

Report on Implementation of Action Plan for Children 2012- 2015



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TIRANË, 2015

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This report is published in the framework of the project "Unlocking the pot of resources for children rights in Albania" financed by EU and implemented by Save the Children in partnership with Institute of Contemporary studies and State Agency for the Protection of Children Rights.

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List of abbreviations

IVT	Initial Vocational Training
SAPCR	State Agency for the Protection of Children's Rights
GDSSS	General Directorate of State Social Service
EU	European Union
IECS	Institutions for Execution of Criminal Sentences
ILO	International Labour Organisation
INSTAT	Institute of Statistics
IOM	International Organisation for Migration
PHI	Public Health Institute
STDs	Sexually Transmitted Diseases
NCPCR	National Council for the Protection of Children's Rights
ACAC	Albanian Adoption Committee
LSMS	Living Standards Measurement Study
MES	Ministry of Education and Sports
MDGs	Millennium Development Goals
MSWY	Ministry of Social Welfare and Youth
MH	Ministry of Health
EA	Economic Aid
CRU	Children's Rights Unit
CPU	Children's Protection Unit
WHO	World Health Organisation
UN	United Nations Organisation
APF	Action Plan for Children
ADHS	Albanian Demographic and Health Survey
SSS	State Social Service
DCM	Decision of the Council of Ministers

Introduction

All children, without any distinction, enjoy full rights and in particular they enjoy the right to be protected. The Convention on the Rights of the Child that Albania has ratified since 1992 is an international treaty that sets standards for the rights of children as well as the obligations of State Parties to fulfill them. The implementation in practice of the Convention on the Rights of the Child is a serious issue and requires responsiveness and commitment.

The objectives and actions of the Action Plan for Children 2012-2015 aim at the realization of these rights. The Plan pays special attention to the realization of the rights for social protection and inclusion, protection from all forms of violence, abuse and exploitation, quality and comprehensive education, quality health services and legal protection.

At the end of the four years of implementation of the Plan, it is important to assess the achievements made so far, gaps in implementation and obligations that derive for the future.

The report prepared by the State Agency for Protection of Child Rights analyzes the implementation of the objectives and the current situation of the rights of children in Albania. The report shows that we have taken steps forward in the promotion and realization of children's rights in Albania. However, it also identifies gaps and makes recommendations that will guide institutions and their actions in the future. This report will inform the National Agenda for Children's Rights 2016-2020.

To undertake policies that would be in the best interests of the child, it is crucial that children are able to participate in determining their future.

Child participation is a fundamental right of children, and this report gives a special attention to the voice of children and their vision of the world.

Children's issues are very important for our government. Establishment of an integrated system of child protection is an important step where all institutions and society have a role to play to ensure the welfare of children.

The best measure of the progress of our country's path to Europe is the way we treat and protect our children today, and what future we guarantee for them tomorrow. The next five years will be decisive in building services, facilities and systems that ensure the protection of children's rights.

To realize our objectives, we must set an agenda with our priorities for children, and strengthen the network of cooperation and partnership with all institutions at central and local level, but also with non-public actors.

Blendi KLOSI
Minister of Social Welfare and Youth

Executive Summary

The Report on Implementation of the Action Plan for Children 2012- 2015 has embraced a new approach in monitoring the situation of children's rights. It is limited not only to the analysis of attainment of objectives identified in the APC, but also to an extensive overview of the situation of the children's right in order to understand the situation and its problems as comprehensively as possible. The report focuses on the situation of children's rights, interventions and achievements that will serve as basis for the new action plan.

It is generally assessed that in order to implement children's rights in the country, certain policy orientations have been followed. Around 62% of measures stipulated in the Action Plan have been assessed completed or their implementation is ongoing, because of them being long-term measures which require more than 4 years.

Around 70% of measures have been implemented in the field of protection and social inclusion, and are ongoing as long-term measures; around 70% of measures have been implemented in the field of protection from violence, abuse and economic exploitation. Around 60% of measures have been implemented in the field of the right to education; around 70% of measures have been implemented in the field of the right to healthcare, and around 35% of measures have been implemented in the field of juvenile justice.

Some of the main issues handled in the report concern data about the situation of children, legal and institutional framework, and implementation of children's rights in the above mentioned fields. The report is structured in such a way so as to point out the achievements in different aspects of rights. It is limited not only to the analysis of attainment of objectives identified in the Action Plan 2012-2015, but also to an extensive overview of the situation of children's right in order to understand the situation and its problems as comprehensively as possible.

The achievements are followed by priority recommendations that must be introduced in the new action plan.

Information about the situation of children partially presents the situation of children's rights. Information is limited, but the problems related to violence, poverty, child abuse, access to main services etc are quite evident. Collected data identify even the categories most at risk or excluded: including children with disabilities, Roma and Egyptian children, and children in rural areas.

The legal/regulatory framework part of the report points out the recognition of the optional protocol on the communication procedures, as well as the approval of the Resolution of the Parliament of Albania "On protection and respect for the children's rights in Albania". According to this resolution, the Parliament considers extremely important the obligation of the state to protect, respect and promote rights of children, deriving from the UN Convention on the Rights of the Child, Council of Europe conventions, other international acts ratified by the Parliament of Albania and domestic legislation.

The recently approved amendments to the Criminal Code by law no. 144/2013, dated 20.5.2013 provide safeguards for the adequate protection of children from sexual crimes and economic

exploitation. Lastly, it has been approved the establishment of the Juvenile Section in the Ombudsman office. This is a very good news about the safeguarding of rights of children in Albania, however this structure has not been established yet.

Mainly, efforts for improvement of the system of social care service to the children are made to **enforce the right to protection and social inclusion**. De-institutionalisation is one of the objectives of the social service reform and APC. The draft plan of de-institutionalisation for children 0-6 years has been drafted.

So far work has been focused on the transformation of these services into other typologies of services, including foster-families. During 2012-2013, around 12 services of the type of foster-families (10 of these services provided by NPOs, while 2 of them public services), have been functioning in the entire network of foster institutions. In 2015, 26 foster families providing service to 309 children existed in public and non-public residential institutions for children.

Protection of children from violence, abuse, exploitation and neglect has been undermined for a long period of time by policy for protection of children's rights. The adoption of law "On the rights of the child" marked a significant step forward because for the first time it was clearly expressed in the national legislation the right of the child to be protected by all forms of violence, including bodily punishment. Several activities have been carried out to attain the strategic objectives. Those related to the improvement of the legal framework may be considered the most important ones.

Facilitation of procedures for registration and supporting families to register children are an important activity for protection of children. Legislative amendments and feasible measures introduced as of 2008¹ have contributed to the reduction of the number of unregistered Roma children, as the most evident category of this phenomenon.

SAPCR is focused on completing the sublegal framework to implement the law. In cooperation with the responsible directorates in the ministry, SAPCR has been a co-drafter of 5 DCM³ in implementing the law. A *four-ministerial instruction*² adopted in 2015 provides for the 'Manner, form of cooperation and procedure of intervention by the institutions and main structures responsible for the protection of children to assist children at risk'.

Adoption of *CPUs service standards*⁴ marked an important step in the field of protection of children. CPU operating standards will serve to measure and improve the quality of service for

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1. Fourth ECRI report to Albania, pg 28.
 2. DCM no. 263 dated 12.04. 2012 "On definition of elaborate rules for cooperation between institutional mechanisms and non-profit organisations, concerning implementation of local policies for the protection of children's rights".
DCM no. 264 dated 12.04.2012 "On procedures of inspection and imposition of sanction by the State Agency for Protection of Children's Rights"
DCM no. 265 dated 12.04.2012 "On establishing and functioning of the mechanism to coordinate action between the state authorities responsible for referral of children at risk and the manner of proceeding in such case"
DCM no. 266 dated 12.04.2012 "On coordination of activity of mechanisms at central and local level concerning issues related to the protection of children's rights"
DCM no. 267 dated 12.04.2012 "On type, manner of exchange of information and statistical data required by the Agency and State structures responsible at central and local level".
 3. Instruction 10, dated 25 February 2015 between Minister of Social Welfare and Youth, Minister of Education and Sports, Minister of Health and Minister of Internal Affairs. The inter-institutional group for the drafting of the instruction is set up by order of minister of MSWY no. 158 dated 06.08.2014.
 4. Decision of the Council of Ministers no. 573 dated 24.6.2015 "On approval of service standards of children protection units". Standards, initially were drafted by SAPCR and MSWY, in cooperation with an international expert supported by Terre des Hommes, and then they were discussed with other institutional stakeholders and civil society representatives.

the protection of children in municipalities and they will create a basis for their inspection by the structures at local level.

SAPCR, in order to address the problem of the functioning of multi-disciplinary technical groups, has taken the initiative of drafting the “Regulation for the organisation and functioning of a multi-disciplinary technical group for the protection of children at municipality level”.⁵

Data show a gradual increase of service coverage by CPUs and CRUs. Inter-institutional cooperation at central and local level has been improved and the stakeholders are better informed of their role and obligation to cooperate.

Based on the new territorial division, according to law no. 115/2014 “On administrative-territorial division of local government units in the Republic of Albania” and also taking into account the structural changes that will take place in the framework of the Social Service Reform, the functioning of the Children’s Protection Units (CPUs) at local level needs to be reviewed in order to increase effectiveness of service provided by these units.

During these years, the issues of protection of children in street situation have been on special focus when it comes to protection of children. Some of the services provided to families in street situation during case management consist in: counselling, service provision by day centres; enrolment of children in schools, kindergartens, nurseries; provision with certificates; vaccination of children; document transfer; food package; application for economic aid; intervention for medical assistance; referral and mediation for employment in the Employment Offices.

Education is an essential factor of sustainable development of human resources, economic welfare, and development of universal values and improvement of quality of life at individual, family and social level. Knowing the needs and problems of children services in nurseries is considered a positive step, taking into account the “darkness” existing so far in relation to service provided to this age group, concerning both enrolment rate and quality of received services. An important achievement in pre-school education is the completion of the drafting of Standards of Early Development and Education. MES, MSWY and UNICEF have cooperated to improve early enrolment of Roma children of pre-school age in Albania under the intervention “Every Roma child in kindergarten”.

The Curriculum Framework for Pre-University Education is a product of harmonisation of the education policy of Albania and education policy of Kosovo and its central axis are the fundamental competences of life-long learning.

In the framework of inclusiveness, provision of education service to the Roma community members is based on *objective creation of equal opportunities at all levels of education system*, based especially on the implementation of the “National Action Plan for the Decade of Roma Inclusion 2009-2015”, and also on fulfilment of recommendations of the seminar on raising awareness about the inclusion of Roma community, in the context of integration of Albania in EU.

Drop-out rate continues to be a concern and the phenomenon of children currently outside the education system is quite evident. Mostly the children from the categories in need are the ones

5. Report on implementation of measures of the State Agency for Protection of Children’s Rights during January- June 2015.

who do not attend primary education. The phenomenon affects mostly Roma girls and children of low income families, remote mountainous areas, girls coming from backward mind-set areas and areas experiencing social problems⁶.

Mother and child **healthcare policy** aims at frequent improvement breastfeeding indicators and health of mothers and children in order to improve the quality of their life. Healthcare service during pregnancy and childbirth and child care is provided free-of-charge⁷ (including women that are not covered by health insurance). However, irrespective of efforts and achievements, the healthcare system, in particular, the mother and child healthcare system, is faced by critical problems⁸.

In the framework of cooperation of the Government with the UN concerning reduction of malnutrition in children, it has been adopted the “Nutrition strategic communication document”⁹ which aims at making the issues of nutrition and food security priority items in the agenda of the government.

Percentage of children vaccinated according to the routine calendar continues to be over 97%. All the children born after 1 March 2014 receive the first two doses of the poliomyelitis vaccine with the IPV vaccine. This constitutes an important element about the updating of the calendar with EUMS and increasing of vaccine security.

The rights of children have been improved considerably through overall legal and institutional initiatives and reforms by aligning them with European standards. Ministry of Justice has recently concluded the drafting of the Juvenile Justice Strategy that constitutes an important step concerning the settlement of all legal issues linked to children in conflict with the law, children under 14 years of age and children victims and witnesses. Regardless of the draft of this strategic document, the greatest challenge remains the building of a friendly justice system, which considers primarily the best interest of the child and implementation of prevention and protection measures for the purpose of early identification of children that behave delinquently and their treatment outside the justice system.

Report drafting methodology

The report assessment methodology is based on several data about the rights of the children collected from the previous reports developed by SAPCR, administrative data of responsible state institutions according to the measures defined in the Action Plan, information from civil society studies by complementing in this way the information concerning specific cases.

The opinions of children and parents, through consultations organised in cooperation with the partners¹⁰ are taken into account for the drafting of the report.

6. Document of strategy of pre-university education development 2014-2020 (draft). MES

7. Order of Minister of Health, no. 528 dated 9/10/2013.

8. National report on the situation of children's rights in Albania, 2013-2014

9. Order of Minister of Health no. 86 dated 20.02.102

10. Meeting with children and parents: 20.07.2015 meeting with children in IECS Kavaja; 21.07.2015 meeting with parents in mini-municipality no. 6, Tirana; 22.07.2015 meeting with children of Zëri 16+ Elbasan; 11.09.2015 meeting with the youth in the Youth Centre Tirana; 18.09.2015 meeting with children in the children's institution Saranda.

The preliminary findings of the report are topic of discussion with institutions that have provided information about the fulfilment of the rights of children. Further, such findings have been discussed in a workshop attended by various stakeholders who have been informed of the data collected by the report. The aim of the workshop has not been only to assess the findings and recommendations through an inclusive process, but also strengthen accountability and make the report a document that will serve to reflect on the measures that must be taken by these institutions in order to address the identified shortcomings.

General information about the situation of children

Demographic data

The population of Albania is relatively young - 27% of the population pertain to the age group 0-18 years (856,600 children out of a total of 3,163,100)¹¹ 2011 census shows that the number of children who live in urban areas is higher than the children who live in rural areas (426,529:420,783). The main reason for this is internal migration of families to urban areas during the last 20 years. INSTAT and Public Health Institute, in 2009, reported that at least one family member of one out of five families (21 % or 9% of the total population) had migrated within Albania. At least one family member of two out of five families (42%) had emigrated abroad.

A very important feature linked even to emigration is decrease of total population throughout the years. INSTAT reports a decrease by 8% between 2001 and 2011¹². During the same period, population under 15 years of age has decreased from 29% (2009) to 21% (2011). The fertility rate decrease (from 2.1 - 2001 to 1.7% - 2011) has resulted in birth decrease from 53,000 (2001) to 34,000 (2011).

On poverty

Poverty of families with children is confirmed by the high percentage of families with children under 18 years of age - approximately one in five - that receive economic aid.¹³ A study conducted in 2013 making use of data of the Living Standards Measurement Survey shows that absolute poverty has reached 14.3% in 2012¹⁴. Poverty gap for the children is not measured in Albania, but the total poverty gap is increased from 2.3% in 2008 to 2.9% in 2012.¹⁵

A recent assessment of the welfare status of children in Albania, conducted by the Observatory of Children concluded that the proportion of children living in absolute poverty (i.e who live in families with less than 125 USD per month) is 17.4% or 147, 432 children.

This phenomenon is explained by figures linked to unemployment. From 2008 until 2013 the unemployment rate has been increased respectively from 12.5% to 16.9%¹⁶. Unemployment rate among the youth remains high. INSTAT reports that during the first quarter of 2014, the unemployment rate among the age groups 15 - 29 years was 33.9%, an increase by 5.8% during the same period of 2013¹⁷.

11. State statistics of UNICEF for Albania <http://www.unicef.org/infobycountry/albaniastatistics.html> (accessible on 20 April 2015)

12. INSTAT, 2011 Population and Household Census, 2011, Tirana: INSTAT, pg 7

13. Ymeri, S and Jorgoni, E. Budget analysis and expenditure for children: Case study of Elbasan (2013) f16 (further Budget Analysis and Expenditure for Children)

14. INSTAT, 2013 Albania: poverty trend 2002-2005-2008-2012. Tirana: INSTAT & World Bank

15. *ibid*, f 3.

16. World Bank Partnership Group, 2014 Albania program snapshot (s.l.): WB, f3

17. INSTAT, <http://www.instat.gov.al/all/themes/tregu-i-punës/publications/books/2014/rezultate-të-anketës-së-forcave-të-punës,-t4-2014.aspx> (Accessible on 16 May 2015)

Mother and child health and nutrition

Indicators of infant mortality show a fall by 3% in 2014 from the basic level of 2012. Reportedly, the indicators in 2012 were 7.9 deaths per 100 live births, the indicators in 2013 were 7.3 deaths per 1000 live births and the indicators in 2014 were 6.5 deaths per 1000 live births¹⁸. Maternal mortality is reported to have decreased by 2% in 2014 from the level of 2012.

However, according to the Albanian Demographic and Health Survey (ADHS) 2008-2009, such indicators vary considerably by regions. For instance, infant mortality under 5 years of age in mountainous regions is approximately two times higher than in rural areas. Significant changes are observed among families that belong to different assets indices for example infant mortality rate and mortality rate of children under 5 years of age in families of lowest assets index is 40% higher than in families of highest assets index¹⁹.

Concerning access to main health services, over 99 percent of pregnant women give birth in the presence of the qualified medical staff and 97 percent of them are assisted before childbirth²⁰. Moreover, indicators of antenatal care moreover show that poor women (lower assets index) are less likely to receive supplements during pregnancy compared to women of families with the highest assets index - 21%: 55 % receive the iron supplement. It is quite problematic the access to post-natal medical examination when the two above-mentioned categories are compared (17-18% of poor mothers do not have access to services compared to 3% of the richest cohort²¹).

Inequalities between urban and rural areas are evident in the birth weight of the new-borns, where the lowest birth weight is observed in the double number of children coming from the poor families compared to other children.

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Prevalence of diarrhoea and acute respiratory infections - main reason of infant mortality in Albania- is higher among the children from families of the lowest assets group²². An elaborate study of problems of poor children shows that undernutrition of children of poor families and their health status remain an issue of concern²³. 56.7 percent of families receiving economic aid declare that they do not meet the needs for food and 88.9 percent declare that they do not meet the needs for health services to children. The study points out that 29 percent of children suffer at least from a chronic disease and more than half of the children suffering from chronic diseases come from families of lowest expenditures. Moreover, it results that 50 percent of children who suffer chronic diseases and who do not have regular check-ups, belong to the families of lowest expenditure cohort, that use 1/3 of average expenditure for the health care of children.

Children who are fed in accordance with the infant and young child feeding practices are at a low percentage, as only 19 percent of them are fed according to these practices and girls compared to boys are less likely to be fed according to these infant and young child feeding practices²⁴.

18. Ministry of Health administrative statistics, 2015

19. Vokopola Z. et al. *Effective use of Economic Aid to improve health and nutrition status of children in poor families*. Urban Research Institute/NCSS (2012), Tirana, pg 18.

20. Ministry of Health administrative statistics, 2015

21. INSTAT and PHI (2009) Albanian Demographic and Health Survey 2008-2009

22. *ibid*, f 18.

23. UNICEF, Ministry of Labour, Social Affairs and Equal Opportunities, National Centre of Social Studies, Institute of Urban Research (2012) *Reforming Economic Aid: from Survival to Investment in Poverty Reduction*, Tirana

24. INSTAT & Public Health Institute (2010) *Albanian Demographic and Health Survey 2008-2009*, Albania

Similarly, children in rural areas and children of the lowest assets index are less likely to be fed in accordance with these practices compared to those in urban areas and areas of high assets index. An assessment focused on the obesity of children in 2013²⁵ according to the limit values of the World Health Organisation shows that 21.6% of children 7-10 years of age are overweight and 7.7% of them are obese. Prevalence of overweight children is evidently higher among the children 8-9 years old in urban areas compared to rural areas and among males compared to females. Another assessment²⁶ focused on the age group of children 11-15 years reports that 3.2% of them are classified to be obese children.

The first case of diagnostication of a child with HIV/AIDS dates back in 1997. Until May 2015, there have been reported 39 cases of HIV/AIDS infected children. Children are infected through vertical transmission from the mother to the children and through blood transfusion.

Health indicators among the Roma and Egyptian population in Albania are lower than among the rest of the population. The reasons are linked to poverty, difficult living conditions, limited access to qualitative healthcare services, low education level and lack of infrastructure. A recent assessment focused on Roma children 0-6 years, points out that the distance from the Medical Centre is a factor impairing access. 14.4% of medical centres are located at a distance of more than 2 km from the Roma community residence places. 61.7% of children have been vaccinated according to the routine calendar, but the medical staff has no information about the vaccination status of 17% of children. Children in 68.8% of cases are in good health, but the contrary is observed for 5.4% of them.²⁷

Development and education

Number of nurseries and children who attend this service at national level is not reported by the local government²⁸. Assessment about the service brings to the fore problems concerning lack of a well-organised and updated framework; improper conditions to support child development; and also lack of quality care standards.

Data about enrolment/access of children in kindergartens and reported figures vary 33% (LSMS 2012) and 76% (INSTAT 2013). According to the LSMS sources (2012), the main reason of non-registration of children in kindergartens is the parent's opinion that they are still too young (21%); lack of kindergartens (23%); better for the children in the family (35% of parents), especially among the parents whose children are 3-4 years old. As long as parent's choice prevails as a reason for non-registration of children in kindergartens, it is evident that they do not understand the importance of development and education programmes for this age. This has been analysed by considering the education level of mothers - 51% of children, whose mothers have completed basic education, attend pre-school education compared to 83% of children whose mothers have completed higher education²⁹.

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25. Jolanda Hyska J., Burazeri G., Mersini E. (2013) "Assessment of obesity in childhood age", Ministry of Health, Public Health Institute, United Nations, Tirana.
 26. Qirjako G., Burazeri G., Mihali E., Bukli M., Agolli E. (2014) "Healthy behaviours in school children aged 11 to 15 years old" UNFPA, UNICEF Albania.
 27. Hazizaj A., Elezi P., Ballo M., National Assessment 2014: Access of Roma children to education and health service in Albania, UNICEF / CRCA / YWCA / Observatory, Tirana 2014.
 28. DCM no. 267 dated 12.04.2012 "On type, manner of exchange of information and statistical data required by the SAPCR and State structures responsible at central and local level".
 29. Kevin Byrne 2014 "Analysis of policies and reforms affecting the situation of children in Albania" Tirana: UNICEF Albania (draft version)

Percentage of children aged 3, 4 and 5 outside the pre-school system calculated in 2012 was 86.8%, 69.3% and 41.5% respectively³⁰.

