

# GENDER BRIEF



Albania

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ALBANIA

October 2016

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The aim of the project is to support Development and Integration Partners in Albania in prioritizing EU GAP II engagement and supporting the Government in Albania in implementing the EU Gender Equality *acquis*, with an emphasis on enhancing alignment, sector reform and contributing to the achievement of the Sustainable Development Goals (SDGs).

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## ABBREVIATIONS AND ACRONYMS

<b>ACPD</b>	Albanian Centre for Population and Development
<b>ADA</b>	Austrian Development Agency
<b>ADC</b>	Austrian Development Cooperation
<b>ADRF</b>	Albanian Disability Rights Foundation
<b>AP</b>	Action Plan
<b>AIDS</b>	Auto-Immuno-Deficiency Syndrome
<b>ASP</b>	Albanian State Police
<b>ASPA</b>	Albanian School of Public Administration
<b>AWMP</b>	Alliance of Women Members of Parliament
<b>CBS</b>	Community-Based Scorecard
<b>CESS</b>	Centre for Economic and Social Studies
<b>CCR</b>	“Coordinated Community Response” – Referral Mechanism against Domestic Violence
<b>CCRE</b>	Conseil des Communes et Régions d’Europe
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>CEC</b>	Central Election Commission
<b>CEMR</b>	Council of European Municipalities and Regions
<b>CEO</b>	Chief Executive Officer
<b>CM/Rec</b>	Council of Europe Recommendation
<b>CoE</b>	Council of Europe
<b>CoM</b>	Council of Ministers
<b>CPD</b>	Commissioner for Protection against Discrimination
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>CSE</b>	Comprehensive Sexual Education
<b>CSO</b>	Civil Society Organization
<b>CSW</b>	Commission on the Status of Women
<b>DALA</b>	Damage and Loss Assessment
<b>DIP</b>	Development and Integration Partner
<b>DV</b>	Domestic Violence
<b>DSIGE</b>	Directory of Social Inclusion and Gender Equality (part of the General Directory of Social Policies in the Ministry of Social Welfare and Youth)
<b>DDPFFA</b>	Department of Development Programming, Financing and Foreign Aid

<b>DEOFF</b>	Department of Equal Opportunities and Family Policies
<b>DoPA</b>	Department of Public Administration
<b>EBRD</b>	European Bank for Reconstruction and Development
<b>ECHI</b>	European Core Health Indicators
<b>EIDHR</b>	European Instrument for Democracy and Human Rights
<b>EIGE</b>	European Institute for Gender Equality
<b>EPO</b>	Emergency Protection Order
<b>ESS</b>	European Social Survey
<b>EU</b>	European Union
<b>EUD</b>	EU Delegation
<b>EURALIUS</b>	European Assistance Mission to the Albanian Justice System
<b>FAO</b>	Food and Agriculture Organization of the United Nations
<b>GAP</b>	Gender Action Plan
<b>GBV</b>	Gender-Based Violence
<b>GE</b>	Gender Equality
<b>GEE</b>	Gender Equality Employee
<b>GEF</b>	Gender Equality Facility
<b>GoA</b>	Government of Albania
<b>GRB</b>	Gender-Responsive Budgeting
<b>GVG</b>	Association for Actuarial Studies and Social Insurance Policies
<b>HGI</b>	National Set of Harmonised Gender Indicators
<b>HIV</b>	Human Immunodeficiency Virus
<b>ILO</b>	International Labour Organization
<b>INSTAT</b>	Institute of Statistics in Albania
<b>IOM</b>	International Organization for Migration
<b>IPA</b>	Instrument for Pre-Accession
<b>IPARD</b>	Instrument for Pre-accession Assistance and Rural Development
<b>IPH</b>	Institute of Public Health
<b>IPMG</b>	Integrated Policy Management Group
<b>Istanbul Convention</b>	Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence
<b>LDV</b>	Law “On Measures against Violence in Family Relations”
<b>LFS</b>	Labour Force Survey
<b>LGE</b>	Law “On Gender Equality in Society”
<b>LBT</b>	Lesbian, Bisexual, and Transgender
<b>LGBTI</b>	Lesbian, Gay, Bisexual, Transgender and Intersex people
<b>LGU</b>	Local Self-Government Unit
<b>LSMS</b>	Living Standard Measurement Survey
<b>MARDWA</b>	Ministry of Agriculture, Rural Development and Water Administration
<b>M&amp;E</b>	Monitoring and Evaluation
<b>MEDTTE</b>	Ministry of Economic Development, Trade, Tourism and Entrepreneurship



<b>MES</b>	Ministry of Education and Sports
<b>MF</b>	Ministry of Finance
<b>MoH</b>	Ministry of Health
<b>MIA</b>	Ministry of Interior (Internal Affairs)
<b>MJ</b>	Ministry of Justice
<b>MP</b>	Member of Parliament
<b>MoLSAEO</b>	Ministry of Labour, Social Affairs and Equal Opportunities
<b>MSLI</b>	Ministry of State for Local Issues
<b>MSWY</b>	Ministry of Social Welfare and Youth
<b>MTBP</b>	Medium-Term Budget Programme
<b>NACE</b>	Statistical Classification of Economic Activities in the European Community
<b>NAP</b>	National Action Plan
<b>NAPM&amp;B</b>	National Action Plan for the Involvement of Men/Boys as Partners with Women/ Girls for GE and the Prevention of GBV&DV 2014 - 2019
<b>NCGE</b>	National Council on Gender Equality
<b>NGO</b>	Non-Governmental Organization
<b>NSDI</b>	National Strategy for Development and Integration
<b>NSGE</b>	National Strategy for Gender Equality (2016-2020)
<b>NSGE-DV</b>	National Strategy for Gender Equality and Domestic Violence (2007-2010)
<b>NSGE-GBV &amp; DV</b>	National Strategy for Gender Equality and for the Reduction of Gender-Based Violence and Domestic Violence (2011-2015)
<b>ODIHR</b>	Office for Democratic Institutions and Human Rights (OSCE)
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>OSFA</b>	Open Society Foundation for Albania – Soros
<b>OSH</b>	Occupational Safety and Health
<b>PDNA</b>	Post-Disaster Needs Assessment
<b>PLGP</b>	Planning and Local Governance Project
<b>PM</b>	Prime Minister
<b>PMO</b>	Prime Minister's Office
<b>PO</b>	Protection Order
<b>PWD</b>	People with Disabilities
<b>RA</b>	Republic of Albania
<b>Rec</b>	Recommendation
<b>REVALB</b>	(On-line system for) Recording Violence in Albania
<b>RIGA</b>	Rural Income Generation Activities Database
<b>SDC</b>	Swiss Development Cooperation
<b>SDGs</b>	Sustainable Development Goals
<b>SEAP</b>	Sustainable Energy Action Plan
<b>SES</b>	Structure of Earnings Survey
<b>SEC</b>	Staff Working Document of the European Commission

<b>SILC</b>	EU Statistics on Income and Living Conditions (methodology)
<b>SRH</b>	Sexual and Reproductive Health
<b>SRHR</b>	Sexual and Reproductive Health Rights
<b>STIs</b>	Sexually Transmitted Infections
<b>SWD</b>	Staff Working Document
<b>TUS</b>	Time Use Survey
<b>TIPA</b>	Training Institute for Public Administration
<b>UCPM</b>	Union Civil Protection Mechanism
<b>UNDP</b>	United Nations Development Programme
<b>UNECOSOC</b>	United Nations Economic and Social Council
<b>UNEP</b>	United Nations Environment Programme
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>UNICEF</b>	United Nations Children’s Fund
<b>UNFPA</b>	United Nations Population Fund
<b>UNSD</b>	United Nations Statistics Division
<b>UN Women</b>	United Nations Entity for Gender Equality and the Empowerment of Women
<b>USAID</b>	United States Agency for International Development
<b>VAWG</b>	Violence against Women and Girls
<b>VET</b>	Vocational Education and Training
<b>VCT</b>	Voluntary Counselling and Testing

# PREFACE

The Government of Albania has made important progress in establishing relevant institutional and policy frameworks for achieving gender equality and women's empowerment, in line with international, regional, and national gender equality standards and obligations. Recognizing that ensuring equality between women and men in all spheres, both de jure and de facto, is critical to the sustainable development of societies, facilitating progress towards gender equality is a key component of the European Union's (EU) accession agenda in the Western Balkans.

