forms of it aims to draw up national policies on child labour, recommendations and an action plan, which would facilitate the process of implementing the above policies through a wide range of actors and institutions active in child labour issues, both at the central and local level. Through implementation of this project, the necessary information will be obtained, and a national report and a well-defined strategy on the fight against child labour and especially its worst forms.

Article 11

Living standards

Living standards of the population, socio-economic and cultural discrepancies, and other groups of the society

269. Research on poverty was conducted in 1998 (LSC), in 2000 (MISC) and in 2001 (qualified research on poverty). For research purposes, an absolute line of poverty was established, grounded on the cost for basic necessities (CBN). The country was divided into four areas: Seacoast, Central, Mountainous and Tirana. The poverty coefficient, with respect to the areas, is as follows:

- Seacoast Area 20.6
- Central Area 25.6
- Mountainous Area 44.5
- Tirana 17.8

Table 22

The indicators of unfulfilled basic necessities (UBN)

Basic needs unmet	Tirana	Urban	Rural	Total
Water and improper hygiene	0.5	2.6	28.6	17.5
Improper living conditions	8.5	6.3	16.5	12.5
Insufficient power supply	1.7	9.0	18.1	13.5
Overpopulation (more than three persons per room)	10.3	15.6	18.6	16.7
Education level (householder with or less than eight years' education)	34.7	47.0	74.8	61.2
Poor (two or more UBNs)	11.5	16.6	47.2	33.8
Very poor (three or more UBNs)	2.3	3.2	18.3	11.9
Not poor (one or no UBNs)	88.5	83.4	52.9	66.2

270. The Living Standards Measurement Survey of INSTAT (LSMS 2002), succeeded in profiling poverty by pointing out the main characteristics as follows:

- Poor persons living in big and new families. Approximately 40 per cent of poor people belong to families with seven or more members. About 50 per cent of the poor people in Albania are under the age of 21. Old people living in Tirana have a lower level of poverty, 12 per cent;

- The poorest areas are those in the north and north-east of the country. Approximately 50 per cent of the inhabitants in these areas live in poverty and more than one fifth of those live in extreme poverty;
- The poorest people do not benefit much from health services. The poor children under the age of 5 are poorly fed;
- The main incomes are generated by agricultural activity and wage-based employment;
- Poor people spend more than half of their incomes on food (67 per cent) and less for non-food products (17 per cent).

271. State social services, in the framework of the improvement of social protection programmes and the achievement of the middle-term goals of National Strategy on Social and Economic Development and the Poverty Reduction Strategy, have carried out a survey which presents an analysis of the criteria and social economic indicators on which the current allocation of economic aid is based. According to this survey, it is noticed that the extent of poverty is generally affected by marked distinctions North zone-South zone, village-city, mountainous and coastal areas. The level of poverty is higher in the northern and north-eastern area of the country. Factors which have influenced the accumulation of poverty in those areas have been complex, either historical or geographical, and either social or economic.

272. In cooperation with non-governmental agencies and organizations, partial studies have been conducted and the first steps have been taken in the determination of the relationship between economic poverty and social exclusion. On the basis of some integrated indicators (dropping out of school, economic poverty and infant mortality) a map of social indicators has been made up.

273. On the basis of a point system, the selected indicators are listed by values resulting from their indexation, indicating the rate of social exclusion at the district level (36 districts of our country). Based on the integrated indicators, the 36 districts are classified into 4 groups:

- First group: included the districts of the north-eastern area with higher indicators of social exclusion (such as Kukesi, Dibra, Bulqiza);
- Second group: 19 districts are included;
- Third group: 7 districts are included;
- Fourth group: 4 districts are included with the lowest of social exclusion (such as Devolli, Delvina, Gjirokastra, Saranda).

274. By analysing the indicators used in the above classification, it results that in some cases there is a discrepancy between the economic and social situation, but in general by taking into account the indicators, they show the close relationship between poverty levels and social

exclusion. One of the findings of observation was that where the highest indicators of poverty exist, the indicators of basic social services are generally low, so the poorest districts have the highest indicators of social exclusion.

Table 23

Gross domestic product (GDP) per capita (in US\$)

Year	Total
1996	921
1997	673
1998	842
1999	1 053
2000	1 128
2001	1 366
2002	1 552
2003	1 640

275. GDP per capita is an average indicator that is calculated by taking into account the entire population and it cannot be distinguished with regard to differentiated strata of the population.

Level of poverty in Albania

276. According to all the indicators of poverty, one quarter of the Albanian population is poor. Extreme poverty (below US\$ 1 per capita per day) is present at less than 5 per cent of the population. Non-monetary dimensions of poverty are sharp. Rural access to infrastructure and services is very low, but also in urban areas the quality of these services decreases significantly the access level.

277. Poverty is higher in rural areas, with 66 per cent more poor people than in Tirana and 50 per cent more than in other urban areas. Poverty is more prevalent in new households. It relates to unemployment, where gender differences appear in the labour market, disfavours women. A low education level also represents a significant factor of being poor.

278. According to the State social services the vital minimum is not established, even though a study on this subject has been completed, and this study is being used as a reference in the process of gradual growth of economic aid.

279. Assessment of the official level of poverty is done in an administrative way by maintaining the ratio between the minimum wage, minimum pension and economic aid.

280. Through findings of the study "Living Standards Measurement Survey 2002 - INSTAT", a more accurate and substantial evaluation of poverty has become possible. There emerged the finding that a quarter of the Albanian population is poor. Destitution, determined by nourishment criteria, is low, less than 5 per cent of the population. The legal basis for providing economic aid is Law 7710, dated 18 May 1993, and Council of Ministers decision No. 113, dated 31 March 2002, "On economic aid", by which 129,958 families are eligible to it.

Socio-economic indicators**Table 24****Annual household consumption expenditures by groups for 1993, 1994, 2000****Budgetary coefficients**

Patterns of expenditure	1993	1994	2000
Cereal products	17.0	12.9	8.9
Vegetables	9.1	10.2	6.2
Fruits	5.7	3.4	4.6
Meat and products	11.1	11.7	11.3
Chicken and eggs	5.1	3.8	2.5
Fish	0.2	0.3	0.8
Milk and dairy products	11.7	12.3	7.8
Other products	6.8	7.7	4.8
Beverages	3.4	3.8	3.3
Consumption outside the home	0.2	0.5	4.7
Food products	70.3	66.3	54.9
Beverages	3.4	3.8	3.3
Food products and beverages without tobacco	73.7	70.1	54.9
Tobacco	1.8	2.0	2.9
Clothes and footwear	2.8	2.4	5.3
Rent, electricity, water supply	2.7	3.2	6
Work on the house	2.9	1.9	1.2
Furniture	2.5	3.3	1.1
Equipment	4.4	4.2	0.8
Furnishing	0.2	0.4	3.7
Maintenance	0.9	2.3	0.4
Equipment, furnishing	10.9	12.1	7.2
Health	0.9	0.9	2.6
Automobile	2.0	5.3	4.5
Transportation	1.6	1.3	1.7
Telephone, mail	1.2	0.6	1.7
Transportation, communication	2.8	1.9	3.4
Audio-visual equipment	2.7	3.5	0.5
Leisure	0.5	0.0	2.4
Education	0.5	0.4	2.5
Education, culture, entertainment	3.7	4.0	5.4
Personal care	0.3	0.8	1.9
Jewellery	0.1	0.2	0.4
Personal care	0.4	1.0	2.3
Other expenditures	1.7	0.8	5.5
Total	100.0	100.0	100.0

Table 25

Household budget by region or urban area, 2000

	Food, tobacco, beverages	Clothes, footwear	Rent, water, electricity	Domestic equipment	Medical care	Transportation, communications	Education, entertainment	Personal care	Other expenditures	Total
Berat	63.3	4.2	6.2	6.4	3.1	7.2	4.0	1.9	3.7	100
Diber	62.2	5.7	5.6	5.9	1.9	6.4	3.3	1.0	7.9	100
Durres	61.9	4.3	6.5	5.3	2.1	7.4	3.6	2.3	6.6	100
Elbasan	60.1	4.5	6.1	7.1	2.7	7.3	5.9	2.2	4.1	100
Gjirokaster	55.2	5.6	5.9	6.5	3.7	8.9	8.4	1.5	4.3	100
Fier	53.7	4.3	7.1	6.6	3.4	9.9	4.7	1.8	8.5	100
Korce	59.4	5.2	11.5	6.2	1.3	4.9	5.3	2.5	3.7	100
Kukes	57.8	8.4	3.6	8.3	1.7	10.7	4.2	0.9	4.4	100
Lezhe	58.5	6.6	4.5	7.5	1.8	5.8	5.4	3.1	6.8	100
Shkoder	59.6	7.2	2.9	8.2	2.3	7	5.2	3.6	3.8	100
Tirana	55.5	5.4	8.8	5.2	2.3	8.3	5.9	2.5	6.0	100
Vlore	60.3	4.5	4.3	6.4	3.9	10.0	5.0	1.7	3.8	100
Total	57.8	5.3	6.9	6.3	2.6	7.9	5.4	2.3	5.5	100

Source: Household budget survey in urban areas, 1999-2000.

Table 26**Household expenditure patterns according to main groups (1993, 1994, 2000) in percentage**

Expenditure	Year		
	1993	1994	2000
Food, tobacco, beverages	72.1	68.93	57.8
Clothes, footwear	2.8	2.39	5.3
Rent, electricity, water, fuel	6	4.89	6.9
Equipment, furniture	7.6	10.46	6.3
Health care	0.9	0.93	2.6
Transport, communication	4.8	7.25	7.9
Education, entertainment	3.7	4.13	5.4
Personal care	0.4	1.01	2.3
Others	1.7	0.01	5.5
Total	100	100	100

Source: Household budget survey in urban areas, 1999-2000, *Statistical Yearbook, 1993-2000*.

Right to healthy food

281. The fulfilment and respect of the right to healthy and appropriate food represents one of the main objectives of the functioning of the Ministry of Health, and especially of the Primary Health Care Department. According to the Ministry of Health, the fulfilment of this right can be realized only in close collaboration with other ministries, such as the Ministry of Agriculture and Food, the Ministry of Economy, etc.

282. For this reason, the above organs worked on the preparation of a National Plan of Action for Nutrition and Nourishment which is in the final phase of adoption. The sources of information on the above come from the Ministry of Health and the Ministry of Agriculture and Food.

283. Food is of extraordinary importance. National food supply data are mainly provided through the Ministry of Agriculture and Food.

284. The first study concerning nourishment at the household level after the fall of the Communist regime was conducted during the August-October 1993 period in 3,179 families randomly selected in Tirana. The study was conducted taking into consideration the number of households and houses from the 1989 registration. Based on the social-economic changes (demography, housing, employment, migration and incomes), a second questionnaire was administered through the stratification method in 807 households.

285. The results indicate that the annual expenses were 35,244 leks per person, per month. Of the above, 72 per cent was spent for food.

286. The study, conducted by the Ministry of Agriculture and Food (SARA Program 1996-1997), indicated that the nutrient rations of Albanians contain sufficient calories and it mainly consisted of corns. The annual bread consumption of a person was nearly 200 kg. Whereas in the rural areas food is produced, in urban areas the population is dependent on imported foods. The monthly food expenditures for food in urban areas is nearly of US\$ 150 per household, divided in four categories such as grains, meat, fruits and vegetables; 70-72 per cent of household incomes were spent on food. The indicators below meet the WHO recommendations.

Table 27
Daily nutrients for a person in 1996

Year	1996					
Products	Kg per year	Gr per day	Proteins	Fat	Carbohydrates	Calories
Meat	27.27	74	15.31	0.74	0	68.08
Milk	112.16	307	9.51	10.43	14.73	187.27
Butter	5.36	14	0.11	11.67	0.15	106.12
Cheese	17.75	48	5.37	12.91	2.88	148.32
Eggs	154.44	37.6	4.88	4.17	0.37	58.65
Vegetable oil	16.86	46	0	46.0	0	414.0
Sugar	16.57	45	0	0	46.8	176.40
Bread	179.88	492.8	36.96	6.4	265.12	1 197.50
Fruits	29.53	80	0.6	0.16	8.64	39.04
Potatoes	29.13	79	1.58	0.07	12.64	59.25
Vegetables	110	301	7.52	0.75	-	78.26
Legumes	9.86	26	6.13	0.65	13.44	80.86
Total			87.97 12.96%	93.95 31.15%	364.77 58.29%	2 613.75

Source: Ministry of Agriculture and Food.

287. From the beginning of the transition towards a market economy, Albania had a deficient structure of its main agriculture products, especially in cereals, oleaginous seeds and sugar. During 1980-1993, the overall nutritive energy needed increased by 1.3 per cent per year. As result of the population growth and changes in the population structure, needs are foreseen to increase with 1.6 per cent for the time period 1993-2010. This increase is foreseen to be greater in urban areas, approximately 3 per cent during 1993-2010.

288. With regard to nutrient security, which is directly related to safe food, maximum efforts have been undertaken in accordance with the respective provisions of EU legislation, WHO and FAO recommendations, respecting as much as possible in this case the Codex Alimentarius. Simultaneously, the Ministry of Agriculture and Food is working on concrete recommendations for the Albanian population for healthy dietary and nutritional balance.

Poverty and inequality in Albania**Table 28****Extent of poverty in Albania**

	Tirana		Other urban		Rural		In total	
	Poor	Extremely poor	Poor	Extremely poor	Poor	Extremely poor	Poor	Extremely poor
Poor (in percentage)	17.8	2.3	20.1	4.8	29.6	5.2	25.4	4.7
Indigence gap	3.8	0.6	4.7	0.9	6.6	0.7	5.7	0.8
Quadratic indigence gap	1.3	0.22	1.7	0.24	2.1	0.16	1.9	0.19
Average consumption per person	9 043		8 468		7 212		7 801	
Gini coefficient	0.30		0.28		0.27		0.28	

Note: A household is considered poor if two or more basic needs are not satisfied.

Table 29**Unsatisfied basic needs**

	Tirana	Urban areas	Rural areas	Total
Water and insufficient hygiene*	0.5	2.6	28.6	17.5
Inappropriate housing conditions**	8.5	6.3	16.5	12.5
Insufficient power supply***	1.7	9.0	18.1	13.5
Overpopulation (more than three persons/room)	10.3	15.6	18.6	16.7
Education (family head without primary education)	34.7	47.0	74.8	61.2
Poor (two or more UBN)	11.5	16.6	47.2	33.8
Extremely poor (three or more UBN)	2.3	3.2	18.3	11.9
Not poor (one or no UBN)	88.5	83.4	52.9	66.2

* Insufficient water and hygiene: flowing water and WC with water pipes, both insufficient.

** Subjective estimation (inappropriate conditions for living, or house under construction).

*** Insufficient power: more than six hours daily interruption of power supply.

Table 30

Moderate and extreme malnutrition of children less than five years old

	Undeveloped		Wasting		Underweight	
	Moderate	Extreme	Moderate	Extreme	Moderate	Extreme
Areas						
Rural	34.9	18.6	11.8	2.9	15.5	1.7
Urban	31.4	19.3	8.3	1.2	11.3	0.8
Gender						
Male	34.4	19.4	12.2	2.8	17.4	1.9
Female	32.9	18.1	8.5	1.7	9.6	0.6
Total	33.7	17.3	10.6	2.3	14.0	1.4

Table 31

Poverty, living conditions and access to services (percentage)

	Not poor			Poor			Total
	Urban	Rural	Total	Urban	Rural	Total	
Water							
Flowing water in housing	90.3	27.4	55.7	73.6	13.4	32.7	49.8
Flowing water out of housing	5.1	21.2	14.0	11.4	30.3	24.2	16.5
Without flowing water	4.7	51.5	30.4	15.1	56.4	43.1	33.6
Hygiene							
WC in the house	92.0	48.3	68.0	80.7	22.9	41.4	61.2
Outside WC, with sewerage	5.6	13.1	9.7	10.4	14.4	13.1	10.6
Outside WC, without sewerage	2.2	38.4	22.1	8.6	62.4	45.2	28.0
Phone access							
Fixed and mobile phones	24.5	1.4	11.8	3.9	0.4	1.6	9.2
Fixed phones only	27.6	1.7	13.4	17.1	0.0	5.5	11.3
Mobile phones only	25.1	43.3	35.1	22.3	10.6	14.3	29.8
Without phones	22.8	53.6	39.7	56.7	89.0	78.6	46.6
Electric power (hours of power interruption)							
Never	20.5	7.1	13.1	36.3	5.9	15.6	13.8
1-5 hours	34.6	19.0	26.0	29.7	19.4	22.7	25.2
6-12 hours	37.8	57.0	48.3	27.5	54.2	45.6	47.7
More than 12 hours	7.1	17.0	12.5	6.6	20.5	16.1	13.4
Number of persons living per room							
Less than one person	8.1	6.1	7.0	0.8	0.5	0.6	5.4
One to three	76.2	69.9	72.6	51.0	50.7	50.8	67.2
More than three	15.7	24.0	20.3	48.2	48.7	48.6	27.5
Distance from the nearest medical centre							
10 minutes or less	60.5	44.0	51.4	49.0	29.7	35.8	47.4
11-29 minutes	36.2	36.8	36.6	48.6	39.7	42.5	38.1
30-59 minutes	1.9	7.0	4.7	1.5	9.6	7.0	5.3
One hour or more	1.4	12.2	7.4	1.0	21.1	14.7	9.2

Table 32

Family budget expenditure by areas (percentage)

	Tirana	Other urban areas	Rural	Total
Nutritive expenditures	58.5	59.1	66.3	62.8
Non-nutritive expenditures	24.8	24.0	21.2	22.6
Utilities	14.6	13.7	10.8	12.3
Education	2.1	3.2	1.7	2.3
Total	100.0	100.0	100.0	100.0

Table 33

Poverty by age groups and areas

Age group	Percentage of population that is poor				Percentage of population	Percentage against poor
	Tirana	Other urban areas	Rural	Total		
Less than 5 years	26.91	26.6	38.33	34.26	8.49	11.45
5-10 years	27.16	24.27	37.4	32.76	11.98	15.46
11-21 years	21.32	26.47	33.6	30.35	15.03	17.97
18-25 years	18.43	20.01	26.11	23.55	10.96	10.17
Age groups	18.39	20.55	29.14	25.06	26.73	26.38
46-55 years	9.62	11.94	22.1	16.8	10.29	6.81
Over 55 years	12.33	13.73	21.73	18.07	16.52	11.76
Total	17.83	20.13	29.6	25.39	100.00	100.00

Table 34

Main characteristics of poor persons

	Poor				Not poor				Total			
	Tirana	Urban	Rural	Total	Tirana	Urban	Rural	Total	Tirana	Urban	Rural	Total
Average number of persons in a family	5.3	5.4	5.8	5.7	3.6	3.7	4.2	4.0	3.8	4.0	4.6	4.3
Percentage 60 and over	13.2	9.7	10.0	10.2	19.4	19.5	19.9	19.7	18.6	18.1	17.6	17.8
Number of members less than 15 years	1.8	1.9	2.2	2.1	0.8	0.9	1.2	1.0	0.9	1.1	1.4	1.2
Dependence level	1.04	1.06	1.16	1.12	0.66	0.73	0.83	0.77	0.71	0.78	0.91	0.84
Percentage female-headed households	10.5	12.1	8.1	9.3	18.0	13.5	11.6	13.1	17.0	13.3	10.7	12.4
Family head age	49.1	49.0	47.8	48.2	53.4	51.7	51.4	51.8	52.8	51.3	50.1	51.1
Education years of the family head	6.8	6.7	6.0	6.2	10.1	8.6	6.9	7.9	9.5	8.3	6.6	7.4
Average number of employed in the family	1.0	1.0	2.3	1.9	1.1	1.1	2.0	1.6	1.1	1.1	2.1	1.6

Table 35**Ownership and size of agricultural land**

	Rural			Urban			Total		
	Not poor	Poor	Total	Not poor	Poor	Total	Not poor	Poor	Total
Percentage of families owning agricultural land	87.5	91.0	88.3	7.8	5.9	7.6	48.9	62.4	51.5

	Rural		
	Not poor	Poor	Total
Average size of land owned per family (square metres)	7 634	6 038	7 261
Average size of land owned per capita (square metres)	1 812	1 039	1 583

Table 36**Education of poor persons by gender**

	Males		Females		Total	
	Not poor	Poor	Not poor	Poor	Not poor	Poor
No education	4.7	8.6	9.9	15.3	7.4	12.1
Primary four-year education	12.5	17.1	14.6	14.8	13.6	15.9
Primary eight years	36.6	49.8	39.6	53	38.2	51.5
High school	15.7	11.3	15	10.8	15.3	11
High school (two-year education)	19.3	12.1	14.1	5.5	16.5	8.6
University or more	11.1	1.2	6	0.6	8.9	0.9

289. There are no adequate statistics or research studies for the period 1991-2003 with respect to national policies, laws or practices influencing negatively the supply of adequate food for various disadvantaged groups.

Measures of the Ministry of Health in guaranteeing appropriate and healthy food for various disadvantaged groups, in the most affected regions

290. The National Draft Plan of Action for Food and Nourishment has provided and defined concrete objectives on measures that have to be undertaken by the Ministry of Health in collaboration with other economic sectors, for meeting the need for an appropriate and healthy food for the population. These objectives are included in a strategy, which clearly defines the deadline for the realization of this right (2008).

An overview of food security in Albania

291. There is not yet a clear definition either of the household or of national food security in Albania. However, household food security means the ability of the household to produce or buy goods and safe foodstuffs to meet the needs of its members.

292. At the national level, the best definitions correspond to achieving, at reasonable prices, a satisfactory equilibrium between offer and demand. Obviously, the national food security (or insecurity) situation is in close relation with all households' food security and it is satisfactory only when all the people achieve food security to a reasonable degree.

293. However, even if food security has been achieved at one level, it does not make it immediately possible at all other levels. A country with a national food security situation may also count households or groups of population who live in deep food insecurity. Lack of food security is, in most cases, a consequence of poverty and increase in food security means in other words a quantitative and qualitative increase of food availability for the poor.

294. Food security and poverty in Albania vary according to the: geographical location; demographics and households; education and employment; consumption patterns; and possession of assets.

295. Under the former regime, Albania was strongly oriented towards production self-sufficiency in staple foods. This involved heavy customer subsidies and rationing. Since the start of the transition, when major changes overcame the agricultural sector, Albania had a structural deficit in major agricultural commodities, in particular, in cereal, oilseeds and sugar.

296. The level of self-sufficiency, however, varies to a large extent across the population. While the rural areas are largely self-sufficient, the urban population is more dependent upon imported food supplies. Income is relatively low; the proportion of income spent on food is high (about 75 per cent of households' income).

297. Today, the national balance of cereal and other staple food products is met by imports. Wheat and wheat flour are the main food commodities imported, and in recent years, imports have ranged between about 200,000 to 400,000 tonnes per year, to which food aid has contributed insignificantly.