Census 2011 data³¹ show an enrolment rate of almost 100% in the basic education and a drop-out rate at national level of less than 1%. However, real drop-out figures may be up to 2.5 times higher than those officially reported, because school principals very often report lowest figures of school drop-out in order to avoid teaching staff layoff³². Moreover, official statistics show the drop-out percentage³³ for the Roma children 4% and Egyptian children 3.4%; and children with disabilities up to 7%. The net enrolment rate (NER) in primary education for this reason is reported to be 86% with a slightly lowest figure (82%) for the girls³⁴. While, PISA assessment in 2012 showed a progress of 12 points compared to 2009, Albania was ranked 57th out of 65 participating countries, following Montenegro (54), Bulgaria (47) and Serbia (43) and some 100 points (20%) below the OECD average in Mathematics, Reading and Science.

Violence against children and safety of children

Children in Albania face different forms of domestic violence, school violence and community violence. A WHO study³⁵ in 2012 revealed that the prevalence of physical and sexual abuse during the first 18 years of life were respectively 41.5% and 6 %.

Psychological violence is the form of violence most frequently reported by children.³⁶ Around 61.69% of children have experienced at least a form of psychological violence once in their life. Similarly high percentage is even reached in physical violence; 48.42 % of children have experienced at least a form of physical violence throughout their life and 59.45% of children report to have experienced physical violence during the past year. 11.4 % of children have experienced sexual harassment and 4.88% of children have experienced sexual contact violence, at least once throughout their life.

According to a recent study on keeping children safe online³⁷, 85% of children 13-18 years have access to internet through a computer at home, which in most of the cases they have in their room. Internet cafés are widely accessible in both rural and urban areas. 44% of children use internet for pornographic material on daily basis. Only during the last year, 47% of children 13-18 years have been contacted via internet by persons unknown to them, who in 40 percent of cases have been aliens. It is observed a low level of information of children concerning safe exchange of information via internet and responsible structures to report online incidents. Family members and friends are the persons to whom children report problems, while teachers and police employees are less likely to be approached by children for help and to be reported the incident.

30. Ravens, J.V. (2014), 'Universal pre-school education at 5', UNICEF Albania

31. INSTAT, op. cit., pg. 78.

32. UNICEF, State Profile 2010, quoted in the Analysis of the situation of the rights of the children. Save the Children (2012), Tirana.

33. School drop-out Action Plan MES (2011), Tirana.

34. Analysis of the situation of the rights of the children. Save the Children (2012), Tirana.

35. Qirjako G. et al. Community survey on prevalence of adverse childhood experiences in Albania. WHO (2013), Copenhagen.

36. Cenko E., Hazizaj A., Haxhiymeri E., Çoku B. (2013), *Violence against Children in Albania in the framework of the Balkan Epidemiologic Study on Child Abuse and Neglect (BECAN)*, CRCA Albania, Tirana.

37. Study on Child Online Safety in Albania, World Vision (2014)

Children involved in labour

The first national survey for children involved in labour, conducted in May 2010 (published in May 2013) showed that 7.7% of all the Albanian children aged 5-17 years of age are involved in labour³⁸. The same source shows that the total number of children 16-18 years who are involved in labour, including those who are involved in informal labour, may reach thousands.

However, official data about children involved in labour are missing. The National Study on children in street situation in Albania³⁹ calculates that the current figures are at the highest extreme: between 2000 and 2500 children. Children in Albania constitute the highest proportion (31.5%) of 12 regions in Albania (the second with the highest percentage is Durres, 18.6%).

According to the same source, 7.7% of all the Albanian children 5-7 years are involved in labour and over 5% of them are labourers involved in dangerous economic activities, who work overtime and in difficult work conditions.

Children trafficked or at risk of trafficking

According to the Anti-Trafficking National Coordinator the number of trafficked children in 2012 was 26 children. In 2013, such figure was 43 children and in 2014 the number of trafficked children was 62.

Organisations working with victims of trafficking report that the adult persons witness that the beginnings of their trafficking date back to their childhood. There have been reported cases of parents and other family members who marry their daughters for trafficking or oblige their children to beg.⁴⁰

Only during the last year (September 2013-September 2014), 60 cases are referred to court for the trafficking of adults and children and 58 cases are referred to the district prosecutor's offices for "exploitation for prostitution". In 2013, the Serious Crimes Court took seven decisions in cases of trafficking of adults, women and children. Ten persons were punished (there is no information about their citizenship or gender)⁴¹.

Children in conflict with the law

During 2013, the number of children who have been denounced, based on the statistics of the General Directorate of State Police, was 1437 at national level, while in 2014 it was only 123.

Number of children punished along the years shows an increasing trend of problems, especially from 380 punished children in 2012 to 624 punished children in 2013. They are mainly boys punished for criminal offences, even though the sanctions for contraventions have been increasing. The prevailing criminal offence committed by the children is theft followed by possession and dealing of narcotic substances.

38. EC, 2013, f33. Op cit

39. Joint National Survey of Save the Children and UNICEF, 2014, in partnership with MMS.

40. Arsis et al *National Study on children in street situation in Albania*". **Tirana: UNICEF, Save the Children**

41. <http://www.punetebrendshme.gov.al/all/te-rejat/fjalime/gjebrea-trafikimi-i-personave-eshte-krim-bashkohu-dhe-ti-per-ta-ndalurate&page=5> (accessed on 24 May 2015, information from 18 October 2014)

The number of children in remand centres remains a concern. The statistics of the General Directorate of Prisons show that in 2014 the average number of children in remand centres on monthly basis was almost 96 and the average number of children serving imprisonment sentence on monthly basis was almost 41.

It is reported that the remand period is generally over 6 months. Furthermore, most of the children in remand centres are detained for theft or crimes against private property.

Roma children and children with disabilities

Moreover, it is evident that in Albania, similarly as in all other societies, children within some population cohorts and social cohorts, are more vulnerable than others.

The main indicators for the Roma community children are that they are five times more likely to be living in poor conditions compared to other children who do not belong to this community; they are four times more likely to be underweight; they are 50/50 likely to complete primary education; and only one in six are likely to complete secondary education. Moreover, Roma children are less likely than other children to receive the full spectrum of vaccination and one third of Roma girls are likely to get married before reaching eighteen years of age. Without a sustainable, constant and targeted intervention to increase the standards of living of Roma children, they are significantly likely to raise their children in the same situation of poverty and deprivation as their parents⁴².

According to the data of the State Social Service (SSS), 17,777 children fall under the scheme of disability payments in 2014. The problem for this category is lack of a coherent and appropriate assessment of their needs. Considering the limited number of children with disabilities in schools, kindergartens and day-care centres, the presumptions are that most of the children with disabilities stay at home and families have to compensate the absence of public premises and services for children with special needs. While these two groups share similar characteristics with all the poor families in Albania, highest level of stigma and social exclusion faced that they experience are added to their hardships because of deprivation and poverty due to low income⁴³.

42. Byrne, K. 2014. "Analysis of Policies and Reforms Affecting Children in Albania". Tirana: UNICEF Albania (draft)

43. Ibid.

Legal and institutional framework for the protection of children's rights

Legal framework

Albania has ratified the UN and Council of Europe Conventions and the main protocols (*Appendix A*), which underline that children are entitled to all the rights, and because of particularities, lack of physical and intellectual maturity, they need special protection and attention by the family and state institutions.

The Constitution of Albania guarantees protection of rights irrespective of age and specifically for the special needs of children. Article 122 specifically provides that international conventions prevail over domestic legislation. *Appendix B* shows the Albanian legislation supporting/affecting rights of children.

The Parliament of Albania upon Decision no. 63 dated 26.11.2013 passed **Resolution “On protection and respect for rights of children in Albania”**. According to this resolution, the Parliament considers extremely important the obligation of the state to protect, respect and promote rights of children, deriving from the UN Convention on the Rights of the Child, Council of Europe conventions, other international acts ratified by the Parliament of Albania and domestic legislation. The deputies of the Parliament of Albania are committed to improving the legislation concerning protection of children, promoting and monitoring the government, activity of institutions and law enforcement mechanisms, that enable protection and respect for the rights of children.

The adopted amendments to the Criminal Code introduced by law no. 144/2013, dated 20.5.2013 provide safeguards for the adequate protection of children from sexual crimes and economic exploitation. Such amendments bring the Albanian criminal legislation in line with the International legislation, especially the Council of Europe Convention (Lanzarote) “*On protection of children against sexual exploitation and sexual abuse*”⁴⁴.

In article 1, the following words are added “*protection of the best interest of the child*”. Moreover, Article 50 is amended as follows: ““ *e/1 commission of the criminal offence during or after issue of judicial orders of protection against domestic violence*” ‘. The lawmaker, inter alia, has decided to increase the measure of punishment for crimes of sexual violence against children. Now the offence is punished by 25 years of imprisonment compared to 15 years of imprisonment before the amendments. The Code adds as well as sexual violence as a new criminal offence in article 107, while article 108 is completely amended to provide protection against sexual crimes for the children aged 14-18 years. The same criminal offence includes even the attempt to meet the child for sexual relations. Sexual harassment is added to the Code, including even the children in the new paragraph c of article 108 of the Criminal Code.

44. Law no. 10071, dated 9.2.2009 “On ratification of the Council of Europe Convention (Lanzarote) “*On protection of children against sexual exploitation and sexual abuse*”

Child pornography in article 117 of the Criminal Code has been completely amended to consider crime even possession, recruitment of several other forms of child pornography.

Moreover, an adequate solution is found even for the protection of children against economic exploitation. Article 124, paragraph c of the Code is improved by including all forms of exploitation of children. The new article reads: *“Forcing, exploiting, pushing or using children to work, provide income, beg or commit actions that might damage his/her mental and/or physical development, or education, shall be punished by imprisonment from two to five years.”*

In accordance with the legal basis, several strategies, action plans and programmes have been drafted to address child-related issues. *Appendix C* shows a summary of the most important ones.

Institutional framework

Law no. 10347 dated 4.11.2014 “On protection of the rights of the child” defines the institutional mechanisms at central and local level and the manner of their interaction to ensure realisation and protection of rights of the child.

National Council for Protection of Children’s Rights (NCPCR) is an ad hoc advisory body⁴⁵. NCPCR through a cross-cutting coordinated approach aims at cooperation by the state institutions and the civil society for the respect and realisation of the rights of children. NCPCR consists of 9 ministers, representatives from the Ombudsman office, Association of Municipalities and 2 civil society representatives. The latter are selected after an open competition process and their term in office is for 4 years.

The first meeting of NCPCR was held on 3rd September 2012 to discuss problems of recognition and implementation of the legal framework on the rights of children⁴⁶, cross-cutting coordination at central and local level for implementation of the APC 2012-2015. During the meeting, the problem of provision of CPUs services to all the local government units have been discussed.

NCPCR in the second meeting of 3rd October 2014 discussed about the necessity of taking concrete initiatives to respect the rights and life of children in Albania and also the challenges for realisation of these rights. Considering the situation in the country, recommendations of the Universal Periodic Report and indicators of priority 5 (Roadmap for European Integration) point out the priorities in intervention concerning the strengthening of the system of protection of children, including approval of the Protocol for Children Protection and Care, budget allocation focused on children and functional coordination of local structures.

NCPCR in the third meeting of 8th July 2015 discussed, inter alia, the case of violence in the orphanage of Shkodra and the need to have the services monitored by the local structures. Some of the issues emerging during this meeting concerned territorial reform and a well-organised structure of social services attached to new municipalities, further development of the Action

45. Set up by Prime Minister’s Order no. 238 dated 11.12.2013 “On establishment of the National Council for Protection of Children’s Rights”.

The Council is chaired by the Minister of MSWY and it consists of: Minister of Internal Affairs; Minister of Education and Sports; Minister of Justice; Minister of Health; Minister of European Integration; Minister of Finance; Minister of Economic Development, Trade and Entrepreneurship; Minister of State for Local Affairs; Minister of Urban Development and Tourism; Ombudsman office; 1 representative from the National Association of Municipalities; 2 representatives from civil society.

46. Law no. 10347 dated 4.10.2010, DCM no. 263, 264, 265, 266 adopted in the beginning of 2012

Plan for street children, creation of the register of sexual crimes, possibility of establishment of the juvenile tribunal or sections, provision, increasingly, of the forms of alternative punishment so that the children will not be detained in prison.

The minister in charge of coordination of actions about protection of children's rights is the responsible state authority that coordinates, with all the responsible ministries, issues concerning protection of children's rights. Because of the role and function of the ministers in the government cabinet, this position is currently held by the Minister of Social Welfare and Youth (MSWY) who through the policy-making structure is responsible for drafting state policies and programmes in the child protection field and proposing to the Council of Ministers the legal and sub-legal amendments, and also signing of international acts in the field of child protection.

Numerous initiatives that have been undertaken upon initiative of the Minister of MSWY are elaborated in the respective chapters and especially in the chapter about social protection. During this period, Minister of MSWY has given priority to hearing the voice of children about issues related to them and affecting their life. The Minister in cooperation with the Agency⁴⁷ during the period 2013-2014 has organised 5 meetings and hearings with the children of different ages and groups of interests, to discuss of their concerns, but also important issues including the budget allocation for necessary activities and services to be carried out in order to enforce rights of children in 2014 and 2015.

State Agency for Protection of Children's Rights. (SAPCR) is the institution under MSWY. This is the key institution responsible for monitoring the legal framework and protecting children's rights and also coordinating actions about protection of children. SAPCR was completed with staff and it became fully operational in May 2011. Currently, SAPCR consists of 7 staff members.

SAPCR is focused on completing the sublegal framework to implement the law. In cooperation with the responsible directorates in Ministry, SAPCR has been the co-drafter of 5 DCMs⁴⁸ to implement the law and it is one of the most important stakeholders for the drafting of the APC 2012-2015.

One of the main priorities of SAPCR has been **building a child protection system** with the vision to move towards a system that provides support, according to a multi-disciplinary approach for meeting the needs of children and families. SAPCR has chaired the process of

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47. 13 December 2013, hearing with children for the budget of MSWY, for child-related issues in MSWY
19 November 2013, Meeting of Ministers of MSWY, MH, MES, MIA with children and discussion about their concerns, in MSWY.
27 May 2014 hearing with children and deputies of Parliamentary Committee for Employment, Social Affairs and Health, in the Parliament of Albania
1 June 2014 meeting and discussion with children and Minister of MSWY,
19 November 2014 Hearing with children and Minister of MSWY, deputy minister of MES and deputies of the Parliament of Albania for the 2015 budget.
48. DCM no. 263 dated 12.04. 2012 "On definition of elaborate rules for cooperation between institutional mechanisms and non-profit organisations, concerning implementation of local policies for the protection of children's rights".
DCM no. 264 dated 12.04.2012 "On procedures of inspection and imposition of sanction by the State Agency for Protection of Children's Rights"
DCM no. 265 dated 12.04.2012 "On establishing and functioning of the mechanism to coordinate action between the state authorities responsible for referral of children at risk and the manner of proceeding in such case"
DCM no. 266 dated 12.04.2012 "On coordination of activity of mechanisms at central and local level concerning issues related to the protection of children's rights"
DCM no. 267 dated 12.04.2012 "On type, manner of exchange of information and statistical data required by the Agency and State structures responsible at central and local level".

drafting the 4 Ministerial Instruction on the procedures for protection of children and standards of service provided by the Children Protection Units.⁴⁹

SAPCR, in cooperation with its partners, has organised several activities for the building of capacities of units for children at local level (CPU and CRU) and also strengthening multi-disciplinary intervention so as to ensure constant protection of all the children. Currently, a national plan is being developed to build capacities of all the stakeholders involved in the process of protection of children and multi-disciplinary groups, in the new administrative units.

SAPCR has monitored, on frequent basis, the implementation of the Action Plan and the situation of rights of children, by reflecting the situation through the published annual reports.

Based on its functions, SAPCR has worked to raise awareness of various public and non-public stakeholders at central and local level concerning the new law on the rights of children and Action Plan for Children.

SAPCR has given significant priority, during 2013-2015, to the overall raising of awareness about the rights of children and strengthening of mechanisms of direct participation of children in decision-making at central level, in order to bring the voice of children to the institutions and authorities responsible for the realisation of the rights of children.

SAPCR has fulfilled as well its legal obligation concerning international reporting about children's rights issues. SAPCR participated in the Geneva delegation in April 2014 under the mechanism of Universal Periodic Reporting (UPR) and answered to questions about the rights of children, which were an important aspect of concerns raised by the member states to the Human Rights Council.

The SAPCR Chair represents Albania and reports to the Monitoring Committee of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, Lanzarote Committee. Albania, as of April 2014, is a member of the Governing Board of Lanzarote Committee.

Lastly, SAPCR Chair represented Albania in the Committee that will draft the new strategy of the Council of Europe for the Rights of the Child, where it has been elected to the position of the deputy Presidency of the Committee.

Law no. 155/2014, "On some addenda and amendments to law no. 8454, dated 4.2.1999, "On People's Advocate" adopts the establishment of the Juvenile Section attached to the institution of the People's Advocate. This is a very positive step to guaranteeing rights of children in Albania, because finally in the country there is a special office attached to the People's Advocate to receive complaints about children's rights and monitor independently the violation of these rights.

Children Protection and Rights Units (CPUs and CRUs) are structures at local level responsible for coordination and provision of children protection services and case monitoring in cooperation with several other stakeholders in different fields, operating at local level. Institutionalisation of structures for children at different levels of local government has been

49. More related information in chapter two.

an important encouragement to assuming responsibilities for the protection of children. Field observation and discussion with various groups of interest show that behind the establishment of CRUs in the regions there have been quality differences in perception of rights of children by the institutions and society, and also an increase of institutional interaction and coordination of the same pace all over the country.

CPUs operate within the administrative structure of the municipality/commune, as special unit, or as unit of the structures in charge of social issues and their duty is to identify and manage cases of children at risk, within the area of jurisdiction of the unit. SAPCR focus has been development of CPUs services through a systemic approach by creating mechanisms that may identify and refer children violence in all the contexts of its occurrence or identification in family, school, institutions etc.

The right to protection and social inclusion

The right to protection and social inclusion is one of the fundamental rights stipulated even by the important international instruments. National policies for the well-being of children focus on poverty reduction and equality and family support to ensure social inclusion and guarantee a standard of living that fulfils rights of children.

Action Plan for Children 2012-2015 provides for a broader perspective of intervention in order to improve protection and inclusion of children. It mainly contains the improvement of the system of social care service to children. The measures are based on the Social Protection Strategy and Policy Document on Social Inclusion.

Approval of the Action Plan for Children is followed even by the drafting of 7 regional strategies for the rights of children, upon approval by the regional councils⁵⁰. The aim of these strategies is identification of specific intervention, based on the current situation of children in the regions. The assessment report on implementation of the strategy is developed only by two regions, Fier and Shkoder for 2013 and 2014⁵¹. There is no accurate information about implementation, monitoring or assessment of these strategies. Generally, drafting of regional strategies has been reported to be difficult, considering lack of children-focused support data⁵².

MSWY has introduced for approval the Social Protection Strategy together with the Action Plan 2015-2020 after broad consultation with the groups of interest and civil society. This strategy addresses issues concerning (i) payments of social assistance (economic aid and disability payment), (ii) social care services (existing and those proposed in the future), and (iii) any other important issues related to these fields.

Different policy documents, including Action Plan for Children emphasise the necessity for special attention on the needs of children in the Economic Aid (EA) Programme in order for this programme to reduce poverty and prevent negative social phenomena that increase exclusion of poor children.

In June 2014, the new scheme of EA was implemented as a pilot project in three regions - Tirana, Durrës and Elbasan where almost 40% of the population of the country is living. Such reform aims at improving equality and effectiveness of EA and in this way contributing to reduction of poverty and vulnerability.

EA scheme moreover aims at improving some of the conditions of children upbringing⁵³. Thus, children from poor families, involved in EA scheme receive a payment bonus of 3000 ALL during the period of school attendance and 100 ALL for each vaccine made according to the national calendar of vaccination.

50. SAPCR report, Annual Report on Monitoring of the Action Plan for Children 2012-2015, June 2012 - May 2013.

51. Midterm review of Indicators of the Progress of National Action Plan for Children 2012-2015, Save the Children, SAPCR 2014

52. National Centre for Social Studies "Updated map of social care services" (2013) Tirana: NCSS & UNICEF

53. According to DCM no. 376 of 11.6. 2014 "On some amendments and addenda to Decision of Council of Ministers no. 787, dated 14.12.2005 "On definition of criteria, procedures and amount of economic aid", amended

Based on the assessment of requests for EA under the new scheme, it is observed that the beneficiary families have many children, lowest education level, poor housing conditions and lowest family expenses compared to those that do not receive economic aid⁵⁴.

Social care institutions operating in social field are: 266 non-public and private subjects supported by different donors licensed by the National Licensing Centre and MSWY; 27 public institutions funded by state budget, 19 institutions under the local government and 8 national institutions under the MSWY and General Directorate of State Social Service⁵⁵.

MSWY is involved in the reform of social care services in order to respond to the needs of individuals in difficult situation, particularly children. Meanwhile, this process is becoming especially important even as part of the process of recognition of Albania as an EU candidate country, which emerges the need to improve the situation of respect of rights of the children.

As regards residential services, the reform aims at de-institutionalisation of children. To this end, it has been drafted the de-institutionalisation plan with concrete measures to be taken so that in 2020 children will be no longer accommodated in residential institutions. Instead they will be integrated in biological families or alternative forms of care.

So far actions have been taken to transform these services into other typologies of services, including foster-families. During 2012-2013⁵⁶, around 12 services of the type of foster-families (10 of these services provided by NPOs, while 2 of them public services), have been functioning in the entire network of foster institutions. In 2015,⁵⁷ 26 foster families providing service to 309 children existed in public and non-public residential institutions for children. In order to achieve this aim, intervention to infrastructure, structure and services is made.

Lastly, in implementing Minister's Order no 55 dated 02.03.2015 "On approval of the Action Plan of De-institutionalisation of Orphanage Zyber Hallulli", MSWY and partners⁵⁸ started implementing the activities for the transformation of residential services to community services in this institution. New practices will include de-institutionalisation, partial re-organisation from residential centre to the forms of care including foster families and community families.

Another priority in the frame of de-institutionalisation has been the drafting of plans of care for promotion and integration of children, their return to biological families or their adoption.

Data show that 80% of children in institutions are social orphans and the process of return to family has encountered obstacles because of lack of assessment of families by the Social Administrators at regional level and failure to draft programmes of strengthening of families by the local government. Difficulties are reported even in the process of integration of children after their return to biological families.