The "Gender Brief Albania" responds directly to the priority objectives contained in the EU's new Gender Action Plan (GAP II) "Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020", including ensuring girls' and women's integrity, promoting their socio-economic rights, and strengthening the political voices of women and girls. It identifies areas of progress achieved by the Government of Albania in securing equal rights and opportunities for women and girls as well as continuing inequalities, and presents a series of priority actions aimed at improving the lives of women and girls in seven key sectors. Particular attention is paid to disadvantaged and marginalized groups, as well as to engaging men and boys in all activities aimed at promoting gender equality and women's empowerment.

In line with the recently renewed Memorandum of Understanding between the EU and UN Women in Albania, the Gender Brief focuses on initiatives aimed at strengthening the institutional framework for gender equality in Albania; enhancing the implementation of legal and policy frameworks for preventing and combating gender-based violence; improving women's and girls' socio-economic opportunities and access to the formal labour market; promoting women's political and public participation; increasing equal access to justice for women and girls; and protecting their sexual and reproductive rights. It also identifies new and emerging sectors that require increased attention, such as disaster risk management, energy poverty, and climate change.

The brief aims to support EU policy makers in tailoring pre-accession assistance to the Government of Albania in the sphere of gender equality and women's empowerment. By identifying areas of priority concern, backed by a solid evidence base, the brief presents a concrete work programme that targets the sectors and groups of women and girls in Albania most in need of directed, dedicated, and long-term assistance.

This joint UN Women-UNDP document is the result of extensive research conducted by gender experts Monika Kocaqi, Ani Plaku, and Dolly Wittberger. It was prepared within the framework of the "Gender Equality and Against Gender Based and Domestic Violence Programme" of the United Nations Development Programme (UNDP) in Albania, with the financial support of the Government of Sweden, and UN Women Albania's project "Gender Equality Facility in Albania Phase I", generously supported by the Austrian Development Agency. It is our sincere hope that this brief assists not only EU policy makers but also national government and civil society actors in supporting Albania's journey towards gender equality and women's empowerment.

**David Saunders**

*UN Women Representative*

# EXECUTIVE SUMMARY

Achieving gender equality and women's empowerment in Albania requires dedicated and sustained national and international attention. The "Gender Brief Albania" focuses on seven key sectors in which gender-based inequalities and discrimination persist, undermining efforts to achieve inclusive socio-economic development for men and women, boys and girls in Albania. In particular, it sheds light on the specific forms of multiple discrimination faced by disadvantaged and marginalized groups of women and girls, where gender and other forms of discrimination intersect.

The Gender Brief contains seven chapters, each dedicated to a specific sector or area where the equal rights and opportunities of women and men in Albania have yet to be achieved. Each chapter identifies areas of progress achieved by the Government of Albania and highlights continuing challenges and inequalities. Building on both achievements and persisting inequalities, each chapter then presents a series of targeted priority actions to guide the programmatic and budgetary objectives of policy makers as well as development partners such as donors, in line with international and national standards, obligations, and commitments. The chapters end with a short selection of key publications that contain the evidence base for the areas of concern identified.

**CHAPTER 1** focuses on the institutional framework for gender equality, the "national gender machinery" that the Government of Albania has established to realize gender equality and women's empowerment. The chapter highlights the importance of sex-disaggregated data in making institutional processes more gender-responsive, including programming, budgeting, public finance management, and public administration, and notes that the network of Gender Equality Employees remains under-resourced.

**Priority actions** in Chapter 1 aim at institutionalizing a dedicated national gender machinery in Albania and ensuring the proper establishment, resourcing, and capacity of Gender Equality Employees at both national and local levels. The Albanian Institute of Statistics is recommended to develop statistical methods to ensure the collection of sex-disaggregated data, while the Ministry of Social Welfare and Youth is encouraged coordinate and monitor implementation of gender-responsive budgeting (GRB) initiatives.

**CHAPTER 2** highlights the continued prevalence of gender-based violence (GBV) in Albania. Though the Government has implemented a comprehensive policy framework, GBV remains under-reported and is still considered a "private" matter, particularly in rural areas. As a result, protective services for women and girls remain under-resourced and lack of awareness about their legal rights persists. The chapter highlights Albania's efforts in establishing Referral Mechanisms as a mean to coordinate different government institutions mandated to respond to and provide adequate support to victims.

**Priority actions** to prevent and combat all forms of gender-based violence in Albania include enhanced awareness-raising, particularly among men and boys, and increased resources for both government bodies and civil society actors that provide protection and rehabilitation support to victims and survivors. The chapter recommends that the Ministry of Social Welfare and Youth enhance its efforts to facilitate multi-agency collaboration, invest in tools to better track cases of VAWG and DV, ensure implementation of key protocols; and improve the functioning of Referral Mechanisms across the country.

Enhancing the socio-economic rights and participation of women and girls is the focus of **CHAPTER 3**. The chapter highlights the continued exclusion of women and girls from the formal economy; their concentration in informal sectors, particularly in agriculture; and their responsibility for all forms of

care work. It notes that gender stereotypes influence women's and girls' access to vocational training and stifle women's entrepreneurial spirit. The chapter focuses on the specific forms of exclusion faced by women and girls from disadvantaged and marginalized groups as a result of multiple discrimination.

**Priority actions** for Chapter 3 are numerous, and focus on enhancing women's and girls' access to the formal economy through training, promotion of participation in non-traditional sectors, and provision of child and elder care. Ensuring labour and social protection for women and girls in the informal economy is prioritized, including access to pensions. A range of targeted actions address the forms of multiple discrimination that disadvantaged women and girls face as a means to improve their socio-economic status.

Increasing both the numeric and substantive representation of women and girls in political life is the focus of **CHAPTER 4**. The chapter identifies key measures introduced to enhance Albanian women's participation, such as gender quotas, but points out that non-compliance remains high. **Priority actions** focus on ensuring compliance with electoral legislation, on the key role that political parties play in supporting women's political participation, and on encouraging women at local level to consider political careers.

**CHAPTER 5** addresses continued inequalities in women's and girls' access to justice in Albania, including the protection of their rights to inheritance, land, and property. Key **priority actions** include the need for enhanced awareness raising among justice sector actors and women and girls as regards their legal rights. Ensuring women's access to free legal aid is identified as a priority, as well as engaging in targeted research on access to the court system and how gender-related court cases are adjudicated.

The sexual and reproductive rights of women and girls are well protected by Albanian law, as noted in **CHAPTER 6**. However, key gaps remain in provision of services to address the increased prevalence of mother to child transmission of HIV/AIDS, screening for gender-specific conditions, and the low use of contraceptives. **Priority actions** include increasing budget lines for the issues identified above and improving access to health care services for disadvantaged and marginalized women and girls.