298. According to the estimates of the Ministry of Agriculture and Food, the cereal import requirement for the marketing year July 1999/June 2000 was about 480,000 tonnes, comprising 373,000 tonnes of wheat, 81,000 tonnes of maize, 17 tonnes of rice and 10,000 tonnes of other cereals.

299. On average, household food security has improved considerably since the early 1990s and a greater variety of foods are now available throughout the country at relatively stable and uniform prices.

300. Nevertheless, household food security continues to be a problem for destitute households, and particularly for those living in the North and north-eastern mountainous regions. Many of the foodstuffs needed for a diversified and healthy diet, while available on the markets, are beyond the financial means of households living mostly in rural but also in some suburban areas.

301. Among those households, food insecurity is more a problem of inadequate access to food due to extremely low incomes, rather than a problem of food shortages or inadequate food supply.

302. The population of Albania amounted to 3.35 million people in 1998 and has been increasing at a low average rate in recent years. According to the FAO food balance sheet data, food available in Albania in 1997 (recently released figures) was 2,961 Kcal per person and per day, half of which was provided by wheat, and only a very small proportion of which is provided by meat and other animal products.

303. The typical Albanian diet is based heavily on wheat, in the form of bread. Potatoes, white beans, cabbage, eggplant, tomatoes and onions are commonly consumed and, more rarely, green leafy vegetables and citrus fruits. As a result of the erratic and seasonal availability of food supply, as well as high prices (relative to income), the diet tends to be monotonous, with only a few items being consumed in any given period of time.

304. According to World Bank data on the poverty, about 83 per cent of the poor dwell in rural areas and about 58 per cent of them live mainly in northern, north-eastern and south-eastern mountainous areas. Most of those rural poor people (60 per cent of the poor) live off farming.

305. Over 80 per cent of the poor heads of family have a low education level (8-year elementary school or less) and one third of poor families have more than five children and young heads of family (younger than 36 years old).

306. Farm production is now carried out by approximately 460,000 very small family farms (on average 1.1 ha per farm) and very fragmented (on average four parcels per farm, but the allotments may include plots too far from the homestead) and the productivity remains very low. Small farm sizes are especially prevalent in the northern parts of the country.

307. Food insecurity is more a problem of low income rather than a lack of access to food supply. Average farm income is 350,000 leks (about US\$ 2,500 or about US\$ 1.3 per day and per capita for a family with five members).

308. Large discrepancies in income level exist between farmers located on the plains and in hilly and mountainous areas. The main factors causing such discrepancies between the zones are: agricultural potential, off-farm employment opportunities, proximity to urban areas (especially in big towns), status of rural and agricultural infrastructure, etc. In the northern and north-eastern mountain areas, almost one third of the population lives under the level of poverty and one quarter live in very small-sized farms (with less than 0.5 ha per family and very fragmented), incapable of achieving subsistence levels from farming activities alone. Lacking off-farm employment opportunities, the annual income of a typical farm family of five persons in mountainous areas (of about US\$ 2,000) is less than half of the typical income on the plains.

309. Two-thirds of the average income of a rural family (US\$ 2,500) are derived from farming. The remaining third is derived from off-farm activities, which provide about 70 per cent of households' cash income. Sales of livestock products, vegetables, fruit and grapes, and processed products are, however, beginning to contribute to an increasing degree to farm household income.

310. The annual remittances (on average US\$ 500 per rural household per year) represent about half of the off-farm income for households with relatives working abroad and rise to about 80 per cent for households with smallholdings in the mountain areas. Generally, in most rural areas, the off-farm employment opportunities are very limited and a considerable part of the poor household income is spent on foodstuffs, taking up to about 75 per cent of total households' income.

311. About 18 per cent of the population in urban areas live below the poverty line of one United States dollar per day and per adult equivalent. The incidence of poverty in urban areas varies considerably among towns. This poverty is closely associated with the level of unemployment, education, remittances, and other socio-economic opportunities.

312. Urban households spend about 70 per cent of their income on food and about 12 per cent on electricity. While home and land ownership does rise with income, access to urban services does not differ significantly for the poor compared to the non-poor.

313. At the national level, 15-20 per cent of the households overall depend on a social assistance programme, which provides cash payments to families whose incomes are insufficient to meet minimum subsistence requirements. In the North and the North-east, more than 30 per cent of families depend on these benefits, which range from US\$ 25-40 per month, depending on household size.

314. The specific weight for group consumption patterns of food for rural populations for 1998 is given as follows in figure 1.

315. Albania remains a predominantly agricultural country, agriculture being the engine of economic growth since transition started in 1991, with a contribution ranging from 50 to 53 per cent of GDP over recent years. Agriculture employs the majority of Albanians who live in rural areas, who represent about 54 per cent of the total population.

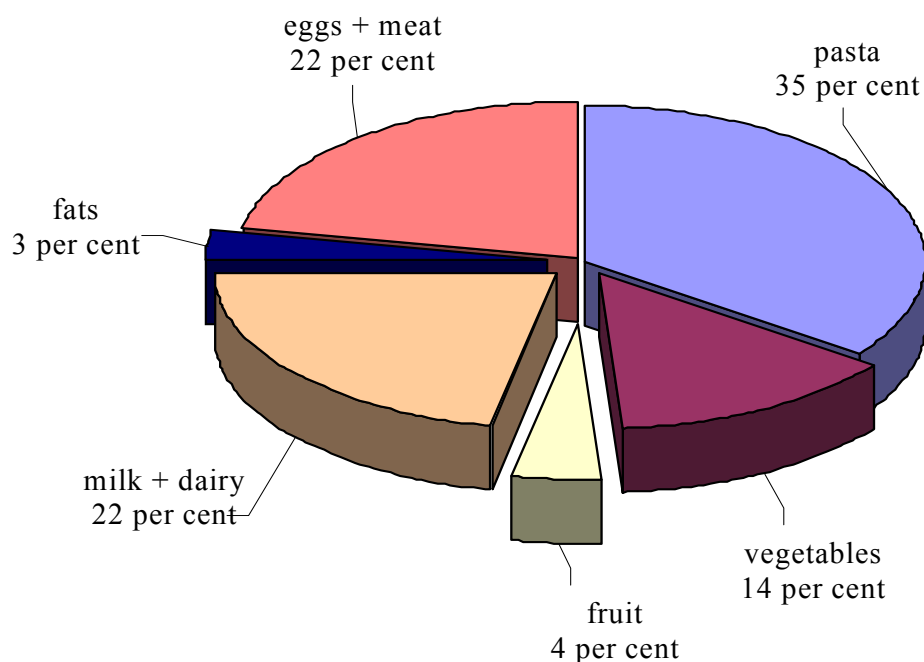
316. Employment in agriculture's private sector represents about 71 per cent (in 1999) of total employment. Food crops and fruit trees lead agricultural production with close to 40 per cent of gross agriculture output (GAO). Livestock accounts for 30 per cent and horticulture 6 per cent of GAO. Forage and forestry products account for the remainder.

317. It has been recently estimated that, at the current level of productivity achieved in the agriculture and food sector, local production satisfies up to 70 per cent of domestic demand. Nevertheless, the agricultural trade balance is a major component of the country's trade deficit that reached US\$ 198.2 million in 1998.

318. Agricultural exports represent now about 16 per cent of total exports, while agricultural imports range from 25 to 30 per cent of total imports.

Figure 1

Food consumption for rural population



319. Albanian agricultural and rural life remains to a large extent at a subsistence level. Farmers continue subsistence farming on very diversified and extensive farms, faced with the collapse of basic State services and poor maintenance of basic infrastructure. Priority is given to satisfying basic requirements with very little marketable agricultural surplus. The principal food crops are cereals (mainly wheat), vegetables, potatoes and white beans. In terms of area, wheat is the most important crop (approximately 40 per cent of farm area is destined to wheat for consumption) but it contributes little as a source of farm income. Fodder crops (fodder maize and alfalfa) occupy around 16 per cent of farm area and are expanding as cropping patterns shift from grain to fodder crops.

320. Prior to the transition, some 70 per cent of the arable lands were irrigated, affording the opportunity to produce two to three crops of vegetable produce per year. Following the destruction of irrigation systems during the last decade, irrigated area has been reduced by more than 50 per cent. Irrigation and drainage rehabilitation projects are under way to bring them back to full-time and proper irrigation practices.

321. During 1998 and 1999, the area planted increased by about 20,000 ha, mainly with grains, potatoes, white beans and fodder crops. The area planted with fruit trees, vineyards and citrus doubled as compared to the previous years of transition. Cash earnings from farming are rather small, whereas livestock, fruit and vegetable production is the most attractive to farmers in terms of cash-income activities.

322. The agriculture sector has experienced drastic changes since 1991. The important progress has been made in terms of land reform, the privatization of former collective farms and agro-processing enterprises and in establishing a largely free incentive framework. However, since 1995, output growth has stagnated and early high growth rates have slowed, dropping from 13 per cent in 1995 to 8 per cent in 1996, and 1 per cent in 1997. A certain recovery started in 1998 when the agricultural output grew by 4 per cent and in 1999 by around 6 per cent.

323. After the initial disruption in the first two years of transition (1991 and 1992), cereal production has generally remained stable around 600,000 to 650,000 tonnes per year but largely below the pre-transition level of around 1 million tonnes. Before 1990, substantial amounts of oilseed, sugarbeets and tobacco were produced for both domestic consumption and export.

324. Although tobacco is still an important cash crop, vegetables and fruit crops are favoured as the best cash crops suited to prevailing small-scale farming. The recognition of higher returns from vegetable and fruit production has caused a rapid expansion of plastic-sheet greenhouses (plastic tunnels) as well as an increased sowing of summer vegetables where irrigation services are guaranteed.

325. Given the profound changes that took place in Albanian agriculture, and the situation the country was going through, the new Government of Albania that assumed office after the elections of 29 June 1997 set as one of the objectives of its programme the formulation of a strategy for agricultural development.

326. This objective is in the framework of commitments of the Government of Albania to face the formidable task of establishing an economic order that would reflect the will and the aspirations of the population. In this context, the Government, recognizing the importance of the agricultural sector in the national economy, the Ministry of Agriculture and Food formulated a Strategy for Agricultural Development (the "green strategy").

327. Relying mainly on private family farms, this strategy aims at: setting up relatively sustainable and efficient structures and increasing the agricultural production; stabilizing the internal market of agricultural products and their marketing; increasing agricultural exports and reducing imports of food products; improving the welfare of farmers and strengthening the Albanian economy as a whole; protecting the environment and managing the natural resources of the country, easing the integration of Albania into the European Union.

328. The work for the formulation of the green strategy was started in September 1997 by a group of specialists from the Ministry of Agriculture and Food, the Agricultural University of Tirana and other institutions, initially with the elaboration of basic ideas about strategy. As a result, a draft outline document of the strategy was produced.

329. On the basis of this outline, 7 working groups, divided into 33 subgroups, which elaborated respective policies and sub-policies, were set up. Various papers, prepared over the last four to five years with the assistance of the World Bank, the European Union and other international institutions as well as models of strategies of other eastern European countries, in the area of agricultural policies, potentials, the prospective and issues related to crop and livestock production, agro-industry, fisheries, environment and the like, were made available to the working groups.

330. During this period, wide consultations were held with scientists from all fields of the agricultural system, the Agricultural University, research institutes of the agricultural system, the agro-food industry, forestry, fisheries and representatives of associations and trade unions that operate in these fields. The draft strategy paper was at first presented in and subject to discussion at an ad hoc conference held in April 1998.

331. Meanwhile, systematic consultations with the World Bank, the International Monetary Fund (IMF), the Food and Agriculture Organization of the United Nations (FAO), Centre International de Hautes Etudes Agronomiques Méditerranéennes (CIHEAM) and other international agencies whose suggestions have been taken into account in finalizing the paper.

332. The "Strategy for agricultural development" is a document to be used in a medium/long-term perspective, but at the same time it foresees actions to be undertaken in the short term. The Interagency Economic Policy Committee has also discussed the draft Strategy Paper.

Main objectives (related to food)

333. The main objectives of the strategy for agriculture development are the following:

- Acquisition of a satisfactory level of living for the rural population, especially through an increase of the individual incomes of those working directly in agriculture;
- Guaranteeing food security in the country with relation to both the quality and quantity of food.

Food industry

334. There are 1,900 factories and processing lines, organized mainly in small and medium-scale enterprises, in the food industry. The general production of the food industry is low. The domestic consumption of foodstuffs increases from year to year. Albania is a big importer and a small exporter of foodstuffs. Almost all branches of this industry have a negative trade balance.

335. The transition period in our country was associated with a significant decline of production and destruction of part of production units. The decline of production was affected by:

- Competition from imports;
- Marketing a considerable part of agricultural products directly by the farmer to the consumer as well as partial processing by family farms themselves;
- Interruption of the activity of enterprises due to the obsolescence of their technology;
- Insufficient financial means for the necessary technological renovations, as well as lack of capital for opening up new activities.

336. However, the agro-processing industry was one of the first branches of the economy of the country to undergo the privatization process. The private sector made up 90 per cent of production as of 1998. But not all enterprises have been restored to their former level of activity.

337. Investments in the food industry are mainly by Albanian investors, whereas foreign investments are deemed to be small. Presently, there exists a processing industry composed of small, scattered processing lines. Its production does not yet meet the quality and quantity level of market supply and competition.

338. The general trend is a gradual increase, depending on financial possibilities, in securing raw materials. The flour milling industry, the pasta and bread industry, the industry of oils and fats (particularly the olive oil industry); the milk processing and the post-harvest industry have been identified as priority sectors. On the other hand, more profitable results come from tobacco production, beer, wine and alcoholic drinks.

Objectives

339. The main objectives are: the restoration of industry, aiming at enhancing new investments; the continuation of the work to establish an appropriate legal framework, as well as the enhancement of a transparent and sustainable regulatory environment in the marketplace, and, an increase in the efficiency of food control.

Processing foodstuffs

340. An immediate enhancement of investments is the principal means of raising living standards and aims to:

(a) Define development priorities and support reactivation of important branches of the food industry. In this context, work will be done to study certain production networks, the possible development of this industry in certain areas or all of the country, gradual completion of the legal framework as well as creation of programmes for the development of certain branches of this industry in certain regions or all over the country;

(b) Support investment with credit lines. With the improvement of the banking system and the relaunch of normal activity of agrarian credit lines and, in some cases, via favourable provision of credit to sectors of agriculture and livestock, conditions will be created for securing raw materials domestically in order to supply the processing industry. These investments will be oriented mainly towards priority sectors such as milk processing and its by-products, grains, conservation, oil, etc.

Control of foodstuffs

341. Organization of strong, rigorous and efficient State food control through:

- Gradual completion of the legal framework;
- Improvement of food quality control when products are being produced and at customs;

- Strengthening the laboratory network performing analysis of foodstuffs;
- Stimulation and encouragement to the producers/traders who produce/trade safe and high-quality products. Stimulation of establishment of producers and traders associations, encouragement and support to the consumers association as well as increase of the level of public information;
- Technical assistance to be addressed to producers and traders of foodstuffs.

In every market economy the State is in charge of protecting the health of its citizens, guaranteeing their safety, protecting its consumers' interests and protecting and safeguarding the environment. To this end, work will be done to complete the drafting of the relevant legal basis that will be gradually harmonized with that of the European Union.

342. State quality control of food will be focused, first, on the products produced locally, the production process and, secondly, on imported products, where the efficiency of quality control at customs offices will be increased with the long-term goal of exercising control for the place of origin.

343. To this aim, attempts will be made to make food control aim at inspecting production establishments, the storage and distribution network. Market supervision will also be enhanced. On the other hand, work will be done on the institutionalization, cooperation and coordination of the work with the Ministry of Finance (taxes and customs duties), the Ministry of Justice, the Ministry of Interior and local authorities. Collaboration will be increased also with NGOs related to this field.

344. In 1998 damaged laboratories were completed that were supplied with equipment, the first regional laboratory for food control was built (in Durres) and the Food Research Institute, a national centre for food control, was strengthened as well.

345. It is very important and essential for the purpose of the strategy that supportive legislation to these policies be drafted, contends the Ministry of Agriculture and Food.

Right to housing

346. The changes in the political system in the 1990s were accompanied with structural reforms aiming at the introduction of free-market mechanisms. Such reforms also had their impact on the housing sector and were mainly reflected in the privatization of State-owned houses, the liberalization of leases and the beginning of private construction, had a great impact on the informal sector.

347. The families who are considered for housing provision by the State, identified as "houseless", are the ones who have not profited by the privatization of houses in 1993, according to Law No. 7652, dated 23 December 1992, "On the privatization of State buildings", or that have privatized a building under the forms provided at that time (decision of the Council of Ministers No. 49 dated 29 January 1993, "On the determination of the criteria for the houseless", defines the term houseless).

348. The arguments that justify and support State intervention in this direction, during said period, are:

- The need for the establishment of the private housing market, which was accomplished through the privatization of 220,000 State-owned houses, as well as through a liberal policy toward the free market;
- Cuts in the subventions for maintenance of buildings and the establishment of the conditions for a better maintenance by making the families owners of the buildings;
- Moral and political norms, according to which the privatization of the buildings is done almost for free and the commitment of the State towards families that could not benefit from the privatization of houses.

349. The effects of such policies have resulted in:

- The flourishing of the private market, considering the fact that the new owner could sell, lease or grant as collateral his house;
- The prospering of the informal house market as a result of liberal policies towards the private sector and as a result of the mass migration of the population;
- Deterioration of the conditions of the privatized buildings as a result of the lack of maintenance. The families who became owners of the buildings were not used to or prepared to become owners, and on the other hand, many such families did not have the economic conditions to support the status of owner that comprises also maintenance obligations;
- A boost of house prices in the free market in the main cities, as a result of the great demand and limited supply;
- Limitation of access to housing for different groups of society such as newly established families, marginalized classes, etc.

350. During this period, for housing purposes 11,000 apartments were built and transferred through the market to accommodate 9,227 families. There were 2,274 apartments with suspended contracts caused by: court proceedings, occupancy, financial inability, etc.

351. The sources of financing for housing during 1992-2003 were: (a) the State budget, in the form of investment in new buildings and subventions, and (b) private investors.

Equality with regard to housing

352. In current housing policy, all categories of the houseless are treated equally, independently from their social and economic status. Such policy is based on the “equality” of housing treatment for the families who have not benefited from the privatization of buildings. Within such a policy, there are no marginalized groups identified. We have to mention the fact that some normative acts providing for the privileged treatment of the second-category group, who have a special status such as orphans, blind, invalids, have been adopted.

Table 37

Number of persons without proper housing (2003)

No.	Local government bodies	Number of families and houseless persons, according to local units		Number of houseless families and persons (that seek extension)		Number of families living in buildings without prior permit		Number of families and persons on waiting lists for local housing	
		Families	Persons	Families	Persons	Families	Persons	Families	Persons
I.	Region Gjirokastr	1 023	3 060	530	1 727	20	27		
1.	M. Gjirokastr			509	1 727				
2.	M. Permet	406				5			
3.	M. Tepelene	280	1 380			8			
4.	M. Memaliaj	307	1 530						
5.	M. Libohove	30	150	21		7	27		
II.	Region Berat	3 621	13 180	0	0	393	1 602	2 567	9 801
1.	M. Berat	1 756	7 024			224	896	1 756	7 024
2.	M. Kuçove	763	2 573			120	500	763	2 573
3.	M. Ura-Vajgurore	50	193			27	112	27	112
4.	M. Çorovode	445	1 450			12	44	6	30
5.	M. Poliçan	607	1 940			10	50	15	62
III.	Region Diber	1 712	7 170	0	0	0	0	0	7 020
1.	M. Peshkopi	672	2 800						2 650
2.	M. Bulqize	430	1 720						1 720
3.	M. Klos	130	550						550
4.	M. Burrel	480	2 100						2 100
IV.	Region Elbasan	2 477	9 912	0	0	0	8 014	0	0
1.	M. Elbasan	1 140	4 564						
2.	M. Cerrik	181	724						
3.	M. Gramsh	567	2 268						
4.	M. Peqin	131	524						
5.	M. Librazhd	299	1 196						
6.	M. Prrenjas	159	636						
V.	Region Kukes	2 144				37			
1.	M. Kukes	1 199							
2.	C. Bicaj	10							
3.	C. Malzi	6							
4.	C. Ujmisht	12							
5.	C. Terthore	6							
6.	C. Shishtavec	10							
7.	C. Topojan	20							
8.	C. Bushtrice	18							
9.	C. Gryke Cajë	13							
10.	C. Kalis	9							
11.	C. Arren	5							
12.	C. Kolsh	6							
13.	M. Krume	340							
14.	C. Golaj	30							
15.	C. Fajze	17							
16.	C. Gjinaj	4							
17.	M. B-Curri	340							
18.	C. Fierze	26							
19.	C. Lekbibaj	13							
20.	C. Margegaj	11							

Table 37 (continued)

No.	Local government bodies	Number of families and houseless persons, according to local units		Number of houseless families and persons (that seek extension)		Number of families living in buildings without prior permit		Number of families and persons on waiting lists for local housing	
		Families	Persons	Families	Persons	Families	Persons	Families	Persons
21.	C. Llugaj	8							
22.	C. Bujan	12							
23.	C. Bytyç	12							
24.	M. Tropoje	17							
VI.	Region Shkoder	4 412							
1.	District Shkoder	3 032							
2.	District Laç								
	Vau-Dejes	166							
3.	District Puke	423							
4.	District Fushe-Arres	544							
5.	District								
	Malsi-Madhe	247							
6.	C. Shenkoll					18	14		
VII.	Region Tirane	2 448	0	1 365	0	881	0	103	0
1.	M. Tirane	2 448						103	
2.	M. Unit No. 1			113		7			
3.	M. Unit No. 2			132		269			
4.	M. Unit No. 3			95		8			
5.	M. Unit No. 4			116		1			
6.	M. Unit No. 5			186		80			
7.	M. Unit No. 6			84					
8.	M. Unit No. 7			124		45			
9.	M. Unit No. 8			155		187			
10.	M. Unit No. 9			145		133			
11.	M. Unit No. 10			98		151			
12.	M. Unit No. 11			117					
13.	C. Shengjergj		6				2		
14.	C. Synej (Kavaje)	10					13		
VIII.	Region Korçe	3 738	2 164	0	0	465	0	3 861	0
1.	M. Korçe	2 820				410		2 820	
2.	M. Pogradec	453	1 812					453	
3.	M. Erseke	245						214	
4.	M. Bilisht	120				15		10	
5.	M. Maliq	88	352			40		352	
6.	M. Leskovik	12						12	
IX.	Region Durres	10 700	0	0	0	6 244	0	9 310	0
1.	M. Durres	8 260				1 482		8 370	
2.	M. Shijak	302				142		18	
3.	M. Sukth	250				470			
4.	C. Manze	24				96		120	
5.	C. Rrashbull	90				5		8	
6.	C. Xhafzotaj	120				89		87	
7.	C. Katund i Ri	250				187		20	
8.	C. Gjepalaj	478				731			
9.	C. Maminas	14				304		27	
10.	C. Ishem	5				107		14	