54. T. Jantzi, *Initial Baseline Report: Albanian Economic aid – Social Assistance Modernization Project*, 2014.

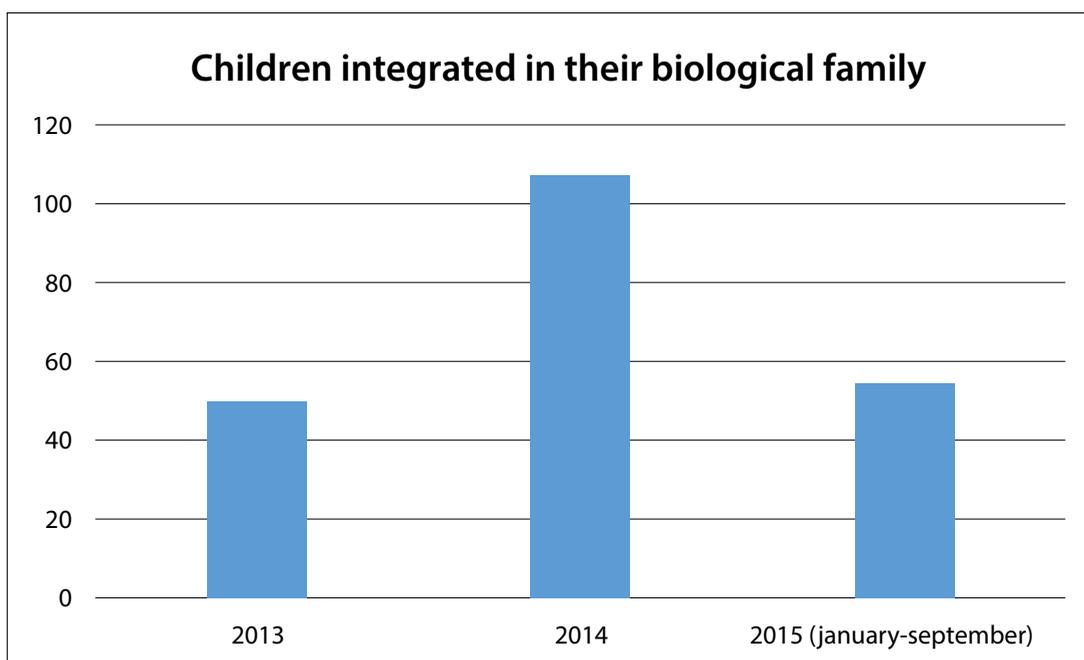
55. Administrative data. Directorate of Inspection of Social Standards and Services, 2015

56. Annual report on monitoring of the Action Plan for Children 2012-2015 for the period June 2012- May 2013, SAPCR, MLSAEO.

57. Administrative data of State Social Service, 2015

58. Terre Des Hommes, SOS Children's village, Albania

Currently, there are 9 public residential institutions and 15 non-public institutions that have prepared lists of families of children assessed as a potential for return to the family⁵⁹.



Efforts for further consolidation of the process of de-institutionalisation have been supported even through concrete measures of the project “Innovative social services to the groups in need: standards for decentralisation” enabling the building of new services in residential centres for the persons with disabilities, children without parental care and elderly persons.

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Foster care service piloted in 2011 in two municipalities (Tiranë, Shkodër), is already extended all over the country. Currently, this service has been received by 100 children⁶⁰ compared to 66 in 2012. From the analysis of available data it is observed that foster care service is mainly provided by families with biological ties with the child (relatives).

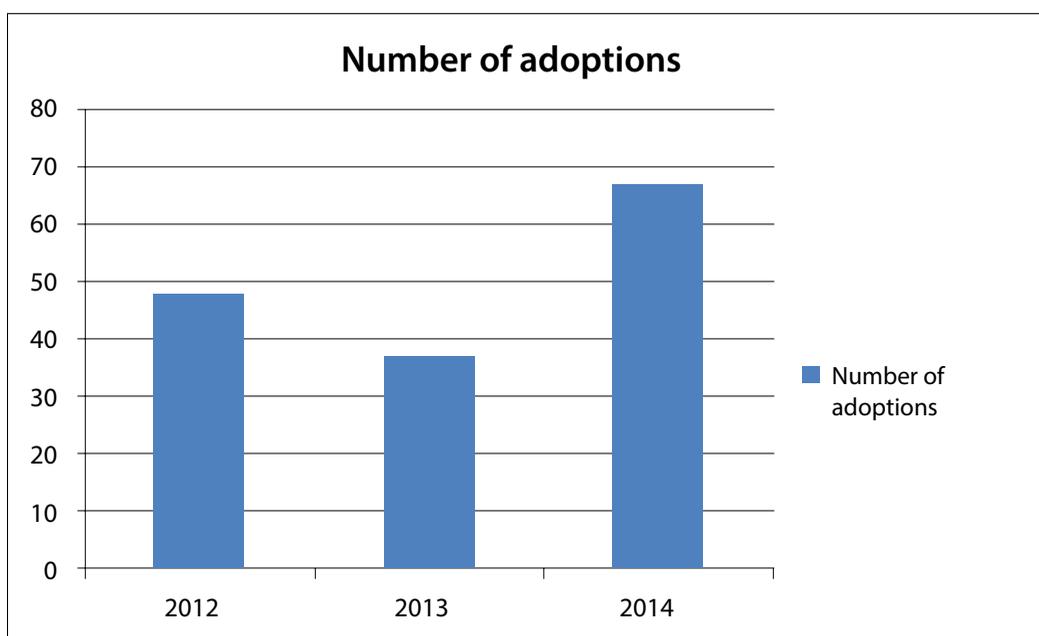
Adoption and its procedures are becoming simpler and more effective. Albanian Adoption Committee (AAC) has made possible within the end of 2013 the licencing of all the mediation agencies in the field of inter-country adoption by facilitating and accelerating this process. Moreover, AAC has submitted concrete proposals for improvement and legal amendments which concern issues of adoption in the country and inter-country. Such proposals have been forwarded to the institution of Ministry of Justice and are pending to follow the necessary steps according to the practice of legislation drafting. The meeting with the family section judges in the District Courts in order to raise awareness for elimination of delays in court proceedings for “declaring abandonment and adoption of child”, as of April 2014, resulted in acceleration of procedures that guarantee protection of the best interest of the child.

AAC reports regular monitoring of public and non-public institutions monitored about implementation of legal schedules to lodge adoption procedures. AAC during the reporting period, observed an increase of post-assessment reports of families/children after adoption.

59. According to order no. 601 dated 18.03.2014 addressed to regional directorates by the general Directorate of Social State Service in order to follow and implement the plan of return of children to biological families

60. Ibid.

Number of adoptions in the last three years indicates an improvement of this service.



In order to improve *monitoring* of public and non-public institutions for children, a complete and flexible system is established in SSS with data about all the beneficiaries in the network of residential institutions, which allows the quick recording of the situation and dynamics of changes to these institutions. The new monitoring system applied the score system of standards of care for children based on qualitative indicators.

Inspectorate of Labour and Social Services, for the purpose of *inspection* of social care service standards, has conducted 53 inspections (29 in residential institutions and 24 in day-care institutions) in the child day-care centres⁶¹.

Child care centres are focused on implementation of standards linked to physical aspects (food, clothing, accommodation) and they encounter difficulties in implementing standards linked to psycho-social aspects of clients, with social inclusion, reintegration, participation of parents/relatives in the process of drafting individual plans, connecting with the community etc. During inspection of public and non-public subjects providing residential services to children, it has been found that institutions need to improve the quality of service to children based on the adopted standards. Reportedly, non-compliance of standards results from non-recognition of standards by the staff and lack of capacities for provision of a qualitative service.

61. Administrative data. Directorate of Inspection of Social Standards and Services, May 2014- May 2015

The case of violence against children in the Social Care Institution for children 3-6 years in Shkodra by the guardians of this institution brought to the attention the fact that violence against children is present in foster institution. Exercise and admission of group violence by the employees of these institutions in public premises is a very important indicator of non-random or frequent used of violence against children, by those whose duty is to guarantee well-being and protection of children. The case points to the necessity of building and/or making functional the mechanisms of monitoring, identifying and complaining of each case of violence, neglect, abuse, exploitation or degrading treatment against children.

In this context, the staff of social care centres in the country has taken a general exam.

Considering new social services, 2 social care services for children with autism in Elbasan and Gjirokaster have been set up in 2012 funded by local and central government.

Social care service quality improvement

The living conditions in the Development Centres for children with disabilities in Tirana have been improved through infrastructural interventions by enabling partial transformation from the residential service to day-care service. 4 new staff members with disabilities have been employed in this service and 10 others have been trained vocationally.

The transformation of residential service into 2 foster families in the Centre for Children 3-6 years in Shkodra has been followed by infrastructural intervention. The day care centre provides services to Roma community children and street children. 3 children have returned to biological families through the strengthening of families and support has been provided for a 3-year period to both the children and the families.

In the framework of cooperation between MSWY and Ministry of Defence, temporary residence place for 53 families of Roma community has been made possible after the removal from previous buildings. The Administrative Council of State Social Service⁶² approved the opening of the National Emergency Transit Centre for the Categories in Need. Considering this, a new typology of service is added to the service structures managed and administered by SSS.

34 families (80 children) have remained in the Centre after the measures taken. 6 of the families that have left the Centre are accommodated in social houses, 6 others have started an independent life. During stay in the centre, the children of the centre have been provided access and full package of services. Cooperation and assistance from partners including UNCEF and Terre des Hommes has made it possible for children to follow 9-year public education or pre-school education.

The centre in the future will serve as a transitory basis for persons or families coming from difficult socio-economic situations. Drafting of service standards in National Emergency Transit

62. Decision no. 166/5, dated 18.03.2014

Centre marks an important step to guaranteeing and further developing human rights enshrined in the Constitution, Albanian legislation and international conventions, ratified by the Albanian government⁶³.

In the context of policy-making for vulnerable groups, a Policy Document on Social Inclusion and Action Plan for Integration of **Roma and Egyptian community** has been drafted after broad consultation. MSWY in cooperation with UNDP has re-activated the RomAlb system targeting Roma and Egyptian community, including the indicators by age groups.⁶⁴ The system will serve to enter data that will be generated by each line ministry and regional council. Already, it has been achieved the building of capacities for the management of the system at central and local level. The approval of the system through a Decision of Council of Ministers (DCM) will generate data every six months and it will serve for the drafting of effective policies for integration of Roma and Egyptian minority in Albania.

In fulfilling rights of children with disabilities, an important achievement is considered to be the adoption of law 93/2014 “On inclusion and accessibility of persons with disabilities” The law handles issues of accessibility, health education and data collection, that directly affect children of all age groups.

In the context of the law on pre-university education, in order to fulfil the right to education of children with disabilities, it remains challenging the implementation of instruction for support teachers⁶⁵.

Cooperation for the process of making official the sign language in cooperation with the Institute of Deaf Students⁶⁶ has been ongoing.

National Strategy for Persons with Disabilities 2015-2020 is being drafted in consultation with the groups of interest. This strategy in the first steps of its drafting reflects the focus on children and their approach to education and other services.

63. Decision no. 572, dated 24.6.2015 On adoption of service standards in the National Emergency Transit Centre

64. Administrative data of the Directorate of Social Inclusion

65. Instruction of Minister of Education and Sports no. 38 dated 7 October 2014 “On criteria of support teacher for the students with disabilities in public institutions of pre-university education”.

66. Administrative data of the Directorate of Social Inclusion.

Recommendations

Improving instruments/mechanisms for identification, support and re-integration of children including: children with disabilities, abandoned children, children in residential institutions, children of minorities, children who live in poor conditions through increase of access and service quality.

Clarifying responsibilities, accountability line of stakeholders at national and local level in order to make possible the functional and effective inter-institutional coordination for protection and inclusion of all categories of children in need.

Allocating adequate budget in central and local government in order to make possible political and programmatic commitment realisation.

Strengthening mechanisms and practices of monitoring, inspection and assessment of social care service quality for the children. Monitoring of social care institutions must pay special focus to the forms of violence and bodily punishment affecting children in institutions. Monitoring must include the children themselves in the monitoring process. Assessment of professional skills of employees of foster institutions must be ongoing.

Improving further economic aid scheme to target better the poor families and children in need, through better social assessment of conditions of families, aiming at increasing the amount of economic aid. The innovative scheme providing incentives to education and healthcare of children must be extended and applied all over the country.

De-institutionalisation of children must be followed by extension of the range and strengthening of alternative forms of services and promotion of children integration. It is recommended especially the creation of alternative forms of proper care for children emerging from situations of violence, abuse and neglect, by creating strong links with the children's protection system. Moreover, efforts must be intensified for building models of foster families for all age groups, especially children 0-3 years. Training programmes for foster families and also monitoring mechanisms must be created.

Building sustainable platforms of inclusion of children in process of drafting, implementation and assessment of policies/programmes for children at both central and local level.

The right to protection from violence, abuse and economic exploitation

Protection of children from violence, abuse, exploitation and neglect has been undermined for a long period of time by policy for protection of children's rights. The adoption of law "On the rights of the child" marked a significant step forward because for the first time it was clearly expressed in the national legislation the right of the child to be protected from all forms of violence, including bodily punishment. Moreover this law identifies the special structures with the main responsibility to protect children.

Action Plan for Children 2012-2015 reflects several measures for the fulfilment of the right of children to protection from violence, abuse and economic exploitation. The measures are based even on the Social Protection Strategy, They are grouped under the objectives of prevention and protection of children from violence, abuse and also protection of children from the worst forms of labour.

Several activities have been carried out to attain the strategic objectives. The most important of them are those linked to improvement of the legal framework in this field which determine the fields, tasks and responsible stakeholders for the realisation of functions related to protection of children.

There have been approved 4 Decisions of the Council of Ministers⁶⁷ to implement law no. 10347 dated 4.11.2010, "On personal data protection" concerning;

- Rules of cooperation between institutions and not-for-profit organisations in order to realise the rights of children
- Control and imposition of sanctions by SAPCR
- Creation and functioning of mechanisms of referral of cases of children at risk
- Coordination of institutions at central and local level about the issues of protection of children's rights.
- Statistical data collected by SAPCR

The amendments to the Criminal Code increase the measure of punishment for sexual violence against children, (from 15 years to 25 years of imprisonment). Article 107 and 108 of the Code have been added and amended to provide protection of children from sexual crimes. Child pornography in article 117 of the Criminal Code has been completely amended to consider a crime even possession, recruitment of children and several other forms of child pornography.

67. DCM no. 263 dated 12.04. 2012 "On definition of elaborate rules for cooperation between institutional mechanisms and non-profit organisations, concerning implementation of local policies for the protection of children's rights".
DCM no. 264 dated 12.04.2012 "On procedures of inspection and imposition of sanction by the State Agency for Protection of Children's Rights"
DCM no. 265 dated 12.04.2012 "On establishing and functioning of the mechanism to coordinate action between the state authorities responsible for referral of children at risk and the manner of proceeding in such case"
DCM no. 266 dated 12.04.2012 "On coordination of activity of mechanisms at central and local level concerning issues related to the protection of children's rights"
DCM no. 267 dated 12.04.2012 "On type, manner of exchange of information and statistical data required by the Agency and State structures responsible at central and local level".

Article 124, paragraph c of the Code is improved by including all forms of exploitation of children and protection of children from economic exploitation.

There have been approved *CPUs operating standards*⁶⁸ which will serve to measure and improve the quality of service for the protection of children in municipalities and they will create a basis for their inspection by the structures at local level.

Standards are based on five specific areas, connected between them, but including quality criteria. Standard 1: Provision of sufficient sources and proper work environment to make possible the effective, proper and safe actions for the protection of children. Standard 2: Implementation of standards of reference and case management of children at risk, in order to ensure systematic and ongoing protection of children. Standard 3: Active and full inclusion of children and family. Standard 4: Use of multi-disciplinary approach during the case management process, when the children and the family are provided services. Standard 5: Child Protection Unit provides qualitative service in accordance with the needs of the children.

Four ministerial instruction no. 10 dated 25.02.2015 ‘Manner, forms of cooperation and procedures of intervention to assist children at risk for the main institutions and structures responsible for protection of children’, defines the role of each stakeholder in the process of protection of children and also the necessary instructions to identify and manage cases of children at risk and the legal framework protecting them.

In order to address the problems of functioning of multi-disciplinary technical groups, SAPCR has undertaken the initiative for drafting:

- *TIP Regulation of functioning of Steering Committees*, which is approved already by decision of Regional Councils, and also
- *Regulation on organisation and functioning of a multi-disciplinary technical group for the protection of children at municipality level*⁶⁹.

Regulation of the multi-disciplinary technical group will be sent for approval to the local government bodies after constitution of new municipalities and new municipality councils in the country.

In the context of reform of Social Services it has been prepared the ‘*Analysis of the system of protection of children in Albania*’, supported by UNICEF that aims at presenting a view of the current system of protection of children in Albania extended to all the sectors.

In parallel, in cooperation with the Council of Europe (CoE), SAPCR has been working for the drafting of a ‘*Policy document for the system of protection of children*’, that will guide the building of a system for protection of children and inform the drafting of the National Plan for Children 2016 – 2020.

68. Decision of the Council of Ministers no. 573 dated 24.6.2015 “On approval of service standards of children protection units”. Standards, initially were drafted by SAPCR and MSWY, in cooperation with an international expert supported by Terre des Hommes, and then they were discussed with other institutional stakeholders and civil society representatives.

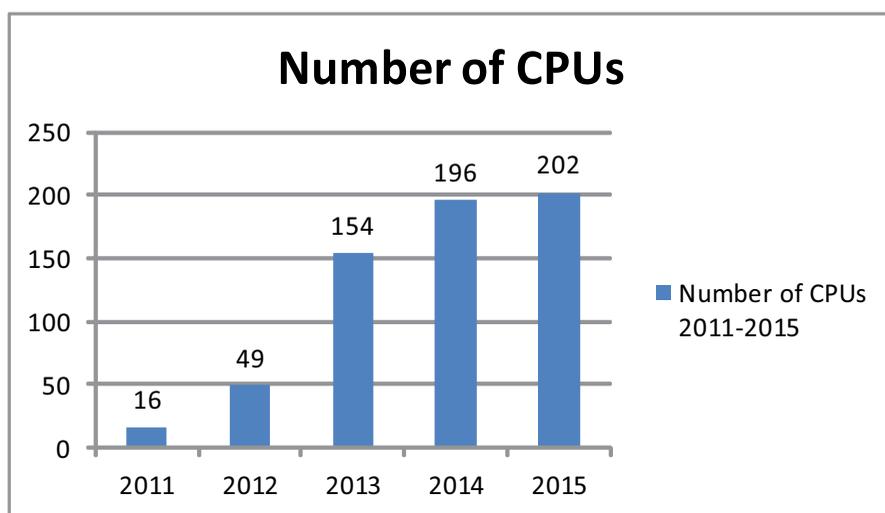
69. *Report on implementation of measures of the State Agency for Protection of Children’s Rights during January- June 2015.*

Case management of protection of children

The law on “protection of rights of children” institutionalises CPUs and CRUs as structures for coordination and provision of children protection services and case monitoring in cooperation with several other stakeholders in different fields, operating at local level.

CRUs as part of the structures within the Regional Councils were set up in 12 regions of the country by encouraging cooperation of local stakeholders in fulfilment of rights of the children.

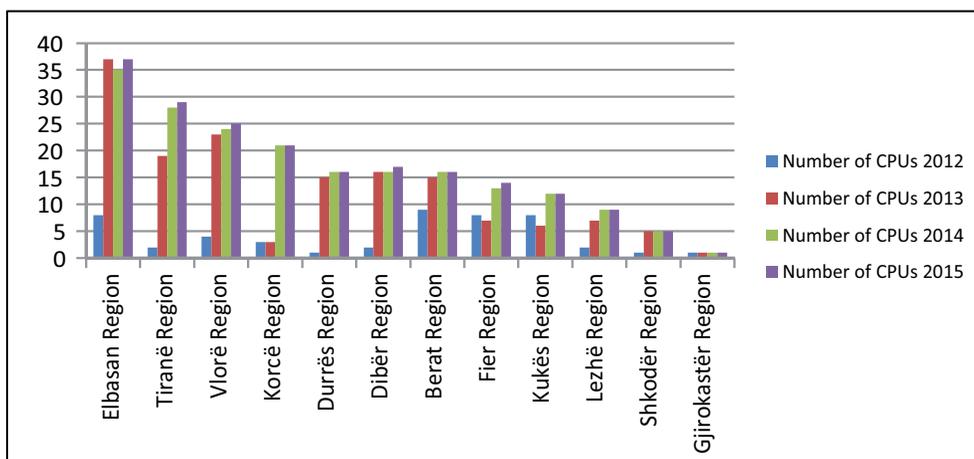
202 CPUs are reported to have been set up in 2015. This situation is expected to change because of the administrative reform. The establishment and functioning of CPUs, considering the 61 municipalities, needs to be re-dimensioned. SAPCR and partners in the field of rights of children are working for the new legal definitions and building of “sound” CPU structures concerning the lessons learnt so far for their effective functioning.



Source: SAPCR

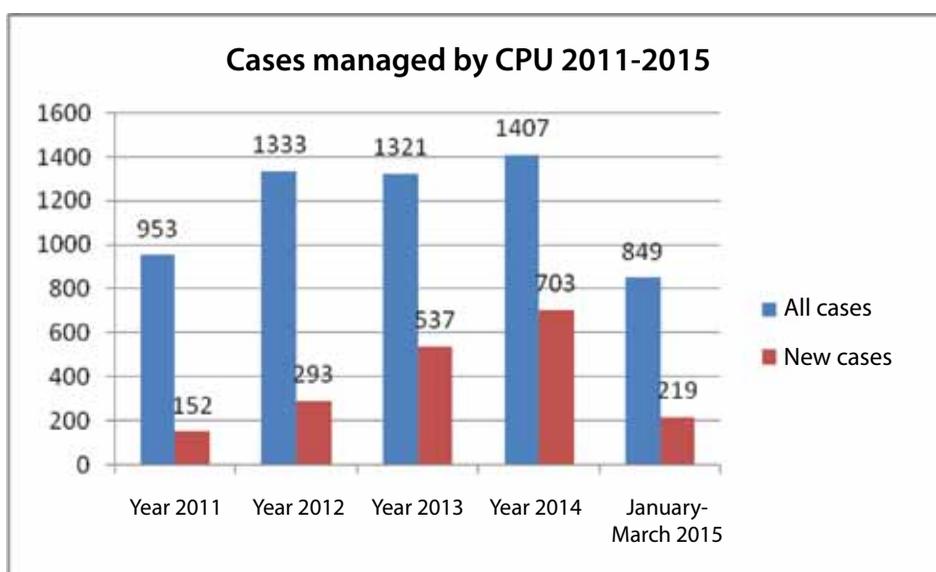
Currently, only 53% of the administrative units in the country (old administrative division) are covered by CPUs service. Distribution in regions has not been similar throughout the years.