**CHAPTER 7** identifies emerging sectors where the gender dimension remains under-analysed and researched, including the gendered impact of disaster risk reduction, energy poverty, and climate change, as evidenced by the 2015 floods in Albania. The chapter's **priority actions** include development of disaster risk reduction strategies that include an explicit gender dimension and engaging in research on the potential impact of energy poverty and climate change on Albanian women and girls.

The document includes a Glossary of relevant gender-related terms and concepts, as well as an Alignment Table aimed at capturing synergies between the priority actions contained in the Gender Brief; the pillars of the EU Gender Action Plan II; EU pre-accession priorities for Albania; Government of Albania reform priorities; and the Sustainable Development Goals (SDGs).



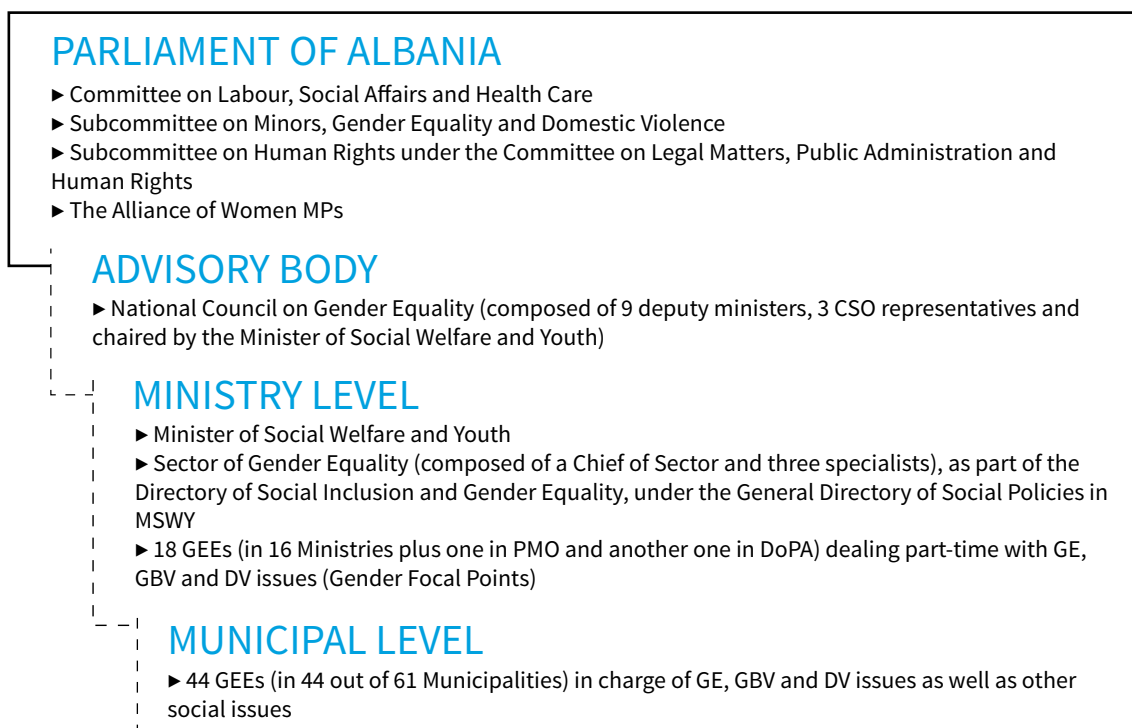
# CHAPTER 1: DELIVERING ON GENDER EQUALITY COMMITMENTS

## 1.1. Institutional Mechanisms and National Gender Machinery

### General Overview

In Albania, several institutions and mechanisms exist at different levels in the public administration that in their entirety constitute the national gender machinery. An overview is presented in the figure below.

Figure 1: National Gender Machinery of Albania



In the **Parliament of Albania**, several committees and subcommittees aim at addressing issues related to, among others, gender equality (GE) and the fight against gender-based violence (GBV) and domestic violence (DV). These include:

- the Committee on Labour, Social Affairs and Health Care, which addresses issues related to GE and the fight against GBV and DV;
- the Subcommittee on Minors, Gender Equality and Domestic Violence, established in 2013 and chaired by a woman, which monitors government policies in support of women and families and aims at involving Civil Society Organizations (CSOs) in the process; and
- the Subcommittee on Human Rights under the Committee on Legal Matters, Public Administration and Human Rights, which addresses human rights related issues, including gender equality.

In addition, the Alliance of Women Members of Parliament (AWMP) was created in November 2013, as a result of a lobbying movement launched by women MPs.<sup>1</sup> The AWMP promotes gender equality in the Parliament and advocates for the gender mainstreaming of laws. Since its creation, the AWMP has organized a series of events, such as specific public hearing sessions on issues related to GE and DV, and participated in various awareness-raising activities in close collaboration with the Ministry of Social Welfare and Youth (MSWY).

The highest-level advisory body for issues related to GE is the **National Council on Gender Equality (NCGE)**,<sup>2</sup> established in 2009. The Council is composed of nine deputy ministers and three CSO representatives and is chaired by the Minister of Social Welfare and Youth. Following the approval of the National Strategy on Gender Equality and for the Reduction of Gender-Based Violence and Domestic Violence (NSGE-GBV&DV) 2011-2015, the former Ministry of Economy, Transport and Energy (METE)<sup>3</sup> also joined the NCGE. The NCGE has approved several gender-related by-laws and annual monitoring reports, and has issued recommendations to central and local bodies on improving gender equality in organizational processes and activities.<sup>4</sup> However, the NCGE meets infrequently, and its visibility and effectiveness requires strengthening to enable it to operate fully according to its mandate.<sup>5</sup>

Since September 2013, the **Ministry of Social Welfare and Youth** has been the lead ministry in charge of issues related to gender equality, gender-based violence, and domestic violence, and forms an essential part of the national machinery on gender equality. The Ministry exercises its mandate through the **Sector of Gender Equality**.<sup>6</sup> The Sector is part of the Directory of Social Inclusion and Gender Equality (DSIGE), which falls under the General Directorate of Social Policies in the MSWY. The mission of this Sector is to formulate and develop policies for promoting GE and reducing GBV and DV; aim for better alignment of social inclusion programmes (especially those focused on different groups of vulnerable women); and support and engage in gender mainstreaming. Previously, as per the Law on Gender Equality<sup>7</sup> (LGE) and the Law on Domestic Violence<sup>8</sup> (LDV), the Ministry of Labour, Social Affairs and Equal Opportunities exercised authority for issues related to gender equality.<sup>9</sup>

The MSWY also has the responsibility to draft and monitor the implementation of the government's gender equality policy. To this end, an assessment of the implementation of the National Strategy on Gender Equality and for the Reduction of Gender-Based Violence and Domestic Violence 2011-2015 and its National Action Plan was conducted in October 2015.<sup>10</sup> The results directly fed into the drafting process of the new National Strategy on Gender Equality 2016-2020 and its Action Plan approved in the Council of Ministers' meeting of October 20th, 2016<sup>11</sup>. To fulfil its monitoring function, the national mechanism has prepared periodic reports on the implementation of existing strategies and action plans. However, the structure's capacities for data-collection and monitoring and evaluation remain weak and require strengthening.