Table 37 (continued)

No.	Local government bodies	Number of families and houseless persons, according to local units		Number of houseless families and persons (that seek extension)		Number of families living in buildings without prior permit		Number of families and persons on waiting lists for local housing	
		Families	Persons	Families	Persons	Families	Persons	Families	Persons
11.	M. Kruje	456				65		589	
12.	M. Fushe-Kruje	157				870			
13.	C. Nikel	86				483			
13.	C. Nikel	86				483			
14.	C. Bubq	6				13			
15.	C. Thumane	200				1 200		50	
16.	C. Cudhi	2						7	
X.	Region Vlore	0	8 216	0	0	0	2 602	0	7 314
1.	M. Vlore		4 168						4 168
2.	M. Himare		17				50		34
3.	M. Orikum		340				430		41
4.	M. Selenice		147				40		
5.	C. Qender		70				40		10
6.	C. Novosele		11				15		11
7.	C. Shushice		19				16		11
8.	C. Armen		12				321		
9.	C. Vllahine		6				20		6
10.	C. Kote		40				3		23
11.	C. Brataj						30		
12.	C. H-Vranisht						10		
13.	M. Sarande		1 584						800
14.	M. Konispol		15				30		15
15.	C. Ksamil		1 600				930		1 960
16.	C. Livadhja		10						
17.	C. Aliko		8				5		28
18.	C. Lukove		12				600		60
19.	M. Delvine		147				55		147
20.	C. Finiq		8				7		
21.	C. Vergo		2						
XI.	Region Fier	3 764	12 075	0	0	2 292	6 294	1 365	4 512
1.	M. Fier	669	2 000					36	150
2.	M. Lushnje	1 080	3 200			997		1 080	3 200
3.	M. Patos	1 300	3 900					56	168
4.	M. Ballsh	369	1 660			160	733		
5.	M. Roskovec	162	486					16	48
6.	C. Bubullim	3	6				1 000	1	
7.	C. Grabjan	10	48				68		
8.	C. Hysgjokaj					7	21		
9.	C. Dushk	52	216			56	210	139	745
10.	C. Terbuf	5	15			750	2 750		
11.	C. Ballagat	1	3					1	2
12.	C. Fiershegan	50	200			320	1 500	3	8
13.	C. Karbunare	3	11					3	11
14.	C. Selite	30	180			2	12	30	180
15.	C. Fratar	30	150						

Table 37 (continued)

No.	Local government bodies	Number of families and houseless persons, according to local units		Number of houseless families and persons (that seek extension)		Number of families living in buildings without prior permit		Number of families and persons on waiting lists for local housing	
		Families	Persons	Families	Persons	Families	Persons	Families	Persons
XII.	Region Lezhe	3 263	13 545	0	0	0	43 986	13 169	0
1.	M. Lezhe	910	3 682				6 543	3 150	
2.	C. Shengjin	211	874				1 940	1 210	
3.	C. Shenkoll						5 711		
4.	C. Zejmen						3 070		
5.	C. Kolsh						3 125		
6.	C. Balldre						3 015		
7.	C. Dajç						1 250		
8.	C. Blinisht						537		
9.	C. Kallmet						234		
10.	C. Ungrej								
11.	M. Laç	1 070	4 123				7 329	4 135	
12.	M. Mamuras	654	2 831				5 532	2 834	
13.	C. Milot	132	634				2 409	602	
14.	C. F-Kuqe						2 904		
15.	M. Rreshen	213	1 074				317	934	
16.	M. Rubik	73	327				70	304	
17.	C. Kaçinar								
18.	C. Kthelle								
19.	C. Selite								
20.	C. Fan								
21.	C. Orosh								
Total		47 518	61 106	1 895	1 727	12 934	59 923	37 689	21 333

Table 38**Families provided with housing assistance**

No.	Local government bodies	Number of families and persons in public, private and rented houses		Number of families and persons without proper housing		Number of families served		
		Families	Persons	Families	Persons	Total	Treated with bank loans	Provided with housing by the National Building Organ
I.	Region Gjirokaster			52	0	111	40	27
1.	M. Gjirokaster	232	920			63	40	23
2.	M. Permet			40		29		4
3.	M. Tepelene					5		
4.	M. Memaliaj			12		10		
5.	M. Libohove					4		

Table 38 (continued)

No.	Local government bodies	Number of families and persons in public, private and rented houses		Number of families and persons without proper housing		Number of families served		
						Total	Treated with bank loans	Provided with housing by the National Building Organ
		Families	Persons	Families	Persons			
II.	Region Berat	106	452	1 102	4 459	0	0	0
1.	M. Berat	40	165	1 019	4 076			
2.	M. Kuçove	20	80	4	18			
3.	M. Ura-Vajgurore	28	140	47	225			
4.	M. Çorovode	3	15	25	110			
5.	M. Poliçan	15	52	7	30			
III.	Region Diber	0	0	410	1 540	0	0	23
1.	M. Peshkopi			100	420			
2.	M. Bulqize			150	630			
3.	M. Klos			60	80			
4.	M. Burrel			100	410			
IV.	Region Elbasan	139	595	0	0	0	0	0
1.	M. Elbasan	116	464					
2.	M. Cerrik							
3.	M. Gramsh							
4.	M. Peqin	21	92					
5.	M. Librazhd	2	39					
6.	M. Prrenjas							
V.	Region Kukes							
1.	M. Kukes							
2.	C. Bicaj							
3.	C. Malzi							
4.	C. Ujmisht							
5.	C. Terthore							
6.	C. Shishtavec							
7.	C. Topojan							
8.	C. Bushtrice							
9.	C. Gryke Cajë							
10.	C. Kalis							
11.	C. Arren							
12.	C. Kolsh							
13.	M. Krume							
14.	C. Golaj							
15.	C. Fajze							
16.	C. Gjinaj							
17.	M. B-Curri							
18.	C. Fierze							
19.	C. Lekbibaj							
20.	C. Margegaj							
21.	C. Llugaj							
22.	C. Bujan							
23.	C. Bytyç							
24.	M. Tropoje							

Table 38 (continued)

No.	Local government bodies	Number of families and persons in public, private and rented houses		Number of families and persons without proper housing		Number of families served		
						Total	Treated with bank loans	Provided with housing by the National Building Organ
		Families	Persons	Families	Persons			
VI.	Region Shkoder					933		
1.	District Shkoder					743		
2.	District Laç					42		
	Vau-Dejes							
3.	District Puke					45		
4.	District Fushe-Arres					49		
5.	District					54		
	Malsi-Madhe							
6.	C. Shenkoll							
VII.	Region Tirane	0	0	237	0	0	338	0
1.	M. Tirane			237			338	
2.	M. Unit. No. 1							
3.	M. Unit. No. 2							
4.	M. Unit. No. 3							
5.	M. Unit. No. 4							
6.	M. Unit. No. 5							
7.	M. Unit. No. 6							
8.	M. Unit. No. 7							
9.	M. Unit. No. 8							
10.	M. Unit. No. 9							
11.	M. Unit. No. 10							
12.	M. Unit. No. 11							
13.	C. Shengjergj			72				
14.	C. Synej (Kavaje)							
VIII.	Region Korçe	310	684	455	859	0	0	0
1.	M. Korçe			220				
2.	M. Pogradec	146	684	94	470			
3.	M. Erseke	135		15				
4.	M. Bilisht	10		20				
5.	M. Maliq	19		91	389			
6.	M. Leskovik			15				
IX.	Region Durrës	1E+05	0	11 872	0	0	0	0
1.	M. Durrës	52 689		3 790				
2.	M. Shijak	3 012		16				
3.	M. Sukth	4 237		151				
4.	C. Manze	3 200		36				
5.	C. Rrashbull	5 214		450				
6.	C. Xhafzotaj	3 389		115				
7.	C. Katund i Ri	4 100		2 500				
8.	C. Gjepalaj	3 260		3 070				
9.	C. Maminas	3 260		24				
10.	C. Ishem	3 000		18				

Table 38 (continued)

No.	Local government bodies	Number of families and persons in public, private and rented houses		Number of families and persons without proper housing		Number of families served		
						Total	Treated with bank loans	Provided with housing by the National Building Organ
		Families	Persons	Families	Persons			
11.	M. Kruje	3 786						
12.	M. Fushe-Kruje	7 000		509				
13.	C. Nikel	3 800		375				
14.	C. Bubq	2 340		680				
15.	C. Thumane	4 200		120				
16.	C. Cudhi	1 500		18				
X.	Region Vlore	0	6 401	0	5 350	0	0	0
1.	M. Vlore		248					
2.	M. Himare		5		40			
3.	M. Orikum		18		1 000			
4.	M. Selenice		20		1 200			
5.	C. Qender		10		60			
6.	C. Novosele		13		55			
7.	C. Shushice		35		39			
8.	C. Armen				359			
9.	C. Vllahine		6					
10.	C. Kote		43		35			
11.	C. Brataj		3		25			
12.	C. H-Vranisht		3					
13.	M. Sarande				470			
14.	M. Konispol		782					
15.	C. Ksamil		2 020		1 960			
16.	C. Livadhja		20		25			
17.	C. Aliko		2 058		28			
18.	C. Lukove		1 000		20			
19.	M. Delvine		117		19			
20.	C. Finiq				10			
21.	C. Vergo				5			
XI.	Region Fier	2 158	8 050	2 518	9 632	0	0	0
1.	M. Fier	171	500	39	156			
2.	M. Lushnje	1	4					
3.	M. Patos	1 025	3 070	275	825			
4.	M. Ballsh	450	1 660	67	282			
5.	M. Roskovec	36	108	30	90			
6.	C. Bubullim			150	800			
7.	C. Grabjan		34	80	250			
8.	C. Hysgjokaj							
9.	C. Dushk	17	54	268	1 070			
10.	C. Terbuf	30	105	800	3 100			
11.	C. Ballagat			30	105			
12.	C. Fiershegan	50	250	150	800			
13.	C. Karbunare			450	1 200			
14.	C. Selite	375	2 250	59	354			
15.	C. Fratar	3	15	120	600			

Table 38 (continued)

No.	Local government bodies	Number of families and persons in public, private and rented houses		Number of families and persons without proper housing		Number of families served		
						Total	Treated with bank loans	Provided with housing by the National Building Organ
		Families	Persons	Families	Persons			
XII.	Region Lezhe	0	2 034	2 925	15 966	0	0	0
1.	M. Lezhe		275	430	1 634			
2.	C. Shengjin		122	82	314			
3.	C. Shenkoll			125	710			
4.	C. Zejmen			88	3 070			
5.	C. Kolsh			127	511			
6.	C. Balldre		185	215	985			
7.	C. Dajç		127	212	1 513			
8.	C. Blinisht		132	124	835			
9.	C. Kallmet		120	97	432			
10.	C. Ungrej			30	227			
11.	M. Laç		324	532	1 927			
12.	M. Mamuras		202	372	1 216			
13.	C. Milot		143	93	363			
14.	C. F-Kuqe			82	315			
15.	M. Rreshen		140	63	347			
16.	M. Rubik		264	40	189			
17.	C. Kaçinar			40	234			
18.	C. Kthelle			32	215			
19.	C. Selite			31	212			
20.	C. Fan			60	402			
21.	C. Orosh			50	315			
Total		1E+05	11 815	24 921	32 456	1 044	378	50

Housing situation

353. The total number of houseless families registered according to the normative acts in force is approximately 46,000. This is a fixed and invariable number related to the consequences of the privatization of buildings. Of the above total nearly 10,000 families have found a house. The groups and number of these families are as follows:

- Lessee families in ex-private buildings - a total of 5,527, of which 1,253 have been served;
- A total of 9,227 families are provided with housing.

Table 39

Number of families and individuals without proper housing and without access to the main utilities such as water supply, heat and sanitation facilities (included here also individuals who live in overcrowded houses, of unstable structure, or under other hazardous conditions)

<u>Albania:</u>	
Population:	Total, 3 069 275
Buildings:	Total, 512 387
Average number of houses for building:	1.53
Houses with 2 to 3 rooms:	76%
Houses with 1 room:	12%
Houses with 4 or more rooms:	12%
Overcrowded houses:	50.3%
	(more than 3 persons per room)
With kitchen:	58%
<u>Water supply</u>	
Within the building:	46.9%
Out of the building:	28.6%
Well or tank:	12.9%
Without water supply:	11.7%
<u>Bathroom and WC</u>	
Bathroom and WC inside the house:	55.1%
Without bathroom (without WC and WC outside):	44.9%
Without WC:	0.9%
<u>Heating</u>	
Central heating:	1%
Individual heating:	95.1%
Without heating:	3.9%
<u>Water supply:</u>	
Inside water supply:	86%
No data available for postal service and electricity.	

Source: Data from INSTAT (registration 2001).

Number of individuals who live in unregistered buildings

354. With regard to the number of individuals who live in new habitations and have not done the transfer of the civil status data, we may provide approximate figures, from the data of the civil status offices. From data gathered from 22 districts (out of a total of 36), 6,745 families (approximately 33,725 individuals) are not registered in the civil status offices of the new habitations.

355. With the privatization of the State-owned buildings in 1993, the sector of publicly owned buildings for rent was closed. The prevailing form is now ownership of the building, in 98 per cent of the cases. The rental market is established, especially in the main cities of the country where there is migration of population, but there are no precise data on the percentage or number of buildings for rent. This is due to lack of declaration of such cases in order to avoid taxes. Rent in the private sector is not controlled or regulated by the State.

Legal framework

356. There is no legal act providing the right to housing. The Constitution of the Republic of Albania provides for the housing of the population as one of the social objectives of the State, which should be realized with regard to the current State means and private initiative.

357. Law No. 8030, dated 15 November 1995, "On the State contribution for houseless families" and its amendments and sub-legislative acts, are the main documents providing for the financial obligation of the State for the houseless and the form of the devolution of such contribution to the houseless families resulting from the application of Law No. 7652, dated 23 December 1992, "On the privatization of State-owned buildings" and sub-legislative acts issued for its implementation.

358. This law also provides the form of State aid to houseless families, based on the total age of the family and number of its members, as well as the form of financing for the houseless families, by also creating possibilities to benefit from the free market for land and buildings. Legislation in force with regard to housing, houseless individuals, municipal companies also includes:

- Law No. 7652, dated 23 December 1992, "On the privatization of State-owned buildings";
- Law No. 8030, dated 15 November 1995, "On the State contribution for the houseless families";
- Law No. 8647, dated 24 July 2000, "On some amendments to Law No. 8030, dated 15 November 1995";
- Decision of the Council of Ministers (DCM) No. 49, dated 29 January 1993, "On the determination of the criteria for the houseless";
- DCM No. 249, dated 16 April 1996, "On the procedures of the financial operations for the crediting and State subventions that shall be performed by the Savings Bank in accordance with the law on the State contribution for the houseless families";
- DCM No. 250, dated 16 April 1996, "On the procedures and priorities in implementation of Law No. 8030, dated 15 November 1995, on the State contribution for houseless families";

- DCM No. 153, dated 22 March 2001, “On the procedures of the financial operations for the implementation of Law No. 8030, dated 15 November 1996, amended with Law No. 8647, dated 24 July 2000”;
- DCM No. 321, dated 5 July 1999, “On the approval of fund distribution according to the districts, procedures of admission of families benefiting from the crediting conditions, in relation to the Greek credit for housing”;
- DCM No. 632, “On the form of payment of the house that the blind of the first category obtain by the National Housing Entity”;
- DCM No. 316, dated 4 July 2002, “On the form of housing treatment for orphans”;
- DCM No. 407, dated 29 August 2002, “On the form of housing treatment for invalids, paraplegics and tetraplegics”.

359. Legislation with regard to the use of land, its distribution, expropriation, compensation, land planning and procedures on the involvement of the community includes:

- Law No. 8405, dated 17 September 1998, “On urbanistics”;
- Law No. 8561, “On expropriations and temporary use of private property for public interest”;

Legislation with regard to the right of users for the guarantee of the property, protection from expulsion, on the financing of housing and control over the rent system, possibilities for housing includes:

- Article 411 of the Constitution of the Republic of Albania, guarantees property;
- Financing of housing: Law No. 8379, dated 29 July 1998, “On the drafting and implementation of the State budget in the Republic of Albania”;
- There is no law for the control over the rent system;

Legislation with regard to codes, construction norms, standards and dispositions on infrastructure includes:

- There is no law or decision on the codes; and
- For construction norms, there is Law No. 8402, dated 10 September 1998, “On the control and regulation of the construction works”, Instruction No. 3, dated 15 February 2001, “On the supervision and certification of the construction works”.

360. A very problematic issue, not only for the Civil Status Service, is the lack of addresses in the cities. According to Law No. 8652, dated 31 July 2000, "On the organization and functioning of local government bodies", article 8, point 1/VII/b, the local government units determine the denominations of the territories. Nevertheless, despite the frequent requests, such right has not been exercised. In addition, it is uncertain if there is a legal obligation to post the numbers of the apartments in the new buildings. The Civil Status Service finds very problematic the lack of street addresses.

361. Current legislation does not exclude or discriminate against groups, who traditionally may have been unprotected. But, on the other hand, there is no law that may facilitate their access to housing. In particular, the legislation protects from discrimination groups with special status such as the blind, orphans and invalids.

362. There is no law or decision forbidding the expulsion from a house.

Existing legislative reform as a result of the implementation of the right to housing

363. In this framework the law "On the housing of the urban population" was drafted, which reforms the existing laws and protects the right for housing of the citizens with low income and in difficult housing conditions. Such a law is in the phase of revision.

364. There is no legislation limiting speculation on housing or property, especially when it has a negative influence on the fulfilment on the housing right in all sectors of the society. One of the measures for the legalization of the unregulated buildings is the drafting of the law on the legalization of unregulated constructions.

Programmes and the national strategy on housing

365. Measures aim at the establishment of possibilities within the community and the informal sector for the erection of houses and similar services. Several programmes of management of urban land that are being implemented by the Ministry of Territory Adjustment and Tourism, under the assistance of the World Bank, are included also in the work plan for the National Housing Strategy:

- Legal aspects of the programme:
 - Determination and approval of the minimum standards (realistic) on the land surfaces and infrastructural services;
 - The establishment of the legal ground for the "re-parcelling" of the land;
 - The review and establishment of various forms of guarantee of the property in relation to the conditions and needs;

- Financial aspects of the programme:
 - Establishment of a separate fund for the repair of buildings with the contributions of the inhabitants and central and local authorities. Combination of the amelioration projects with the possibility of purchase and various public financial resources;
 - Providing various credit facilities for families and communities depending on the conditions and needs.

366. Organizations aiming at the establishment of housing possibilities are free to act. The State (in such a case through the Ministry of Territory Adjustment and Tourism) assists by financing the projects that shall be implemented by the organizations, but not for the organization itself.

367. Every year from the State budget funds are granted for the construction of buildings for the houseless categories, which are bought by these families and are repaid in long-term instalments within 25 years.

368. Among the measures adopted for the transfer of unused land, either insufficiently used or misused, the law “On the legalization of abusive constructions” has been drafted. Financial measures adopted by the State for housing include the following:

- Total investments (in thousands of leks): 350,000;
- Investments in building construction: 183,201;
- Acquisition of houses: 166,799.

369. Every year funds are granted by the State budget, municipalities and communes, for the drafting of urban studies that include studies for the rehabilitation of the centres of the cities, etc. For 2003 such funds amounted to 114,510,000 leks. The local authorities intervene for urban ameliorations. There is no legal ground for the prevention of arbitrary expulsion.

370. In the National Strategy for Urban Development, which has been drafted, measures are foreseen for the development of small and medium-sized urban and rural areas, with special attention to rural areas.

Difficulties encountered in the fulfilment of the right to housing and measures adopted for improvement of the situation

371. The housing policy implemented over the last 10 years has been a reaction against the consequences of transition. Such a policy has replied to this process and emerging problems, such as the privatization of State-owned buildings, financial support for families who could not privatize their houses for different reasons, families of ex-political prisoners, families who lost their homes in pyramid schemes, etc.

372. The policies drafted aimed at an immediate solution and were not designed for long-term and stable solutions. For such a reason, many families registered on the houseless lists, as a result of the rise of interest rates for housing, cannot afford the repayment of loans, and many other families on these lists have no access to affordable houses, either by ownership or for rent.

373. The objectives of housing policies in coming years will aim to create legislative space, financial and institutional, so different classes of society have access to affordable housing, by adapting the universal human right to proper housing to the economic, social and environmental conditions of the country.

374. This will be reached through the integration of housing policies with policies of other sectors such as the economy, labour market development, the increase of employment through the encouragement of the private housing construction, decreasing poverty through the enhancement of competition in the private sector and through the coordination of the social assistance policies with the assistance for housing for the marginalized classes.

International cooperation

375. In 1993 the World Bank granted a credit of US\$ 20 million for financing the construction of semi-abandoned dwellings. There is no final assessment as to how this project has achieved its goals, although this project has also been challenged as to the efficiency of using this credit.

376. An agreement between the Governments of Albania and Greece on financing a credit of 5 billion drachma (equal to US\$ 16 million) for homeless families who had lost their houses owing to pyramid schemes. This programme is being implemented rigorously, based on the monitoring indicators designated by the Ministry of Labour and Social Affairs.

Article 12

Right to public health care

377. Studies and the evaluation of the health situation through statistical indicators is part of the overall assessment of the health-care system in Albania, with the final goal of further consolidation and improvement of its services. The transition period caused difficulties and problems with the health-care system in general. Nevertheless, the main indicators show a consistent trend of improvement both in primary health care and hospital services. A positive characteristic of the Albanian population is that it is a young one, with an average age of 29 years, and life expectancy of 74 years for women and 68 years for men, which are almost the same as the average indicators of the neighbouring countries.

378. The total number of public institutions of primary health care such as health-care centres, polyclinics, woman and child consultancy centres, family planning centres, etc., and the intensity of their main activities, has dropped during the last decade. This is due to reorganization of these services, creation of new and more appropriate facilities, improvement of the quality of services,

as well as the creation and consolidation of the private sector. Recently the private sector has been massively expanding. Drugstores and dental clinics are almost all private, but private clinics are increasingly present in medical analysis and diagnostic services.

379. The public hospitals and the data collected through these services provide important information serving as the starting point for assessing health indicators - epidemiological, death statistics, human resources, etc. The ongoing reform in the sector of hospital services is improving the quality and diversity of the services through concentrating these services in the main regional hospitals where modern facilities and equipments are available. Nevertheless, the situation is not satisfactory as far as certain groups of diseases (respiratory, gastrointestinal, infectious, urogenital, blood circulation problems, heart and cerebral attacks) are concerned.