Number of CPUs by regions in 2012-2015



Source: SAPCR

Case management is a standard method/system used to make sure that cases of children at risk are handled competently, in defined time limits and standards of services are fulfilled⁷⁰. CPUs guide the case management process in cooperation with all the other stakeholders necessary to address the needs of the case. The recent reports (January - March 2015) indicate that 131 CPUs have managed at least 1 or no cases at all. CPUs, during the same period, have reported the management of 849 cases of children at risk. Of these, 219 cases are new cases. The managed cases are mainly cases of children at risk or victims of violence, abuse, neglect or exploitation. The report analysis points out that, some of the vulnerability factors increasing the risk of children to be vulnerable to violence, abuse or neglect consist in: lack of identification documents or non-registration in civil registration office, migration and movement of children, discrimination, living in unsafe environment etc.



SAPCR in 2014 drafted a new instrument to monitor the work of CPUs on site. The following problems were observed after the field monitoring.

Structure and profile

- CPUs operate within the administrative structure of the municipality/commune as units of structures in charge of social issues and their establishment and functioning is the responsibility of the municipality/commune mayor, who has not always paid special attention to these units. This is the reason why only 53% of local units are covered by CPUs service.
- The criteria for employment of the CPUs, specifically their education and vocational training, have not been observed by the municipalities/communes during staff appointment.
- CPUs role is overlapped by other functions, mainly the role of social administrator thus weakening in some cases the CPUs role. CPUs of big municipalities operate mainly as special units.
- In order to provide integrated services to children and families it is important to define not only the roles and tasks, but also the manner of cooperation between the specialists of Directorate of Social Services in municipality: EA administration, CPU, specialist for persons with disabilities, specialist for domestic violence.

70. Joint 4 ministerial instruction "On manner, form of cooperation and procedure of intervention to assist children at risk".

CPU capacities

- Lack of respective education and experience of CPUs leads to difficulties in case management. Children protection staff must have the possibility to build own professional capacities especially for the field work.
- There is a great difference in the CPU quality of work. CPUs that have been operating for a long time by now, have developed very good practices, while the new CPUs have a lot of work to do in order to make the service effective and feasible.

Sources and services

- Even though the law defines the establishment of a “unit” (CPU) that provides a wide range of awareness raising and prevention services up to the management of cases at risk, currently such function even in the big municipalities is being performed by 1 person alone. Temporary vacancy of this staff member would create a gap in this service.
- CPUs receive no financial support from the local budget for the handling of cases. No emergency services in case of children at high risk are provided.
- The existing sources of service to children are only a few. CPUs fail to address the complex needs of children at risk.

Coordination and cooperation

- Often, even though CPUs are active in managing cases of children, support services that may be offered are fragmented.
- It is necessary for CPUs to promote their role in the community and to other local stakeholders. CPUs must serve as information centres for the children and the families.

Supervision

- CPUs are neither supported nor advised by qualified persons, especially concerning the management of difficult cases. Their heads are cooperative and help the CPUs even during the process of case management, but however, monitoring and supervision of work for case management by technical and qualified staff remains an issue of concern for all the CPUs.

The need to define a model for the functioning of new CPUs will be another priority for the strengthening of the current system of protection of children, a priority that will be aimed at through creation of proper mechanisms of CPUs control; definition of standards and a methodology for monitoring services provided by CPUs; ensuring allocation of necessary budget for the CPUs functioning; strengthening and building capacities of staff for protection of children; approving the regulation for the functioning of multi-disciplinary groups at local level dealing with children. A deep assessment of the system of protection of children will be undertaken in the framework of the Territorial Reform and Social Service Reform.

Other topics related to protection of children

Prevention of school violence

Children in Albania face different forms of domestic violence, school violence and community violence. There is an increasing trend to identifying cases of school violence, as there is greater awareness among the children of their rights. Moreover, during the last year, because of the communication technology, cases of violence and bodily punishment in schools have been made public.

Youth report cases of physical, emotional, psychological violence in the school and in the family. There are less cases of physical violence but more cases of psychological violence as the youth is must more aware of possibilities to report violence. Violence among the youth themselves is increasingly an issue of concern⁷¹.

Action Plan for Children 2012-2015 includes protection of children from school violence as an important component of protection. In this context, implementation of COMBI programme:⁷² “For a friendly, positive behaviour school” is focused on the right of children to be protected from violence and abuse. The educational structures at level of Regional Educational Directorates (RED/Educational Offices (EA), schools and kindergartens have been informed of this programme with the assistance of UNICEF, Ministry of Education and Sports (MES). 66 regional orientation sessions in all the REDs in the country have been held, 2645 principals and deputy-principals of schools, teachers, psychologist, RED/EA staff have been trained⁷³. For the purpose of the programme, there have been drafted communication instruments and materials accepted even by the State Inspectorate of Education.

A specialist responsible for the handling of problems of violence in educational institutions is assigned to each RED/EO. He/she coordinates the work with SAPCR and reports to the MES cases of violence observed in educational institutions, their treatment and measures taken to reduce violence. Moreover, a violence-related educational package is distributed to schools. It contains a programme for the education about prevention of violence, and also teaching activity for the classes 1-12 of undergraduate education. The academic year 2015-2016 is the year of “Violence-free school” which will focus especially on addressing violence at school.

During these years the focus has been on providing psycho-social services to schools in order to address better the needs of children, school staff, parents and community. In implementing law on undergraduate education 69/2012, the school does not provide psychological service only, but also social worker service. Currently, the psycho-social service operates all over the urban area and step by step it is being extended to the rural area, starting with school that have a considerable number of students. However, the service encounters problems because of lack of adequate resources and capacities to cover educational institutions. In order to address these problems, a working group has been set up to review the legal package and draft the documentation of the psycho-social service in the undergraduate educational system.

During 2012, Terres des Hommes Foundation and RED focused on capacity building through training of school psychologists, school principals, and promoting initiatives within the school related to promotion of protection of children. Trainings about the following topics have been organised: “Individual and group consultation of school children; technique”, “Physical and sexual abuse of children; identification and address;”, and it has been provided a training to the school principals “Communication between local actions at school; students, teachers, parents and school board in a friendly and safe environment to protect children in school premises⁷⁴.

71. Meeting with the children of the Youth Centre, Tirana

72. COMBI – communication for behavioural impact

73. Annual Report on Monitoring the Action Plan for Children 2011- 2012 SAPCR

74. Ibid.

Registration

Children who have not been registered with the civil registration office are one of the categories mostly exposed to different abuse or crimes. Facilitation of procedures for registration and supporting families to register children are an important activity for protection of children. An important achievement to be mentioned is the Instruction⁷⁵ on “Approval of the procedure and minutes of meetings to be filled in by representatives of State Police and Municipalities/ Municipality Units/Communes, in case of children found and children who are not registered in the Civil Registration Office”. This instruction reduces the number of cases of children who are not registered, who are found and who are abandoned by the mothers. In order to implement the above-mentioned Instruction, there have been approved the Standard Operating Procedures⁷⁶ for “Registration of Children who are not registered with the Civil Registration Office”⁷⁷ that facilitate the process of registration of children and create the necessary space for their registration.

Ministry of Health approved the “Birth Assistance- Certificate”⁷⁸. In cooperation with the Ministry of Internal Affairs, (MIA), this document adds important elements including the identity number of the mother and her maiden name, thus enabling better identification of childbirths⁷⁹.

Legislative amendments and feasible measures introduced as of 2008⁸⁰ have contributed to the reduction of the number of unregistered Roma children, as the most evident category of this phenomenon. During the period 2010-2013, there were completed over 1700 cases of civil registration, by improving access of Roma community to social services. According to the authorities, there were only 150 cases of non-registered children⁸¹ in September 2014. However, it remains also the problem of cases of children born out of wedlock, children of parents who have not entered into a civil marriage etc.

Safe Internet for Children

Child safety online is a new issue in Albania that has been given attention only during the last years. Currently there are no practices for awareness raising over safety of young children and teenagers. Moreover, the existing law on protection of rights of children does not foresee protection from possible dangerous internet use. Even the youth⁸² report problems concerning online safety, as according to them: often children play online without parent’s supervision or control, parents have no information technology knowledge, and sometimes the youth are involved in conflicts because of social networks.

In 2013 it was adopted the Code of Ethics⁸³ “On the safe and responsible use of electronic communications network” by electronic communication operators. The National Agency of Information Society (NAIS) in cooperation with respective Ministry coordinated the process for

75. Instruction no. 7, dated 10.01.2012

76. Order No.173, dated 27.04.2012, of General Director of State Police,

77. Annual report on monitoring of the Action Plan for Children 2012-2015 for the period June 2012- May 2013, SAPCR, MLSAEO.

78. Order no. 508, dated 07.12.2011

79. Ibid.

80. Fourth ECRI report to Albania, pg 28.

81. ECRI (European Commission against Racism and Intolerance) Report for Albania (fifth monitoring cycle). 2015

82. Meeting with the youth of the Youth Centre, Tirana

83. DCM no. 182 dated 13.03.2013

the drafting and approval of the Code of Ethics, signed on 7 February 2013 by the main electronic communications operators in the country⁸⁴. Through this Code they make sure that the commercial content offered by or through them will be controlled and classified within the relevant context. Commercial content will be marked to distinguish whether it is appropriate for the persons under 18 years of age. According to this code, they commit themselves to informing children and parents about the use of network or internet services, by posting the Instructions for the parents on their websites. The Code of Ethics of these operators is the first step, but the drafting of an appropriate legal framework to ensure safe internet to children is of special importance⁸⁵.

The amendments to article 117 of the Criminal Code in 2013 define the keeping or use of pornographic materials to be a criminal offence. On 11 February 2014, Minister of Innovation and Public Administration in cooperation with NAIS signed, on 11 February 2014, two Memoranda of Understanding concerning cooperation between the National Agency for Internet Security (ALCIRT), Electronic and Postal Communications Authority, Commissioner for Personal Data Protection, mobile phone operators⁸⁶. In the future it remains to be monitored implementation and effectiveness of these instruments.

The National Agency for Internet Security (ALCIRT) in cooperation with the Minister of State for Innovation and Public Administration started working on the draft Policy Document on Cyber Security 2015-2017 through an inter-institutional consultative process. The aim of this Policy Document is to review and coordinate the obligations deriving from commitments undertaken for a safe cyberspace so as to ensure coordinated fulfilment of responsibilities by all the stakeholders.

Commissioner for Personal Data Protection is part of the international working group “On digital education” which inter alia aims at drafting a document on the methodology of awareness raising of the right of protection of privacy⁸⁷.

Online safety and protection of rights of children is integrated in the curricula of information technology and communication (ITC). The ITC subject is being piloted in the primary education. It is an important subject of the school curricula which serves even as a cross-subject to all the other subjects of the curricula and helps the development of digital competence to all the students. ICT subject special topic is “Online protection and safety of students”.

SAPCR in the framework of the Safe Internet days⁸⁸ has organised several activities. During the national forum “Internet that we want” it has been presented a draft resolution with advice to children and parents of how internet that they want in Albania should be. Moreover, several discussion topics were organised in the media to talk about the risks emerging from internet use and some of the ways to be used by parents to identify or face those risks threatening their children. There have been organised information activities and meetings in schools to discuss about the risks that may emerge from the use of internet and also awareness raising activities targeting children as regards internet use.

84. Annual report on monitoring of the Action Plan for Children 2012-2015 for the period June 2012- May 2013, SAPCR, MLSAEO.

85. Ibid.

86. Midterm review of Indicators of the Progress of National Action Plan for Children 2012-2015, SAPCR, Save the Children

87. Annual Report 2014. Commissioner for the right to information and personal data protection

88. Report on implementation of measures of the State Agency for Protection of Children's Rights during January- June 2015.

Children in street situations

The national study about children in street situation in Albania, supported by UNICEF and Save the Children highlighted this phenomenon which was not deeply explored in the past. The findings of this study were used by different stakeholders for the drafting of programmes and interventions.

SAPCR in order to address this phenomenon has coordinated the drafting of the Action Plan “*On identification and protection of Children in street situation*”⁸⁹, based on the agreement signed by MSWY and Mol. This plan provides for measures aiming at protection of children from all forms of abuse, exploitation and neglect, through a complete and integrated approach and a cross-cutting coordinated intervention with the social service, education, health, employment structures etc, dealing with the protection of children and strengthening of their families. This agreement, in 2015, was extended to include even Ministry of Education and Sports, as one of the main institutions for the integration in school of children in street situations.

Implementation of the Action Plan for Children started in May 2014 in Tirana where the problem was most evident. According to the Cooperation Agreement and for the purpose of coordinating the institutions under the initiative, a Task Force for Tirana has been set up with representatives from: Agency of Children, SSS, National Employment Service, National Anti-Trafficking Coordinator, General Directorate of Police, Regional Educational Directorate, Regional Health Authority, Municipality of Tirana and other NPOs in the capacity of the observer.

The Agency monitors the progress of the Action plan for children in street situations and coordinates regular meetings of the Task Force. As of May 2014 until now, 6 progress reports have been submitted and 6 regular Task-Force meetings have been organised⁹⁰. At the same time, the Task Force stakeholders are obliged to report of the assigned tasks and addressed problems which emerge from the field and find institutional solutions, so as to help children and families in street situation. The addressed problems have been solved thanks to cooperation, while other problems remain constant challenges.

Based on the reports, it results that **field teams have been set up in municipality units of Tirana** where a considerable number of children has been identified⁹¹. The field teams consist of the respective CPUs of municipality units and a social worker from the Agency of Children, State Social Service and partner NPOs in implementing the Initiative, ARSIS, SHKEJ, FBSH, Different and Equal, Save the Children.

The Police Directorate in Tirana and police commissariats have been willing cooperate in the framework of the initiative for the children in street situation. The positive impact of this cooperation is seen as of the start of implementation of this initiative. In the following months, it has been insisted to strengthen such cooperation, as in some cases, the coordinating Core team and the CPUs may not manage the situation without police assistance. These are cases where families in street situation are reluctant and refuse to be helped or removed from the street together with their children.

89. National report on the situation of children's rights in Albania, 2013-1014 Unicef

90. Report on implementation of SAPCR measures during January - June 2015

91. Report on implementation of the Action Plan for identification and protection of children in street situations. SAPCR

Under this Initiative, 60 professionals have been trained about working with children in street situation, including CPUs in Tirana, police employees and civil society organisations that are part of the field teams.

The Core team for coordination of the Action Plan in Tirana is located in the SSS and it coordinates all the field teams and other necessary stakeholders. The Core team plays as well an active role in supporting, coordinating and providing direct expertise in the work of all the field teams. The Code team has created and updated the database for children in street situation, through which it is monitored progress and steps followed for each child and family.

Some of the services provided to families in street situation during case management consist in: counselling, service provision by day-care centres; enrolment of children in schools, kindergartens, nurseries; provision with certificates; vaccination of children; document transfer; food package; application for economic aid; intervention for medical assistance; referral and mediation for employment in the Employment Offices.

Given the positive experience in Tirana and the need to extend intervention, on the proposal of SAPCR in broad consultation with the stakeholders of institutions and not-for-profit organisations, the Action Plan for Children in Street Situation 2015-2017 has been updated. In 2015, the model of Tirana started to be applied even in 3 other municipalities: Durrës, Elbasan, Fier.

SAPCR in cooperation with the municipality mayors and local stakeholders has coordinated the implementation of the Action Plan for children in street situation in three municipalities Durrës, Elbasan, Fier. Meetings have been held with the mayors of municipalities and local stakeholders. The field teams have been set up in three new municipalities and the responsible persons for their coordination have been assigned.

SAPCR in cooperation with OSCE has organised training with representatives of field groups, concerning modus operandi for children in street situation in the municipality of Durrës, Elbasan, Fier. In cooperation with the National Anti-trafficking Coordinator in the region of Durrës, Elbasan, Fier, Korçë, there have been organised training sessions with the topic “Children in street situations, identification of cases of internal trafficking”. Challenges and solutions”. The aim of such training is to inform in detail of the functioning of the model of implementation of the Action Plan for Tirana and cooperation with the anti-trafficking structures for the children in street situation⁹².

For the purpose of implementing the Action Plan, 485 children have been identified and it has been made possible their removal from the street situation and 222 children have been taken under protection.

SAPCR, at the start of the academic year 2015-2016, in cooperation with the Ministry of Education and Sports has worked to identify and enrol in school the children in need, especially children in street situation who are in a transit process from the street to their integration.

Children Protection Units in cooperation with RED, schools and community has identified the children who are not enrolled in schools in 2015-2016. Some of the children over 9 years old had

92. Report on implementation of SAPCR measures during January - June 2015

never attended school. The lists collected by SAPCR have been sent to Ministry of Education and Sports to follow the registration of children.

Children involved in labour

Amendments to the Criminal Code (April 2013) define the exploitation of children for labour as a criminal offence. In order to support the legal improvement, a cooperation agreement was signed in 2014 between the Ministry of the Interior, State Inspectorate of Labour and State Police “On procedures of cooperation and identification of cases of forced labour and trafficking for purposes of labour exploitation”.

The strategic document “On health and safety at work 2014-2020” drafted under IPA 2010 is about to be finalised. The aim of drafting this strategic document is to create a clear course of actions for the main stakeholders for the future development and orientation of safety and health at work in Albania. One of the objectives is increasing the number of parties involved actively in the promotion of SSHP and strengthening of their role in this effort. It is a common framework for cooperation, roles and tasks of the Government, certain ministries, institutions, inspection bodies, social partners and other stakeholders. SAPCR has advocated to have specific activities in this strategic document so as to include in the curricula of the primary and secondary education terminology about the main concepts for a safe and healthy work.

Children on the move

SAPCR, for the first time in 2013-2014, in cooperation with Terre des Hommes and Save the Children is committed to coordinating implementation of MARIO programme in Albania, focusing on protection of children on the move. Initially, it has been documented the situation of children on the move in Albania, by providing for a legal, strategic, structural, pragmatic view and case-related capacities. Such analysis has been useful to formulate recommendations in order to change the situation. The process has been comprehensive to ensure participation and integrated approach.

In this framework, upon the initiative of the National Anti-Trafficking Coordinator, several multi-lateral meetings⁹³ have been organised in Greece (16-17 March 2015) to assess the situation of children on the move from Greece, Albania, Romania and Bulgaria. The representatives from four countries introduced the analysis of situation of children on the move. The speakers were focused on the functioning of the national systems of the respective countries and the parties involved in the protection of children, responsibilities, obstacles and procedures of return of children to the member states. Several recommendations were made during the meeting and they will be submitted to the member states in order to improve the situation of children on the move, even in Kosovo. As a result of the meetings the reduction of cases of unaccompanied children (return without notification) deported from Greece may be mentioned.

The Albanian legislation does not define “unaccompanied minor or separated minor” except for the term used for the aliens in the law on aliens 108/2013, article 3/31⁹⁴ and law on asylum

93. Ibid.

94. “Unaccompanied minor” is the alien who enters the territory of the Republic of Albania unaccompanied by an adult person responsible for him/her, according to the law, and during the period he/she is not under the custody of an adult person or the minor is left unaccompanied after entry in the territory of the Republic of Albania.

121/2014 Article 3⁹⁵. The Albanian legislation for children⁹⁶ provides for no special legal provision to specify the form of protection guaranteed to unaccompanied minor or minor separated from the parents, unless there are trafficking elements in place. It seems that the concept and obligations to “unaccompanied minor” are almost unknown to CPUs. The trend of unaccompanied minors to leave outside the border of the Republic of Albania is consistent. It is not easy to determine the number of children who have been trafficked. Unaccompanied minors are vulnerable to abuse, exploitation and exposed to high risk of trafficking. According to the Standard Operating Procedures for the Victims of Trafficking and Potential Victims of Trafficking, unaccompanied minors are identified as victims or potential victims of trafficking and they must be referred to the National Anti-trafficking Authority⁹⁷ for support and further investigation.

SSS concerning **children at risk and repatriated children**⁹⁸, has entered into inter-institutional cooperation with the General Directorate of State Police by signing the Joint Order no. 332/3, dated 07.03.2014 “On reception and social treatment of unaccompanied minors who are returned/readmitted from other countries”. The order must be improved to include other important institutions in this process, including Ministry of Foreign Affairs and key structures of protection mechanism, CPUs⁹⁹. SSS has reported about the drafting of 11 assessment reports in 2014 and 19 assessment reports in the first semester of 2015.

An assessment of the situation of unaccompanied children in the country¹⁰⁰ identifies the necessity for drafting a platform for the handling of problems for this category of children, and also drafting standard procedures for their identification and protection.

IOM in cooperation with the Department for Border and Migration in the State Police and based on the above-mentioned analysis, has organised 4 workshops with the staff of border and migration police and social workers of the State Social Service (SSS) in the region of Gjirokastra and Korça concerning reception and referral of unaccompanied minors to protection services, especially minors in vulnerable situation against exploitation and trafficking (Roma children for example). The workshops have combined presentation, discussion of the political framework and practice of the United Nations¹⁰¹ and European Union on the reception and treatment of unaccompanied minors with the legal framework and Albanian practice in identification, referral and protection of unaccompanied minors who are returned to Albania¹⁰².

95. “Unaccompanied minor” is the alien or stateless person under 18 years of age, who enters the territory of the Republic of Albania unaccompanied by an adult person responsible for him/her, according to the law, or tradition, or a person left unaccompanied after entry in the territory of the Republic of Albania, and during the period he/she is not under the custody of an adult person.

96. Law on Protection of rights of children

97. Decision of Council of Ministers no. 258 on Standard Operating Procedures for the Identification and Referral of Victims of Trafficking and Potential victims of trafficking 27.7.2011

98. According to the definition and implementing the tasks of Strategy for Re-integration of Albanian returnees, 2010-2015

99. Document for discussion in the round table, 7 July 2015, Ministry of Internal Affairs

100. Lenja, V. 2015. Profile of situation of unaccompanied minors and efforts for social inclusion. Tirana: Swiss Cooperation, MSWY, UN, MI, IOM

101. It was deemed necessary the translation and distribution of Comment no. 6 of the CRC of UN Committee on the Rights of the Child “*Treatment of Unaccompanied and Separated Children Outside their Country of Origin*”

102. Document for discussion in the round table, 7 July 2015, Ministry of Internal Affairs

Trafficked children

According to the Anti-Trafficking National Coordinator the number of trafficked children in 2012 was 26 children. In 2013, such figure was 43 children and in 2014 the number of trafficked children was 62.