**Gender Equality Employees (GEEs)** at the central level (in line ministries) and the local level (in



municipalities) are a core element of the national gender machinery. According to Albanian law,<sup>12</sup> GEEs occupy full-time positions within the public administration. However, most line ministries have not taken the required steps to establish and operationalize them. Furthermore, over the past two years, there has been a shift from full-time Gender Equality Employees to the nomination of “Gender Focal Points”. According to the MSWY, 18 appointed Gender Focal Points are currently serving in 16 ministries,<sup>13</sup> the Prime Minister’s Office (PMO), and the Department of Public Administration (DoPA). Their job description has been revised, adding duties and responsibilities in relation to issues of GE, GBV, and DV. Nonetheless, further updating is required to recognize GEEs’ essential role in mainstreaming gender equality into policy, planning, budgeting, and monitoring processes, in line with EU requirements and international obligations. This is of particular importance in view of legal requirements for ministries to engage in gender-responsive budgeting and coherent monitoring of gender-sensitive indicators, as well as in consideration of GEEs’ official role within the new sector governance architecture, particularly the Integrated Policy Management Groups (IPMGs).<sup>14</sup> However, the absence of full-time and adequately skilled formal GEEs poses a challenge to coherent gender mainstreaming across all sectors.

At local self-government level, out of 61 municipalities, 44 reportedly have an appointed “Gender Equality Employee”.<sup>15</sup> In principle, local-level GEEs are foreseen to primarily focus on mainstreaming gender equality into local governance processes, including planning, budgeting, and monitoring at municipal level. In practice, these individuals currently also assume a multi-functional role, covering the duties and responsibilities of the Local Coordinator against Domestic Violence,<sup>16</sup> and in many cases also perform numerous additional tasks related to child protection, persons with disabilities, and minorities.<sup>17</sup> Following institutional restructuring at the local level, their public administration status still needs to be clarified. The main problems identified at central level, i.e., the absence of adequate structures and procedures, clear terms of reference, and adequately skilled individuals operating as full-time GEEs, also apply to local self-government units (LGUs) that have appointed GEEs. It is evident that a single individual cannot cover the functions of a multi-disciplinary team that is required to respond to domestic violence and the needs of vulnerable groups. Furthermore, the translation of national gender policies, EU Gender Directives, and international obligations on gender equality to the local level requires dedicated and skilled staff operating within the administration – a process best undertaken by formalized Gender Equality Employees. During this current phase of decentralization and local governance reform, LGUs should consider increasing the number of specialists dealing with social inclusion and social protection issues, in addition to gender mainstreaming and gender equality tasks.

**The Commissioner for Protection against Discrimination (CPD)**<sup>18</sup> has been in place since 2010 and is one of the main institutions in charge of GE and protecting individuals from gender-based discrimination. Appointed by the Parliament, the CPD operates as a public, independent authority that protects individuals – both men and women – from discrimination by public authorities or private entities. The CPD examines complaints of discrimination lodged by individuals and groups and acts on behalf of their interests. The Commissioner can also launch administrative investigations *proprio motu*. The CPD issues decisions, makes recommendations, imposes penalty sanctions and, with their consent, may represent complainants<sup>19</sup> in civil proceedings before the court. Since the CPD’s establishment, the number of complaints has steadily increased, from four complaints in 2010 to 91 complaints and six *ex-officio* cases in September 2014. An examination of complaints filed shows that the victims of discrimination on various grounds are predominantly female. At the same time, the number of complaints lodged on explicit grounds of gender-based discrimination as such is low. Generally, gender discrimination complaints relate to violations of material rights and public services.<sup>20</sup> During the period 2012-2013, the number of male complainants doubled, with no significant increase in the number of female complainants.

## **Conclusions**

Institutional mechanisms in the sphere of gender equality have been a subject of discussion for

several years. The situation remains unresolved, however, and the existing national gender machinery continues to be under-resourced, resulting in limited effectiveness and weakness of influence. Despite national legal obligations, international requirements, and official commitments that “gender equality remains among the country’s key priorities”, concrete actions undertaken by the Government<sup>21</sup> to implement such commitments reveal the Government’s limited capacity to correctly address gender equality across all sectors and levels of governance, starting with the absence of a national mechanism solely dedicated to gender equality. Improvements have been achieved primarily in the adoption of policy documents and in the revision of titles of relevant structures, but these structures lack adequate human and financial resources as well as the necessary infrastructure to implement their mandates. In addition, despite tentative efforts to document the history of the existing multi-functional national mechanism since its creation, there is an increasing danger of institutional memory loss. Clearly, the data-collection as well as monitoring and evaluation capacities related to the mechanism need to be improved. Furthermore, there is no concrete budget line in the MSWY to support the mechanism’s mission and objectives, and almost all actions in support of, and undertaken by, the mechanism remain supported primarily by donors and international agencies.

The network of full-time Gender Equality Employees at the central and municipal levels of Albania’s public administration requires serious investment and sustainability measures in order to comply with legal requirements. The range of actions that increasingly require expertise in gender mainstreaming demands the hiring of full-time dedicated and skilled individuals, who are equipped with adequate financial resources and infrastructure and supported by guidance and capacity-development measures. For GEEs to become effective actors and assume their place within the national gender machinery, they must be empowered to serve as change agents in driving the gender-responsiveness of policies and programs. Specific steps and concrete actions for this purpose are included in the National Strategy for Gender Equality 2016-2020 and its Action Plan.<sup>22</sup>

### ***Priority Actions for 1.1.:***

- ▶ **The Government of Albania, in compliance with national legislation and international obligations, to guarantee the establishment and operationalization of a sustainable institutional gender mechanism as a critical component of the National Gender Machinery.** Dedicated allocation of structural, human, and financial resources is needed at central level as well as in Local Self-Government Units. These investments must be effective, focused on content and outputs (not simply on changing names and definitions), and comply with public administration regulations. Investment in this area is an essential step forward on the road to European Union (EU) accession, since strong institutional mechanisms/effective national machinery for gender equality are part of the EU GE acquis and one of the Council of Europe’s (CoE) Gender Equality Standards.<sup>23</sup> In its 2016 Concluding Observations to the Fourth Periodic Report of Albania, the CEDAW Committee noted its concern as to the decrease in human and financial resources allocated to the national machinery and urged Albania to strengthen its machinery by providing adequate resources (CEDAW, paras 14-15, 2016).
- ▶ **Initiate implementation of the National Action Plan of the new National Strategy for Gender Equality 2016-2020, with dedicated resources, detailed annual work plans, and specific indicators.** In this regard, MSWY coordination<sup>24</sup> and monitoring requires significant strengthening. In annual work plans, clear reference must be made to the resources/budget needed (and the resources to be mobilized) in order to fulfil gender equality related objectives.
- ▶ **Reorganize and strengthen the Sector of Gender Equality under the DSIGE, so it can fully perform its roles of coordination, monitoring, and evaluation of gender mainstreaming in Albania’s policies and programs.** The MSWY is in a position to contribute to and mobilize required human resources as well as to dedicate a specific budget line for this purpose in the annual budget and mid-term budgetary program, starting from the 2017 budget onwards. The

establishment of an effective monitoring unit or structure inside the Sector of Gender Equality is the first step to strengthen the Sector's position and enhance its functionality. This also contributes to SDG 5 Indicator 5.c.1 "Percentage of countries with systems to track and make public allocations for gender equality and women's empowerment".<sup>25</sup> Respective tracking modalities will need to be closely coordinated with the Ministry of Finance, in line with its mandate of overseeing Gender-Responsive Budgeting.