380. The public health-care system is still not able to satisfy the needs for qualitative services because it lacks proper facilities and equipment. In addition, in rural areas and particularly in remote areas the situation is more critical, not only as regards facilities but even for qualified personnel. Most of the properly qualified personnel have moved to Tirana and to other important urban centres. The relevant data show that the budget of the health-care system is increasing year by year, within the overall budget of public expenditures.

381. The health situation of the population appears to be more difficult, mainly in rural districts. This is caused by various factors such as: the limited number of doctors and medical personnel in those districts, the distance from health centres, the lack of infrastructure (notably in mountainous districts), low educational levels, as well as hygienic-sanitary and socio-economic conditions in those districts.

382. The Public Health Service still has problems in providing the necessary facilities and equipment to meet current needs. In villages and, particularly, in remote districts, the need to provide both health centres and doctors, most of which are placed in Tirana and in other main cities, is evident.

383. In general, a considerable number of deaths are caused by smoking or alcohol abuse, carelessness in walking on roads (traffic accidents), using illegal drugs, and bad nutrition. In general, infectious diseases over the last 10 years have been reduced.

384. The birth rate has been reduced in rural and urban districts. This is because of the methods applied relating to family planning, the movements of people not only inside but also outside the country, awareness of young couples about the control of number of their children, etc.

385. As for mortality, high values are indicated in districts such as Delvina, Saranda, Korcha, Kolonja and Gjirokastra. This is a consequence of morbidity and the high rate of emigration (particularly at young ages). This has led to the population's growing old. Main groups of diseases that cause the highest rate of mortality in Albania are chronic lung and blood diseases. Approximately 32 per cent of deaths are caused by cerebral problems and ischemia, 20 per cent by heart attacks and other ischemic diseases and 37 per cent by cardiac insufficiency and other cardiac diseases.

386. Maternal mortality is highest in northern districts, particularly in Tropoja, Hasi and Kukesi. Post-partum haemorrhages, eclampsia, infections, hypertension oscillations during pregnancy and abortions are the main causes of deaths.

387. High figures of pregnant women's mortality in northern parts of the country are obvious evidence of the low access of the population of this part to obstetrical services (mainly in urgent cases), the distances from health centres and the bad road conditions (mainly in northern districts) as well as the bad hygienic-sanitary conditions in the northern zone.

388. Neonatal mortality (under one year) shows higher values in the districts of: Gramshi, Peqini, Bulqiza, Librazhdi, Elbasani and Mallakastra. Statistics during recent years indicate that neonatal mortality in rural zones is twice as high as in urban zones. This is mostly related to socio-economic conditions and their geographical extension. Pneumonic diseases, newborns' illnesses and congenital abnormality are the causes of such mortality.

389. The number of abortions still remains considerable. By geographical breakdown, the number of abortions is great throughout Albania, mostly in Tirana, Mati, Devolli, Durrësi, Berati, Permeti and Kolonja (generally where the density of population is high).

390. Accidents have increased significantly.

391. Diseases transmitted from animals, farm animals and/or pets, are the major source of infections in humans. The most affected areas are southern and south-eastern districts such as: Gjirokastra, Tepelena, Saranda, Delvina, Permeti, Vlora, Fieri, Mallakastra, Berati, Kuçova, Korça (recently affected), whilst less affected are the districts of the central and northern part of Albania such as: Malesi e Madhe, Shkodra, Elbasani, Peqini and Laci. The presence of these forms of diseases in the population is absolute evidence of qualitative handicaps and quantitative deficiencies in the activity of public veterinarian service.

392. The geographical spread of diarrhoeal diseases shows evidence of the existence of the so-called "hot zone", which means an area with high incidence, such as Tirana, Durrësi, Berati, Kavaja, Peqini, Elbasani, Librazhdi, Kuçova, Pogradeci, Devolli, Kolonja, Shkodra, Lezha, Laçi, Mati, etc. The preventive intervention consists first and foremost of the ceaseless monitoring of potable water quality, the improvement of water infrastructure, as well as the maximization of controlling and preventive sanitary inspection activity concerning foodstuffs. Meanwhile, raising the level of sanitary culture among people is another important preventive factor.

393. Urban areas have a persistently higher incidence of viral hepatitis compared to rural areas. Just a few of the 36 districts (referring to the last two years) display low incidence (Delvina, Malesia e Madhe, Peqini, Shkodra, Mati). All other districts display high fluctuation of the viral hepatitis incidence. Only sustained improvements of the potable water supply systems and sewage sanitation, as well as the improvement of individual hygiene would influence the reduction of viral hepatitis incidence.

Table 40
Diarrhoeal diseases by districts, 1995-1996 and 2000-2001

No.	District	Incidence: cases per 100 000 inhabitants			
		1995	1996	2000	2001
1.	Berat	2 419.7	2 719.5	2 238.2	1 179.3
2.	Bulqize	1 139.9	1 681.2	1 897.6	1 915.4
3.	Delvine	170.1	121.7	138.8	162.4
4.	Devoll	3 048.8	2 809.4	1 051.0	1 449.4
5.	Diber	3 510.1	592.8	706.9	449.9
6.	Durres	2 579.7	2 631.2	2 294.6	3 255.1
7.	Elbasan	2 501.2	3 459.8	1 472.3	1 044.9
8.	Fier	943.6	713.7	801.5	1 365.0
9.	Gramsh	537.5	952.4	3 039.5	2 386.0
10.	Gjirokaster	893.4	953.6	122.7	162.1
11.	Has	562.8	621.2	3 288.7	3 825.3
12.	Kavaje	2 681.2	2 420.7	3 954.5	2 928.4
13.	Kolonje	1 839.9	2 478.8	1 337.4	1 316.7
14.	Korçe	1 972.4	2 180.3	2 164.6	2 441.7
15.	Kruje	2 931.7	1 409.6	424.5	1 014.1
16.	Kuçove	2 368.8	2 241.3	3 004.8	2 510.4
17.	Kukes	2 750.3	3 538.7	2 973.9	2 366.8
18.	Laç	1 918.6	2 521.4	1 297.2	1 729.0
19.	Lezhe	2 381.2	2 169.8	1 595.3	1 410.2
20.	Librazhd	1 119.6	2 131.3	3 332.2	3 769.3
21.	Lushnje	1 581.3	1 791.1	1 711.3	1 275.9
22.	Malesi e madhe	242.4	321.3	672.8	999.4
23.	Mallakaster	1 261.2	1 219.8	1 162.7	354.6
24.	Mat	1 911.4	3 060.1	1 884.1	3 007.3
25.	Mirdite	155.8	287.5	1 928.3	1 275.9
26.	Peqin	781.4	1 421.3	3 064.9	2 411.7
27.	Permet	882.7	1 309.8	1 237.7	967.1
28.	Pogradec	2 059.6	1 590.0	1 865.2	2 404.6
29.	Puke	711.7	922.5	675.9	593.6
30.	Sarande	1 021.1	665.4	422.5	378.3
31.	Skrapar	243.8	642.9	1 524.8	993.6
32.	Shkoder	1 229.6	647.3	366.0	315.4
33.	Tepelene	362.5	368.9	263.9	960.1
34.	Tirane	875.2	1 521.1	1 932.2	1 692.5
35.	Tropoje	351.7	532.6	1 623.5	5 802.9
36.	Vlore	1 460.3	1 179.8	1 175.1	844.1

Source: Statistical data from Public Health Institute.

Table 41

Viral hepatitis

Cases according to districts, 1995-1996 and 2000-2001

No.	District	Incidence: cases per 100 000 inhabitants			
		1995	1996	2000	2001
1.	Berat	166.1	73.3	102.2	92.6
2.	Bulqize	57.4	22.4	31.8	11.9
3.	Delvine	87.3	33.8	45.1	17.4
4.	Devoll	65.8	62.1	135.6	22.6
5.	Diber	109.2	68.7	32.6	15.8
6.	Durres	148.7	107.0	79.4	34.4
7.	Elbasan	159.1	89.8	137.6	50.1
8.	Fier	192.9	48.4	165.4	74.1
9.	Gramsh	154.5	137.3	163.4	13.8
10.	Gjirokaster	174.3	39.9	140.0	45.6
11.	Has	91.8	91.5	98.5	137.8
12.	Kavaje	113.4	69.4	38.6	45.4
13.	Kolonje	443.3	37.1	256.7	41.4
14.	Korçe	104.9	52.8	115.6	48.2
15.	Kruje	163.0	86.5	53.9	92.6
16.	Kuçove	216.2	107.0	97.8	23.1
17.	Kukes	144.1	99.3	54.9	23.3
18.	Laç	87.7	45.9	67.2	24.7
19.	Lezhe	224.5	86.6	219.9	157.7
20.	Librazhd	214.9	108.2	111.8	101.8
21.	Lushnje	213.4	82.5	120.1	69.3
22.	Malesi e madhe	29.6	36.4	70.2	15.9
23.	Mallakaster	168.2	44.2	143.3	176.2
24.	Mat	103.2	78.7	51.3	25.7
25.	Mirdite	229.4	79.0	20.6	52.7
26.	Peqin	62.8	38.5	22.3	41.4
27.	Permet	181.5	68.2	112.8	25.3
28.	Pogradec	198.0	133.1	82.7	35.1
29.	Puke	153.2	69.8	123.5	4.8
30.	Sarande	105.7	109.1	13.1	24.5
31.	Skrapar	145.3	93.0	32.6	2.3
32.	Shkoder	41.3	16.7	19.0	7.9
33.	Tepelene	283.9	122.5	91.0	157.0
34.	Tirane	72.9	43.4	36.8	25.6
35.	Tropoje	165.2	77.2	46.7	22.1

Table 42
Health indicators for 2001

No.	Districts	Deaths of children under 1 year	Number of births	Deaths of children under 1 year	Number of abortions	Population
1.	Berat	27	2 138	12.63	295	128 410
2.	Bulqize	29	1 066	27.20	20	42 985
3.	Delvine	0	327	0		10 859
4.	Devoll	6	725	8.28	116	34 744
5.	Diber	23	2 076	11.08	25	86 144
6.	Durres	54	2 551	21.17	433	182 988
7.	Elbasan	70	3 599	19.45	475	224 974
8.	Gjirokaster	0	995	0	7	55 991
9.	Gramsh	20	696	28.74	93	35 723
10.	Fier	27	3 789	7.13	284	200 154
11.	Has	3	203	14.78	5	19 842
12.	Kavaje	19	1 324	14.35	86	78 415
13.	Kolonje	1	246	4.07	212	17 179
14.	Korce	17	2 784	6.11	238	143 499
15.	Kruje	9	456	19.74	11	64 357
16.	Kukes				540	64 054
17.	Kurbin	10	1 172	8.53		54 519
18.	Kucove	6	770	7.79		35 571
19.	Lezhe	11	949	11.59	94	68 218
20.	Librazhd	27	1 408	19.18	43	72 520
21.	Lushnje	3			152	144 351
22.	Mallakaster	14	895	15.64		39 881
23.	M. Madhe	9	762	11.81	3	36 770
24.	Mat	8	1 022	7.83	206	61 906
25.	Mirdite	8	783	10.22	79	37 055
26.	Peqin	14	601	23.29	23	32 920
27.	Pogradec	13	1 240	10.48	49	70 900
28.	Puke	7	509	13.75		34 454
29.	Permet	0	357	0	76	25 837
30.	Sarande	7	1 200	5.83	1	35 235
31.	Shkoder				347	185 794
32.	Skrapar	5	533	9.38	16	29 874
33.	Tepelene	1	577	1.73	28	32 465
34.	Tirane	45	6 940	6.48	4 368	523 150
35.	Tropoje	4	532	7.52		28 154
36.	Vlore				1 766	147 267

Table 43
Population trends

No.	Districts	Density of population	Deaths of young mothers	Birth rate	Mortality	Abortion rate	Number of deaths
1.	Berat	136.7	111.73	16.65	4.32	137.98	555
2.	Bulqize	91.6		24.80	5.35	18.76	230
3.	Delvine	31.2		30.11	10.77	0.00	117
4.	Devoll	81.1		20.87	7.66	160.00	266
5.	Diber	79.1		24.10	4.33	12.04	373
6.	Durres	422.7		13.94	0.73	169.74	134
7.	Elbasan	163.9		16.00	4.74	131.98	1 067
8.	Gjirokaster	49.2		17.77	6.64	7.04	372
9.	Gramsh	51.4		19.48	5.01	133.62	179
10.	Fier	254.9		18.93	4.95	74.95	991
11.	Has	50.5		10.23	1.71	24.63	34
12.	Kavaje	189.3		16.88	5.82	64.95	456
13.	Kolonje	21.4		14.32	6.69	861.79	115
14.	Korce	81.9		19.40	7.38	85.49	1 059
15.	Kruje	193.3		7.09	5.07	24.12	326
16.	Kukes	68.3		0.00	0.02		1
17.	Kurbin	199.4		21.50	4.82	0.00	263
18.	Kucove	423		21.65	5.29	0.00	188
19.	Lezhe	142.3		13.91	5.35	99.05	365
20.	Librazhd	70.9		19.42	4.25	30.54	308
21.	Lushnje	202.6		0.00	4.64		670
22.	Mallakaster	101.5		22.44	4.84	0.00	193
23.	M. Madhe	66.3		20.72	5.09	3.94	187
24.	Mat	101.5		16.51	4.47	201.57	277
25.	Mirdite	42.7		21.13	5.34	100.89	198
26.	Peqin	302.9	166.39	18.26	3.98	38.27	131
27.	Pogradec	97.8	196.46	17.49	5.71	39.52	405
28.	Puke	33.3		14.77	3.11	0.00	107
29.	Permet	27.8		13.82	5.50	212.89	142
30.	Sarande	47.1		34.06	9.00	0.83	317
31.	Shkoder	94.2		0.00	2.72		506
32.	Skrapar	38.5		17.84	5.39	30.02	161
33.	Tepelene	39.7		17.77	5.79	48.53	188
34.	Tirane	422.4		13.27	4.58	629.39	2 398
35.	Tropoje	27		18.90	5.22	0.00	147
36.	Vlore	91.5		0.00	5.62		828

HIV/AIDS

394. With 104 diagnosed and reported persons living with HIV/AIDS (PLWHA) as of May 2003, Albania can still be considered a low-prevalence country. The prevalence of HIV is considered to be less than 0.005 per cent. Based on the young age of the population, the large proportion of Albanian emigrants (one sixth of Albanian citizens live abroad), the increasing number of intravenous drug users (IDUs), the large number of Albanian girls being trafficked and/or exploited as commercial sex workers abroad, the increasing number of men who have sex with men, the increasing number of other sexually transmitted infections (STIs), etc. to estimate up to a thousand the number of PLWHA.

395. This estimate seems reliable, taking into account the increasing trend of diagnosed and reported cases during recent years (more than 50 per cent of PLWHA have been diagnosed in the last three years - 10 in 2000, 20 in 2001 and 26 in 2002).

396. Also, according to a recent report vulnerable situations and high-risk behaviour are common among all groups of the population. Furthermore, one third of Albanians interviewed in the context of a KABP survey ranked HIV/AIDS as one of the top health problems Albania is facing today.

397. It is for this reason, that HIV/AIDS was seen as a priority in the context of recently adopted Albanian Public Health and Health Promotion Strategy as well as, especially, in the annual plans of the Albanian Ministry of Health. The Minister of Health reconfirmed HIV/AIDS as a priority area during the 2003 Annual Meeting at the National Institute of Public Health - the institution where the National Programme of HIV/AIDS/STIs is located.

398. A national strategy accompanied with an action plan, funded by UNDP and in collaboration with United Nations theme groups and other agencies, national and international, operating within such fields in Albania is under development.

Figure 2

Number of HIV/AIDS cases by year for the period 1993-2002

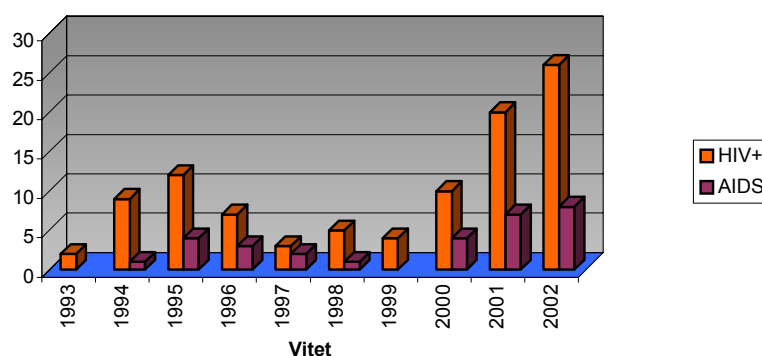


Figure 3
Distribution of HIV cases by mode of transmission

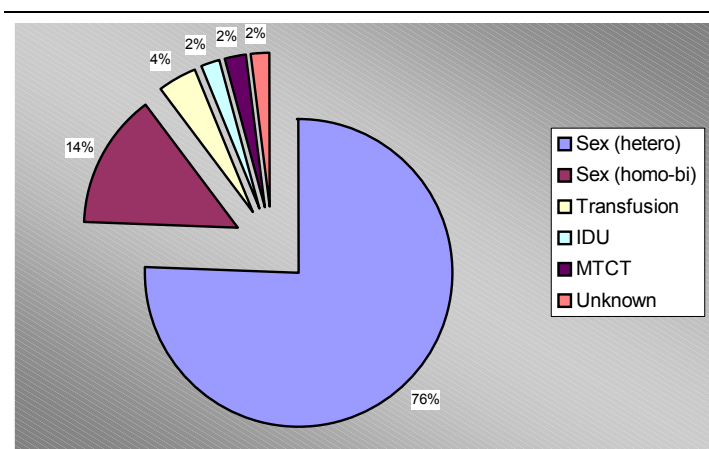
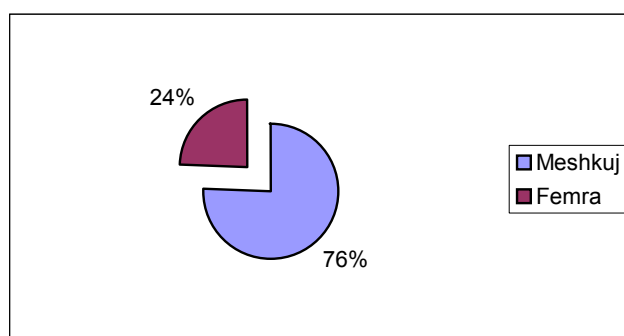


Figure 4
Distribution of HIV cases by gender for the period 1993-2003



Situation of STIs

399. The data on STI incidence and prevalence in Albania are unreliable. The National AIDS Programme found during its assessment in 2001-2002 that there were significant discrepancies between those diagnosed and cases receiving the treatment, and the reported number of STIs.

400. It was noticed in one district that one specialist had provided care to five patients with gonorrhoea in a time when the whole district did not report any cases for the same period.

401. Most of the cases are clinically diagnosed, but even so there are inaccuracies.

402. Infections due to chlamydia were reported recently.

Table 44

The situation of the main sexually transmitted infections (STIs) in Albania

Syphilis	Primary syphilis was eradicated in Albania in 1970 and the first case reappeared only in 1995. From 1995 until 2003, a total of approximately 135 patients was diagnosed and reported.
Gonorrhoea	Data about the gonorrhoea situation are patchy and incomplete. The highest annual incidence (with 230 cases) was reported in the year 1982. After 1990, a number varying from few to 30 is reported annually, but this is due to underreporting.
Trichomoniasis	There are not good quantitative data for the presence of the infection from trichomonas vaginalis. Qualitative reports from gynaecologists show that from 50 to 70 per cent of women attending clinics with gynaecological symptoms suffer from trichomoniasis. Further studies are needed to establish with certainty the situation.

Biological determinants of HIV/AIDS and STI transmission

Sentinel surveys

403. During the period 1998-2001, three sentinel surveys were conducted among the following population subgroups:

- Women attending gynaecological clinics with STI-related symptoms and requests for pregnancy interruption (abortion);
- Drafted recruits;
- Drug users seeking medical care at the Toxicology Unit of the Central Military Hospital (the only clinic where drug users receive specialized treatment).

404. No HIV-positive case was diagnosed for the whole period during which the sentinel surveys were conducted and this finding confirmed to a large extent the present epidemiological situation.

405. The staff of the National AIDS Programme restarted the sentinel survey because of the recent changes in the epidemiological situation (increasing number of diagnosed and reported cases, penetration of infection among the drug users population, etc.) and the following were included:

- Drug users attending medical care and involved in harm reduction programmes;
- Trafficked women and children living in shelters all over the country;

- Female sex workers;
- Laboratory surveillance for syphilis, gonococcus, and chlamydia has been promoted to be established in Tirana, Durres and Vlora.

Cross-sectional surveys

406. Most of the quantitative data related to the behaviour of Albanians come from two cross-sectional surveys:

- The Multiple Indicator Cluster Survey (MICS, National Institute of Statistics, 2000);
- Reproductive and Family-Health-related Issues in Albania - a KABP Survey (International Centre for Migration and Health, 2000).

The findings from these studies show the level of knowledge, attitude, beliefs and practices in relation to HIV/AIDS to be inappropriate (see below). These studies are not performed on a regular basis and there was also significant bias and misreporting related to the findings of such surveys.

407. Whereas 92 per cent of women interviewed in MICS said they had heard about AIDS, only 53 per cent of those interviewed in the context of KABP said they had. Sources of information, according to KABP, are, in decreasing order, TV, radio, newspapers and friends.

408. However, the level of knowledge seems inadequate. During MICS, only 25 per cent of women (out of 5,456 interviewed) could correctly identify all three ways of HIV transmission and only 0.2 per cent could correctly identify three misconceptions regarding HIV transmission. During KABP, 20 per cent of respondents said shaking hands was risky and another 50 per cent that kissing a person with HIV/AIDS constituted a great risk. Another 83 per cent thought that donating blood was risky for getting HIV/AIDS.

Qualitative studies and assessments

409. There have been some main attempts to perform qualitative studies and/or assessments in Albania:

- The Rapid Assessment and Response (RAR) with Especially Vulnerable Young People (Institute of Public Health and UNICEF, 2002);
- The In-Depth Behavioural Qualitative Research with Persons Especially Vulnerable To HIV/AIDS and STDs (Institute of Public Opinion Studies, 2003).

Whereas the final reports of the last study has not yet been produced, the information from RAR represents the only available data.

Drug users

410. It has been shown that large numbers of drug users share needles, and they experience severe health problems (including overdose). Moreover, they have multiple sexual partners (over 50 per cent of the drug users interviewed in Shkodra had 6-10 sex partners last year), do not use condoms and frequently have sex under the influence of drugs.