As regards internal trafficking of children and handling of other problems of children in street situation, together with the Minister of Social Welfare and Youth, the National Anti-Trafficking Coordinator has drafted an action plan that contains clear and concrete actions and also time limits for their implementation. This plan was formalised with the signing of an Understanding Agreement between the stakeholders on 17th September 2014. A workshop with the topic “Fight against internal trafficking of children: challenges and solutions” was held on 14 July to handle properly this phenomenon. This activity which convened for the first time the prosecutors, regional state social service workers, inspectors of the state inspectorate of labour and anti-trafficking police employees was held in the premises of the Police Education Centre, Tirana¹⁰³.

Upon approval of the new law “On state police”, additional guarantees are offered for full protection and support to victims of trafficking, especially children. Article 17/g foresees identification, protection and referral for assistance of victims of trafficking to the respective authorities.

Prime Minister’s Order no. 179 dated 19.06.2014 “On establishment of the State Commission against Trafficking in Persons”, the State Anti-trafficking Committee is extended by new members. Such mechanism which is the most important tool at political level is responsible for defining the strategic priorities that shape anti-trafficking actions in Albania.

In order to ensure proactive identification and referral of potential victim/s of trafficking, Joint Instruction no. 3799 dated 08.07.2014 of Minister of Internal Affairs, Minister of Education and Sports, Minister of Health, Minister of Foreign Affairs and National Coalition of Anti-trafficking Shelters reorganised and extended the Responsible Authority by adapting its role and tasks with the Standard Operating Procedures. A reorganisation of the Responsible Authority (RA) aimed at supporting effective implementation of agreements signed for the protection of and support to children victims of trafficking, functioning of National Referral Mechanism and monitoring of implementation of the future bilateral and/or multilateral agreements between Albania and other countries in the region and wider concerning issues of trafficking in human beings.

The Albanian government assesses and supports the efforts and services provided to victims in fight against trafficking in persons, their protection and re-integration in society. The Albanian government has allocated a fund of 10 thousand ALL to the centre “Another Vision” for protection, assistance and reintegration of children victims of trafficking and children at risk¹⁰⁴. The fund has been allocated by the MSWY.

103. http://www.punetebrendshme.gov.al/files/programs_files/Materaili_i_MPB,_në_kuadër_të_takimit_të_Komitetit_të_Stabilizim_Asociimit,_Mars_2015

104. Ibid.

Sexually abused and exploited children

The studies show that the problem is very often concealed and reports by institutions are few. All over the country services and specialised programmes with sustainable funding, professional and trained staff as part of an effective and efficient intervention mechanism are missing.

MSWY, in order to support the reform of social services, in cooperation with the SAPCR, Terre des Hommes, UNICEF has initiated a three-year programme for the establishment and support of a child-focused integrated system which aims at protecting the child from any form of abuse, exploitation. Currently, it has started the training and capacity building of CPU, social administrators, educational staff (teachers, psychologists and principals), police representatives, medical staff, judicial staff, prosecutors and other staff to help in identifying and handling cases of abuse of children, especially sexual abuse. As a result of this initiative, work is being done to build a specialised, functional and qualitative service for the children victims of serious forms of abuse, especially sexual abuse and exploitation.

Council of Europe started monitoring the implementation of the Lanzarote Convention “Protection of Children against Sexual Abuse and Sexual Exploitation”. The first phase of the monitoring is focused on cases of sexual abuse of children in the circle of trust. The 12th meeting of the Committee to discuss the draft monitoring report was held from 15-17 June 2015. The report will contain recommendations for all the states. Moreover, during the last meeting, the Committee adopted an Opinion “On solicitation of children for sexual purposes through the information technology and communication”

With ICITAP and Save the Children support, it has been organised the training “Standard procedures to be applied in case of sexual violence against children”, which beneficiaries were police employees, prosecutors, health staff, etc¹⁰⁵.

Children and Media

SAPCR monitors on daily basis the print and visual media in order to identify child-related problems. It is of concern the way the media has analysed the events and described the children. The legislative and regulatory framework about the audio-visual media clearly determines the responsibilities of the media for the respect of rights of children. Media has the obligation to prohibit the broadcasting of programmes that may seriously impair the physical, mental or moral development of minors and it must strictly observe the privacy of children. In some cases, media reports or broadcasts provide details that lead directly or indirectly to identification of the child-victim. Very often it has been an obstacle to the rehabilitation and re-integration of children to a normal life, but it has also had a negative impact on the climate or relations within the family.

105. http://www.punetebrendshme.gov.al/files/programs_files/Materaili_i_MPB,_në_kuadër_të_takimit_të_Komitetit_të_Stabilizim_Asociimit,_Mars_2015

Recommendations

Strengthening the system of protection of children at risk for all the categories of children. Providing necessary mechanisms and sources to make possible their protection. Increasing number of CPUs by recruiting employees for protection of children who have the proper profile (social workers) and adequate number of employees. Administrative units must consist of employees in charge for protection of children.

Drafting new policies focused on the building of an integrated and comprehensive system for protection of children, including definition of clear responsibilities at central level concerning policy-making, coordination, implementation and monitoring. Drafting policies which focus is prevention of all forms of violence against children and also protection of children in different contexts, including online protection of children, protection of children in institutions and in the family.

Building a unique system for data collection, by avoiding overlapping of cases and data disaggregation so as to inform about the situation of children and inform policy-makers.

Improving of the legal framework focusing on the protection of children. Defining clearly in the law the responsibilities of different structures at local level concerning the mechanism of response to risk situations threatening children. Defining in the law the obligation to report cases of children alleged to be subjects of violence, abuse or neglect. Defining clearly in the law the categories of children at risk who are subject of protection measures and defining clearly the protection measures for different categories of children at risk.

Improving the legal framework in order to clarify the procedures and forms of cooperation for identification and referral of children in street situations, protection and re-integration of children in conflict with the law.

Improving professional level of the employees providing child protection services in the sector of social services, order, education and health services. Building capacities and promoting cooperation between the professionals of the Multi-disciplinary Technical Groups at local level. Building capacities of structures at local level for the effective implementation of the four ministerial instruction concerning the procedures for protection of children and quality standards of CPUs service. Defining the job description of employees dealing with protection of children. Building support, motivation, monitoring and assessment CPUs mechanisms, in order to improve service quality.

Providing specialised and integrated services for special forms of abuse, including sexual abuse where social workers, psychologists, lawyers, police employees, prosecutors and judges cooperate for the best interest of the child.

Strengthening coordination and monitoring role of SAPCR and also supporting by adequate human, technical and financial capacities to fulfil effectively the interventions for the rights of children at national and local level.

Promoting rights of children in order to change the social rules for respect for the rights of children at any environment/context.

Promoting participation of children in all the processes linked to their protection. Raising awareness of professionals, parents, communities, children on the consequences of violence in well-being and welfare of children, the need to report and early identification and also mechanisms to request assistance.

The right to development and education

Education is an essential factor of sustainable development of human resources, economic welfare, and development of universal values and improvement of quality of life at individual, family and social level. The student-oriented educational system encourages sustainable economic development and serves to consolidating democratic society.

The report on the Convention on the Rights of the Child (2012) recommends states to increase funding in the education sector; develop effective and sustainable programmes for attracting students who abandon school; invest in the training of teachers and maintenance and reimbursement of the educational infrastructure, especially in rural areas; make sure that Roma children, children with disabilities have access to comprehensive pre-school programmes to facilitate socialisation and early age learning; ensure access to compulsory education throughout the years of education for all the children¹⁰⁶.

Action Plan for Children 2012-2015 is focused on creating an environment that fosters early childhood development of children, a comprehensive educational system and increasing participation of children in the decision-making process in the school and outside the school. Measures in this sector are based even on measures defined in the Strategy of Pre-University Education Development.

International instruments support the importance of interventions for the **early childhood** (0-6 years) care and development with a considerable impact on further positive achievements related to children. In Albania there is no specifically environment appropriate to this age group. There are limited mechanisms to harmonise multi-sector policy-making for the promotion of development of children under 6 years of age¹⁰⁷.

Parents report¹⁰⁸ several concerns when they bring their children to the nurseries, they fear that no necessary care will be provided to children, the number of children in a nursery class is high, and sometimes they cannot afford paying for the nursery. Mothers on the other hand say that they need to work, and in order to have more time to care for themselves and their children, the children have to follow the educational programme of the nursery and kindergarten and there are cases of poor families where the child may be fed better in the kindergarten/nursery than in the family.

Services for **care and development of children 0-3 year** have been organised in nurseries (public and private). Nurseries are administered completely by the local government¹⁰⁹. Nurseries are defined as institutions responsible for the overall growth, education and development of children up to 3 years¹¹⁰. The document on the hygiene-sanitation regulation in nurseries determines the standards for security, infrastructure, hygiene and feeding. Recently, the feeding component (menu) is updated, followed by monitoring mechanisms of quality control¹¹¹.

106. Committee on the Rights of the Child, 2012. CRC recommendations

107. World Bank (2014) "QSRMA Report – Development in Early Childhood", Tirana, Albania.

108. Meeting with parents in the Municipality Unit no. 6 Tirana.

109. Law no. 8652, dated 31.7.2000 "On organization and functioning of the judicial power"

110. Hygiene-sanitation regulation (26.10.1994) "On establishment and functioning of nurseries" Ministry of Health and Ministry of Environment

111. <http://www.shendetësia.gov.al/al/publikime/shendeti-publik/dokumenta-mpi-shendetin-publik>

Number of nurseries and children attending this service is unknown even though the local government must report such data to the SAPCR¹¹². For the first time, data is available about 46 Roma children registered in 9 nurseries in 2014¹¹³.

The current situation and the needs for change in the framework of organisation and provision of service to children 0-3 years are reflected in an assessment report supported by UNICEF¹¹⁴. Its perspective is implementation of standards of development of children focusing on education and it contains recommendations to promote child care, development and education. Knowing the needs and problems of children services in nurseries is considered a positive step, taking into account the “darkness” existing so far in relation to service provided to this age group, concerning both enrolment rate and quality of received services.

In cooperation with national and international experts, supported by UNICEF, the physical standards of construction of nurseries have been drafted and they respond to the early childhood development needs according to contemporary standards¹¹⁵, but currently they are not integrated into the regulatory documents of Ministry of Justice.

Standards of care and development of children 0-3 years have been developed by a group of professionals in cooperation with the Ministry of Health and Education supported by UNICEF, but still they are not approved by any Municipality Council in the country.

Pre-school education (public and private) is organised in kindergartens and preparatory classes teaching children 3-6 years. Preparatory classes function mainly in primary education schools and are attended by children aged 5 who have not attended pre-school education. In 2012¹¹⁶ the net enrolment rate of children in kindergartens in proportion to the population (NER) was 76.3%.

An important achievement in pre-school education is the completion of the drafting of Standards of Early Development and Education. Through international expertise support and UNICEF assistance, such standards are compared to the most contemporary field standards.

Further to this, the Draft Strategy of Pre-University Education Development 2014-2020 defines several interventions to pre-school education in Albania, aiming at:

- universalising pre-school year (5-6 years) in Albania until 2018;
- preparing the pre-school curricula based on the standards;
- drafting the training package for the teachers;
- specifying monitoring/assessment indicators of quality and learning results;
- presenting a new philosophy of inclusion of special pre-school groups and preparatory classes (Roma children, Egyptian children, persons with disabilities, national minorities etc).

112. DCM no. 267 dated 12.04.2012 “On type, manner of exchange of information and statistical data required by the SAPCR and State structures responsible at central and local level”.

113. CRCA, YWCA, Observatory (2014), “National Study - Roma children access to education and health services”, UNICEF, Albania

114. Haxhiymeri E., Ndrijo M., Hallkaj E., Boci A., (2013) “Assessment of health care institutions’ capacities, nurseries and residential care institutions for children of age group 0-3”, UNICEF, Albania, November 2013.

115. <http://www.unicef.org/albania/Standartet-e-Cerdheve.pdf>

116. INSTAT sources, figure available only for 2012.

MES, MSWY and UNICEF have cooperated to improve early enrolment of Roma children of pre-school age in Albania under the intervention “*Every Roma child in the kindergarten*”. Facilitated by MES instruction¹¹⁷ on priority enrolment of Roma children in kindergartens and constant monitoring of the enrolment situation, over 3000 children have been enrolled during the period September 2013- September 2014.

Under such initiative, all the local undergraduate educational institutions prepared for the first time an action plan to increase enrolment and integration of Roma children in kindergartens during 2014-2015¹¹⁸. In concrete terms, the action plan contains: tangible objectives, Roma community statistics, and data about Roma children 3-6 years.

Each RED/EO must document progress and development of the initiative. Moreover, RED/EO are in charge of cooperating with the main local government units in order to manage cases of parents who do not have the necessary documentation; monitor cases of kindergartens and schools where no Roma children are enrolled, even if the latter live in their jurisdiction; monitor the work of kindergartens and schools for integration of registered Roma children; ensure special care from the psycho-social service to Roma children attending kindergarten and also give priority consideration to provision of transport to Roma children of pre-school age.

Primary education starts at 6 and lasts for 9 years. The number of students completing primary education and continuing high secondary education has reached the figure of 92%. Student- teacher ratio in primary education is approximately 1:16. Number of primary education private schools is 8.5%. Number of students attending private education constitutes 7.2% of the total number of students. Changes to the map of concentration of population have increased the number of students (especially in primary education) in the biggest urban centres and schools and reduced the number of students in rural areas. The possibility for concentration to another 9-year school is applied only in 321¹¹⁹ schools out of 1070 schools with joint classes (where the number of students is below 40).

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The draft strategy of pre-university education development 2014-2020 complies with the main trend of development of education in Europe and world. As such, it aims at: (i) improving quality of education to all; (ii) identifying main activities and planning necessary budgets; (iii) helping cooperation among the governmental agencies, partners and other groups of interest in education, in order to extend activity and investments to education, within the limits of a unified conception framework, planning and funding¹²⁰.

The recent legal amendments¹²¹ **introduce changes that reflect the current priorities of the government and harmonise concepts of the curricula framework, fundamental competences, purpose of undergraduate education, and structure of primary education.**

It has been drafted **the curricula framework** of pre-university education which is a product of harmonisation of the education policy of Albania and education policy of Kosovo and its

117. Ministry of Education and Sports, Instruction 21, dated 08.08.2014 “*On pre-school education enrolment increase by Roma children*”

118. <http://www.arsimi.gov.al/al/newsroom/fjalime/fjala-e-ministres-lindita-nikolla-ne-konferencen-kombetare-per-arsimin-e-femijeve-rom-nga-sfidat-drejt-mundesive&page=1>

119. Karameta, P. et al (2014) “Reform of pre-school education system” – Preliminary assessment report, Working group on reforming of the pre-university education, MAS

120. Document of strategy of pre-university education development 2014-2020 (draft). MES

121. Law no. 56/2015, “On some amendments to law no. 69/2012 “On undergraduate education system in the Republic of Albania”

central axis are the fundamental competences of lifelong learning. It has been drafted the core curricula based on the curricula framework, as the regulatory document of progress of further development of the undergraduate education curricula. The core curricula contains: learning results for each key competence and learning subject according to the levels of curricula, methodology of implementation of the curricula, assessment of students and timely distribution suggested for each subject.¹²²

It has been prepared the instruction entitled “**Case-studies-based learning, learning competence and situation**”¹²³, which presents the concept of learning situation, its role and functioning on the learning process, planning methods, format of the learning situation and also models of learning situations in different subjects for the class I and 6. This instruction aims at assisting the teacher, school principal and parents in designing and planning teaching activities that develop competences and lifelong learning and it contains role models of learning which serve as an orientation to designing and frequent planning by the teachers.

“School performance Card” and “Instruction on the school performance card” provides possibility for collection of data during the academic year. It guarantees quality of school offer through standard indicators and it serves as an instrument for self-assessment of school and inspection. The school performance card contains tangible, objective, verifiable and understandable indicators in the curricula learned and implemented, school management, development of human resources, climate and ethics, student’s care¹²⁴.

In order to improve teaching quality, support with instructions on the improvement of general standards of teachers¹²⁵ and criteria and procedures of qualification of teachers¹²⁶ has been followed by a new initiative of MES, “Teacher for Albania”. Such initiative aims at attracting the professionals in the systems and also managing human resources in undergraduate education, through the creation of the online employment portal.

For the purpose of inclusiveness, provision of education service to the Roma community members is based on *objective creation of equal opportunities at all levels of education system*, based especially on the implementation of the “National Action Plan for the Decade of Roma Inclusion 2009-2015”, and also on fulfilment of recommendations of the seminar on raising awareness about the inclusion of Roma community, in the context of integration of Albania in EU. The statistics talk about positive indicators in fulfilling the pre-determined aims and priorities in the sector of education. Thus, during the academic year **2014-2015**, **5766 Roma children, approximately 1601 more compared to the previous academic year**, have been enrolled in undergraduate education, and of them: **921** Roma children in pre-school education (**312** more than a year ago) of them **298** in preparatory classes; **4437** Roma students in primary education; **408** Roma students in secondary education. Free textbooks are provided to **3219** Roma students¹²⁷, but also other categories including Egyptian children, trafficked children, children serving sentence in penitentiary institutions and remand centres etc).

122. Annual Report 2014. IZH

123. Annual Report 2014. IZH

124. Order no. 477, dated 06.12.2014 on approval of the “School performance card” and “Instruction on the school performance card”.

125. MES, Instruction no. 5 dated 25.02.2013, “On general standards of teachers”

126. MES, Instruction no. 2 dated 05.02.2014, “On criteria and procedures of qualification of teachers”

127. <http://www.arsimi.gov.al/al/newsroom/fjalime/fjala-e-ministres-lindita-nikolla-ne-konferencen-kombetare-per-arsimimin-e-femijeve-rom-nga-sfidat-drejt-mundesive&page=1>

In order to increase inclusion of Roma children in undergraduate schools, it has been created the database for the registration of Roma children, age of compulsory education to attend school, kindergarten and school, from 2010 and ongoing.

MES with the support of various international and local stakeholders has implemented several initiatives focusing on the Roma family and children, including summer camps, catering at school, cultural activities, specific qualification for teachers¹²⁸. A regional project¹²⁹ will deal with exclusion and inclusion of Roma children and marginalised groups, by improving approach to early childhood, health and education development¹³⁰.

Involvement of parents in collegial bodies is encouraged in the school boards near the Roma community. 98 Roma and Egyptian parents are part of the school boards (out of 63 schools where Roma community children are enrolled)¹³¹.

Even after the consultation¹³², children report the organisation of comprehensive activities to increase their possibilities to participating. According to the children, their contribution is very important to identify activities that the children want based on the needs identified by them.

Drop-out rate continues to be a concern and the phenomenon of children currently outside the education system is quite evident. Mostly, children from the categories in need are the ones who do not attend primary education. The phenomenon affects mostly Roma girls and children of low income families, remote mountainous areas, girls coming from backward mind-set areas and areas experiencing social problems¹³³. In order to address school drop-out, the agreement¹³⁴ signed by MES, Ministry of Internal Affairs, MSWY and Ministry of Health is followed by specific instructions for the ministries and Joint Order no. 2, dated 5.01.2015 “On adoption of the regulation on implementation of the Cooperation Agreement dated 02.08.2013 “On identification and enrolment in school of all the children of the age of compulsory education”.

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It has been drafted instruction which determines organisation of the part-time primary education attendance¹³⁵. Such instruction is useful for the students who have reached 16 years of age and who have not completed the full-time primary education. In this context it is strengthened the right to have a “second chance” of the children up to seventeen years old, children who have abandoned school, who have interrupted studies or fail to attend school and who return to full-time primary education or attend part-time primary education.

Another instruction¹³⁶ aims at guaranteeing the right to attend full-time primary education, within the age of compulsory education, of children who for different reasons have not been enrolled on time, children who have interrupted their studies for more than two years.

128. National report on the situation of children's rights in Albania, 2013-2014

129. “Interruption of the cycle of exclusion of Roma children through early childhood development and education” is funded by the Austrian government and it is held during the period January 2013- December 2016 in Albania, Macedonia and Serbia.

130. Document of strategy of pre-university education development 2014-2020 (draft). MES

131. National report on the situation of children's rights in Albania, 2013-2014

132. Consultation with children of Zërit 16 +, Elbasan

133. Document of strategy of pre-university education development 2014-2020 (draft). MES

134. Joint agreement (2013) “on identification and enrolment in school of all children of compulsory school age”.

135. MES, Instruction no. 29 dated 02.08.2013 “On procedures of part-time primary education attendance”.

136. MES, Instruction no. 31 dated 02.08.2013 “On procedures of primary education attendance by students who have not attended at least two classes of primary education”

Even in the framework of the “School as community centre” programme, several measures have been taken to reduce the phenomenon of school drop-out. One of the supported successful approaches is the organisation of supplementary/extra classes to deter school drop-out by Roma children in cooperation with the local government¹³⁷.

Free textbooks are distributed to Roma students, students of national minorities, Albanian emigrant children, students from families receiving social assistance and those who have the status of the blind. Their purchase price is covered by the budget of the Ministry¹³⁸.

In order to improve *physical conditions/premises* in schools, build new schools and rehabilitate the existing ones, the data reported in 2013 witness of construction or refurbishment of 1336 educational buildings, of which 359 are new buildings and 977 are reconstructed buildings.

Concerning *teaching infrastructure*, the public schools are equipped with labs for different subjects including physics, chemistry, biology and geography, but in most of the cases they are non-functional. Non-functioning of labs is result of the insufficient quantity of laboratory equipment and necessary premises to set up lab classes. Not always do the lab equipment provided by RED comply with the requirements of the programme for such equipment, or the actual needs of the school¹³⁹. Moreover, improper coordination of schools and REDs, and also lack of funds has made it impossible to enrich libraries with new titles that foster, promote and attract students to reading.

Currently, the undergraduate education system consists of 1496 computer labs; therefore, in more than 1/3 of schools, students have limited capacity to obtain online information. Not all the computers in the existing labs are functional¹⁴⁰.

Collegial bodies are set up in almost all the schools inspected by National Inspectorate of Pre-University Education (IKAP) in 2013¹⁴¹, including: School Board, Parents’ Council, Teachers Council, Students’ Government and Disciplining Council, but their functioning continues to remain a constant challenge. Lack of effective cooperation with them reflects a missing “link” of the proper functioning of the educational institutions.

Currently, **secondary education** is provided as *general secondary education* (gymnasium), *professional education* and *oriented education*. Gymnasiums consist of 3 years of study, while education in part-time school lasts 4 years. The period of secondary professional education is organised in two, three and four years. Oriented education consists in foreign language schools and lasts 3 years, while secondary education in arts and sports lasts 3 or four years.