- ▶ **Increase effectiveness and visibility of the National Council on Gender Equality.** In view of the need for coherent gender mainstreaming across sectors, the Council and its individual members need to assume and actively play a significant role in supporting the achievement of national targets and improving the performance of this advisory and decision-making body.
- ▶ **Improve capacities of GEEs at central level as well as in LGUs.** The MSWY should collaborate with the Albanian School of Public Administration (ASPA), the DoPA, and national/international organizations in the country to enable the preparation of specific training manuals and a training calendar, as well as to facilitate the delivery of trainings. These trainings must be uniform and conducted according to a specifically approved programme, with basic to advanced levels and validation through credits. The participation of ministerial and municipal GEEs in these trainings must be compulsory and constitute an official part of public servants' training, formally recognized by GEEs' respective institutions.
- ▶ **Line ministries and LGUs to establish and operationalize the GEE structure** in line with national legislation<sup>26</sup> and policy,<sup>27</sup> ensuring that full-time, adequately skilled individuals are employed as GEEs. The position of GEEs must be guaranteed at both levels, independent of political changes due to elections. GEEs' job descriptions are to be adjusted as necessary to adequately reflect tasks to be performed in the framework of the national legal and policy framework, international obligations, the EU Gender Equality acquis, and changes resulting from local governance reform and Albania's new sector governance architecture.
- ▶ **The Ministry of Finance to monitor budget allocations of ministries and LGUs as regards implementation of the NSGE 2016-2020** through annual/mid-term budgetary planning.

## 1.2. Coordination and Leadership

In the past, the Donor Working Group on Gender coordinated work on gender equality, women's rights, and gender mainstreaming. This type of inter-sectorial coordination ceased in 2013. Since then, exchange on gender issues occurs sporadically, at actors' own initiative, occasionally through Development and Integration Partner (DIP) meetings, and in the framework of the OSCE-facilitated "Women in Decision Making" meetings. Currently, new sector governance structures are being established, namely, the Integrated Policy Management Groups (IPMGs).<sup>28</sup> Gender equality and women's rights are envisaged to be addressed in two of the IPMGs: (i) the IPMG on Employment and Social Sector, under the Thematic Group "Cross-cutting Social Inclusion"; and (ii) the IPMG on Good Governance and Public Administration Reform, under the Thematic Group "Policy-making". Each IPMG has been assigned a lead Ministry. As stipulated in the IPMG Operational Guidelines,<sup>29</sup> the Gender Equality Employee of the respective lead Ministry is a core member of the IPMG, ensuring the anchoring of gender expertise in sector governance, planning, and policy dialogue, in line with the EU Gender Equality acquis. This fact strengthens the argument for operationalizing the GEE network (as mentioned in section 1.1. of this report), to ensure that gender equality skills, expertise, and concerns are effectively integrated into the cross-sectorial coordination and governance structure of IPMGs, and further translated into concrete action.

Lack of coordination, a weak policy space, and an uncondusive legal and financial environment at the national level have been identified as the three main and inter-related global challenges inhibiting

progress on gender equality and development at large.<sup>30</sup> Consequently, high-level dialogue between key government agencies, CSOs, and ministries should continue. National officials and international representatives in positions of coordination and leadership must ensure that equality between women and men and equitable outcomes of reform will always be integral parts of political and policy dialogue. This will contribute to creating an enabling environment for routinely addressing gender equality in the public sector. It is also a pre-condition for achieving compliance with CoE Gender Equality Standards, in particular Recommendation No. R (98)14 on gender mainstreaming.<sup>31</sup>

### ***Priority Actions for 1.2.:***

- ▶ Ensure operationalization of the **Gender Equality Employee position in all IPMG lead ministries**, to enable GEEs to provide technical gender mainstreaming expertise to the respective IPMG and its Thematic Group.<sup>32</sup>
- ▶ **DIP meetings** to routinely provide coordination and support to the GoA on gender equality and gender mainstreaming.
- ▶ **All governance actors to support coordination on issues of gender equality at different levels.** The existence of specific institutions or structures at a single governance level is neither sufficient nor does it ensure effective coordination of actions within sectors or between the national and municipal levels. The CEDAW Committee in its 2016 Concluding Observations urged Albania to ensure that the different mechanisms mandated to promote gender equality coordinate and collaborate closely with one another (CEDAW, para 15, 2016).
- ▶ **The EU Delegation (EUD), EU Members States, UN agencies, donors, and development actors to promote and engage in high-level dialogue with government agencies, ministries, decision makers, and CSOs**, as an integral part of Albania's coordination process, supporting effective integration of gender equality principles and standards in national policies, programs, budgets, implementation, and monitoring.

## 1.3. Sex-disaggregated Data and Gender Statistics

Relevant, reliable, and timely gender statistics – cutting across traditional fields of statistics, including education, health, and employment, as well as emerging ones, such as climate change – are essential to understanding the differences between women and men in a given society. Such information is critical to policy and decision makers, and to advancing progress towards gender equality. Despite improvements over time, gender statistics are still far from satisfactory and many gaps exist in terms of data availability, quality, comparability, and timeliness.

In order to ensure that commitments on gender equality are accompanied by improved planning and budgeting and translated into tangible outcomes, a clear results-driven approach that promotes evidence-based decision making is required. This calls for investing in, and using, systematic high-quality gender evidence and analysis to develop adequate approaches that respond to the specific inequalities women and men experience within the social, political, and demographic processes of a country. To this end, the reliable, comparable, and coherent collection, analysis, and use of sex- and age-disaggregated data across sectors is a prerequisite.<sup>33</sup>

While the collection of sex-disaggregated data has been mandatory in Albania since 2008 (through the Law on Gender Equality), the actual utilization of sex-disaggregated data and gender statistics for policy development, budgeting, and monitoring of national development priorities is still far from satisfactory;

many gaps still exist in terms of data availability, quality, comparability, and timeliness, even for basic indicators. Significant technical and capacity support is required at central and local levels to support the coherent collection, analysis, and use of sex- and age-disaggregated data and gender statistics. Such support is also necessary to ensure increasing compliance with the standards of the International Labour Organization (ILO), the United Nations Statistics Division (UNSD), and Eurostat; to facilitate establishment of the Gender Equality Index; and to ensure application of the EU Statistics on Income and Living Conditions (SILC) methodology.

The Institute of Statistics in Albania (INSTAT)<sup>34</sup> – the body responsible for ensuring the collection of all statistics in the Republic of Albania – collects two types of statistics: administrative data and data from surveys. Administrative data are collected by state institutions and ministries according to the National Statistical Program. Currently, the National Statistical Program does not include routine data-collection in a sex-disaggregated manner, posing a challenge to monitoring in compliance with EU and international standards. Another important source of sex-disaggregated data at INSTAT is national surveys, especially annual and quartile surveys such as the Labour Force Survey, the Demographic Health Survey 2008-2009, the Time Use Survey 2010, and the Living Standard Measurement Survey (LSMS) 2012.

The current statistical system is characterized by a significant gap between data and information collected by institutions on the one hand, and indicators required at international level for monitoring gender equality on the other. Data are not standardized. Often they are not collected in rigorous and consistent ways, rendering it difficult to monitor the same indicator over time. Furthermore, new policy agendas need to introduce new indicators, including performance indicators, to complement classic indicators currently in use.