Illicit sex labour

411. They had low level of awareness about HIV/AIDS and STIs, 90 per cent of them did not always used a condom with clients, 80 per cent of them contracted a sexually transmitted infection in her lifetime, most of them were physically and mentally abused. They perceive themselves to be at risk for contracting HIV. A finding from another survey is expected to provide in-depth information about the perceptions and feelings of the representatives of vulnerable and especially vulnerable population groups, underlying causes of vulnerability, etc.

Social issues and cultural differences

412. There are some social and cultural differences between urban and rural areas of the country. They have not yet been fully studied and exact differences are not fully clear, but one can mention:

- Extended patriarchal families in some areas;
- Cases of women rights violation and low socio-economic status of women;
- Negotiation almost absent in rural areas;
- Early and arranged marriages (mainly in the rural areas);
- Rural-urban migration;
- Premarital and extramarital sex (rural areas having a more punitive attitude towards these phenomena);
- General levels of knowledge, less appropriate attitudes and practices (being more prominent in the rural parts of the country), etc.

Average life expectancy of Albanian males and females

413. With regard to the average age, according to the INSTAT calculations for the year 2000, it was 71.5 per cent for males and 78.1 per cent for females, slightly inferior to the European average.

Health-care policy

414. In October 2002, the Ministry of Health launched the 10-year strategy draft of the Albanian health-care system. In the drafting of such a document, the orientations of WHO for the primary health-care service were taken into consideration.

415. In the primary health-care service sector the goal is the improvement of access to the basic ambulatory services by filling the health-care map of the KSHP with medicare centres and ambulatory services.

416. Along with intervention to fill the institutional map, to restructure the infrastructure of the buildings and assets, and motivation and formation of the personnel, etc., objectives include the development of unified protocols and standards for prevention and curative activities as well as information for patients. KSHP shall be the entering point of the system and play the role of the "goalkeeper" to avoid the treatment of patients directly in hospital institutions whose service has a much higher cost.

417. By ensuring the role of primary care in the hospital services, so as to limit the use of services with higher costs, the improvement of the distribution and use of material, human and financial resources will be encouraged.

418. The drafting of a strategy for the universal iodization of salt is under way and the elimination of iodine insufficiency, as well as the establishment of the national committee on such issue, has led to a collection of laws and ordinances in the contagious diseases field. The epidemiological situation of the contagious diseases is monitored to keep under control possible epidemics. Necessary measures have been taken for the unification of the sanitary procedures in ports in compliance with the international regulations.

419. Complete coverage (100 per cent) of the need for vaccines is assured by the programme EPIT, and for the first time the Ministry of Health has contributed to its financing. In addition, for 2003 the introduction of a new vaccine (HIB haemophilic) should decrease the diseases and mortality from bronchitis and meningitis, mainly at the younger ages.

420. In the field of reproductive health, the goal is the improvement of the healthiness of women and children by bringing about the reduction of mortality and diseases of the newborn and mothers.

421. The situation of the mortality and diseases of pregnant women and children is regularly monitored for the improvement of their nutritional status by prescribing iron and folic acid supplements. The protocols, standards and necessary documentation for prenatal care in the reproductive health services have been unified and distributed to the consultation centres for pregnant women and a booklet on the treatment of pregnant women and a booklet on mother and child health have been distributed in the 36 districts. Parliament has passed the law on reproductive health and is in the process of drafting the sub-legal acts for the technical procedures for assisted reproduction and for the organization of the services for mothers and children who benefit from the free treatment.

422. In collaboration with WHO and other donors, all medicines for the treatment of the patients with tuberculosis are supplied, which makes possible the implementation of the directly observed treatment short course (DOTS) programme all over the country.

423. In the field of mental health, the policy document for the development of reform in the mental health field has been drafted and important steps have been taken in the direction of service to the community.

Budget of the health-care system

424. Currently, one of the most important issues for the public health sector in Albania continues to be the form and quantity of its financing.

425. Such emphasis has found reflection in the engagements of the Government and is shown in political documents of the Ministry of Health and Government, such as the National Strategy for the Economic Development and Midterm Budget Programme for the sectors, where the increase of financing in the public sector in relation to GDP and the overall budget remains one of the significant indicators.

426. In concrete terms, for the year 2002, the financing of the public health-care sector from the consolidated State budget reached a total of 18 billion leks or 2.7 per cent of GDP.

427. For the year 2002, such financing reached approximately 9 per cent of the expenses for capital investments and approximately 12 per cent of current expenses. Such a budget was reconsidered in the middle of 2002 as a result of some changes in the macrofiscal situation, by causing a decrease for the health sector, even though less marked than for other, non-social sectors.

428. With regard to financing for the year 2002 of services of primary health care and public health services, it should be emphasized that, in the decentralization process undertaken by the Government, the function of this level of care has been considered as a common power between the central Government (Ministry of Health) and local government. This latter, as a result of some changes in the allocation procedures from the unconditional grant (a grant which in its major part serves for the financing of the operational services and maintenance of the primary health-care service), and with a low level of consciousness and sensibility about such issues, realized a sensible lowering of bed-financing with regard to expenses for the operation and maintenance of the health infrastructure.

429. Nevertheless, 2002 subsidies for such services reached over 31.7 per cent of the total sector subvention, where the major part was expenses for personnel, expenses for capital investments and transfers of the Government to the Insurance Institute for Healthcare for the subvention of the General Practitioner Service and a list of essential medicines for the non-active population (those not able to contribute to the health-care insurance scheme).

430. Compared to the subvention of the sector five years ago (1997), the health sector reached a total level of 6.26 billion leks, or approximately 1.8 per cent of GDP, showing a substantial growth of the subventions in 2002. Compared with other social services, education, which in 1997 reached 3.3 per cent of GDP, in 2002 grew to 3.4 per cent of GDP.

431. The subvention of the health sector 10 years ago (1992) should be considered along with the political situation and consequent macroeconomic situation in the country, which, according to the data, reflected a sharp decrease of the economy, with GDP growth of minus 7.2 per cent and a yearly inflation rate of 226 per cent (the year with the highest increase for the entire period after 1990).

432. For this period, the total of public expenses in the health sector reached an estimated value of 3.4 per cent of GDP but nevertheless, such spending should be considered with regard to a recessive economy and an instable GDP, and may not serve as a basis for comparisons in the sector.

Life and health of children

Table 45

Infant mortality rate (1993-2001)

	1993	1994	1995	1996	1997	1998	1999	2000	2001
Number of live births	67 730	72 179	72 081	68 358	61 739	60 139	57 948	53 833	52 888
Number of deaths	2 401	2 547	2 162	1 762	1 387	1 215	957	864	924
Infant mortality (per 1 000 births)	35.4	28.3	30.0	25.8	22.5	20.5	17.5	16.0	17.5
Perinatal deaths (per 1 000 births)	11.2	14.6	13.4	14.4	15.2	14.3	13.4	13.8	14.1

Table 46

Births and abortions (1994-2001)

Years	Births	Abortions	Abortions per 1 000 births
1994	72 197	31 622	438
1995	72 082	31 874	442
1996	68 358	32 538	476
1997	61 739	22 103	358
1998	60 139	18 944	315
1999	57 948	19 930	344
2000	50 007	21 004	419
2001	52 715	17 125	325

Table 47
Percentage of infants immunized

Item	1993	1994	1995	1996	1997	1998	1999	2000	2001
Infants immunized against tuberculosis	82.0	87.0	97.0	94.0	94.0	87.0	83.0	85.0	91.0
Infants immunized against diphtheria	99.0	96.3	97.0	98.0	98.6	96.0	97.0	95.0	96.7
Infants immunized against tetanus	99.0	96.3	97.0	98.0	98.6	96.0	97.0	95.0	96.7
Infants immunized against pertussis	99.0	96.3	97.0	98.0	98.6	96.0	97.0	95.0	97.0
Infants immunized against measles	76.0	81.2	91.0	92.0	95.0	90.0	91.0	92.0	95.0
Infants immunized against poliomyelitis	97.0	97.0	98.0	99.6	99.9	97.0	97.0	96.0	96.0

Source: INSTAT.

Living environment - water supply

433. In Albania, more than 45 per cent of the population use potable water from an aqueduct in their homes. Approximately 20 per cent have a water tap near their home and 16 per cent a public tap (MICS, UNICEF). In the city, 90 per cent of the population have potable water from the aqueduct in their home. In rural areas only 20 per cent obtain water from an aqueduct, 26 per cent have taps outside the houses and 25 per cent use water from public taps. This study showed that approximately 97 per cent of the families have secure access to potable water, regardless of seasons and areas.

434. From a study conducted in some rural areas of the country during 2002, it appears that 80 per cent of families obtain potable water from the aqueduct or covered wells. Approximately 18 per cent of these families obtain water from a public tap (common), and 20 per cent of the population obtain water from cavities or uncontrolled surface waters (rivers, reservoirs, etc.).

435. In rural areas that were subject of the study, approximately 94 per cent of the families declare that they have sufficient access to potable water during winter, while during summer such percentage falls to 68 per cent.

436. Ninety per cent of Albanian families live in houses with proper sewage systems, where there are septic holes with good sanitary conditions. For the rural areas such figure reaches 84 per cent. While in the city, 95 per cent of houses are connected to the sewage system, in the rural areas such figure reaches only 37 per cent. The remaining part utilizes septic holes, and in over 15 per cent of the case such holes are improper (open) or do not exist at all.

437. Albania has many natural water sources. Situated in the southern part of Europe on the shores of the Mediterranean, its climate is characterized by a warm summer, and a mild and humid winter. The water quantity in the country is considerable and there are many underground sources with high quality from a perceptual and physiochemical point of view. As a matter of fact, in the major part of the country, the quality of the underground natural waters is in compliance with the standards of WHO and international regulations, making unnecessary any treatment other than chlorification.

438. For the above reasons, Albania depends totally on underground waters for its potable water supply except for the capital, where half of the quantity of potable water is obtained by the treatment of surface waters.

439. The hydrographical reservoir of Albania reaches a total size of 43,305 km, of which only 28,748 km or 67 per cent, are inside Albanian boundaries. The country is surrounded by various rivers, part of six main reservoirs, a number of natural lakes, etc.

440. The situation of the sewage system in Albania is in a critical state, considering the excessive wear on the network, massive losses, abusive connections, uncontrolled migration towards urban areas and lack of maintenance caused by the lack of funds. The potable water supply coverage varies from 90 per cent in urban areas to 50 per cent in rural areas. On average, water is available only for three to four hours per day, and in certain areas even less.

441. In rural areas, where the water supply is not available, the population uses for the most part natural resources and house wells. Currently, the potable water infrastructure covers most urban areas. The average pressure in the transmission pipes is less than one bar, while in high buildings the water ascends with water pumps installed wherever there are buildings higher than two floors.

442. Water coverage in urban areas was greater during the 1980s than today. This situation is caused by the massive migration of the population to the urban areas and vicinities, which are much less covered by such utilities. Such a process has meant a decrease of the water supply for urban areas. The need for the construction and improvement of water utilities in such areas is very urgent, to decrease the differentiation with the central urban areas.

443. Water coverage in rural areas is another controversial issue. Traditionally, for such areas less attention has been shown, also owing to the low number of aqueducts in such areas. Where the water supply facilities do not exist, the rural population in the majority of cases uses the water supply from natural resources and home wells.

444. As a result of the ease of tapping underground waters, they have often been used inappropriately for industry and plant-watering. It is estimated that 21 per cent of the underground waters goes to ineffective practices of watering. In some areas of Albania there is rapid destruction of underground resources, and such a tendency appears likely to continue during the next decade. Migration towards urban areas has increased the difficulties on water resources in some lower areas, where the scale of water obtainment is continuously growing.

445. Coverage by the sewage system in urban areas is approximately the same as for the water supply system, while only a small proportion of the rural areas has sewage systems. The old sewage systems are increasing the risk of the potable water contamination. Currently there is no treatment plant for sewage in Albania and the dispersions of the sewage is done untreated in the water systems and delicate ecological systems, creating great concern regarding many environmental issues.

446. The sewage network is even more worn out than the system for potable water. This state is the result of the lack of continuous maintenance, along with infrastructure and technology that have not improved. Urban areas have in large part sewage systems that discharge near the surface of water systems. Sewage is blocked in many ways causing discharges in/out of the network and contamination of potable waters.

447. In urban areas there has been negligence in the construction of the aqueduct and sewage infrastructure by placing them near each other with no respect for technical regulations. In many cases the sewage pipes are constructed over the aqueduct pipes, facilitating the introduction of sewage into them when there is no water in the system.

448. In the majority of rural areas there are individual sewage systems, mainly simple septic holes without discharge pipes. The peasants, without any technical criteria, construct them and as a result many problems are caused.

449. From the 37 Directories of Public Health (DPH), samples of potable water are taken at the source and at the final points as well, which are examined in the labs of the district. The examination is done from a physiochemical point of view, checking the state of residual chlorine. Data from the examination is sent by the fifth day of each month to DPH, where the data is gathered and is drafted the bulletin of the potable water. The bulletin is sent to the Ministry of Territory Adjustment and Tourism and Local Government of each district to intervene in the cases when the quality of water does not comply with standards.

450. The standards for effluents in Albania were determined in 1974. The Ministry of Health assured such standards were temporary, but they never became permanent. Currently, the Environment Ministry is drafting new standards, in compliance with the European directives of 1991 regarding effluent from the urban sewage system.

Prevention of diseases

Immunization of children against diphtheria, tetanus, polio and tuberculosis (urban/rural and gender breakdown)

451. During 2002, in the framework of the programme of immunization (including children from 0 to 14 years) the national programme for the vaccination of females of reproductive age (16-35 years) was implemented and successfully terminated, including vaccines against German measles and measles.

452. With regard to the programme for routine vaccination, the table below shows the vaccine coverage for the basal doses of antigens on the national calendar of vaccination. Such coverage is demonstrated at the district and national levels. The table shows the very good performance of the vaccination programme in relation to the reported vaccine programme. At the same time, the final results of a national study on the cold chain of vaccines and their efficiency in the distribution system from the central depot of vaccines (PHI) to the vaccination points has been satisfactory.

453. One of the main issues evidenced during the year 2002 has been the precise determination of the proper age groups for all antigens. The free movement of the population in some cases, especially in big urban areas, may not be immediately reflected in the constitutive registers of vaccination in the medicare centres of such areas.

454. In a national seminar with the vaccination staff from the whole country, during March 2003, the above issues were discussed and recommendations were made. The periodical reports on vaccine coverage as well as continuous supervision shall serve to monitor routinely any problems and to determine specific recommendations in various regions of the country.

Table 48

Data for the year 2002: vaccinations to 1 year of age

Calendar	Birth	4 months	6 months	6 months	12 months
Districts	Tuberculoses (BCG)	Viral Hepatitis B (Third dose)	Diphtheria, Tetanus, Pertussis (Dose III)	Poliomyelitis (Dose III)	Measles-rubella (Dose I)
Albania (2002)	94 per cent coverage	96 per cent coverage	98 per cent coverage	98 per cent coverage	96 per cent coverage

Medical care

455. The network of the primary health-care service, composed of polyclinics, health-care centres, ambulances, health-care centres for mothers and children, and the family planning unit, are institutional parts that offer qualified assistance together with personnel that works for the urban and rural population.

456. Health-care centres are situated in such a manner as to cover the needs of 2,000 to 4,000 rural inhabitants and 8,000 to 15,000 urban inhabitants. This brings together family physicians who work with a population coverage rate of one doctor per 1,700 rural inhabitants and one doctor per 2,000 urban inhabitants. This applies to the adult population over 14 years of age.

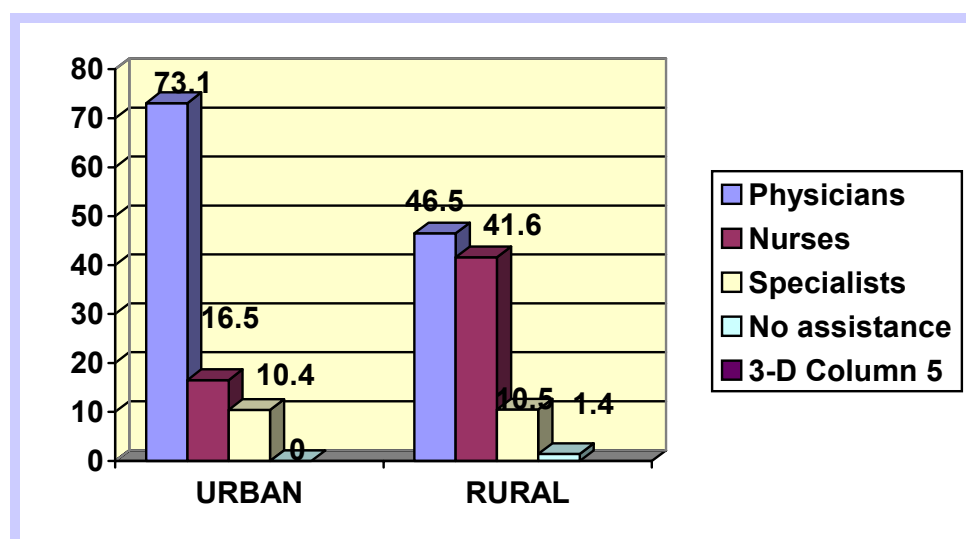
457. For paediatric-age patients, up to 14 years, in the city there is one paediatrician for every 1,000 children. Every village as an administrative unit has its ambulance and at least one nurse. All health centres and ambulances have a list of the urgent medications (over 20 medicines). Medical treatment is free. The distance of a medical centre (as a basic unit of the primary service) is not more than 1½ hours walk away from the most distant house of the village.

458. In medical emergency services for first aid measures, the best access to trained personnel for the treatment of diseases or ordinary injuries, with the regular supply of 20 essential medicines within one hour of walk or travel, is provided to urban areas. There, approximately 49 per cent are served, while the most difficult is the deep rural areas, especially the north-eastern areas of the country, which constitute 15.6 per cent of the population.

Specialized service during pregnancy

Figure 5

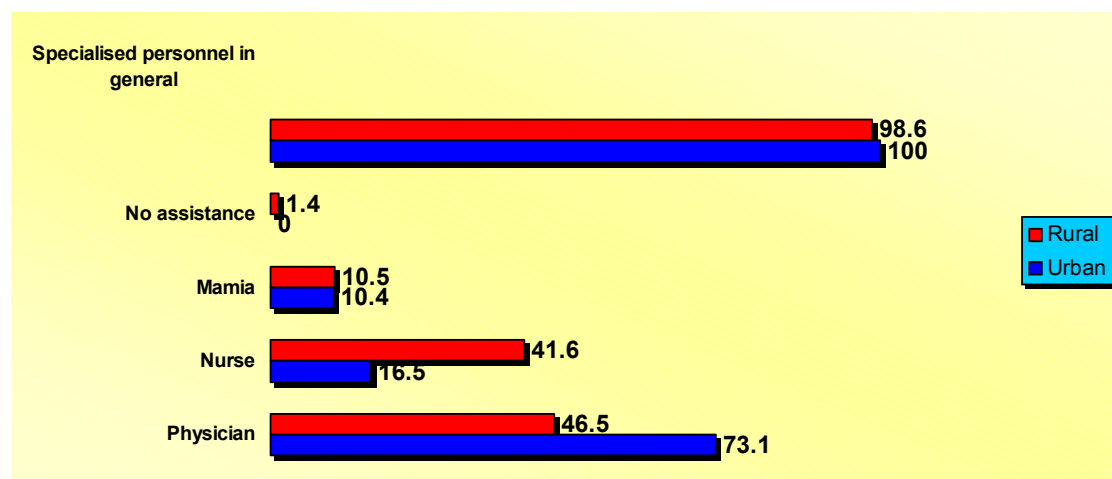
Medical care to pregnant women



459. From data obtained from studies of UNICEF, WHO, etc, it appears that 95 per cent of women have received prenatal care from a professional medical staff (see figure 5). In urban areas such a service has been rendered in 73 per cent of cases by a specialist and in 17 per cent of cases by specialized nurses. In rural areas this percentage is the opposite, with 50 per cent of the prenatal care offered by nurses. Overall, approximately 95.3 per cent of women receive prenatal care by qualified personnel (MICS, UNICEF, 2000).

460. Efficient care during birth: referring again to the study "Women and children in the millenium" (MICS), produced by INSTAT in the year 2000, the percentage of women who have received assistance during delivery by specialized personnel is high (99 per cent of the women receive assistance during delivery by some specialized personnel, see figure below); such a percentage is higher in urban areas than in rural areas.

Figure 6



Health care for children under 5 years old

461. Children of ages 0 to 5 years constitute approximately 10 per cent of the population in Albania and are included in health care with trained personnel, starting with:

- Eradication of risks for women that are exposed for an unfavourable pregnancy and delivery;
- Eradication and treatment of harm related to pregnancy;
- Feeding, health of the mother and health education with regard to the delivery;
- Knowledge and fast treatment of delivery complications;
- Breastfeeding of the child.

462. The most important causes of illness and mortality are generally related to respiratory and gastrointestinal diseases, the nervous system, poor nutrition and contagious diseases. Considering the above an increase of responsibility and quality of care offered by the existing structures is required. Infantile mortality (0 to 1 year) is decreasing from year to year but remains high compared to other European countries.

463. According to the data of the National Institute for Health Care Insurance (ISKSH), for health coverage:

- In the insurance scheme for health care, in cities there are 271 general physicians for children covering 386,308 inhabitants, or 1,425 inhabitants for each physician;

- Children from 0 to 12 months number 57,583 - a category which benefits from reimbursement of 100 per cent for medicines on the reimbursing list of ISKSH;
- Children 0-12 months and 0-4 years, together are 324,713 inhabitants, benefit from the child health-care centres in the cities and villages where there are approximately 1,700 such centres;
- This age group and more mature age groups of children benefit also from the health care provided by general physicians and family doctors.

464. The objective of Ministry of Health efforts for mother and child health care is to improve their quality of life, and reduce mortality, based also on international conventions on women's and children's rights.

465. The strategy to achieve the objectives of reducing infant and child mortality, is based on the following:

- Improvement and integration of mother and child health-care structures in the three care levels;
- Improvement of service quality for infants and mothers, at the three care levels, through unification of the standard protocols, determination of the directives, and regulations for child health care;
- Raising the level of scientific knowledge and the capacities of health personnel working in the child health-care field, with priority for KSHP;
- Enrichment of the legal framework on child health care;
- Public awareness and mobilization of the society, the mass media, etc., through education, communication and counselling, in order to understand that the child health care is a priority for the country, and is not just a duty of the health authorities;
- Improvement of the quality of collection, treatment and analysis of information regarding mother and child health care.

466. The principal measure taken for the achievement of the strategy for reduction of child mortality in this biennium is prevention of contagious diseases for children and mothers through vaccination. Activities undertaken in this direction include:

- Enlargement of the national scheme of child vaccination, introduction of the new rubella vaccine in such a scheme. The reported vaccine coverage for 2001 is 95 per cent;

- A campaign for fertile women to take the rubella vaccine started on September 2001 and continues;
- Creation of a national system for a vaccine cold chain.