An increase in the number of students following secondary education throughout the recent years is observed. During 2008-2009, the attraction of students in secondary education marked 80% of students completing compulsory education, whereas in 2013-2014 such indicators amount to 93%¹⁴². However, percentage of attraction from the primary education may be considered low,

137. <http://www.arsimi.gov.al/al/neësroom/fjalime/fjala-e-ministres-lindita-nikolla-ne-konferencen-kombetare-per-arsimimin-e-femijeve-rom-nga-sfidat-drejt-mundesive&page=1>

138. Document of strategy of pre-university education development 2014-2020 (draft). MES

139. Gjedia, R., et al (2013) “Assessment report on the fields of school climate and student Care” IKAP

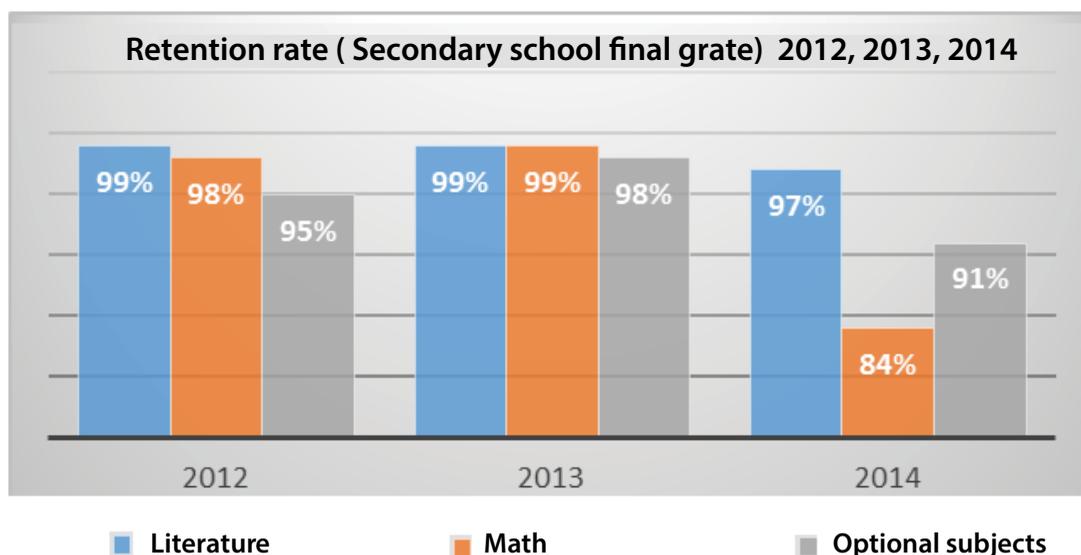
140. Document of strategy of pre-university education development 2014-2020 (draft). MES

141. Gjedia, R., et al (2013) “Assessment report on the fields of school climate and student Care” IKAP

142. Source: MES Statistics Office

compared to European standards (95-100 %). On the other hand, gymnasiums continue to face infrastructural problems, including overcrowdedness of classes in big towns or the lower number of students in rural areas, thus increasing expenditures per student in these schools.

The results of students represent the main indicator of quality and performance of the educational system, especially when this is linked to providing students with knowledge and competence to meet the requirements of the time. Following, you will see the results in three state exams of secondary school and 2 final exams of 9-year education (class. IX)¹⁴³ showing low values of the results reported recently.



PISA assessment data prove that the general performance of Albania remains low. Albania is almost one academic year behind countries including Bulgaria, Romania and Serbia and almost two years and a half behind (some 100 PVNN) the OECD average¹⁴⁴.

The psycho-social service in kindergartens and schools failed to meet the appropriate number of professional to address the needs of children, as foreseen in Minister of MES Order no. 344, dated 19.08.2013. Not all the educational institutions are staffed with specialists because of the limited number of professionals in the system, infrastructural difficulties or geographical position of schools.¹⁴⁵

According to order no. 382 dated 23.09.2014 a working group has been set up to review the legal package and draft the documentation of the psycho-social service in the undergraduate education. The working group has analysed the situation in support to the recommendations made by RED/EO and the suggestions issued from the national meeting on the psycho-social service; it has reviewed the order “On establishment of the psycho-social service units” and it has proposed necessary changes to organisation of structure of psycho-social service in undergraduate educational institutions”. The new draft order will describe the functioning of the psycho-social service in educational institutions. Based on this order, work will be done to draft

143. Report of State Matura results - NAE 2014

144. World Bank, (2014). *Quality of education and opportunities for skills development in Albania*.

145. Document of strategy of pre-university education development 2014-2020 (draft). MES

the job description of the school psychologist, social worker and unit supervisor; the manual of work for the psycho-social service will be prepared based on the respective order.

As of 2009/10, the system of **Vocational training education**(VTE) is organised 2+1+1, in order to provide to students both general education and professional education (theory and practice), preparing them for work and further education. VET consists of vocational training schools and vocational qualification centres. Vocational-technical training and education is provided in 53 schools (44 public, including branches in secondary general schools and 9 private school), located mainly in all the urban areas. Most of the schools provide for two up to four profiles, and only one fourth of all the schools provide more than eight vocational choices. Concerning infrastructure it is observed that the work premises of schools of old and in many cases teaching is delivered in completely amortised buildings.¹⁴⁶

The Albanian government in the new programme of the government during 2013-2017 has stated that it will apply a new model for the economic growth of the country during the next 15 - 20 years, based on the well- structured and processed policy, with a comprehensive range, in order to foster economic growth, ensure sustainability of its components, increase the domestic products and exports rate, and also create the conditions for the opening of new jobs in the most strategic economic sectors of the country.

In this framework, it has been drafted the Strategy for Employment and Skills 2014-2020 which has been consulted with the groups of interest. This strategy aims at promoting quality jobs and providing skills possibilities for all the Albanian males and females during the life cycle and it constitutes a very important step for the VTE system. In the context of this strategy, there have been drafted policies which aim at improving the perspectives for employment that will have a greater scope of application, while the programmes will target the persons who are in a more favourable situation in the labour market, especially individuals with lowest level in education and qualification, including females, youth, other vulnerable groups and persons who live in rural areas. Designing of a new framework for promotion of employment will ensure the use of effective policies and increased resources in the labour market.

The objectives and products of the National Strategy for Employment and Skills will become functional through the Action Plan and other documents of thematic planning, that have already been drafted and are expected to be approved together with the strategy. The Action Plan implementation will be supervised through mechanisms of indicators of achievement, which measure the active programmes of the labour market, determine the responsibilities for implementation and financial resources.

146. MSWY "Better skills and jobs for all females and males", National Strategy for Employment and Skills, 2014-2020

Recommendations

Support from central and local structures to ensure physical infrastructure, materials and equipment necessary to facilitate the development and learning process of children.

Providing care service and development of children (0-3 years) in nurseries through definition and implementation of contemporary and unified standards in all the municipalities.

Drafting and using standards as instruments to provide qualitative, effective, integrating and constant pre-school programmes to all children 3-6 years.

Improving mechanisms that ensure access to nurseries, kindergartens and schools, including the financial support scheme at central and local level to implement the right to development and education even for the children of the most vulnerable groups of the society.

Improving monitoring of follow-up and progress of children in kindergartens and school, in order to make possible that the most vulnerable groups including Roma girls and children with disabilities, follow the full education cycle.

Creating a support environment of care, development and education through improvement of comprehensive practices and psycho-social service in foster, development and educational institutions.

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Developing education programmes on restorative dialogue and mediation so as to prevent anti-social and conflicting behaviour in the school ages.

Extending and improving the implementation of “community school” programme, by underlying institutionalisation of education programmes and involving parents, children and community in general.

Improving the psycho-social service in schools and connecting the school system with the children protection system.

Improving curricula of secondary professional education and creating possibilities for practising of skills learned in cooperation with private and public partners.

Improving commitment of the local government to provide quality care service and development of children in nurseries and increase of access.

Using nurseries and kindergartens as a space to help parents towards the positive parenting models through training, consultation etc.

Strengthening interaction between the professional education system and industry and orienting vocational training towards the real demands of the labour market.

The right to healthcare

The convention on the rights of the child provides for the right of children to receive qualitative health care. Such right is foreseen even in the Constitution of the Republic of Albania, according to which, “Citizens enjoy in an equal manner the right to health care from the state. Everyone has the right to health insurance in accordance with the procedure provided by law”¹⁴⁷. Such constitutional commitment is based even on the principles of qualitative and comprehensive health service which are found in laws “On reproductive health”¹⁴⁸ and “On public health”¹⁴⁹.

The policy for provision of proper services to guarantee health care to the children is handled in several national strategic documents, including: Reproductive health strategy, National Action Plan for Children, Action plan for Roma and Egyptian community, and also National Strategy on Persons with Disabilities.

These strategies are based on the Action Plan of the International Conference for Population and Development (Cairo, 1994) and Millennium Development Goals¹⁵⁰, where reduction of maternal mortality, infant mortality and child mortality are three out of eight indicators of development linked directly to primary health care of mother and child.

Reforming of the healthcare system in order to provide comprehensive qualitative services is one of the fundamental objectives of the new governmental programme (2013). This programme pays special attention to elimination of inequalities and increase of quality of health services, by defining even the fundamental changes to the manner of funding in order to cover fully the costs and reduce the financial burden on the citizens, especially those who belong to the socially excluded categories.

Mother and child healthcare

Mother and child healthcare policy aims at frequent improvement breastfeeding indicators and health of mothers and children in order to improve the quality of their life. Healthcare service during pregnancy and childbirth and child care is provided free-of-charge¹⁵¹ (including women that are not covered by health insurance).

However, irrespective of efforts and achievements, the healthcare system, in particular, the mother and child healthcare system, is faced by critical problems¹⁵². Constant protection and improvement of child and mother care, even though it is not handled as a separate component of recently undertaken health reform, is being considered a priority of the public healthcare policy.

147. Constitution of the Republic of Albania, article 55

148. <http://www.ishp.gov.al/wp-content/uploads/2012/03/P%C3%ABr-sh%C3%ABndetin-riprodhues.pdf>

149. <http://www.ishp.gov.al/wp-content/uploads/2012/03/Ligji-i-shendetit-publik.pdf>

150. After 2015, Millennium Development Goals are replaced by Sustainable Development Goals,

151. Order of Minister of Health, no. 528 dated 9/10/2013.

152. National report on the situation of children's rights in Albania, 2013-2014

“The quality standards of the mother and child consultation centre”¹⁵³ and also updated instructions and protocols concerning prenatal, postnatal care for the mother and the new-born and the upbringing care of children 0-6 years¹⁵⁴ have been approved.

Prenatal care	Postnatal care	Monitoring
Antenatal visits of pregnant woman	Maternal postnatal health care check-up visits	Check-ups to monitor upbringing and development of children 0-6 months
Weight gain during pregnancy	Postnatal care to new-born infant	Check-ups to monitor upbringing and development of children 6-24 months
Vitamins and minerals supplements to pregnant women	Postnatal maternal health care management	Check-ups to monitor upbringing and development of children 2-6 years
Management of problems and health issues emerging during pregnancy	New-born health issues management	Monitoring of development in children 0-6 years
Breastfeeding advice during pregnancy	Maternal postnatal health issues management	Follow-up of the growth curve
	New-born life-threatening signs	Children 0-6 years hearing test Children 0-6 years eye check-up

On this legal basis, it was reviewed the support documentation for monitoring health of the mother and the child. The new medical file for the consultation centres for women and the new medical file for the consultation centres of children was updated.

In parallel with the drafting of guidelines and clinical protocols work is being done to draft a set of performance indicators and quality standards of this service.

15 national clinical protocols for obstetrics and neonatology in hospital care and 27 clinical protocols for paediatrics have been prepared accredited by the National Centre of Accreditation and Quality¹⁵⁵.

Ministry of Health (MH) in cooperation with the World Health Organisation (WHO) has drafted a protocol on the quality assessment of mother and new-born care in the maternity hospital. This protocol is a unified means to assess the quality of care service during childbirth and new-born care based on international standards¹⁵⁶. Based on this instrument, several assessments in some districts of the country including Vlora, Shkodra, Kukes and Durres have been conducted. The assessment has been followed by the training of medical staff and drafting of intervention plans in these institutions. Because of this process in these districts, as for instance in Kukës, a new rooming practice (which previously did not exist) has been made functional- immediate contact of the new-born with the mother, and establishment of individual birth rooms. A local protocol for the hospital has been prepared as an example of adaptation of national protocols. In Durrës it has been improved respect for all the steps in dealing with the healthy new-born and proper completion of the partogramma.

153. Order of Minister of Health no. 62 dated 19/02/2014

154. DCM no. 101 dated 4.02. 2015 - new package of healthcare service in primary healthcare

155. Annual report on monitoring of the Action Plan for Children 2012-2015 for the period June 2012- May 2013, SAPCR, MLSAEO.

156. Annual Report on Monitoring the Action Plan for Children 2011- 2012 SAPCR

In order to improve care to the sick children, MH and the Social Security Institute has prepared the draft Regulation on issuing reports for temporary work disability, where unlike the existing regulation¹⁵⁷, the age limit of children in relation to whom the mother may obtain medical report is for up to 14 days, will be 14 years of age, instead of 7 years of age.

During 2014, MH with ILO assistance, in the framework of IPA project 2010, contributed to the drafting of the draft DCM transposing the Council Directive 92/85 EEC “On the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently delivered their baby or who are breastfeeding their children” defining measures and minimum standards to be undertaken.

Prevention of child malnutrition, obesity and overweight

In the framework of cooperation of the government with the UN for the reduction of Malnutrition in Children, it has been approved the “Strategic Document of Communication about Feeding Practices”¹⁵⁸ which aims at making feeding problems and food security important items in the agenda of the government, by also helping the drafting of interventions focused directly on the population cohorts that are mostly affected by these problems; building intensive communication about the feeding of infants and children in Albania, aiming at sustainable change of behaviour of people rather than simply their informing.

Improvement of the legal framework in this field is considered the essential achievement. During 2014, it was completed the Roadmap for the feeding of pregnant women, new-borns and children” and also the clinical protocols for the feeding of pregnant mothers, new-borns and children.¹⁵⁹

Clinical protocols
Steps to successful breastfeeding in community
Micro-nutritional additions for children
Feeding with infant formula
Supplementary feeding of breastfed infants
Breastfeeding by HIV/AIDS infected mothers
Breastfeeding when the mother is sick and treated by medicines

Such protocols are a novelty. They aim at healthy feeding of the mother during pregnancy, postnatal period and follow-up of feeding of children 0-6 years according to the experience of EU developed countries and updated according to the recent WHO recommendations.

157. Regulation no. 494 of PHI and MO dated 05.10.1993 “On issuing of reports for temporary work disability”.

158. Order of Minister of Health no. 86 dated 20.02.102

159. Adopted by Order of Minister of Health no. 157 dated 21.04.2014

Based on the approved legal framework¹⁶⁰, two modules, accredited for training of service providers monitoring growth and feeding of children have been approved. The training of medical staff in districts in relation to feeding of children, breastfeeding, follow-up of child upbringing and development has been completed. Only during the period March 2013- March 2014 there have been trained 600 family doctors and nurses, midwives¹⁶¹.

Medical centres report about breastfeeding, supplementary feeding in the form of the medical visits. Moreover, Public Health Institute (PHI) has developed 6 indicators in relation to the feeding, in the list of key indicators of health in Albania, based on the approach to an integrated information system for health in Europe, according to the EU Agreement and WHO Regional Office for Europe.

Maternity hospital in Tropoja, Shkodra and Kukesi have been considered certified institutions protecting and fostering breastfeeding. The state health inspectorate has conducted inspection in implementing the law for the protection of breastfeeding in hospital, maternity hospital and medical centres all over the country - specifically on implementing the steps for breastfeeding¹⁶².

The fourth report of monitoring of practices of trading of infant formula and industrialised food for infants and children¹⁶³ aimed at looking into the compatibility of these trading practices with the law on fostering and protection of breastfeeding. During the monitoring process, the practices of institutions providing care to mother and child, including maternity hospitals, paediatric departments, child consultation centres have been observed and analysed. There have been identified violations of law in promoting formulas, a concern observed even by the Committee of Rights of the Child in 2012, pointing out the need to strengthen monitoring of law enforcement by the Health Inspectorate.

Issues related to healthy feeding of children, even though handled recently, have become priority issues, because of deep influence on the health of the child. Ministry of Health, in the framework of the national programme “Reducing malnutrition in children- Albania” in cooperation with some line ministries¹⁶⁴ have committed themselves to drafting “Albanian Food and Nutrition Action Plan 2013-2020”. This plan has been drafted in accordance with the national capacities and epidemiological profile of the country and it promotes protection and promotion of public health. National Action Plan for the Food and Nutrition has paid special attention to control and reduction of the overweight and obesity of the Albanian population in general and young children in particular, by planning even some continuous actions at national and local level for the fulfilment of this objective, under the optic of an integrated approach for reduction of risk factors, linked to chronic diseases, including obesity. Adoption, budget allocation and monitoring of its applicability in the future will be subject to later reporting.

The Institute of Educational Development in cooperation with PHI and with the UNICEF support completed the curricula package for education of Healthy Eating in compulsory education (Class I-9). Such education is part of the cross-curricula modules. 20 schools have piloted modules

160. DCM no. 101 dated 4.02. 2015 - new package of healthcare service in primary healthcare

161. MH Administrative data, 2015

162. MH Administrative data, 2015

163. Centre for Healthy Childhood (2014) “fourth report of monitoring of practices of trading of infant formula and industrialised food for infants and children, Tirana

164. Memorandum of Understanding on food and feeding, 18.06.2010 (Ministry of Health, Ministry of Agriculture, Ministry of Education and Science, Ministry of Finance, Ministry of Labour, Social Affairs and Equal Opportunities”).

in Kukës, Shkodër, Tiranë and Durrës. During 2013-2014 there have been organised some 300 open education sessions and also 10 events with the participation of teachers, students and parents. The application of modules in all the schools of the country is expected to be done in the future¹⁶⁵.

Awareness raising campaigns have been organised for the new and better ways of infant and child feeding in Albania, aiming at sustainable improvement of infant feeding practices and reduction of malnutrition¹⁶⁶. During 2014, there have been produced and distributed posters with the following topics: “Eat fruit and vegetables 5 times a day” and also leaflets for the school entitled: “Healthy eating”. In the context of the campaign “Good living starts with healthy eating”, 5 types of posters, 4 leaflets, cooking recipes book for children 6 months - 5 years have been distributed in 10 regions of Tirana, Fier, Vlora, Gjirokastra, Dibra, Korca, Berati, Elbasani, Durrësi and Lezha. The following materials have been prepared “Day starts with breakfast”; leaflet entitled: “healthy eating and staying active”; leaflet entitled: ten advices to staying healthy”¹⁶⁷.

Prevention of infectious diseases and reduction of level of main childhood diseases

Percentage of children vaccinated according to the routine calendar continues to be over 97%. All the children born after 1 March 2014 receive the first two doses of the poliomyelitis vaccine with the IPV vaccine. This constitutes an important element about the updating of the calendar with EUMS and increasing of vaccine security.

MH, PHI in cooperation with the Roma organisations have established a database with the areas inhabited by Roma community (map of Roma community areas) all over the country. Therefore, all the Public Health Directorates of the districts are instructed to pay special attention even to the medical training of this population. PHI carries out the depistation of the areas where Roma and Egyptian families are living in order to identify the children who are not vaccinated. During 2014, PHI undertook the initiative to cover more than 95% of each community and it has worked to adapt all the related documents in order to include even the Roma and Egyptian community. All Roma and Egyptian children are vaccinated free of charge even if they do not have documents. In many cases, vaccinators, cooperate with the social employees or mediators to improve communication with the community and vaccinate more children.

PHI with the MH support has cooperated with WHO and Program for Appropriate Technology in Health (PATH) for implementation of a digital system of online immunisation, which is focused on the integration of individual data of vaccination and management of vaccination at all levels. This system has been piloted in Shkodra, where currently there have been trained 30 persons and all the vaccinators work in the system. The system operates online after several trainings and tests. Concerning the electronic system of immunisation, after the training of vaccinators in Shkodra, there have been trained 25 persons by the PHI and Health Directorates in Fier, Lushnje, Pukë, Malësi e Madhe, Kurbin, Lezhë, Bulqizë and Kavajë. PHI, in 2014, prepared an action plan with the respective budget to apply this system in the country. In concrete terms,

165. PHI 2014

166. Public Health Institute, 2012

167. MH Administrative data, 2015

Lezha and Malësia e Madhe have just started implementing this system. With the support of MH and Ministry of Innovation and Public Administration, PHI will continue to extend this system to all the districts, and gradually, during five years it will cover all the districts of Albania¹⁶⁸.

STIs/HIV/AIDS control and prevention

Issues linked to prevention and treatment of HIV/AIDS are part of the Action Plan for Children 2012-2015, even though Albania is still considered a country of low prevalence.

Prevention of mother-to-child transmission of HIV is considered one of the main components of the National Strategy of HIV/AIDS. Preparing a national protocol of prevention of mother-to-child transmission of infectious agents and instruction of primary health care for this service in the mother and child consultation centre aims at addressing the needs identified for improvement of service, access and reducing of cases of transmission.

HIV/AIDS National Programme in cooperation with the Organisation of HIV/AIDS infected persons during 2014 has organised meetings in Tirana and Vlora for the management of cases of HIV positive infected children. In the case of Vlora, such cooperation is extended to include even the Regional Office of State Social Service and Child Protection Unit.

HIV infected children are treated only in 1 centre, Paediatric service, “Nënë Tereza” Hospital Centre, Tirana. National reference centre for prevention of mother-to-child transmission of HIV is located in the Obstetrical-Gynaecological Hospital “Koço Gliozheni”, Tirana. Antiretroviral medications for prevention of mother-to-child transmission, and also those for the treatment of HIV/AIDS infected children are available and are provided free of charge by Ministry of Health.

Recommendations

Providing access to all children and teenagers through universal coverage of medical services.

Strengthening preventive role of health structures in relation to violence against children, by improving practices i.e family visits. Assigning and implementing the obligation of medical staff to report cases of child abuse.

Improving services for monitoring the upbringing and development of children, through drafting of necessary mechanisms for implementation of protocols – service standards and instruments of monitoring and assessment.

Improving service quality to children at three levels of healthcare through unification of instructions and standard protocol for the monitoring of health of children.

Building knowledge and skills of the medical staff in these services through frequent training of the medical staff of these services.

Building capacities of human resources in order to conduct effective management and provide qualitative medical services.

Child and teenager care service costs to provide for the necessary budget for the qualitative provision of healthcare.

Adopting and implementing the national plan of nutrition in order to address malnutrition and overfeeding problems of children and teenagers and their consequences on their health.

Computerising the vaccination system in order to ensure quality service, on time and meet the needs of children in need, and children on the move.

Improving the parenting programme, including those in the community in order to improve positive practices of children care.