Since 2014, INSTAT (supported by UN Women) has significantly enriched the monograph “Women and Men in Albania” with sex-disaggregated data. Sex-disaggregated data are now published in line with the Harmonised Set of National Gender Indicators (HGI) with the aim to provide policy makers in particular with facts and evidence on gender inequalities.<sup>35</sup> Further alignment of statistics covered by the “Women and Men” monograph is required to ensure monitoring of gender-sensitive performance indicators across all sectors, and to enable international reporting on gender equality.

Since 2012, the introduction of gender mainstreaming in the medium-term budget programme (“gender-responsive budgeting” – GRB) at national level has been a strong push factor for the increased collection and use of sex-disaggregated data; the availability of sex-disaggregated data is a clear precondition for correlating activities, female and male beneficiaries, and budget allocations. This in turn has positively affected the development and application of sex-disaggregated performance indicators at national level.

In 2015, the Prime Minister’s Office/Department of Development Programming, Financing and Foreign Aid (DDPFFA) led the revision of the draft List of Indicators for the new National Strategy for Development and Integration (NSDI) 2016-2020. Supported by UN Women, around 130 draft NSDI indicators were reviewed from a gender equality perspective, with the aim to enable future monitoring of the impact of reforms on the female and male population. All indicators were aligned to national sector policies, the national legal framework for gender equality, the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Sustainable Development Goals (SDGs), and the UN Economic and Social Council (ECOSOC) minimum set of gender indicators.

"However, the final version of the NSDI II 2015 – 2020 contains a limited number of gender-sensitive indicators, reflecting the extent to which gender-sensitive monitoring is an essential part of the respective national strategies on which the NSDI builds. This highlights the essential need to apply a gender perspective in the drafting of national strategic policy goals and to consistently link them with gender-sensitive indicators for monitoring purposes. Overall, NSDI II revision should aim at systematically mainstreaming gender equality across the different NSDI pillars, including the provision of specified baselines, indicators and targets.

## *Sex-disaggregated statistics by area/sector*

**Employment and entrepreneurship.** Since 2007, INSTAT has conducted the Labour Force Survey (LFS) to measure real unemployment, the number of people working in agriculture (sex-disaggregated figures), and people working in the private non-agriculture sector (sex-disaggregated figures). The National Labour Office and Tax Office collect administrative data on employment and unemployment (sex-disaggregated figures). INSTAT obtains information on women's entrepreneurship through national surveys based on the national register for enterprises and businesses. Data are disaggregated by the sex of owner/administrator, type of business, sector, region, etc.

**Agricultural sector.** The transfer of responsibility for data-collection from the Ministry of Agriculture, Rural Development and Water Administration (MARDWA) to INSTAT in 2011 has negatively affected the data-collection system of the agricultural sector. Due to this transfer, the data-collection system has deteriorated in terms of human and financial resources, donor commitments, and quality. Moreover, the decision not to publish the results of the Agriculture Census (undertaken in 2012) has resulted in a data-collection gap and a lack of tools for monitoring agricultural policies and programs. Recent statistical data on women in agriculture and their employment therein are currently unavailable. Related to the issue of women's engagement and role in agriculture, the Labour Force Survey undertaken by INSTAT can provide important information for gender-sensitive monitoring of the employment strategy and other inter-sectorial strategies addressing gender inequalities. The LSF might also contribute to improving the collection methodology of administrative gender data gathered by line ministries.

**Health sector.** Monitoring of health outcomes currently suffers from poor collaboration between various institutions in charge of health sector data, including the Ministry of Health, the Institute of Public Health, hospitals, and other health institutions. This challenge negatively affects the quality, accuracy, and accessibility of administrative data. Health statistics are neither standardized, harmonized, nor sex-disaggregated. Health administrative data are fragmented, and the standards used by the Ministry of Health are different from those used by INSTAT and the Institute of Public Health. Data at the Institute of Public Health are more comprehensive, as they include thematic data and information from the primary health care system as well as from (public) hospitals. Yet, overall, the main health indicators, including those specifically monitoring the health of women and men, are still to be established.

**Social protection, social insurance.** Administrative data of the social protection system are collected by the State Social Service based on the secondary legislation for economic aid and other social support (e.g. for people with disabilities). Administrative data of the Economic Aid scheme are disaggregated by the sex of the head of household who is eligible for economic aid. The social insurance system collects administrative data in a sex-disaggregated manner for all new beneficiaries of and contributors to the system.

**Poverty.** In 2015, INSTAT piloted the EU Statistics on Income and Living Conditions (SILC) methodology in Albania for poverty measurement, which provides data on poverty and exclusion at the level of the individual. Poverty data disaggregated by sex were absent for a long time, since the LSMS methodology for poverty measurement collected data at household level in terms of aggregated household consumption. Implementation of the new methodology under the Eurostat guidelines will provide – for the first time – poverty data disaggregated by sex as well as by urban/rural location. In turn, this will provide more comprehensive and accurate insight into poverty, enabling targeted policy responses.

**Domestic violence statistics.** Amendments to the Law on Domestic Violence and to the Criminal Code also brought changes to the methodology of data-collection applied by the Albanian State Police, which previously impeded monitoring and the comparison of statistics over time. As a result, since 2015, data-collection on domestic violence has been based on the number of articles of the Criminal Code and the Domestic Violence Law that are violated. This new method of counting violations of legal acts when domestic violence is reported at the police station brings its own challenges. If several articles are violated in the same case, they are counted in a manner unrelated to the single victim.

This in turn results in the potential conflation of the number of “cases” (individuals) with the number of “violated articles”, artificially skewing interpretations of incidence rates of domestic violence. The total number of articles violated is recorded, specifying the sex of the perpetrator, but is not disaggregated further, such as by characteristics of the perpetrator, level of education of the victim, status of employment, etc. However, such information is indispensable for generating a deeper understanding of the extent, severity, and socio-economic patterns of violence, and particularly for developing targeted responses. Even though it is acknowledged that counting the incidence of violating articles tends to be a more convenient measure when administrative data sources are involved, it is highly recommended to measure the extent of violence in terms of the prevalence rate, since the unit of enumeration in the survey is the woman affected.<sup>36</sup> Apart from the enumeration methodology, the flow of data between institutions engaged in the official Referral Mechanism<sup>37</sup> lacks coherence, impeding the joint development of adequate responses that rely on unambiguous analysis as their basis.

### ***Priority Actions for 1.3.:***

- ▶ Producing relevant, accurate, and timely gender statistics remains a challenge in numerous sectors. Statistical methods and gender statistics are lagging in determining: decision-making positions in local government and in the private sector; poverty based on individual-level data; domestic violence and violence against women; the quality of education and lifelong learning; the gender pay gap; social protection measures, including pensions and unemployment benefits; universal health coverage; and the impact of natural disasters. **Initiatives to develop statistical standards and national capacity**, particularly on integrating a gender dimension into existing administrative statistics, **should be undertaken on a priority basis**. Coherent sex- and age-disaggregation of administrative data across sectors and levels needs to be ensured.
- ▶ **INSTAT to apply the ILO guidelines adopted by the 2013 International Conference of Labour Statisticians**, encompassing all forms of work, including own-use production of goods and services, which is particularly relevant for gender analysis, and to make these results publicly available. In its Concluding Observations, the CEDAW Committee expressed concern about the lack of disaggregated data on the number of women in the informal economy, and urged Albania to improve its statistical analysis in the informal sector, particularly in specific sectors where women are concentrated (CEDAW, para 31, 2016).
- ▶ **INSTAT to lead the standardization of methods and harmonization of gender statistics and indicators** aligned with the 2013 agreement by the United Nations Statistical Commission to use the Minimum Set of Gender Indicators, consisting of 52 quantitative and 11 qualitative indicators.
- ▶ **INSTAT to lead the harmonization and alignment** of the National Statistical Program with (i) the National Strategy for Gender Equality and (ii) international obligations on gender equality across all sectors.
- ▶ **Each ministry to identify relevant sector-specific gender statistics and sex-disaggregated data** for incorporation into the new National Statistical Program.
- ▶ **The Albanian State Police to consistently and comprehensively report domestic violence statistics** disaggregated by all relevant characteristics of perpetrators and victims.
- ▶ **INSTAT to periodically conduct UNSD-aligned surveys on domestic violence.**
- ▶ **The MSWY – in collaboration with INSTAT and the ASP – to ensure the correct alignment of ASP data and INSTAT survey results on domestic violence** and ensure complementarity between the two, or at least a clear distinction as to what each data set tells us.