467. It also aims for improvement of the infant nutrition situation through:

- Stimulation of the practice of breastfeeding for the first six months of the child's life;
- Improvement of infant and child feeding practices, in order to prevent malnutrition;
- Eradication of the lack of nutrients, minerals and vitamins, such as the lack of iodine, vitamin A, D, and iron;
- A national study for the identification and monitoring of 0 to 2-year-old children's feeding practices (1998-2002);
- Growth of the Child-Friendly Hospital initiative, which encourages the breastfeeding practice, in maternities and mother and child health-care centres within KSHP. Currently in Albania there exist two child-friendly hospitals, and specifically the Maternity Hospitals of Lexha and Fier. The Maternity Hospital of Tirana has obtained a certificate for the reach of the necessary six steps;
- Development of promotional and educational activities with regard to the practice of breastfeeding;
- Treatment of regional health personnel for the elimination of iodine deficiency;
- Observation of the children's physical and psychomotor growth;
- Personnel training and methodological unification of children's growth observation;
- The National Centre for Child Growth, Rehabilitation and Development is working to train personnel with a contemporaneous concept of children's growth observation in different regions of the country;
- Training with specialized doctors for infant growth observation;
- Continuous improvement of the quality of childcare services, particularly in order to raise the access to such services, through the unification of protocols for the observation and treatment of sick children, and fulfilment of the technical and personnel training needs for the health centres.

Unification of the protocols and directives for the treatment of some frequent child diseases

468. During 1993-1999 two national programmes were implemented for the care of respiratory and diarrhoeic diseases, the main causes of infantile death in Albania. The components of such programmes were:

- The training of the health personnel on the primary care education of mothers for the early identification of disease symptoms in their children;
- The equipment of health centres with medicines for diarrhoeic and respiratory diseases.

469. Acute respiratory diseases are the first cause of death of children from 0 to 5 years old. In 1991 respiratory diseases accounted for 40 per cent of infantile deaths, whereas in 1993 they reached 43 per cent. From the calculations made, it appears that every child from 0 to 5 years old has had from two to four acute respiratory infection (ARI) episodes per year. It is necessary to emphasize that infant mortality from ARI has decreased during 1999 to one quarter the level of 1990.

Integrated management of child diseases

470. This strategy on the integrated management of childhood diseases, started in October 2001, is being successfully implemented in health-care services for children. It covers the combined treatment for major child diseases in primary health care. It also unifies the urgent treatment for gravely sick children and includes the training of parents for better observation of and home first aid for, sick children.

Improvement of legislation on child health protection

471. Measures to improve child health protection include:

- Approval of Law No. 8528, "On the encouragement and protection of breastfeeding practice";
- Approval of Law No. 8876, dated 4 April 2002, "On fertile health";
- Articles 14, 21, 24, 25 of this law provide some measures for child health care; the Ministry of Health is preparing draft decisions and regulations on further implementation of these measures.

National programmes for mother and child health care

472. Considering the problems of mother and child health care, and how to achieve the Millennium Development Goals, the Ministry of Health, together with different partners and donors, has planned national programmes for this field:

(a) Supported by UNICEF

(i) A project for secure motherhood (MS), whose main goals are to:

- Raise health personnel's capabilities for prenatal, post-natal care;
- Improvement and standardization of pregnancy care;
- Activities of Information and Education to Communication (IEK), to emphasize the importance of safe motherhood;

Achievements up to date:

- Training of KSHP staff, midwives, family doctors (Fier, Pogradec);
- Preparation of the file for pregnant women (unification of documentation);
- Educational health materials for pregnant women and health centres;
- Treatment of problems regarding anaemia during pregnancy, and the feeding of pregnant women, etc.;
- Distribution of materials on maternal services, in four regions;
- Psychosocial counselling for the pregnant woman;

(ii) A project to encourage breastfeeding practice in child-friendly hospitals (SMF), whose goals are:

- Improvement of breastfeeding practice, training of health personnel and information, education and communication, with regard to the importance of the breastfeeding practice;
- Extension of the SMF network;
- Application and observance of law on breastfeeding;

(iii) A national programme for immunity (EPI, expanded programme of immunization), whose goals are:

- Granting of vaccines;
- Creation and observation of the cold chain;
- Personnel training;

- (iv) The National Programme for Integrated Management of Child Diseases, Integrated Management of Child Diseases (MISF), is part of a global strategy of WHO/UNICEF. The goals of such a programme are to:
 - Raise effectiveness of the care, and reduce the costs of the services, in order to achieve the two main objectives of the health system;
 - Diminish child mortality and causes of illness;
 - Promote implementation of children's healthy growth. MISF in Albania is officially recognized as a national programme (directive of the minister No. 380, dated 5 October 2001). Achievements of MISF and its implementation include the creation of a management structure at both central and local levels; production of adapted training materials; training of 93 professionals (doctor and nurse) at the central level and in two pilot regions);
- (v) Project on the elimination of problems from lack of iodine, whose goals include:
 - Personnel training;
 - Promotion of iodized salt use, as the only effective strategy to prevent problems deriving from lack of iodine;
 - Observance and legislative support for the iodized salt use;
- (b) Supported by UNICEF/WHO
 - (i) National Programme to make pregnancy healthier (MPS)/Effective Promotion Prenatal Care (PEPC):

PEPC's strategy is focused on the critical period of prenatal care, which covers the 22 pregnancy weeks and seven post-partum days, in order to assure to the infant a healthy beginning in life, and to reduce mortality and diseases of the mother and infant, through the promotion of a safe motherhood;
- (c) Supported by USAID
 - Integrated training on reproduction health (prenatal care/breastfeeding/STI/HIV/AIDS/family plan) in 18 regions of the country);
 - In collaboration with national and international NGOs, such as the Albanian Family Planning Association (AFPA), Population Services International Albania (ASMA/PSI), the Red Cross, Doctors of the World, etc., projects in the field of the reproduction health are being developed.

Medicines

473. Law No.7815, dated 20 April 1994, "On medicines", provides that in the Republic of Albania only registered medicines circulate. That means that any medicine marketable in the Republic of Albania should be registered. Despite the fact that the list of registered medicines has been increased, this criteria has led to the absence of certain drugs for the population.

474. In order to overcome such a situation, the law has sometimes not been observed by giving import licence permits, issued by Minister of Health, for drugs which have been needed by the population.

475. Another concern remains the non-registration of medical materials, which leads to medicines of very poor quality directly affecting the health of the population. In addition, regarding social insurance law, the current scheme of health insurance covers the family doctor and, partially, the list of drugs that are reimbursed. Meantime, the above scheme has been extended, as a pilot project implemented by the Health Authority of Tirana and by Durrës Hospital.

476. The current scheme of drug reimbursement, the composition of the reimbursable drugs list, and the non-inclusion of all the necessary drugs in this list, causes their absence for certain categories of the population, notably pensioners. At the same time, the non-extension of the scheme to the whole health system makes equal access impossible in the whole territory, due to the disproportions of doctors' salaries (a family doctor who is getting paid by health insurance earns a very high salary compared to other categories of doctors, even specialists).

477. In spite of the characteristics and particulars of the health system, Law No. 7971 of 26 July 1995, "On public procurements", does not provide specific rules for most drugs to be purchased, and applying general rules provided for in domestic legislation on procurements does not make possible the purchase of the best quality of goods (plus, the candidate's appraisal scheme adds 80 points to the lowest price). The quality of goods procured, medical materials, equipment and medicines, has a direct negative impact on the population's health.

478. Current legislation on licensing private activity in the area of health care (Decision No. 500 of the Council of Ministers) provides for the non-allowance of private clinics with sickbeds, which would directly influence the improvement of hospital service and, as a result of competition, lead to the improvement of State hospital service, too.

Measures to improve the health situation of the most vulnerable groups

479. National policies for the prevention and control of HIV/AIDS have included:

- 1987: Establishment of the National Programme on HIV/AIDS and STIs and of the National AIDS Inter-Sectorial Committee;
- 1987-1993: Implementation of two midterm national plans for the prevention and control of HIV/AIDS. The plans were drafted with the technical assistance of WHO and funded by the WHO/Global Programme on AIDS (GPA);

- 1992: Organization of the First National Conference, “For the prevention and fight against AIDS in Albania”;
- 1998: Organization of the Second National Conference, “For a Higher Political Commitment for the Prevention and Control of HIV/AIDS in Albania”;
- Preparation of National HIV/AIDS strategy (draft).

480. Measures taken to care for people living with HIV/AIDS (PLWHA) have included:

- Creating and strengthening qualified capacities in the Infectious Disease Hospital (the hospital is the Clinical Reference Centre for AIDS in Albania);
- Creating and strengthening capacities for offering HIV-related counselling at the central level (Institute of Public Health, Hospital of Infectious Diseases, Non-governmental Organization “STOP AIDS”).

481. Efforts made to mitigate the impact on infected and affected people have included:

- Offering pre-test, post-test and follow-up counselling for PLWHA and representatives of vulnerable groups at central level (in Tirana only);
- Stressing the importance of confidentiality:
 - In the context of the Law “On the Prevention and Control of HIV/AIDS in the Republic of Albania”;
 - Training seminars with medical and other staff dealing specially with confidentiality;
 - Speeches and lectures on confidentiality in the context of the national conferences and training seminars.

482. Social support for PLWHA is currently limited to a sociologist in the structure of the National AIDS Programme. In 2003 a revision of policies for social support for PLWHA was taking place.

483. In order to reduce the vulnerability of specific populations, the following measures have been taken:

- There are several shelters for returning commercial sex workers and victims of trafficking. Two long-term shelters are run by the Ministry of Work and Social Affairs in Tirana and the International Organization for Migration in Tirana. A short-term shelter is run by a non-governmental organization in Vlora (Varta);
- Two cross-border projects, AFRODITA (Greek-Albanian-Bulgarian Partnership) and TAMPEP (Italian-Albanian Partnership), have dealt with cross-border commercial sex work;

- The Toxicology Clinic of the Central Military Hospital in Tirana is the only specialized medical unit offering medical assistance to drug users (including Methadone Detoxification Therapy);
- The Centre “Emanuel” is a rehabilitation centre for drug users operating in Tirana;
- Aksion+ and APRAD, two local NGOs, run needle exchange programmes in the context of harm reduction initiatives. Aksion+ is currently working on a project aiming to introduce methadone maintenance therapy for heroin users;
- The NGO STOP AIDS conducted a two-phase harm-reduction project in five Albanian prisons during 2001-2002;
- ASMA/PSI and STOP AIDS have undertaken peer education activities with soldiers.

484. In order to promote safer behaviours for the general public and specific population groups, the following measures have been taken:

- Training medical and other professionals, NGO representatives, journalists, and teachers, with general knowledge about HIV/AIDS, ways of transmission and preventive measures as well as with specific topics, according to the particularities of each group of trainees;
- AIDS education was included in the 8-year school (7th grade);
- There are lectures dealing with AIDS in sociology and biology classes in high school;
- AIDS education is included in soldiers’ education;
- Peer educators activity is conducted by several NGOs, including ASMA/PSI, Aksion+, the Red Cross, Albanian Youth Council, STOP AIDS, etc. UNICEF has undertaken an initiative aimed at unifying the way in which peer education activity is conducted.

Promotion and distribution of condoms

485. Two NGOs, ASMA/PSI and NESMARK, have engaged respectively since 1997 and 1996 in the social marketing of condoms. The two brands - “Love +” and “For You” - take 96 per cent of condom market. Both brands are sold at subsidized prices and 74 per cent of men interviewed in the context of a survey said that price was not a problem for using condoms.

486. Other NGOs - JSI/TASC, Aksion +, the Albanian Family Planning Association, the Red Cross, etc., are involved in condom promotion and condom-use education (especially JSI/TASC, a USAID-funded project that has trained PHC doctors with knowledge and skills to carry on condom promotion).

487. Although 82 per cent of men knew what condoms are, according to a survey, only 33 per cent had ever used one and only 9 per cent used a condom last time they had sex. Condoms are sold in all pharmacies of the country but condom use is still low due to wrong beliefs.

Prevent and control STIs

488. The National AIDS Programme initiated systematic management of STIs following the significant underreporting of STIs during the post-1990s period. A seminar was organized with medical doctors of different disciplines from Tirana and districts to discuss the principles of this management.

489. John Snow, Inc./Technical Assistance and Support Contract (JSI/TASC) trained medical doctors and nurses from the PHC centres of 18 districts with the principles of STI management during April-May 2003. Laboratory sentinel surveys of gonorrhoea, chlamydia and syphilis are being implemented by the National AIDS Programme in three districts (Tirana, Durres and Vlora).

490. In order to provide a safe blood supply, the following measures have been taken:

- Since 1992, 60 per cent of donated blood was screened for the presence of anti-HIV antibodies;
- Since 1993, all donated blood was screened for the presence of HIV, HBV, HCV and syphilis. There are 26 blood banks in 26 districts of the country (according to the administrative division of before 1990).

491. Programme to promote safer injecting drug behaviours include:

- Aksion+ and APRAD needle exchange programmes;
- STOP AIDS has conducted harm-reduction programmes in prisons.

492. The response is still not strong enough to prevent HIV spread between IDUs and female sex workers. As well, young people and women needs special attention, especially regarding information, education and communication. Care and support need to be strengthened. Programmes for offering medical and social care have not been expanded at local level. Also, no counselling programmes exist at local level. Lack of funding is always a problem for the national programme and a strong centre for the prevention and control of HIV/AIDS/STDs among other centres at IPH is urgently needed.

493. Also, local capacities in behavioural surveillance, information, education and communication, HIV and human rights need to be strengthened. Stigma and discrimination still exist and impede the successful implementation of preventive programmes. In Albania, there is still no comprehensive social service network. The new initiatives undertaken by the

Government of Albania, supported and implemented by local and international organizations, do not foresee clauses for people who suffer mental diseases to be considered as clients/consumers of social services. This means, a better cooperation between concerned and responsible authorities is needed for the near future, in order to include the mental invalids into the population targeted for social services.

494. Those few services which currently function in Albania for dealing with the social needs of persons who have problems in mental health are not supported on a long-term basis because:

- They are financially maintained by foreign funds, offering little permanence;
- They are almost established in Tirana, hence the other part of Albanian population generally fails to use them.

Measures for the improvement of environmental and industrial hygiene

495. The Ministry of Health, through ISHP, has evaluated all environmental and industrial hygiene aspects in Albania and prepared reports on this issue; these reports have been sent to the Ministry of Environment and other ministries, in order to take all necessary measures. Observance of potable water quality is one of the most important components of the measures taken by the Ministry of Health. ISHP has coordinated the work in the country and has supervised hygienic services for water disinfection, according to WHO standards.

Epidemiological and other measures

496. In Albania an infectious diseases surveillance system has been established, managed by the Public Health Institute. Such a system is composed of the monthly surveillance of the disease (since 1997), fast surveillance (weekly), Alert (1999) acute flaccid paralysis surveillance, surveillance for the eradication of poliomyelitis/ME, and *ekzantema makulopapulare* surveillance, and also for the eradication of measles and rubella in Albania. This system permits the prevention of epidemic cases. ISHP collaborates with the regional directorates of Primary Health Services, and organizes the preventive measures.

497. Infectious disease vaccination is the third important component in such a framework. In Albania, poliomyelitis was eradicated in 2002 and measles has likewise been eradicated (from 2002 to date, no new case has been reported). Recently the Parliament approved the law for the prevention of infectious diseases.

Situation of vulnerable groups

498. There are no reports in this field. From a study done by the Institute of Public Health (ISHP), in suburban zones (with high risk) in Tirana and Durrës, problems for the vaccination of children have been reported. Nevertheless, in only 3 of 40 analysed zones was the re-vaccination needed, in order to reach the necessary 95 per cent coverage.

Health care of the elderly

499. Elderly individuals are part of the health-care scheme, except for the MPF visit:

- The veterans category, 0.57 per cent of the population, and invalids of the war against Nazi occupation, are reimbursed 100 per cent for the medicines in the reimbursable-medicine list, and for other medicine for chronic diseases, specified by the Ministry of Health;
- In the older invalids category, specific diseases are reimbursed 100 per cent from the health-security scheme (persons sick with Cancer and Tuberculosis);
- Other pensioners, 13.6 per cent of the population, are partially reimbursed, independently from the working years;

The category of physical and mental invalids makes up to 0.33 per cent of the population.

Health education

500. ISHP has established an educational network. In 2002 a 10-year strategy was prepared, in order to promote disease prevention, and to achieve better health status for all Albanians. The prevention of smoking, improvement of food quality, prevention of illegal drug use and sexually transmissible diseases are the main goals for the education of the population.

International cooperation

501. After 1990 the role of international aid in support of equal access of the population to health services has been high. Such help can be divided into two branches, bilateral and multilateral. Part of the multilateral aid is from the EU Phare programme, the World Bank, ECHO, WHO, UNFPA, UNDP and UNICEF, and aid from other organizations financed by the EU and other donors. With such aid, building and rehabilitation of many health centres was enabled in different regions of Albania. The change in the distribution and situation of health centres enabled more access for the population to quality health services.

502. The World Bank (IDA), has financed the building and reconstruction of 100 health centres in Shkoder and Vlore, and the equipment of many hospitals with biomedical machinery. The Phare programme made possible the training of generalist doctors and establishment of many emergency centres in the country.

503. The ECHO programme, through the NGOs, since 1992, has made a major intervention in the country, rebuilding and rehabilitating more than 200 health centres, and equipping many hospitals with biomedical machinery.

504. With regard to bilateral cooperation, support from the Governments of Germany, Italy, the United Kingdom (DFID), Switzerland, Sweden, Japan, Greece, Spain, and the United States of America (USAID).

505. Such aid has made possible the rehabilitation of more than 100 health centres in the country, based on the plan of the Ministry of Health. The main goal of such programmes is to improve the quality of health services for the population, the reduction of the disease rate, the improvement of mother and child health care, and equal access of the population in the offering of such services.

Article 13

Right to education

506. Since 1960 eight years of mandatory education has been provided free of charge for all. This has been achieved:

- Firstly, by the Constitution and a special law adopted by the Parliament. The Albanian Constitution enshrines the international standards for guaranteeing everyone's right to education. Article 57 of the Constitution provides that: "Everyone has the right to education; mandatory school education is determined by law. General high school public education is accessible for all. Professional high school education and higher education can be conditioned only on criteria of abilities. Mandatory education and general high school education in public schools are free. Pupils and students may also be educated in private schools of all levels, which are created and operated on the basis of law. The autonomy and academic freedom of higher education institutions are guaranteed by law";
- Article 20 of the Constitution guarantees the education of national minorities in their mother tongue;
- Law No. 7952, dated 21 June 1995, "On pre-university education system", guarantees:
 - The equal right to education of Albanian citizens in all pre-university levels, regardless of their social status, nationality, language, sex, religion, political belief, health state and economic level (art. 3);
 - The right of national minorities to be educated in their mother tongue, to study their national history and culture (art. 10);
 - Mandatory public education in the whole territory of the Republic (eight-year, in two four-year cycles, elementary and higher education), (arts. 20 and 22);
 - The obligation of parents to send their children of ages 1 to 16 to mandatory education (art. 24), and the punishment with a fine for administrative offence committed by parents, whose children drop out mandatory education without any reason (art. 59);
 - Prohibition of children's employment during the mandatory education age and, if the opposite, a punishment with fine for the State or private employer who committed this administrative offence (art. 60);

- Secondly, by providing material conditions for education (schools and their furniture, appropriate teaching equipment) and the required number of teachers.

507. Educational conditions are being improved continuously. To this aim, there have been significant investments made during 2000: 1.5 billion leks from the State budget, 1,055,138 million leks in 12 prefectures, which covered the needs for building and rebuilding schools.

Table 49
School investments

Activity	1999	2000
Investments in thousands of leks in funds	3 753 939 (with the additions for Kosova crisis)	1 520 000
Objects	578	153
Classes	2 792	1 595
Benefiting pupils	69 800	39 875
Reconstructed kindergartens through the State budget	23	14
New elementary schools built with funds from the State budget	38	16
Elementary schools reconstructed with funds from the State budget	111	61
New high schools built with funds from the State budget	1	0
High schools reconstructed with funds from the State budget	58	32
New universities built with funds from the State budget	0	0
Universities reconstructed with funds from the State budget	30	10

508. During 2000 these investments were made:

- Investments for building up new schools (1.14 billion leks);
- Investments for didactic equipments (320 million leks).

There have been investments in 348 schools in total.

Figure 7

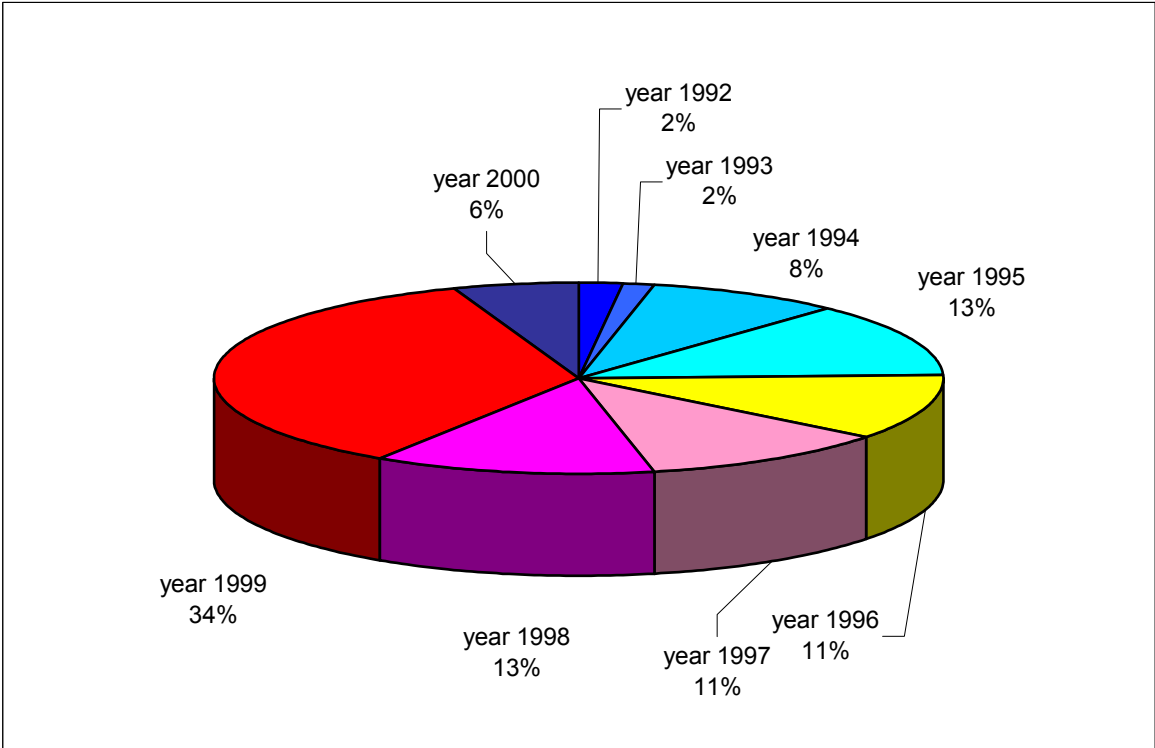
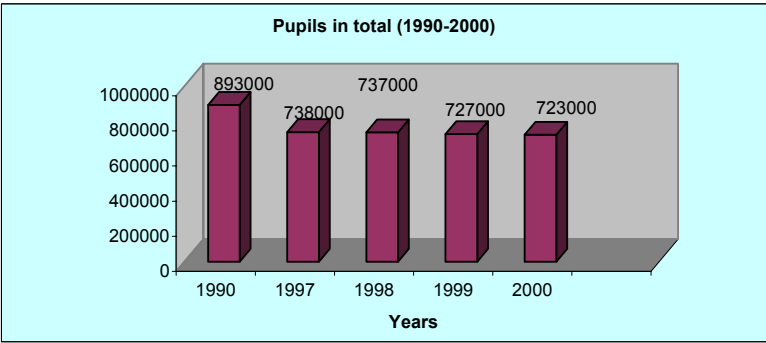


Figure 8



509. Thirdly, school attendance has been guaranteed by ensuring real participation of children at schools, by means of explanation and consciousness-raising work and by obligatory measures (fines, judicial sentences, etc.) aimed at those who had broken the law on eight-year obligatory education and did not allow their children to go to school.