The right to legal protection

The rights of children have been improved considerably through overall legal and institutional initiatives and reforms by aligning them with European standards. Ministry of Justice has recently concluded the drafting of the Juvenile Justice Strategy that constitutes an important step concerning the settlement of all legal issues linked to children in conflict with the law, children under 14 years of age and children victims and witnesses. Regardless of the draft of this strategic document, the greatest challenge remains the building of a friendly justice system that considers primarily the best interest of the child and implementation of prevention and protection measures for the purpose of early identification of children that behave delinquently and their treatment outside the justice system.

The General Directorate of Prisons has taken effective institutional measures related to children in order to fulfil priority 5 of European Union. Treatment of children in conflict with the law in the penitentiary system relies on the principles of tailor-made treatment, by assessing the individual psychological, social needs, age, gender, health situation, sexual orientation or gender identity, cultural and economic situation, residence of the prisoner or remand-prisoner, risk factors and motivation to be included in activities organised in the institution. An individual rehabilitation and re-integration plan considering the educational, psychological assessment, emotional situation, wishes and possibilities to attend vocational training countries or advance studies¹⁶⁹ is prepared for each child, convict or remand-prisoner.

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In order to assess the service quality provided to children in Institutions of Execution of Criminal Sentences, the General Directorate of Prisons has adopted a system of service performance assessment, based on measurable indicators. A specific system of indicators for the service assessment¹⁷⁰ is applied to institutions accommodating children.

In order to align prison legislation with the UN standards that guarantee decent treatment and respect for human rights of the convicts and remand prisoners in the penitentiary system, in April 2014, several amendments have been made to law no. 8328 “On the rights and treatment of convicts and remand prisoners”; Such amendments provide for the main principles of treatment of children, based on the best interest of the child.

Children in conflict with the law

During 2013, the number of children who have been denounced, based on the statistics of the General Directorate of State Police, was 1437 at national level, while in 2014 it was only 123.

Number of children punished during these years shows an increasing trend of problems, especially from 380 punished children in 2012 to 624 punished children in 2013. Mostly they are boys punished for criminal offences.

169. Administrative data, Ministry of Justice, 2015

170. Ibid.

Years	2012	2013	2014
Punished children	380	624	691

The statistics of the General Directorate of Prisons show that in 2014 the average number of children in remand centres on monthly basis was almost 96 and the average number of children serving imprisonment sentence on monthly basis was almost 41. In 2013, the average number of children in remand centres on monthly basis was 84 children, while the average number of children suffering imprisonment was almost 22. The number of children in remand centres remains an issue of concern and most of them are in remand centres for theft or crimes against private property.

The new Prison Regulation was adopted in May 2015. A special part of the Regulation governs issues of children, several procedural aspects and it foresees mechanisms that guarantee treatment according to the standards and proper monitoring of the situation of children in the prison system.

In implementing the plan of the Government, the General Directorate of Prisons has set up a motivation system for positive behaviour of children and strengthening of the internal monitoring system¹⁷¹.

Children in conflict with the law are entitled to humane treatment and respect for their dignity,¹⁷² right to legal aid and psychological assistance as of the first contact with the police employees.¹⁷³ However, the juvenile justice process, not rarely, happens to be inadequate and non-friendly to children. They are interviewed in improper premises by the police employees who do not have adequate education and in some cases they are interviewed in absence of a lawyer or psychologist.

A positive step in this regard is approval of Order no. 300, dated 08.07.2013 of the General Director of State Police “Standard Operating Procedure for the Treatment of children during the stage of preliminary investigation” in order to determine and clarify the procedures to be followed and applied by the State Police employee for the treatment of children during the stage of preliminary investigation¹⁷⁴. Juvenile interview rooms have been set up with the assistance of donors in some Regional Police Directorates.

The compulsory 1-9 year education of persons deprived of freedom is developed in the IECSS. Education process in IECSS is developed based on agreement between Ministry of Justice and Ministry of Education, on cooperation for the education process in IECSS. Teaching curricula, plans, school registry-book and other documentation are similar to public schools, as the IECSS schools are dependent on public schools. Children are enrolled in schools based on a document of school completion. Upon completion of school, children are provided with the respective

171. Ibid.

172. Article 28 of the Constitution of the RoA: Article 40/1 of the CRC foresees that every child alleged as, accused of, or recognized as having infringed the penal law has the right to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society”.

173. Article 35, 48-49 of the Code of Criminal Procedure

174. This protocol was prepared by the Centre of Integrated Legal Services and Practices and Terre des Hommes with the financial contribution of UNICEF, European Union and Save the Children, Albania

school certificate of completion of studies. A total of 45 children have completed the 2013-2014 academic cycle. Currently, 61 children follow the compulsory training¹⁷⁵. Moreover, children are employed based on the opportunities provided by the institutions. 9 children are active in employment activities¹⁷⁶.

The medical staff visits children on daily basis and conducts regular check-ups according to a calendar prepared by the directorate of the institution.

Vocational training and acquisition of professional skills are important elements in education and rehabilitation of children. To this end, vocational training courses are organised including wood processing, plumber, computer, foreign language etc. Currently MSWY and MJ have adopted a Memorandum of Cooperation in order to prepare remand prisoners and convicts for re-integration, through organisation of vocational training in IECs, and creation of opportunities for their re-integration in society after release. Vocational training of remand prisoners and convicts will be carried out through vocational training courses to be held in special premises adapted for teaching and professional practice in the IECs. Vocational training courses in IECs will be applied by Regional Directorate of Vocational Training. Youth report¹⁷⁷ that the process of vocational training during the sentence serving is very important as it helps them to find a job upon serving sentence. On the other hand it is necessary to develop programmes for the healthy integration of children in community after serving the sentence.

Based on the data of the study on penitentiary system in Albania, conducted by Save the Children, Albania in cooperation with the Centre of Integrated Legal Services and Practices and ARSIS and also based on the interviews of 25 children in IECs Kavaja, it results that the average sentence duration is 0-6 months and only for 2% of them it is more than 18 months of stay in the institution¹⁷⁸.

The priority of juvenile justice administering, according to international standards, is the creation of a contemporary system which aims at implementing policies with a friendly approach for re-integration of children in conflict with the law. Consequently, Ministry of Justice and General Directorate of Prisons priority is the strengthening of cooperation with the criminal justice stakeholders in order to reduce the imprisonment sentence for children in conflict with the law and strengthen restorative justice and also increasing application of alternative sentences¹⁷⁹.

As of 2008, alternative sentences against children¹⁸⁰ are applicable including: semi-freedom, suspension of execution of imprisonment sentence and probation or community work and stay at home¹⁸¹. Types of alternative sentences imposed by the courts against children during 2013-2014 have been community work and probation with the obligation to attend a vocational training course. Children punished by alternative sentences are guaranteed the right to protection and confidentiality of the personal file. Enforcement of sentences considers the age, physical and mental well-being, development capacity and personal and social circumstances.

175. Administrative data, Ministry of Justice, 2015

176. National report on the situation of children's rights in Albania, 2013-1014 Unicef

177. Meeting with youth in IECs, Kavaja

178. Ibid.

179. Administrative data, Ministry of Justice, 2015

180. Law no. 10024 dated 27.11. 2008 "On some amendments and addenda to law no. 8331, dated 21.04.1998 "On execution of criminal sentences", DCM no. 302 dated 25.3.2009 "On adoption of Regulation "On organisation and functioning of the probation service and definition of standards and procedures concerning supervision of execution of alternative sentences".

181. National report on the situation of children's rights in Albania, 2013-1014 Unicef

Upon Minister of Justice order no. 622 dated 17.09.2014 “On definition of location and territorial competences of local probation offices”, 22 local offices are opened in the territory of Albania enabling the alignment of this service closer to children and increasing successful enforcement of alternative sentences¹⁸².

General Directorate of Probation Service supported by UNICEF, launched in October 2014, the “Google mapping” programme which makes possible identification of local probation service office and the reception centres that may cooperate for the enforcement of alternative sentences against children. This programme will be useful for the effective management of children in conflict with the law who have been punished by alternative sentence of “community work” and it will improve cooperation between the courts, local units and probation service.

The probation service, supported by OSCE, has prepared the “Offender Assessment System for Juveniles and Young Adults (OASJ)” in order to assess the risk posed by juveniles and young adults. Moreover, the sector of juveniles, community service, release on parole and statistics has been set up in the General Directorate of Probation Service to inspect the work of local offices in order to preserve the standards of the provided service, improve their quality and implement the legal framework¹⁸³. Regardless of the progress so far, the Probation Service challenge is lack of adequate premises to preserve privacy of juveniles during their interview process. Currently, children are interviewed in the same premises as the adults and in the presence of other persons, punished by alternative sentences or probation service staff and probation service staff that have no qualification necessary for the handling of these cases. The distance of the residence place from the Probation Service Office makes it difficult for juveniles to appear, because it requires extra costs from him/her and the family considering the fact that these children come from families living in difficult economic situation.

The ordering of alternative sentences against the children by the court is of special importance. First it calls for effective cooperation of all the stakeholders, probation service, prosecutor’s office, court, central state bodies and local government unit bodies, NPOs, etc There is also the need to raise awareness of judges to ordering alternative sentences and also open local probation service offices in the country in order to provide support to juveniles during all the period of sentence serving.

Especially important is the building of bridges of cooperation between the probation service and the employment offices for the automatic involvement of this category as job-seekers and involvement of the vocational training centres that make possible provision of free of charge vocational courses for this category. Constant support for the probation service is necessary, considering the workload of each specialist, i.e the number of cases followed by a single specialist and the specific needs emerging from the follow-up of a juvenile case. In order to facilitate fulfilment of the obligation to appear before the Probation Service, it is necessary to increase the number of local offices by bringing this service closer to the convicts.

The annual analysis of the Probation Service shows an increase by 16 % in the use of alternative sentences to imprisonment in 2014 compared to 2013. 163 alternative sentences against juveniles are taken during the period January - May 2015¹⁸⁴.

182. Administrative data General Directorate of Probation Service, 2015

183. Order no. 2 dated 11.01.2012 “On approval of the structure and organisational structure of the Probation Service”.

184. Administrative data General Directorate of Probation Service, 2015

In order to increase use of alternative measures to imprisonment in relation to minors, the Probation Service has organised several round tables with the prosecutor's offices and courts at national level focusing on raising awareness about the importance of alternative sentences. Moreover, the Probation Service Institution has signed other cooperation agreements with 10 regional educational directorates and 3 regional hospital directorates in order to address properly issues of integration of children by means of alternative sentences through orienting them to vocational training and psycho-social programmes of consultation and rehabilitation. Cooperation with the civil society has been active, especially organising training, joint studies, and awareness raising activities and integration activities for the juveniles. Consequently, the school drop-out rate has been decreasing, deviant behaviour and substance abuse by the children has been reduced, even though the successful probation period by the children continues to be challenging for the Probation Service¹⁸⁵.

Child victim/witness

Protection of children victims and witnesses is foreseen in general terms in the framework of the right of children to special protection¹⁸⁶. Protection of moral and dignity of the child from illegal harm is not foreseen in the context of the child victim.¹⁸⁷ Considering the fact that children victims/witnesses are vulnerable and seek special protection, it is necessary to take all the measures to prevent and protect them from harm, including intimidation, revenge and re-victimisation. The need to avoid re-victimisation is essential in case the child is victim of serious abuse including sexual abuse and the repeated interviews of the child by different authorities force the child to re-experience the trauma of abuse.

Restorative justice

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The priority of the Probation Service has been cooperation with the Albanian Foundation for Conflict Resolution and Reconciliation of Disputes in order to increase applicability of practices of restorative justice for the juveniles. A very important component of this cooperation has been the training of Probation Service staff on practices of restorative justice in victim-offender conflict mediation. Similarly, during 2014, in cooperation with the CILSP and Save the Children, the probation service staff has been trained on the building of professional capacities dealing with children punished by alternative sentences, while the risk assessment instrument for children and older youth is being implemented¹⁸⁸.

Free legal aid

The legal framework on provision of free legal aid¹⁸⁹ was adopted in 2011 and it defined the concrete responsibilities of the state and public agencies for implementation of legal aid standards. The State Commission for Legal Aid (SCLA) has been set up and it has further adopted the necessary sub-legal acts to make possible the enforcement of legal aid. SCLA during 2011 refused 27 applications for legal aid (14 criminal cases and 13 civil cases) because of missing documentation. In 2012, SCLA approved the granting of legal aid in 8 cases (5 criminal and 3

185. Administrative data General Directorate of Probation Service, 2015

186. Article 54 of the Constitution of the Republic of Albania

187. Law on Protection of rights of children

188. Administrative data General Directorate of Probation Service, 2015

189. Law no. 10039 dated 22.12.2008 "On legal aid"

civil cases). Considering the number of children in conflict with the law and the fact that many of these crimes originate from condition of poverty of the family, the number of cases receiving free legal aid remains quite low compared to the needs¹⁹⁰.

Another important aspect is the building of IECS staff capacity as regards the tools of works to prepare the children in conflict with the law for re-integration. During 2014, there have been organised trainings with the participation of 88 representatives of the referral system in the region, including Employment Offices, Vocational Training Centres, Children Protection Units, Business Community, Probation service etc. In this context, there have been organised meetings with 96 representatives of governmental, non-governmental institutions and business community¹⁹¹.

GDP is cooperating with the Netherlands Helsinki Committee and General Directorate of Prisons of the Netherlands for implementation of a project that aims at building staff capacity of IESC Vlora and Lezha to prepare the children in conflict with law for their re-integration, based on the YOU-TURN contemporary model¹⁹².

It has been signed Agreement no. 504 dated 19.05.2014 between General Directorate of State Police, Save the Children Foundation and Albanian Foundation for Conflict Resolution and Reconciliation of Disputes. As a result of the signing and implementation of this agreement, State Police has received training for 44 police employees entitles “Criminal conflict management through restorative justice and victim-offender mediation in juvenile cases”.

Three seminars have been organised for the use of specific juvenile interview rooms in RPD of Fier, Korça and Shkodra. These seminars were held in cooperation with “Save the Children”. Police staff has been trained as well on the topic: “Treatment of children during the phase of preliminary investigation”.¹⁹³

190. National report on the situation of children's rights in Albania, 2013-1014 Unicef

191. Administrative data, Ministry of Justice, 2015

192. Administrative data, Ministry of Justice, 2015

193. http://www.punetebrendshme.gov.al/files/programs_files/Materaili_i_MPB,_në_kuadër_të_takimit_të_Komitetit_të_Stabilizim_Asociimit,_Mars_2015

Recommendations

Improving the legal framework through drafting and adoption of a new Juvenile Code in order to build a child-friendly justice system that creates possibility for fair, effective and timely access of children and also adequate solutions. Improving procedures and practices to reflect the best interests of the child in all stages of the proceedings related to the child.

Detention of children in prisons and remand-centres must be used as the last extraordinary resort only in case of high risk, rather than as common practice. Moreover, alternatives to imprisonment must be promoted and imprisonment of children must be used as the last resort. Implementing integration and re-integration sustainable programmes in order to reduce the level of recidivism of children.

In order to promote the ordering of alternative measures against children and their reintegration in society, it is necessary to draft community integration programmes, further strengthen the probation service offices through building/improvement of capacities of probation service employees.

Guaranteeing, through legislation, the policies and instructions of a multi-disciplinary approach of children's access and services in the justice system. Clearly defining the roles and responsibilities for all the main professionals who support justice access and services of children, including, police, prosecutors, judges, lawyers, social workers, psychologists, mental health service providers, prison staff and staff supporting victims- witnesses, mediators, teaching staff, informal justice providers and medical staff. In order to ensure effective coordination, cooperation mechanisms and protocols must be set up to support exchange, coordination and referral of information and feedback, on a case by case basis.

Capacity building of all the professionals dealing with children in contact with the justice system in order to promote, respect and fulfil the rights of children.

Improving, so as to ensure accountability in the justice system, mechanisms of complaint by children, drafting effective monitoring and assessment standards and procedures, improving data collection and reporting focusing on children in the justice system.

Strengthening human rights institutions in order to monitor and report about the situation of children in the justice system. This must be followed by the creation of mechanisms of inclusion of children and community awareness raising on the use of national and international strategies and instruments.

Guaranteeing the right of the child to be heard in trial in a way appropriate to his/her age and child-friendly, including civil and criminal cases and also administrative procedures that affect children in accordance with their age and maturity.

Taking necessary measures to enforce the law and make the responsible structures operational in order to guarantee the right to free legal aid, as a constitutional rights, especially for the children.

Progress of indicators of the Action Plan

Description of fulfilment of indicators	Symbol
Non-measurable indicator	
Non-fulfilled indicator	
Partially fulfilled indicator	
Fully fulfilled indicator	

The right to protection and social inclusion

Indicators	Status of implementation	Remarks
Number of regions that have approved the regional strategy for children's rights.		7 out of 12 regions
Number of progress reports assessing strategy implementation.		2 progress reports (Fier and Shkoder)
% of increase of budget for children as regards education, health and social protection in each region		
Number of Local Government Units for the pilot project of the new scheme of economic aid programme		3 regions are involved in the pilot project (Tirana, Elbasan and Durrës)
Drafting sublegal acts to implement amendments to law no. 9355 dated 05.12.2006		DCM no. 904 dated 12.12.2012 "On definition of criteria, procedures and documentation to receive economic aid, in pilot areas" and instruction no. 9 dated 23.06.2014 to implement the law, clearly define all the criteria and procedures to receive the amount of economic aid in pilot areas.
Number of CRU-s and number of EA staff at LGU level trained in this connection.		
Number of new services for children		The National Emergency Transit Centre for the Categories in need and drafting of the emergency service standards is opened.
Transformation of residential centres in Sarandë, Shkodër, Tiranë, Vlorë, and Korçë.		In implementing Minister's Order no 55 dated 02.03.2015 "On approval of the Action Plan of De-institutionalisation of Orphanage Zyber Hallulli", MSWY and partners ¹⁹⁴ started implementing the activities for the transformation of residential services to community services in this institution.

Number of foster family facilities established to replace residential services and the number of children served in these facilities		Forster family in Tirana, Durrës, Elbasan, Gjirokastër, Shkodër (NPOs)
Reports of the service inspectorate		May 2012 - April 2013: 40 inspections May 2013 - May 2014: 57 inspections May 2014 - May 2015: 53 inspections
Approval of new standards for new typologies of services for children		
Creation of social services map both at national and local level.		http://www.sherbimisocial.gov.al/
Local plans defining the community needs for services for children		Regional plans Elbasan, Berat, Fier
Number of contracts concluded with providers of children's services		
Progress report on pilots of foster care service		Report published in: http://www.unicef.org/albania/Protection-Albania_fostering_evaluation-oct13.pdf
Approval of DCM on foster care		DCM no. 89 dated 26.01.2012 and Instruction no 6 dated 01.08.2012 "On definition of criteria, documentation and procedure of foster care service".
Number of established Family Evaluation Committees in 6 municipalities		
Number of trained foster families		
Number of trained committee members selecting the foster family		
Number of adopted children.		2012-2013: 80 adoptions 2013-2014: 41 adoptions 2014 - 2015: 67 adoptions
Regular monitoring of public and non-public institutions about observation of legal deadlines to initiate adoption procedures.		

Approval of adoption service standards		
Number of post adoption assessments		Year 2012: 40 post adoption reports Year 2013 - 2014: 50 post adoption reports
Annual reports on the state of art of implementation of children's rights.		SAPCR reports Year 2012, 2014, 2015
Meetings of the National Council for the Protection of Children's Rights (NCPCR) to discuss the situation of Children's rights in the country every six months		2012: 1 2014: 1 2015: 1
Recommendations made by NCPCR meetings.		
Number of workshops per region on the new law on the rights of the child and related by-laws		2013: 12 seminars (covering all the regions) ¹⁹⁵ UNICEF supported activities
Number of training sessions for staff of the SAPCR.		Trained on: "Child protection" "Improvement of the registration system and child birth reporting" "Response of the Public Service to the phenomenon of children on the move" etc.
Increase of the SAPCR staff		2012: 6 persons 2014: 7 persons Increase by 1 person of the statistics department staff
Approval of sub-legal act based on the data		DCM no. 67 dated 12.04.2012 "On type, manner of exchange of information and statistical data required by the Agency and State structures responsible at central and local level".
Transmission of statistical information requested by SAPCR to responsible institutions SAPCR		2013-2014 78% of CPUs reported regularly in 2013. Other years???

Number of training sessions provided by the statistical sector of the SAPCR and the network of CRU in the regions.



List of indicators contained in the legislation for statistics collection.



Adoption of DCM on cooperation



DCM no. 263 dated 12.04.2012
“On definition of elaborate rules for cooperation between institutional mechanisms and non-profit organisations, concerning implementation of local policies for the protection of children’s rights”.

Signing of agreements between the governmental institutions and the NPOs



Agreements signed between the state institutions and NPOs under the intervention “*Assistance to families and children in street situation*” during 2014

Number of workshops and number of participants in workshops



The right to protection from violence, abuse and economic exploitation

Indicators	Status of implementation	Remarks
Adoption of sublegal acts for registration of children		
Recording of birth of every child born inside the country		
Recording of birth of every child born outside the country		
Number of meetings and participants at local level concerning law enforcement		
Number of established CPUs and CRUs		2012: CPUs - 49; CRUs- 10 2014: CPUs - 196; CRUs- 12 2015: CPUs - 202; CRUs- 9
Adoption of DCM on coordination of action		DCM no.266 dated 12.04.2012 “On establishing and functioning of the mechanism to coordinate action between the state authorities responsible for referral of children at risk and the manner of proceeding in such case”
Instruction of the Minister on the Methodology of Action of the Children’s Rights/ Protection Units and the treatment of cases of children at risk.		
Meetings of the multidisciplinary groups for the management of cases of children at risk		
Adoption of regulation in the regions where Steering Committees are established and in the LGUs consisting of multidisciplinary technical teams.		Adoption by each region of the regulation suggested by the SAPCR LGU regulations not approved
Number of training sessions and number of CPU/CRU staff trained		
Adoption of the status of social worker		Law 163/2014 “On the status of social worker”

Number of inspections/monitoring		2014: Drafting of the methodology of monitoring field work Monitoring of 10 CPUs
Number of advocacy people in all pre-university schools to uphold the new methods of disciplining (NMD)		
Number of teachers and school principals trained on NMD		2645 school principals and deputy principals, teachers, psychologists, REDs/EOs staff are trained ¹⁹⁶
Number of promotional activities at the level of REDs/EOs.		The COMBI Programme information desk with information materials on NMD is set up in all the kindergartens and undergraduate education schools. ¹⁹⁷
TV and radio programs and written articles in the daily press raising awareness on NMD		
Creation of Regional Alliances on the new disciplining method (at REDs/EOs) with the parent community.		
Monthly reports about the discussion and implementation of the new disciplining method in all undergraduate schools		
Assessment Reports on the implementation of the new disciplining method at the beginning and end of the COMBI program		
Number of schools where psychologists are assigned		Year 2014: 138 psychologists at national level Instruction for approval (information below) is expected to improve the existing structure
Training of psychologists		
Establishment of coordination and supervisory mechanisms for the psychologists services		

196. MES

197. *ibid*

National Code of Conduct/Ethics for all stakeholders



DCM no. 182 dated 13.03.2013 approved the Code of Ethics "On safe and responsible use of electronic means of communication" between the operators of electronic communication"¹⁹⁸
National Agency of Information Society, Ministry of Innovation and Information Technology and Communication

Signing of cooperation Agreements between internet providers, mobile operators, etc.,



Minister of Innovation and Public Administration in cooperation with NAIS signed, on 11 February 2014, two Memoranda of Understanding concerning cooperation between the National Agency for Internet Security, Electronic and Postal Communications Authority, Commissioner for Personal Data Protection, mobile phone operators

Signing of cooperation agreements between governmental institutions and business undertakings



See above

Adoption of amendments to the Criminal Code.