- ▶ **All ministries to identify relevant sex- and age-disaggregated data** by program, at minimum for those programs subjected to GRB.
- ▶ **All ministries and municipalities to strengthen the capacity and role of Gender Equality Employees** in the process of mapping statistics.
- ▶ **INSTAT to ensure that gender statistics collected at local level are adequately reflected** in the National Statistical Program.
- ▶ **The Ministry of Health to monitor health indicators disaggregated by sex, age, and other relevant characteristics**, and to establish gender-sensitive indicators particularly related to risk and reproductive health, in line with international and Eurostat health indicators.
- ▶ **The MSWY to establish and monitor youth indicators** disaggregated by sex, including gender-sensitive youth indicators.<sup>38</sup>

## 1.4. Public Finance Management: Gender-Responsive Budgeting

### *General Overview*

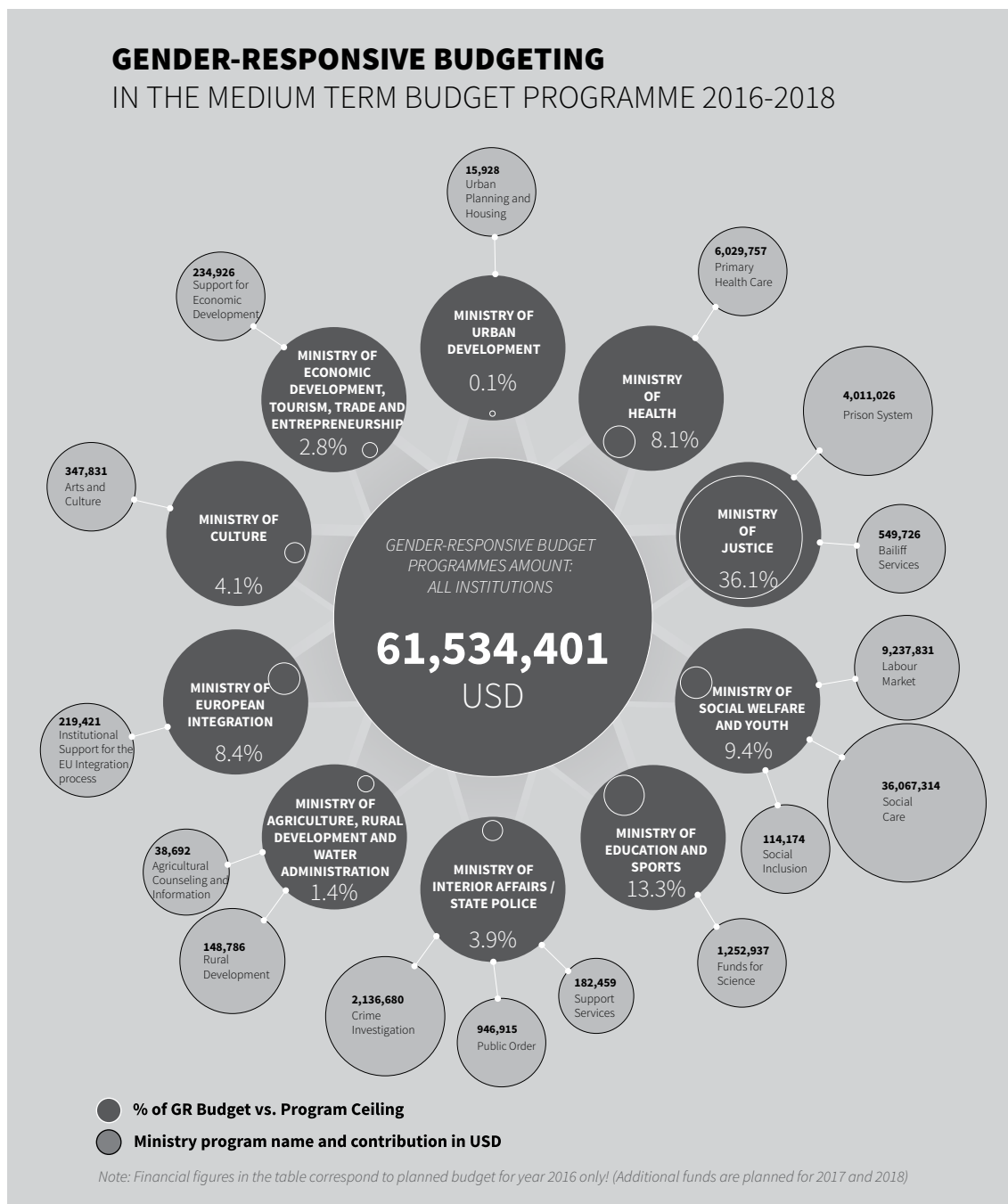
During the last years, the Government of Albania has made considerable efforts to improve and integrate planning and budgeting processes. Still, large absolute deviations in the composition of expenditures point to a problem in the quality of these processes. In terms of development impact and outcomes for women and men in the country, budgets and spending need to become more effective, to ensure that budgetary allocations benefit female and male citizens in an equitable way. Mainstreaming gender equality into the budgetary process is one way of achieving this. Efforts to introduce and apply the concept of Gender-Responsive Budgeting (GRB) date back many years.<sup>39</sup> The delays in introducing GRB principles were intricately linked to the challenges faced in improving the functioning, transparency, and accountability of overall budgetary processes: previously, Albanian institutions had considered budgeting as a strictly closed and confidential process.<sup>40</sup>

The Government of Albania has significantly increased its efforts in making gender equality a central element of planning and budgeting for national development and EU integration. Assisted by UN Women, the Government adopted CoM Decision No. 465 (2012)<sup>41</sup> on the application of gender mainstreaming in the medium-term budget programme (MTBP). Its aim is to establish transparent, adequate, and effective public financing processes, including budgets that channel adequate resources to both women and men. With the support of UN Women, the Government of Albania succeeded in introducing gender-responsive budgeting (GRB) in two ministries in 2013. By 2015, nine ministries were engaging in GRB,<sup>42</sup> developing a dedicated budget to achieve gender equality targets by financing gender-sensitive programmes. According to the Ministry of Finance, in the MTBP of 2016-2018, 19 programs were prepared in compliance with GRB, compared to nine programs identified in the previous exercises.<sup>43</sup> Figures as per the approved MTBP 2016-2018<sup>44</sup> show a total of 7,857,943,000.00 ALL (USD 61,534,401) planned by the Albanian Government for the year 2016 to specifically benefit women and/or advance gender equality (see Figure 2 below).