510. During the school year 2000/01, 1,820 eight-year schools and 1,395 subordinate schools with 535,238 pupils (of which 259,931 were female) and 28,321 teachers were operating. The percentage of pupils who have dropped out of the mandatory eight-year school has been reduced from: 3.01 per cent (16,730 pupils) at the end of the 1998/99 school year, to 2.6 per cent (14,163 pupils) at the end of 1999/2000 school year.

511. Fourthly, through special measures taken for children in distant rural areas (like in certain areas of north-eastern Albania), they are accommodated in town dormitories, where they attend elementary and eight-year schooling. By September 2004 all the necessary measures had been taken to introduce nine-year mandatory education in Albania.

Accessibility of the educational system

512. Secondary public education, including middle technical and professional education, is accessible and admissible for all.

513. In concrete terms, the involvement of pupils in secondary education is as follows:

- During the school year 1999/2000 there were 388 schools of secondary education operating in the whole country (of which 43 were technical and professional schools), in which 102,971 pupils have been enrolled. The number of pupils has increased by 4,250 as compared with the year 1998;
- During the school year 2000/01 there were 373 schools of middle education (of which 43 were technical and professional) operating, with 107,435 pupils. The number of pupils has increased, with 4,500 more than in the school year 1999/2000.

514. All of the categories of secondary public education are completely free of charge.

515. Some public secondary schools, at which attendance requires certain skills, such as secondary sports, music, painting and choreography schools, etc., enrol pupils on a test basis in order to attract talented ones. For some categories of secondary schools, the Government has granted scholarships and has provided accommodation for some pupils at dormitories.

Table 50
Information on education, 1991-2002

No.	Entity	Institution	Rural	Pupils	Female	Rural	Female	Teachers	Female	Rural	Female
1	In total	5 462	4 611	818 869	349 169	498 401	215 422	46 298	25 948	27 324	13 562
-	Pre-school	3 174	2 707	108 889	-	54 573	-	5 440	5 440	3 180	3 180
-	8-year system	1 764	1 546	540 438	262 140	364 335	176 940	29 553	16 573	20 377	9 417
-	High school	515	358	141 541	72 494	79 493	38 482	9 500	3 446	3 767	965
-	University	9	-	28 001	14 535	-	-	1 805	489	-	-

Preparation for school

Table 51
Enrolments in kindergartens, 2003/04

	Total		Rural	
	Total	With meals	Total	With meals
Number of kindergartens	1 678	107	1 342	0
Capacity	75 055	12 661	40 638	0
Number of existing groups	2 981	382	1 691	0
First groups	397	99	95	0
Second groups	597	129	174	0
Third groups	759	133	296	0
Mixed groups	1 228	21	1 126	0
Enrolled children	75 755	12 971	38 836	53
Females	36 733	5 966	19 337	0
First groups	10 136	3 247	1 907	0
Females	4 835	1 483	958	0
Second groups	16 243	4 538	3 769	0
Females	7 596	2 099	1 927	0
Third groups	21 013	4 531	6 917	53
Females	10 186	2 110	3 438	0
Mixed groups	28 363	655	26 243	0
Females	14 116	274	13 014	0
Total number of educators	3 543	757	1 705	0
With high school education	2 615	472	1 395	0
With university education	928	285	310	0

Table 52
Eight-year education, 2003/04

Number of pupils in eight-year education, 2003/04				
Enrolled pupils	Total	Females	Rural	Females
Total enrolled	491 541	237 312	292 663	141 362
Enrolled for the first time	57 137	27 628	33 164	16 118
Total enrolments in elementary level	240 487	115 943	144 114	69 269
Lower cycle: In separate classes	204 601	98 717	109 044	52 397
In first separate classes	49 680	23 908	26 389	12 617
In second separate classes	50 941	24 615	27 291	13 200
In third separate classes	52 382	25 266	27 835	13 413
In fourth separate classes	51 598	24 928	27 529	13 167
Lower cycle: In combined classes	35 886	17 226	35 070	16 872
Total enrolled in higher cycle	251 054	121 369	148 549	72 093
Higher cycle: in separate classes	234 157	113 168	132 101	64 098
In fifth separate classes	59 496	28 502	34 325	16 579
In sixth separate classes	59 804	28 711	34 346	16 567
In seventh separate classes	59 634	28 909	33 188	16 126
In eighth separate classes	55 223	27 046	30 242	14 826
Higher cycle: in combined classes	16 897	8 201	16 448	7 995

Table 53
Number of teachers in eight-year education system, 2003/04

	Teachers	Total	Females	Rural	Females
1	Total number of teachers	26 208	16 963	16 706	9 492
(a)	Graduated high school	11 053	7 091	8 564	5 091
	Graduated in pedagogy	7 868	5 157	6 082	3 543
(b)	University graduates	15 155	9 872	8 142	4 401
2	Lower cycle teachers	10 889	8 207	7 346	4 968
2.1	Separate classes within lower cycle	8 351	6 743	4 900	3 576
(a)	High school graduates	5 131	3 877	3 541	2 451
	Graduated in pedagogy	4 624	3 539	3 068	2 077
(b)	University graduates	3 220	2 866	1 359	1 125
2.2	Combined classes within lower cycle	2 538	1 464	2 446	1 392
3	Teachers in higher cycle	15 319	8 756	9 360	4 524
(a)	High school graduates	3 876	2 065	3 034	1 533
	Graduated in pedagogy	1 771	811	1 567	679
(b)	University graduates	11 443	6 691	6 326	2 991

516. For persons who have not completed their eight-year education for various reasons, proper measures have been taken so they can complete it. This was enabled by establishing special schools for this category of persons. Currently in each main city of the country such kind of schools have been established.

High schools

Table 54

Statistics on the number of schools, 2003/04

No.	Schools and classes	Total	Rural
1	High schools	374	221
1.1	General high schools	309	215
1.2	Vocational high schools	53	4
(a)	3-year duration	10	2
(b)	4-year duration	21	0
(c)	5-year duration	22	2
1.3	Combined high schools	12	2
	General and vocational	12	2
2	Classes in general education system	2 743	1 093
	First classes	783	307
	Second classes	712	285
	Third classes	651	258
	Fourth classes	597	243
	Fifth classes		
3	Classes in vocational education	715	57
3.1	Classes in the 3-year system of vocational education	246	24
	First classes	81	8
	Second classes	82	7
	Third classes	83	9
3.2	Classes in the 4-year system of vocational education	226	8
	First classes	74	5
	Second classes	56	2
	Third classes	47	1
	Fourth classes	49	0
3.3	Classes in the 5-year system of vocational education	243	25
	First classes	67	6
	Second classes	49	6
	Third classes	49	8
	Fourth classes	40	3
	Fifth classes	38	2

Table 55
Pupils attending high schools, 2003/04

	Enrolled pupils	Total	Females	Rural areas	Females
1	Total number of enrolled (2+3)	118 361	57 196	39 356	17 666
	First-time enrolled	37 704	16 592	13 111	5 531
1.1	Pupils attending first class	39 051	16 851	13 582	5 626
1.2	Pupils attending second class	30 789	14 857	10 239	4 648
1.3	Pupils attending third class	26 739	13 616	8 762	4 046
1.4	Pupils attending fourth class	20 916	11 634	6 645	3 327
1.5	Pupils attending fifth class	866	238	128	19
2	General education	96 637	50 143	35 164	16 519
	First-time enrolled	30 307	14 514	11 756	5 081
2.1	Pupils attending first class	31 543	14 621	12 026	5 174
2.2	Pupils attending second class	25 006	13 149	9 137	4 375
2.3	Pupils attending third class	21 790	12 014	7 739	3 792
(a)	Natural branches	1 409	769	0	0
(b)	Social branches	2 176	1 322	0	0
2.4	Pupils attending fourth class	18 298	10 359	6 262	3 178
(a)	Natural branches	1 346	769	0	0
(b)	Social branches	1 714	1 116	0	0
2.5	Pupils attending fifth class				
3	Vocational education	21 724	7 053	4 192	1 147
	First-time enrolled	7 397	2 084	1 355	450
3.1	3-year vocational education	6 688	532	1 410	38
	First-time enrolled	2 604	159	485	7
	Pupils attending first class	2 604	159	541	7
	Pupils attending second class	2 126	155	451	13
	Pupils attending third class	1 958	218	418	18
3.2	4-year vocational education	7 418	4 723	1 106	772
	First-time enrolled	2 390	1 446	335	342
	Pupils attending first class	2 446	1 578	478	343
	Pupils attending second class	1 928	1 172	248	171
	Pupils attending third class	1 474	994	199	142
	Pupils attending fourth class	1 570	979	181	116
3.3	5-year vocational education	7 618	1 798	1 676	337
	First-time enrolled	2 403	479	535	101
	Pupils attending first class	2 458	493	537	102
	Pupils attending second class	1 729	381	403	89
	Pupils attending third class	1 517	390	406	94
	Pupils attending fourth class	1 048	296	202	33
	Pupils attending fifth class	866	238	128	19

Table 56**Teachers in high schools, 2003/04**

No.	Teachers	Total	Females	Rural areas	Females
1	Teachers in total	6 133	3 467	1 889	788
1.1	With high-school education	211	91	76	39
1.2	Graduated	5 922	3 376	1 813	749
2	Teachers in high-school system	4 625	2 598	1 791	742
2.1	With high-school education	104	61	70	38
2.2	Graduated	4 521	2 537	1 721	704
3	Teachers in vocational education	1 508	869	98	46
3.1	With high-school education	107	30	6	1
3.2	Graduated	1 401	839	92	45
	Out of which:				
	Teachers in combined schools	1 444	583	1 206	476
	With high-school education	63	32	54	26
	Graduated	1 381	551	1 152	450

Accessibility of higher education

517. Citizens of the Republic of Albania have a general access to higher education.

518. This right is guaranteed by Law No. 8461, of 25 February 1999, "On higher education in the Republic of Albania". This law entitles every Albanian and foreign citizen to study in higher public and non-public education in Albania (arts. 1, 31); to be graduated in more than one field of study (art. 42); to have his diplomas, certificates and grades issued by foreign high schools recognized and equivalent with Albanian ones (art. 43); to attend post-graduation education for specialization or scientific research (arts. 37-39).

519. Access to higher education has been increased year by year. During the academic year 2002/03, 55 per cent of the pupils who finished secondary schools were enrolled in higher education. This is the highest percentage of the last 10 years, and is comparable with that of developed countries. During the academic year 2003/04, 11,887 students were enrolled in full-time higher education out of 17,353 pupils who finished their secondary education, as well as 5,605 students enrolled in part-time education. Annual costs for a student are US\$ 600 to 800.

520. Free higher education was introduced in Albania when the first higher public education institution was established, in 1946. From that time until 1990 all of higher education has been public and free of charge. From 1990 to the present, only 10 per cent of higher public education students have paid for their studies, while 90 per cent of them study free of charge.

Difficulties that have affected the right to education

521. The main challenges faced so far in the achievement of the right to education for all are:

- Objective burdens that impede the learning process;
- Lack of appreciation for the importance of education expressed by a category of parents and students;
- Non-implementation of applicable legislation on compulsory education, etc.

522. In order to overcome these challenges, the Government has established a number of goals and targets, of which the principles are, first of all, creation of objective and accessible conditions for the enjoyment of the right to education for all. The Ministry of Education and Science, education departments in the regions and their subordinate organs, in close cooperation with the organs of local governance, have undertaken a number of such measures including:

- Providing transport, with reduced costs for the teachers and students in the public school system. This measure is particularly applied in the remote areas where the students live far from the school;
- Merger of some schools into one, based on the geographical area. The internal migration of the rural population towards the urban areas has led to a situation where many schools were left with too few pupils to justify their existence. As such, students from various schools have been gathered in one building based on geographical proximity, and there is also transportation provided. This solution maintains the quality of the education provided (there is no need to merge classrooms with students of different levels), education materials are better used, etc.

523. State provision of scholarships helps increase the attendance rate in the education system. Part of the student body, especially those from low-income families, which in normal circumstances would have dropped out of school, now, through these State scholarships, can receive an education.

Table 57

Scholarships in the last 10 years

Institutions	Number of scholarships	
	1990	2001
8-year education schools	-	-
High schools	450	2 500

Special programmes and providing of teachers for disabled children and children who are victims of blood feuds

524. These particular measures are provided in the Ministry of Education and Science decision of 31 July 1996, "Provision on public schools", specifically by article 11, which stipulates: "The student eligible for mandatory education, in some special occasions such as grave accidents or illnesses, shall receive home education through a special programme and special teachers appointed by the Regional Education Department." This solution is offered also for students who are victims of blood feuds, especially in the North of the country.

525. Growth of private schools and kindergartens is another factor that has contributed to the increase of the school attendance rate. The Ministry of Education and Science has issued an increased number of licences to entities that fulfil all the requirements and want to offer education.

526. Secondly, measures have been undertaken to raise the awareness of children (students) as well as parents. These measures aim at making children and parents alike aware of the important role that education and school have for the development of each individual and of society as a whole. They aim at making sure that children and parents alike realize the importance of following and completing the education cycle, especially the compulsory one. These goals are achieved through the pedagogical work of the teachers with the students and their parents, through the work of the elected parents' council at every school, as well as through close cooperation with the community and civil society. Most of these measures are focused on dropouts and their parents, with the main goal being their return to the school.

527. Thirdly, there is the application of sanctions to parents whose children drop out of school (the compulsory cycle). These sanctions are applied based on Law No. 7952, dated 21 June 1995, "On the pre-university education cycle". Article 59 of this law provides for administrative fines from 5,000 to 50,000 leks, for parents whose children miss without justification or drop out of school, while they are eligible for the compulsory system. The law provides sanctions for the employment of children eligible for the compulsory education cycle; such employment is the main reason for dropping out of school. In particular, article 60 of the law sanctions, with fines from 100,000 to 200,000 leks, State or private sector employers who employ children eligible for the compulsory education cycle.

Enrolment and dropout statistics

528. Standards of education and participation in basic education have been increased progressively. During the school year 2000/01 2,002 pre-school institutions (kindergartens and infant schools) were operating, with 80,443 infants and 3,749 pre-school educators; 80,337 infants attended these institutions during the school year 1999/2000, so 5,000 more children enrolled in pre-school education during the more recent school year, 2000/01.

529. In compulsory primary eight-year education, during the school year 2000/01, 1,820 schools and 1,395 subsidiary schools functioned, with 535,238 pupils of whom 259,931 were female, and 28,321 teachers. The percentage of pupils who dropped out the compulsory primary eight-year school has decreased: from 3.01 per cent (16,730 pupils) in 1998/99, to 2.6 per cent (14,163 pupils) in the school year 1998/99.

530. In secondary education, during the school year 1999/2000, 388 middle schools functioned (of which 43 were technical-professional schools), wherein 102,971 pupils studied. Compared to the year 1998, the number was increased by 4,250 pupils.

531. During the school year 2000/01, there were 373 secondary schools (of which 43 were technical-professional), with 107,435 pupils. The number was increased by 4,500 pupils comparing to the previous school year, 1999/2000.

532. During the school year 2000/01, approximately 63 per cent of the pupils who had graduated from primary school were enrolled in secondary schools, which are 2 per cent more than the previous school year, 1999/2000.

Prohibition of discrimination in education

533. Albanian citizens have equal access to the Albanian education system, regardless of region, social or economic categories, social status, nationality, language, sex, religion, race, political ideas, state of health, etc.

534. The Ministry of Education and Science and its subordinate bodies are constantly taking measures to involve as many pupils as possible in all school categories, without differentiation or discrimination towards different areas or social categories.

535. The Ministry of Education and Science has made sustained efforts to bring street urchins to school who had dropped out. Thus, in year 2001, the number in such a category decreased to 1.8 per cent from 2.5 per cent in the previous year. Meanwhile, special home learning curricula have been prepared for children who are shut in their homes because of blood feuds, particularly in northern districts of Albania.

536. An interesting indicator of equal access to education and respect for the right to education is the ratio between males and females in pre-university education.

537. Concretely, out of 725,046 pre-university students, 345,384 are female, or 48 per cent. Meanwhile, the percentage of female teachers is greater. Thus, out of 36,939 teachers in the pre-university education system, 23,333 were female, or 63 per cent.

538. Admission of students in universities has been with respect for the principle of equal access, on the basis of their capabilities as shown through a test, increasing every year the number of admissions by more than 1,000 students.

539. Training of teachers supports their rights, avoiding discrimination for any reason, and increasing every year the number of academic staff having scientific degrees and titles.

540. During 2001, the effective pedagogical staff of the university education system numbered 1,716 professors, out of whom 689 were female. About 50 per cent of this pedagogical staff (approximately 830 persons) have been qualified by obtaining scientific degrees and titles.

541. Another significant example is the treatment of minorities, guaranteeing their rights to education in their native language. This attention is reflected in legislation as well as in Albanian education practice.

542. Article 20, paragraphs 1 and 2, of the Constitution of the Republic of Albania provides that "Persons belonging to minorities exercise their rights and freedoms in full as equal to the law ... They have the right to maintain and develop them, to learn and to be taught in their native languages".

543. Article 10, paragraph 1, of Law No. 7952, date 21 June 1995, "On the pre-university education system" stipulates: "Persons belonging to minorities are being provided possibilities to learn and to be taught in native languages and to study their history and culture within the frame of educational programme and curricula".

544. Education of minorities comprises three schooling levels, equal to those for Albanians in general: pre-school education, primary eight-year school, and the secondary general school.

545. Regarding the Greek minority, in Gjirokastra district there are 18 primary eight-year schools and 14 subsidiary schools of elementary cycle (classes I to IV) and 2 secondary general schools. In Saranda district, there are 17 primary eight-year schools and 4 subsidiary schools. In Delvina district, there are 7 primary eight-year schools and 7 subsidiary schools. In Permeti district, there are only 2 subsidiary schools of elementary education (classes I-IV).

546. For the Macedonian minority, in Korça district there are two primary eight-year schools and seven subsidiary schools and, in Devolli district, only one subsidiary school of elementary education.

547. These schools function in communes traditionally inhabited by minorities. Meanwhile, under the auspices of the Albanian State and, based on the above-mentioned legislation, classes for minority children, near the primary eight-year schools with Albanian pupils, have been established since September 1996 in the cities of Gjirokastra, Saranda and Delvina. Greek minority inhabitants enjoy the right to be schooled in their native language. In such classes, the learning is similar to the other schools of minorities.

548. At the Pedagogical Secondary School in Gjirokastra, the branch "Teaching for Minorities" was established which is unique in our country; this graduates teachers for the Greek minority. Furthermore, in "Eqerem Çabej" University in Gjirokastra, there is a branch for Greek-language studies. In 1995, the branch for Greek-language studies in the University of Tirana, Faculty of Foreign Languages, was established.

549. Many children of minorities in Albania enjoy, without any discrimination, all the rights to pursue their studies in secondary schools and universities in all areas, as well as postgraduate studies.

550. During the school year 2000/01, in primary eight-year schools for these minorities, 1,845 pupils were studying, which made up 0.37 per cent of the total number of students in eight-year education, and 297 teachers taught, of whom 267 belonged to minorities. Furthermore, in areas where the Greek and Macedonian minorities live, 35 kindergartens are functioning, with 628 children and 43 minority educators.

551. Details about the numbers of schools, students and teachers in the minority areas are shown in the tables below:

Table 58

Compulsory primary education of the Greek minority in Albania

District	Eight-year schools	Elementary schools	Special classes	Collective classes	Number of students	Minority teachers	Albanian teachers
Gjirokastra	18	14	14	62	586	110	9
Saranda	16	7	13	56	609	88	9
Delvina	7	9	6	41	355	51	12
Permet	-	2	-	2	14	2	-
Total	41	32	33	161	1 564	251	30

Table 59

Pre-school education of the Greek minority in Albania

District	Number of kindergartens	Number of children	Number of educators
Gjirokastra	15	213	18
Saranda	6	119	6
Delvina	5	81	7
Permet	-	-	-
Total	26	413	31

Table 60

Compulsory primary education of the Macedonian minority in Albania

District	8-year schools	Elementary schools	Special classes	Collective classes	Number of students	Minority teachers
Korça	2	7	15	11	511	42
Devoll	-	1	-	1	11	1
Total	2	8	15	12	522	43

Table 61

Pre-school education of the Macedonian minority in Albania

District	Number of kindergartens	Number of children	Number of educators
Korça	8	202	11
Devoll	1	13	1
Total	9	215	12

Table 62

Secondary education of Greek and Macedonian minorities in Albania

District	General high schools	Number of students	Minority teachers	Albanian teachers
Gjirokastra	2	81	110	9
Saranda	2	95	88	9
Delvina	-	-	51	12
Korça	1	182	2	-
Total	5	358	251	30
High Pedagogical School (teacher for minority branch)		81	8	2

552. The ratio of pupils to teachers, for both minorities, is 6 to 1, whilst this ratio for Albanian schools of eight-year educational system is 19 pupils per teacher. Educational directorates in districts where the schools of minorities are located have constantly aimed at keeping the contingent of pupils, in order to keep all these schools open for the minority.

553. To date, there is no private educational institution in Albania established only for minority children whilst there are non-public eight-year schools attended by the minority children. In Tirana, at the non-public educational institute "Arsakeio", subjects in the Greek language are being taught such as: Greek; environment/geography; health education; mythology-history; people's traditions.