Amendments to the Criminal Code by law no. 144/2013, dated 20.5.2013 provide safeguards for the adequate protection of children from economic exploitation.

Awareness campaigns against child labour in all regions of the country



INSTAT survey on child labour



Institutionalized cooperation in accordance with the Inspection Law Nr.10433, dated 16.6.2011



Training of 120 inspectors of the PHI



198. <http://www.akep.al/informacion/legjislacioni/245-ceremonia-e-firmosjes-se-kodit-te-sjelles>
<http://plus.al/download/Kodi-i-sjelljes-07-02-2013.pdf>

The right to development and education

Indicators	Status of implementation	Remarks
Conduction of the National Study for early development of children 0-3 years and identification of problems and steps for the future		
Drafting and adoption of standards in nurseries for children 0-3 years		
Increase by 5% of LGU budget for children 0-3 years		
Creation and implementation of parenting programs with focus on groups in need		Protocol/guidelines of medical check-up in the community is drafted and approved by Ministry of Health in cooperation with UNICEF applied only in the context of a project with the Roma families ¹⁹⁹ .
Increase by 10% of participation of 5 year children and 3-4 years children in pre-school education		
Number of new and refurbished kindergartens		Year 2011 -2012 1907 total kindergartens (1761 public and 146 private) Year 2012 -2013 1941 total kindergartens (1778 public and 133 private) Year 2013 -2014 1900 total kindergartens (1773 public and 127 private) ²⁰⁰ <i>Data analysis shows that the total number of kindergartens is not increasing, but in 2014 there are 12 public kindergartens more than in 2012. Unreported number of refurbished kindergartens</i>
Revision of compulsory education curricula		Order no. 323 dated 07.08.2014 “On piloting of the new curricula in primary educational institutions of the pre-university education system”

199. Information reported by UNICEF to SAPCR

200. Ministry of Education and Sports

Number of new schools built in compulsory education



Year 2011 -2012
1473 total primary schools (1341 public and 132 private)
Year 2012 -2013
1472 total kindergartens (1346 public and 126 private)
Year 2013 -2014
1464 total kindergartens (1340 public and 124 private)²⁰¹
Data analysis shows that the total number of primary schools is decreasing, and in 2014 there is one public school less than in 2012.

State budget percentage and percentage of funds to be allocated from income of local government units for building new schools and improving the infrastructure of the existing ones.



For primary education
2012: 1,976,687 ALL capital expenditure
2013: 1,245,335 ALL capital expenditure
2014: Expenditure not reported; planned budget 1,800,000ALL

For secondary education
2012: no information available
2013: no information available
2014: 1,171,738 ALL capital expenditure
Vocational training
2012: 281,628 ALL
2013: 344,949 ALL
2014: 193,613 ALL²⁰²
Unreported Information about the local government units.

Number of libraries rehabilitated'
Number of cabinets and laboratories provided
Internet connection and technology labs provided



Drafting and preparation of alternative models on teacher training and the continuous upgrading of teachers' professionalism in accordance with their training needs



Increase of enrolment rate by 4.5 % or by 160 students among Roma and Egyptian children and 2% among children with disabilities.



201. Ministry of Education and Sports

202. Institute of contemporary studies 2014. Short-term budget and expenditure assessment concerning implementation of the National Action Plan for Children 2012-2015 Tirana: ICS/EU

Drafting and implementation of individualized treatment plans and curricula for children with disabilities in schools		
Adoption of acts concerning education of children with disabilities		Prime Minister Order no. 232 dated 2.12.2013 “On establishment of the inter-institutional working group to make official the sign language in the RoA” Order no. 66 dated 18.03.2014 “On establishment of the inter-institutional working group to make official the sign language in the RoA”
Free textbooks for children in compulsory 9-year education to ensure adequate access to education for children from families that receive economic aid.		Reimbursement of the free textbooks in primary education is expressed through expenditures under this item ²⁰³ : 2012: 300,098 ALL 2013: 277,289 ALL 2014: 246,000 ALL
Provision of transport for teachers and children		2012: 393,803 ALL 2013: 523,000 ALL 2014: 560,000 ALL
Primary school drop-out rate down to 0.3%		According to MES, the official drop-out rate is deemed to be 0.43% 2013-2014
Designation of instruments and modalities to allow participation of children in: a. information and decision-making jointly with teaching staff; b. facing responsibilities to themselves, family and the community; c. practicing delegation and representation modalities; d. management boards at school level and monitoring election and operations of the students’ government		Functioning of the students’ government in undergraduate schools is based on article 36 of the normative provisions of the undergraduate education. Collegial bodies are set up in almost all the schools inspected by National Inspectorate of Pre-University Education (IKAP) in 2013, ²⁰⁴ including: School Board, Parents’ Council, Teachers Council, Students’ Government and Disciplining Council, but their functioning continues to remain a constant challenge. Lack of effective cooperation with them reflects a missing “link” of the proper functioning of the educational institutions.

203. Institute of contemporary studies 2014. Short-term budget and expenditure assessment concerning implementation of the National Action Plan for Children 2012-2015 Tirana: ICS/EU

204. Gjedia, R., et al (2013) “ Assessment report on the fields of school climate and student Care” IKAP

Type of distributed materials		Generally, such information is not collected or reported by any institution
Number of schools materials are distributed		Generally, such information is not collected or reported by any institution
Number of students' governments trained		Generally, such information is not collected or reported by any institution
Type of activities by which children have exercised their right to participate (in school, and LGU decision-making structures).		Generally, such information is not collected or reported by any institution

The right to healthcare

Indicators	Status of implementation	Remarks
Decrease of infant mortality by 3% in 2014 from the basic level of 2012 Decrease of maternal mortality by 2% in 2014 from the current level of 2012		Ministry of Health Year 2012: infant mortality (up to 1 year old) is 7.9/1000 per live births. Year 2013: 7.3/1000 live births INSTAT: Year 2013: 8.84/1000 live births Ministry of Health Year 2012: maternal mortality results decreased to 5.7 deaths per 100 live births Year 2013: 11.8 per 100.000 live births 2014: not yet reported Pending for infant mortality. Pending for maternal mortality.
Percentage of pregnant women receiving their first medical examination within the first quarter of pregnancy.		2012: 62% (MH) 2013: 57.7% (MH) 2014: not yet reported 97% of pregnant women received their first medical examination within the first quarter of pregnancy. ²⁰⁵
Percentage of women who give birth with the assistance of medical personnel		Year 2012: 99.06% (MH) Year 2013: 99.95% (INSTAT) 99.97% (MH) 2014: and 98% of women assisted by medical personnel during childbirth
Number of protocols prepared for new-born care		2012-2014: 6 protocols on new-born care and postnatal maternal care adopted Work started in 2012 with the UNICEF ²⁰⁶ support Protocols <ul style="list-style-type: none"> • Check-up visits for postnatal care of the mother • Postnatal care of the new-born • Postnatal maternal health care management

205. MH administrative statistics

206. Ministry of Health, Order no. 62/18.02.2014 and 157/26.04.2014

- New-born health issues management
- Maternal postnatal health issues management
- New-born life-threatening signs

Number of trained employees involved in obstetrical and neonatal care with regard to practices of holistic childbirth and postnatal care.



Number of healthcare institutions accredited to manage breastfeeding



2012: 5 institutions
2013: 8 institutions
2014: 9 institutions (out of a total of 12 institutions in Albania)

Number of personnel trained on breastfeeding and related gender issues



2013: 40 employees of the districts Gjirokastër, Delvinë, Sarandë, Shkodër
2014: 170 employees of the health, primary health care service

Breastfeeding indicators are determined and clustered according to gender, location and social and economic status of the family; due collection and processing of such indicators



Indicator fulfilled in 2013 (Public Health Institute)

Number of media campaigns on breastfeeding



Dietary instructions for children prepared according to age and gender



2012-2014: Drafting and approval of 6 instructions ²⁰⁷
Steps to successful breastfeeding in community
Micro-nutritional additions for children
Feeding with infant formula
Supplementary feeding of breastfed infants
Breastfeeding by HIV/AIDS infected mothers
Breastfeeding when the mother is sick and treated by medicines

Protocols on systematic follow-up of child upbringing and development by the primary health care service



2012-2014: Drafting and approval of 6 instructions²⁰⁸
Check-ups to monitor upbringing and development of children 0-6 months
Check-ups to monitor upbringing and development of children 6-24 months
Check-ups to monitor upbringing and development of children 2-6 years
Monitoring of development in children 0-6 years
Follow-up of the growth curve
Children 0-6 years hearing test
Children 0-6 years eye check-up

Number of indicators related to child feeding introduced in the system of monitoring the performance of healthcare centres



Number of personnel trained on breastfeeding and breastfeeding counseling



Number of training sessions delivered



Preparation of modules on breastfeeding and introduction in school curricula



Students of the 1-9 primary education are introduced with the curricula of education on nutrition, prepared by the Public Health Institute and Education Development Institute. Such education is part of the cross-curricula modules.

Proportion of teaching staff trained on the importance of physical activity and healthy eating



Number of promotional campaigns on the importance of physical activity in children



Year 2013 - 2014: 5 campaigns²⁰⁹

Proportion of children vaccinated according to the routine calendar



2012-2014
Proportion of children vaccinated according to the routine calendar during three years is over 97%

208. Ministry of Health, Order no. 62/18.02.2014 and 157/26.04.2014

209. This information is reported to UNICEF by SAPCR without any details on the campaigns

Number of new vaccines introduced in the National Vaccination Program		2012-2014: I- IPV vaccine All the children born after 1 March 2014 receive the first two doses of the poliomyelitis vaccine with the IPV vaccine. IPV is not a new antigen, but it is a change from the oral vaccine to the inactive vaccine by injection.
Proportion of Roma population vaccinated according to the routine calendar		
Number of healthcare personnel trained on immunization and the relevant reporting system.		Year 2012: 500 Year 2013: 200 Year 2014: 600 <i>Source: Public Health Institute</i>
Number of healthcare personnel trained on the cooling chain		Year 2012: 500 75 persons re-trained on new appliances including the ice lined refrigerators and Fridge-Tag. These persons have consistently trained the other vaccination staff in Albania. Year 2013: 200 Year 2014: By the end of 2014, it is foreseen the training on a new temperature monitoring device to include 600 employees according to the scheme in the above mentioned comment.
Number of inspections conducted for infectious and non-infectious diseases		
Number of promotional activities for increasing health-related knowledge of community and family members especially with regard to vaccination of the child; Upgrading of the ALERT system;		Such indicator is neither collected nor reported by any institution.
Number of promotional and educational activities concerning prevention of infectious diseases/food, personal and environmental hygiene; protection measures against contagious diseases, etc.		Such indicator is neither collected nor reported by any institution.
Number of topics/classes developed in the schools in relation to infectious diseases		Such indicator is neither collected nor reported by any institution.

Health Observatory established in the PHI.		2012-2013: Discussion ongoing for its functioning and modus operandi 2013-2014: No progress
Unified protocols and regulations on the systematic monitoring of upbringing and development of children.		Steps to successful breastfeeding in community Micro-nutritional additions for children Feeding with infant formula Supplementary feeding of breastfed infants Breastfeeding by HIV/AIDS infected mothers Breastfeeding when the mother is sick and treated by medicines
Number of healthcare centres that follow and provide counselling on upbringing and development of children		2012-2014: 413 (all the healthcare centres)
Proportion of children aged 0-1 year who receive compulsory examination in accordance with the clinical protocol		Such information is neither collected nor reported by the Compulsory Insurance Healthcare Institute
Number of training sessions for medical staff and staff trained on the monitoring of child growth and development and improvement of counselling capacities in relation to child health.		Based on the adopted legal framework, two modules, accredited for training of service providers monitoring growth and feeding, have been approved.
Number of trained personnel		Year 2012 -2013: 70 doctors and 40 nurses of Primary Health Care, Korçë 45 family doctors, Durrës Year 2013 -2014: Unreported
Number of HIV/AIDS infected children and mothers.		Specialists of Public Health Institute report the concern of formulating the indicator for the HIV/AIDS infected mothers. They suggest its replacement with the indicator “No of pregnant women examined for HIV/AIDS, resulting with positive status”.
Number of referral facilities in the maternities; lab equipment and reagents supplied regularly to these facilities to cope with HIV/AIDS.		Year 2012 -2014: 1 National reference centre for prevention of mother-to-child transmission of HIV in the Obstetrical-Gynaecological Hospital “Koço Gliozheni”, Tirana.

Number of healthcare centres offering training and experience on HIV/AIDS.		
Number of informational materials on HIV/AIDS prepared and distributed		
Provision of examination and treatment for children infected with HIV/AIDS in a specialized facility		HIV infected children are treated only in I centre, Paediatric service, “Nënë Tereza” Hospital Centre, Tirana.
Number of campaigns to protect the rights of children infected by HIV/AIDS		

The right to legal protection

Indicators	Status of implementation	Remarks
Reduction of pre-detention time of children (foreseen 5 -7 months, to be reduced: 2 - 4 months)		
Presidential decree for establishing juvenile sections in the first instance courts.		
Adoption of amendments to the Code of Penal Procedure		
Number of training sessions and judges and prosecutors trained on best practice of juvenile justice.		
Percentage of minors in conflict with the law deviating court proceedings and referred to alternatives to imprisonment (foreseen: 20%; goal: 40%)		
Protocols and regulations on alternative punishment for children.		<p>General Directorate of Probation Service supported by UNICEF, launched in October 2014 the “google mapping” programme which makes possible the identification of local probation service office and the reception centres that may cooperate for the enforcement of alternative punishment to the children.</p> <p>By Prime Minister’s Order no. 100 dated 21.02.2014 “On approval of the structure and organisational structure of the probation service”, the number of probation service staff is increased from 104 to 134 employees graduated in law, social work and psychology.</p>
Creation of the chamber of mediators.		<p>Based on law no. 10385/2011 “On mediation in dispute resolution”, under the auspices of Minister of Justice and JuST - USAID, the first meeting of mediators licensed and registered in the Register of Mediators was held on 07.07.2013.²¹⁰</p>

210. http://www.dhkn.gov.al/?page_id=5909

Percentage of children in the pre-trial centres and prisons attending compulsory education classes (foreseen; goal 100% of children who have not attended compulsory education, involved).



Year 2013 -2014:
The compulsory 1-9 year education of persons deprived of freedom is developed in the IECs. Education process in IECs is developed based on agreement between Ministry of Justice and Ministry of Education, about cooperation for the education process in IEC. Teaching curricula, plans, school register and other documentation are similar to public schools, as the IECs schools are dependent on the public schools. Children are enrolled in schools based on a document of school completion. Upon completion of school, children are provided with the respective school certificate of completion of studies. 45 children have completed the 2013-2014 academic cycle. Moreover, children are employed based on the opportunities provided by the institutions. 9 children are active in employment activities²¹¹.

Percentage of minors enrolled in vocational training and re-integration programs (foreseen 50%, the objective is to involve 90% of children in vocational training and re-integration programmes)



Year 2014:
MSWY and MJ are considering a Memorandum of Cooperation in order to prepare for re-integration persons in remand centres and punished to imprisonment, through organisation of vocational training in IECs, and creation of opportunities for their re-integration in society after release. Vocational training of persons in remand centres and punished to imprisonment will be carried out through vocational training courses to be held in special premises adapted for teaching and professional practice in the IECs. Vocational training courses in IECP will be applied by Regional Directorate of Public Vocational Training.

211. Information provided by the General Directorate of Prisons to the SAPCR

Approval of indicators of service delivery quality.		
Adoption of laws and sublaws to implement educational measures for children under the age of criminal responsibility		
50 % e of minors involved in criminal activity under the age of criminal responsibility involved in educational programs.		According to the Albanian legislation, children under 14 years of age are exempt from criminal prosecution, but they may be subject to educational or rehabilitation measures ²¹² . Such programmes have never been applied because of lack of necessary infrastructure ²¹³ .
Designing of the set of indicators		
Adoption of amendments to the CCP, CC		
Drafting and implementation of protocols and the system of monitoring the treatment of child victims and witnesses of crime		
Changes to the police infrastructure for child friendly premises.		Year 2013 Child friendly interview rooms have been set up, with the support of Save the Children, Albania, in 6 police commissariats of Tirana.
Number of training sessions and trained people (judges, prosecutors, police officers etc)		

212. Article 12, 46 of the Criminal Code

213. Xhafellari, M., Gjoni, O., 2013 Children under the age of criminal responsibility. Tirana:ARSIS/CILSP/Save the Children, p. 28

Appendix A

International Framework for Rights of Children

Optional Protocol to the Convention on the Rights of the Child on a communications procedure	2013
Council of Europe Convention on preventing and combating violence against women and domestic violence	2012
European Convention on the Legal Status of Children Born out of Wedlock	2011
European Convention on the Exercise of Children's Rights	2011
Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse	2009
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	2008
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	2008
The Hague Convention on the Civil Aspects of International Child Abduction	2007
Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	2007
First and Second Optional Protocol to the International Covenant on Civil and Political Rights	2007
Convention for the Protection of All Persons from Enforced Disappearance	2007
Council of Europe Convention on Action against Trafficking in Human Beings	2006
Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children	2005
Convention on the Reduction of Statelessness	2003
Convention relating to the Status of Stateless Persons	2003
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	2003
Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2002
Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	2002
Convention on transnational organised crime	2002
European Social Charter	2002
Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption	2000

Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour	2000
European Convention and Protocols for the Protection of Human Rights and Fundamental Freedoms	1996
European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;	1996
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1994
International Convention on the Elimination of All Forms of Racial Discrimination	1994
Convention on the Elimination of All Forms of Discrimination against Women	1994
Convention on the rights of the child	1992
Convention and protocol relating to the Status of Refugees	1992
Convention on civil and political rights	1991
Convention on economic, social and cultural rights	1991
Convention concerning Freedom of Association and the Right to Organise	1957

ILO ratified Conventions

Selected ILO Conventions ratified by Albania	
Worst Forms of Child Labour Convention	2001
Minimum Age Convention	1998
Convention concerning the Abolition of Forced Labour	1997
Convention concerning Discrimination in Respect of Employment and Occupation or Discrimination (Employment and Occupation)	1997
Convention Concerning Forced or Compulsory Labour	1957

Appendix B

National legal framework

Laws involving/affecting children	Year
On state police	2014
On involvement and access of persons with disabilities	2014
Resolution on protection and respect for the rights of children in Albania	2013
Pre-university education	2012
Protection of the rights of the child	2010
Protection against discrimination	2010
On Legal Aid	2009
Civil Servants Status	2009
Adoption procedures and Albanian Adoption Committee	2007
Actions against domestic violence	2006
Protection of children from alcohol abuse	2006
Social assistance and services	2005
Integration and family reunification of persons who have been granted asylum in the Republic of Albania	2003
Family Code	2003
Asylum in the Republic of Albania	2002
Reproductive health	2002
Promotion and protection of breastfeeding	1999
Status of orphans	1996
Protection of children involved in labour (DCM)	1996
Criminal Code	1995
Code of Criminal Procedure	1995
Labour Code	1995
Civil Code	1994

Appendix C

Strategic Framework concerning children

Strategy	Comments	Period
Youth Action Plan	The plan is based on 6 main pillars: 1) promotion of participation of youth in decision-making processes; 2) promotion of employment of youth through effective policies required by the labour market; 3) health, sports and environment; 4) youth education; 5) social protection; 6) culture and voluntarism.	2015-2020
Social Protection Strategy	MSWY commitment to take all the necessary steps in order to establish links and synergy among the policies so that all the Albanian citizens will be safe, protected from poverty and helped and strengthened for better management of risks and hardships during the active and non-active periods of life.	2015- 2020
Strategy for the Development of Pre-University Education (PUE)	The Strategy prepared by MES guides the medium term and long term cross-cutting policies for the upgrading of PUE according to the vision of the Government. The Strategy presents the national education priorities and it constitutes a comprehensive platform, to which all the institutional stakeholders and groups of interest may contribute.	2014 – 2020
National Strategy for Employment and Skills	National Strategy for Employment and Skills prepared by MSWY is focused on promoting decent employment opportunities through effective labour market policies, providing qualitative education and vocational training for the youth and adults, promoting social inclusion and cohesion and strengthening labour market and qualification system.	2014 – 2020
Policy Document on Social Inclusion	It is in favour of an inclusive society where Albanian citizens have unlimited access to high quality public services in order to facilitate and support their active participation in society irrespective of income, sex, age, disability, ethnic origin, sexual orientation, residence or convictions.	2014-2020
Anti-Corruption Strategy and Action Plan	A special component of the action plan for children.	2014-2017

Action Plan for Children	Focusing on the rights of children to development, education, healthcare and legal protection.	2012-2015
Gender equality and reduction of gender-based and domestic violence.	Cross-cutting, seeks to guarantee gender integration through: 1) improved legal and institutional mechanism, 2) increased participation of women in decision-making, 3) economic strengthening of women and girls; 4) reduction of gender-based violence.	2011-2015
Reproductive health	The strategy prepared by the Ministry of Health identifies the components of the Reproductive Health, including the Health of the Mother and Child and the Health of the Adolescents.	2010-2015
National Strategy and Action Plan for persons with disabilities	National Strategy and Action Plan for persons with disabilities is considered a comprehensive policy document for the fulfilment of legal rights of individuals, based on the principles of equality and anti-discrimination. Children are on the focus of these documents, as in the case of education and access to other services.	2005-2015

Report on Implementation of Action Plan for Children 2012- 2015



This project is funded
by the European Union



Save the Children