554. The Ministry of Education and Science and educational directorates in districts where these schools function for minorities have continuously taken care to provide educational institutions for minorities with staff having the requisite professional education and qualifications.

555. Moreover, the scientific and pedagogical qualification of teachers/professors and directors of schools for minorities have been continuously scrutinized. Their qualifications have been one of the primary concerns for educational directorates in districts where minorities are living. On the other hand, under the auspices of the Ministry of Education and Science and the Institute for Pedagogical Studies, various training workshops have been organized at the district or regional level, involving all the teachers from a minority, divided into districts by minority.

556. In cooperation with homologous educational institutions of Greece and Macedonia, a number of trainings have been organized in the districts which have schools for minorities, as well as in neighbouring countries. In addition, specialists and pedagogues from Greek and Macedonian educational institutions have come to Albania and have cooperated with Albanian minority specialists, pedagogues and teachers on organizing various training workshops.

557. A number of Albanian and foreign associations, foundations and institutions have contributed to the organization of training activities and the provision of schools, with didactic and logistic equipment.

558. The Ministry of Education and Science has paid special attention to increase continuously the quality and effectiveness of schools for minorities, emphasizing the progressive improvement of the curricula, syllabuses and school textbooks, the qualifications of teachers and professors, as well as the teaching and logistical support.

559. Besides the above, there is also a network of schools that enable the foreigners to learn their native language, in pre-school institutions, eight-year schools, middle schools and in foreign-language branches of all the universities of country. These institutions include:

- *Gjerasim Qirjazi* (for the English language);
- *Arsakeio* (for the Greek language);
- *Turgut Ozal* (for the Turkish language);
- As well as the schools in their native language for the Greek and Macedonian minorities.

Status of teachers

560. The status of teachers in the Albanian education system was foreseen in the Act of the Ministry of Education and Science, "Normative provisions on public schools", of 31 July 1996, where, inter alia, it is provided that:

- The teacher enjoys all the rights as provided by the Labour Code and the Collective Contract;
- The teacher enjoys the right to participate in unions, as provided by law, in conformity with the status of the union in which he participates;
- Teachers have the right to:
 - (a) Have meetings of their union in the school premises beyond school hours;
 - (b) Post in certain places announcements, proposals, calls, requests, petitions, etc. for activities of a union character.

- The teacher has the right to express his opinions on:
 - Issues having due regard to the educational teaching process in the school;
 - Curricula, syllabuses and programmes, and textbooks;
 - Activities and experiences;
 - Concerns and problems regarding the class, subject and school;
 - Himself/herself, colleagues, director and managerial staff;
 - Education in the community where he lives and works or in the district and national level.

561. Teachers have the right to participate in:

- Various meetings at the class and school level;
- Workshops, meetings, consultations, analyses, round tables, etc., as well as various activities inside or outside the class;
- Various meetings with pupils' parents, with local community and authorities, or different bodies or institutions concerned with the school, when invited and without disrupting school time;
- To benefit various qualifications as provided by article 14 of the law "On the pre-university education system";
- To be elected to consultative bodies or to elect others who perform this activity in schools, in conformity with normative provisions and to represent in these bodies the interests of a teachers' group when authorized by them;
- To ask for the examination by the school directorate, pedagogical board or its consultative bodies, local authorities, or the educational directorate, of cases which infringe on the normal activity in the classroom, the school social environment, the community where the school is located, and the teacher himself;
- To be regarded respectfully, with human dignity, ethically, without pressures, inequities, insults, humiliation, disparagement and violence;
- To carry out the educational process in normal, quiet, comfortable and safe conditions for himself.

The teacher also enjoys the right to moral and material incentives if he maintains a high quality of teaching and makes a useful contribution in the field of education.

562. As for moral incentives, teachers have been awarded medals, orders and titles according to the legislation in force. As material incentives, teachers enjoy the right of honoraria from the special fund, under the criteria provided for in Decision of Council of Ministers.

Obligations and tasks of the teacher

563. Teaching norms for a teacher, according to the subject matter, level of education and the school, is determined by a particular directive of the Minister of Education and Science. It is an obligation that teachers should be provided with the teaching norms and to perform it in the teaching and educational process. Teachers may have two teaching hours less than the weekly norm, with full salary, if that teaching norm is not completed because of an educational programme. When a teacher is absent, the school directorate and Education Department take measures to complete his teaching hours. Other teachers having fewer hours may substitute for him if others may deliver these supplemental hours. Supplemental teaching hours are paid within the month.

564. The teacher has the duty:

- To know, respect and defend the law like all citizens; to apply accurately educational legislation;
- To assess and perform his role, responsibility and noble mission as a teacher and educator;
- In its activity, he should be characterized by passion, creativity and humanism; and contribute to the democratization of life in education process;
- To behave as a cultured person, have a democratic and professional ethic, respect and tolerance, not using insults and violence in and out of the school;
- To know well the subject matter that he teaches at school, the scientific and pedagogical requirements that determine their curricula, textbooks, teachers' books; to use instruments, equipments laboratory techniques, methodology of professional practices;
- To submit in due time a copy of educational plans for this work of the school's director;
- To be updated continuously on new scientific, psychological and pedagogical information; to be familiar with new methods and didactic tools;
- To know and assess in his work the psychology of his pupils, the age group's basic characteristics, features, needs, interests, motives, rights, intellectual capacity, moral and civil background and their problems.;
- To attain a daily, systematic and structured preparation of teaching hours, to accomplish with competence, responsibility and high effectiveness the teaching and educative plan;

- To stimulate the independence of free individual thought and action of pupils during the application of teaching and educative plan, in and out of the classroom;
- To accomplish correctly the particular duties of the teacher, during school-time determined by the school director and to be present on time;
- To participate and help, when possible, in the organization of extramural activities, quizzes and other competitions;
- To contribute, when elected, to the activity of school bodies, or in the different meetings and reviews with discussions and concrete proposals serving the correct application of teaching and educative plans;
- To apply correctly the criteria, procedures and rules settled by normative provisions: for all examinations, including final tests, when appointed in the examination commission and other tests as regulated by the normative provisions;
- To take care of the maintenance, updating efficient use of didactic and laboratory tools;
- Not to allow the absence of a pupil from class for personal reasons;
- Not to allow private courses with his pupils;
- Not to smoke in the classroom and corridors.

Non-public (private) schools

Table 63

Schools established in 2003

Institutions/ schools	Kindergartens	Elementary and 8-year schools	Secondary schools	Higher schools
Number	106	14 and 80	66	2
Pupils	5 120	11 790	6 280	N/A
Teachers	312	940	734	N/A

International cooperation

565. There are a number of foreign foundations and programmes operating in Albania that give assistance in the field, such as the Soros Foundation and Catholic Relief Services, the Danish programme DANIDA, the OPEC Fund, UNICEF, UNDP, the Greek foundation “*Arsakeio*”, the Italian programme “*Don Bosco*”, etc. (Further information on the right to education can be found in document CRC/C/11/Add.27.)

Article 14

Right to free mandatory education

566. In the Republic of Albania the entire nine years of education is compulsory and free of charge.

Article 15

Right to take part in cultural life

567. Article 58 of the Constitution provides that freedom of artistic creation and scientific research, as well as profit from their results are guaranteed for all. Copyright is protected by law.

568. Development of Albanian culture through protection, acknowledgement, safeguarding, promotion and enrichment of its multitude of values is and remains an important objective of the Government of Albania. In today's international global activity, the protection and promotion of national cultural identities is a very important obligation. In the environment of Albanian society, the development of culture is one of the most important obligations of the State, and it must be carried out in collaboration with private institutions.

569. The State budget for culture in 2003 is 970 million leks. Such budget had assisted primarily the functioning of the institutions of culture and heritage, under the Ministry of Culture, Youth and Sports. The law for the State budget provides funds to sustain such activities. Such funds are managed by the Ministry of Culture, Youth and Sports. Local artistic institutions are sustained by funds allocated from local authorities.

Institutional infrastructure

570. The following national institutions are subject to the directory of cultural heritage, part of the Ministry of Culture, Youth and Sports:

- The Centre for the inventory of national possessions;
- The Institution of Cultural Monuments, with six regional directorates for Cultural Monuments in Shkodra, Tirana, Durres, Gjirokastra, Berat and Saranda;
- The National Centre for Folkloric Activity - State Central Film Archive;
- The Museum of National History;
- The Museum of National History "Gj. K. Skenderbeu", Kruja;
- The "Onufri" National Museum, Berat;
- The National Museum of Medieval Art, Korça;

- The Centre for the Creation of Artwork;
- The Butrinti National Park.

The following are subject to each municipality:

- Cultural centres;
- Movie theatres;
- Culture palaces;
- Historical museums.

571. The main artistic institutions are: the National Theatre; the Theatre of Opera and Ballet; the Group of Folk Music and Dance; Dolls' Theatre; and the Children's National Centre. Different theatres and artistic groups are present in the local level.

572. Each year the Ministry of Culture, Youth and Sports organizes four national heritage activities:

- The National Folkloric Song Festival in the city of Elbasan;
- The National Folkloric Rhapsody Festival in the city of Lezha;
- The National Folkloric air instruments and popular orchestras in the city of Korça;
- The National Folkloric Polyphonic Festival in the city of Vlora.

573. Moreover, the Ministry of Culture, Youth and Sports organizes the following activities:

- Folkloric Festival of Popular Instruments in the city of Gjirokastra;
- Activity "Of the magical Flute" in the city of Butrintit;
- Folkloric Festival "Sofra e Dukagjinit" in the city of B. Currit.
- CIOFF International Folkloric Festival, "Permeti Multikulturor 2003" in the city of Permet;
- Festival of floor dance, in the city of Librazhd;
- Festival "Oda Dibrane", in the city of Peshkopia.

574. In order to promote the protection of minorities' cultural heritage values, the Ministry of Culture, Youth and Sports organizes every year the International Folkloric Festival CIOFF "Multicultural Permeti 2003" (a festival of ethnics and minorities).

575. The centre of the Ministry of Culture, Youth and Sports' activity is the promotion of international cultural values. The national park of Butrinti today has the status of an international heritage site, granted by UNESCO. Moreover, the museum city of Gjirokastra was nominated for the same status. The necessary documentation has been sent to UNESCO. In August 2003 a UNESCO expert visited the city in order to decide its status.

576. The Ministry of Culture, Youth and Sports has financed cultural and artistic projects, in order to maintain connections between ethnic minorities and their cultures of origin.

Professional education in culture and arts

577. Albania has a remarkable tradition in the area of cultural and arts education, establishing an efficient educational system at all levels. The result of this tradition is a number of talents recognized worldwide, especially with regard to music. An efficient network of artistic and cultural schools, for musicians, choreographers, dancers, figurative arts, etc. operates. In this regard, the most distinguished institutions are the Academy of Arts, the "Jordan Misja" high school and the Academy of Ballet.

Protection of copyright

578. The protection of copyright is considered by the Ministry of Culture, Youth and Sports as a very important objective. In this vision the Ministry of Foreign Affairs is preparing the draft law "For the adhesion of the Republic of Albania to the Universal Copyright Convention". This draft law is part of the strategy of the Ministry of Culture, Youth and Sports for the opening of the negotiations for the Association and Stability Agreement with the European Union.

579. Since its approval in 1992, the existing law on copyright has been amended several times. A specialized copyright agency, called "*Albautor*" has been established. Such an agency functions in the area of recording and art works. In order to raise the effectiveness of the copyright protection, a new law on copyright and related rights is being drafted.

580. With the initiative of the Ministry of Culture, Youth and Sports, the First National Copyright Conference was organized. This conference had as its main objective raising the consciousness of creative public opinion on important issues. At this conference were present not only representatives of the creators but also representatives of the Ministries of Finance, and of the Judiciary and other State structures.

581. Nevertheless, there are still many problems related to illegal copying. The Ministry of Culture, Youth and Sports has a very active role in the elimination of such phenomena, also through the collaboration with the community of artists and other State organisms responsible for the enforcement of the law.

582. The protection of intellectual and artistic property is carried out by the Trademark and Patent office in the Ministry of Finance, where all creators have the possibility of depositing their artwork in order to protect its economic and moral copyright.

583. The Albanian parliament approved the law "On Albanian cultural heritage", which is a very important achievement in the consolidation of the legal infrastructure on the protection of

the Albanian cultural heritage values. The law on the theatre is in the implementation phase. The reorganization of the National Theatre has started and also the restructuring of the Opera and Ballet Theatre.

584. Albanian art and culture, together with its problems, is well covered in the media. Generally, the media has played a positive role for the promotion of art and culture.

585. Professional education in the art and culture field is carried out through specialized institutions, such as the Academy of Arts. This important institution is under the jurisdiction of the Ministry of Education and Science.

Cultural identity of minorities

586. New developments have been recognized amongst the cultural and artistic activities of national minorities. Every minority has established organizations and associations. These associations play an important role in making the history, culture and traditions of minorities known to their own population.

587. The Association of Minority Artists carries out its activity in Dropull, Prefecture of Gjirokastra. Writers, poets, painters and other well-known minority artists are members of this association. This association has organized a series of activities such as painting and photo exhibitions, exhibitions of folk cultural objects, etc. The folk ensemble "Dropulli" has participated in cultural life both in and outside the country, and has received full and direct support from the Ministry of Culture, Youth and Sports, from the municipality, the Cultural Centre and from various sponsors.

588. The representatives of Macedonian culture have established a series of associations, including the Albanian-Macedonian Union, and the Association "*Druzhiba Prespa*" at the Commune of Liqenas, Korça Prefecture. The latter leads and manages the activities of folk groups in Macedonian minority villages. This association has organized the Liqenas Festival and a series of tours in Albania and in the neighbouring regions of The former Yugoslav Republic of Macedonia. The values of folk traditions, culture and customs have been demonstrated during these shows.

589. The cultural association of the Montenegrin minority, *Moraca Rozafa*, develops its activities in the Commune of Vraça, Shkodra Prefecture. It has organized a series of activities, retaining and promoting the language, culture and traditions of the Montenegrin minority.

590. The Roma minority has been organized in associations such as "*Amaro-Drom*", "*Amaro Divas*", "*Romani Baxt*", etc.

591. The Aromanians have established their association, "*Armeni-Alban*" (Aromanians of Albania), the Vlleha Voskopoja Association. The main objective of these associations is to retain their language, culture and traditions.

Mass media

592. In October 2001 there were 15 daily newspapers in Albania and most of them were electronically available on the Internet.

593. At the beginning of 2002 there was a total of 97 operators of licensed radio and television stations, of which 35 are FM radio operators (1 national and 34 local) and 62 TV operators (2 national and 54 local), including 1 satellite and 5 cable-TV operators.

594. Further information on the mass media and the diffusion of culture by these means can be found in the initial report on the implementation of the International Covenant on Civil and Political Rights (CCPR/C/ALB/2004/1).

Freedom of scientific research and creative activity

595. In Albania there exists a comprehensive legal framework, one which guarantees the fundamental rights and freedoms in the field of scientific progress and aims at the development, dissemination and application of scientific achievements in favour of the democratic advancement of the country.

596. Many articles of the basic legislation in this field, such as Law No. 7893, dated 22 December 1994, "On science and technological development", guarantees everyone's right to contribute to scientific research and technical progress, as well as to enjoy the benefits deriving from the scientific application and its application, including the protection, development and dissemination of scientific progress.

597. In more concrete terms, this law guarantees:

- The right of the freedom of scientific research as guaranteed by law (art. 5);
- Freedom of choosing scientific and development methods by scientific personnel (art. 41);
- The right and purpose of scientific and technological research for harmonious and democratic development of the society, economy and culture (art. 6);
- The right to respect scientific truth and intellectual property (art. 6);
- The right to international scientific and technological cooperation (arts. 6 and 25);
- The right to establish private scientific institutions (art. 51) and privatization of scientific and technological development (art. 7);
- The right to make institutions of scientific research autonomous (art. 13);
- The right to association for scientific staff (art. 40);
- The right of scientific employees (junior employees in particular) to be trained and specialized in and out of the country (art. 42);

- The right to recognition, reward and scientific prizes for scientific and technological activity (art. 47);
- The right to information on scientific and technological activity (art. 49) and publication of results (art. 50).

598. It is obvious from the above that these articles of the law reflect and contain best the principles, standards and requirements of a number of international instruments on human rights, and particularly article 15 of the International Covenant on Economic, Social and Cultural Rights and article 27 of the Universal Declaration of Human Rights on the rights of each person to freely participate in scientific progress and its benefits, as well as on the protection of moral and material interests deriving from each scientific production. The legal provisions also support the development and dissemination of science, respecting the necessary freedom of scientific research creative activity, as well as the development of international cooperation in the field of science.

599. The Government of Albania and the Ministry of Education and Science, in particular, have undertaken a number of successful measures to promote the dissemination of information on scientific and technological progress. This includes promotion of national programmes of scientific research, periodic conferences and symposiums, publications and the collection of scientific research, extensive use of information technology at scientific and research institutions, the participation of Albanian scientists in regional and international projects and programmes of scientific research, as well as in forums and other important international research activities for the promotion of Albanian scientific achievements and exchange of updated scientific information, etc.

600. In the meantime, legal and practical measures have been taken for the prevention of the use of scientific and technical achievements for purposes that infringe human rights, including the right to life, health, personal freedom and private life and other similar rights. There are two trends worth noting:

- Firstly, the application of new information and communication technology is related with two problems: its application to monitoring communication of particular individuals suspected of committing crimes and the negative impact on human health of antenna networks of mobile communication. There is a full engagement of legislative and executive institutions to regulate legally and technically these issues;
- Secondly, regarding the achievements of genetic engineering, especially genetically modified organisms, their dissemination and use have an impact on health and environment. The Parliament and Government are in a process of considering the adoption of relevant legislation in conformity with international standards.

601. With a view to disseminating science and culture, the Government of Albania has established a network of scientific institutions. This network includes three scientific systems: the institutional system of the Academy of Sciences, the system of scientific institutions within ministries as well as the system of universities as teaching and scientific institutions. The overall number of these institutions is 50.

602. Scientific freedom is guaranteed by Law No. 7893, of 22 December 1994, "On science and technical development", (arts. 5, 6 and 41).

- Article 5 guarantees the freedom of scientific research as guaranteed by law;
- Article 41 guarantees freedom of choice by scientific staff of methods of research and development;
- Article 6 guarantees the right and scope of scientific and technological activities for a harmonious and democratic progress of society, economy and culture; and the right of respecting scientific facts and intellectual property.

603. Freedom to exchange scientific information is guaranteed by Law No. 7893, of 22 December 1994, "On science and technological development", in its articles 49 and 50. In more concrete terms, article 49 guarantees the right of the public to be informed on scientific issues and article 50 guarantees the right of dissemination and publication of the results of scientific research.

604. From the constitutional, legal and practical points of view, all conditions are provided and all potential favourable and supportive measures are taken to organize associations of education and scientific employees.

605. There are more than 100 associations in the field of education and science of different categories, which can be divided into three groups:

- Associations for civil education and human rights (the Specialists of Education Association, the Professors' and Teachers' Association, the Albanian Centre for Emigration Studies, the Citizens' Engagement Association, the Albanian Movement for Peace and Understanding, "Education and Progress" Institute, etc.);
- Professional associations such as: the Pan-Albanian League of Historians, Albanian Institute for Balkan Issues, the Economists' Union, the Pan-Albanian Association of Psychologists, the Albanian Association of Philosophy, the English Language Professors' and Teachers' Association, Association of Interpreters, the respective associations of mathematicians, physicians, biologists, anthropologists, chemists, cardiologists, paediatricians, oncologists, the Doctors' Order, Albanian Contemporary Music Association, the "Frederick Chopin" Association of Albania, the Mini-Basket and Beach-Volley Association, and so on);
- Associations for environmental protection and sustainable development such as Preservation and Protection of Natural Environment Association, Environmental Youth Club "Perla (Pearl)", the Agro-Environment Association, the Agrarian Cooperative Union of Albania, the National Association of Cooperatives' Assistance, the Association for Land Protection, the Association for the Protection and Preservation of Freshwater and Coastal Waters of Albania, the Association of Environmentalist Doctors, the Association for the Protection of Mammals and Poultry, the Scientific Association of Forestry Students, the Association of Cave Explorers, etc.

606. They have a distinct and manifold contribution, but mainly related to:

- Awareness of academic opinion in favour of democratic reforms, on stimulation of democratic and critical thought, as a source of engagement for democratic and concrete transformation;
- The strategy of democratic, national and pan-Albanian development such as: study and dissemination activities of the Economists' Union on the priorities of national development and democratic integration of the region, activities of the League of Historians concerning the democratic and integrative perception of relevant national and regional historical developments, activities of a range of associations for environmental protection and sustainable development, particularly the Albanian Agrarian Cooperative Union, which had a significant impact as regards giving special attention, cooperation and ecological and sustainable development in the national strategy of agro-nutritive development;
- The democratic reform of civic education in schools and the community, such as the Professors' and Teachers' Association, the Education Specialists' Association, and others, as regards democratic perception of democratic civic education in the conditions of a pluralist democratic society and a market economy, concerning the role of professors and the conditions of a new system of civic and democratic education;
- The improvement of curricula and educational and scientific process, by organizing discussions and scientific studies. For instance, the Historians' Association has organized discussions and publications that have a positive impact on improving history curricula in secondary education and of the community's historical culture;
- Opposing governmental decision-making processes and institutional restructuring. For instance, the Albanian Philosophical Association strongly opposed the Government's decision to close the Faculty of Philosophy and Sociology at Tirana University in 1992, giving, at the same time, its alternatives for the gradual restructuring of this faculty, as was done with other faculties of this university. This alternative was further developed in 1998 as regards the contemporaneous restructuring of the Philosophy and Sociology branch by dividing it into two distinctive branches as well as for the opening of a political sciences branch and a public administration branch, by proposing this alternative to relevant academic and State bodies;
- Democratic integration of the community in the Euro-Atlantic integration of the country. For example, the integration of the Pan-Albanian Psychologists' Association into the European and World Psychologists' Organizations, respectively; the Anthropologists' Association in its European homologue; the National Association of Cooperatives' Assistance in Alliance Cooperative International; several medical associations in their European counterparts, and so on.

607. There has been no evidence of difficulties affecting the realization of freedom of organization of employees in the fields of education and science.

608. Participation of Albanian scientists in international activities is guaranteed by Law No. 7893, dated 22 December 1994, "On science and technological development", article 25 of which sanctions the right of international scientific and technological cooperation, not only through projects of regional and international cooperation, but also through bilateral and multilateral intergovernmental agreements in the field of science.

609. Difficulties in getting visas from foreign embassies in Albania or in other countries are affecting negatively the free movement of Albanian scientists.

International cooperation

610. International assistance has been present in the process of drafting the relevant legislation as regards scientific research.