Execution of the budget, particularly of the planned gender-sensitive outputs, will be carefully monitored. Due to the success of launching GRB, it has become technically possible to track the share of national budget allocated in support of gender equality and women's empowerment, as required under the Global Partnership for Effective Development Cooperation (GPEDC). As noted by the Government of Albania, this had been impossible until 2014, since each ministry's budget had been provided as a total amount, and actions promoting gender equality were subsumed under various programmes.<sup>45</sup>



Figure 2: Gender-Responsive Budgeting in Medium-Term Budget Programme 2016-2018



Source: UN Women (2016). National Planning and Budgeting Programme.

The above-mentioned initiatives on the implementation of GRB are a significant step forward. At the same time, the application of GRB requires further technical refinement and needs to become routine practice in all ministries. According to the Ministry of Finance, “in the MTBP 2017-2019, GRB should be applied with clear measurable targets and indicators including at LGU level”.<sup>46</sup> Reasonable resources and adequate investment in capacity-building activities for firmly establishing fully-fledged GRB in public finance management is clearly needed. Lastly, planned gender equality expenditures are not the

same as actual gender equality expenditures, and careful monitoring will be required to ensure that the budget is executed according to each ministry's plans.

In addition, and through UN Women support, GRB has been initiated in seven municipalities.<sup>47</sup> A milestone in establishing and strengthening budgetary efficiency and gender accountability at local level was achieved by incorporating gender mainstreaming into the medium-term budget programme (MTBP) at municipal level and, in turn, into the Financial Law for Local Government. The law was approved by Parliament in June 2016, but still needs to be endorsed. In order to effectively operationalize and conduct GRB in a uniform manner at local level, a significant amount of technical guidance and advice will be required for all 61 municipalities. The first opportunity to provide such support within the framework of the new law will arise during preparation of the MTBP for 2017, to be undertaken in the fall of 2016.

A discussion on gender accountability within budgets would remain incomplete without addressing the link between budgetary plans on the one hand, and their equitable implementation on the other, which ultimately enables development outcomes for women, men, girls, and boys to be achieved. In particular, this relates to the need to reconsider the modalities of service delivery. This will be particularly important in the near future, given the increasing trend of LGUs collaborating with NGOs and private sector actors to provide vital public services (in the context of implementing the new Territorial Administrative Reform and undergoing the decentralization process). Regulation of the subcontracting of NGOs, CSOs, and private actors has a direct impact on delivery and services, especially social services. The terms and conditions of subcontracting will significantly influence whether or not social services will be accessible, available, and of the expected quality. Furthermore, outsourcing will also require the establishment of new monitoring mechanisms to hold non-governmental actors to account in complying with official standards, ratified conventions, as well as with the national legislation already in place. This will be especially important for those services targeting a range of vulnerable groups that suffer from social problems. Establishing clear monitoring procedures to ensure the application of standards by each actor delivering social services is an urgent priority.<sup>48</sup>

Budgetary accountability to women and men requires greater transparency from all actors involved, including line ministries, LGUs, CSOs, and private sector actors. Keeping in mind that these different actors command varying degrees of power and pursue different sets of priorities, it is important to strategically cooperate and build solid partnerships, so that effective and equitable service delivery – i.e., implementation – can be achieved.

### ***Priority Actions for 1.4.:***

- ▶ **Gender-Responsive Budgeting (GRB) to be implemented at all levels of governance.** Gender-responsive mobilization of national/state financing to achieve gender equality is increasingly critical, and compulsory GRB can help ensure that needed funds are secured and properly allocated. In its Concluding Observations, the CEDAW Committee urged Albania to provide more information on the impact of the first mid-term gender budgeting programme as well as on the implementation of the National Strategy for Gender Equality and for the Reduction of Gender-Based Violence and Domestic Violence 2011-2015 in its next periodic report (CEDAW, para 15, 2016).
- ▶ **The MoF to provide technical support, training, and advice to all LGUs for Establishing Gender Mainstreaming Procedures in Medium-Term Budget Programmes (MTBP) at LGU level, as foreseen by the Financial Law for Local Government.**
- ▶ **The MoF to play a critical role in supporting the correct implementation of the existing by-laws on GRB, ensuring their application through clear and measurable indicators as one of the key conditions for approving the annual or mid-term budgets of each institution at central as well as LGU level.**

- ▶ **The MoF and the MSWY to coordinate with ASPA in the development of GRB training materials for central and local levels**, and the provision of regular GRB trainings for public officers to ensure capacity and skills for implementation.
- ▶ **The MSWY to undertake specific measures to coordinate and monitor the implementation of activities regarding GRB** as foreseen in the new National Strategy for Gender Equality 2016-2020 and its Action Plan.<sup>49</sup>
- ▶ **The MoF to develop clear monitoring and performance budgeting processes** reflecting GRB requirements at central and local levels.
- ▶ **Improvement of the practical basis for implementation by reforming fiscal/financial legislation for subcontracting**, and establishing unified standards for service delivery by non-state actors.

## 1.5. Building National Gender Capacity and Public Administration Reform

Public administration reform is one of the GoA's priority reform areas. Given the country's development challenges, public administration is required to manage the delivery of services that place the rights, needs, and entitlements of female and male citizens at the center of attention, in order for them to meaningfully engage in and contribute to development and growth. The capacity of public institutions to formulate policies and deliver programmes that (i) recognize and respond to the different situations and needs of women and men and (ii) work towards reducing inequalities, needs to be strengthened.

Personnel still lack capacities to ensure gender mainstreaming in legislation, policies, budgets, and programmes. For example, the Action Plans of essential strategies affecting service delivery, and therefore the lives of women and men, such as those for Decentralization and Public Administration, were adopted in the absence of alignment with gender equality considerations. In the future, clear criteria for equality assurance should be established and applied to the drafting and approval of legislation, policies, action plans, programmes, and budgets.

The Albanian School of Public Administration plays an essential role in equipping the public administration with the skills and capacity to absorb the EU Gender Equality acquis as well as national and international obligations on gender equality. ASPA will need to resume and enhance previous training on gender equality and non-discrimination – aligned with EU and international standards – as an integral part of its routine curricula for all civil servants. Supported by the United Nations Development Program (UNDP) and UN Women, ASPA has embarked on revising its modules and developing advanced training modules on gender mainstreaming and gender-responsive budgeting in response to increased capacity needs of the public administration for implementing gender legislation and absorbing EU Directives. In parallel, specific gender training needs to be developed for and delivered to LGUs, to enable LGUs to implement national gender legislation and policy as well as the EU Gender Equality acquis at local level.

ASPA's enhanced engagement in gender capacity development is explicitly reflected in the new national Action Plan of the National Strategy for Gender Equality 2016-2020.<sup>50</sup> Specific trainings are also mentioned in various relevant sections of this report.

### ***Priority Actions for 1.5.:***

- ▶ **ASPA to prioritize, plan, and implement gender capacity-building for the public administration**, conducted regularly and based on officially unified programs, methodologies, and materials. This must be adequately reflected in the government budget as well as in ASPA's financial management plan.
- ▶ **The DoPA, in collaboration with ministries and LGUs, to operationalize a clear system to monitor and evaluate the work performance of civil servants. This system needs to capture and track their skills and capacities for absorbing national gender equality legislation and policy, the EU Gender Equality acquis, as well as national and international obligations on gender equality, especially after respective training on these topics.**
- ▶ **The MSWY and institutional coordination mechanisms (i.e., DIPs, IPMGs, NCGE, etc.) to support ASPA in the national gender capacity-building process**, by coordinating similar efforts as well as pooling the human and financial resources of international organizations, donors, CSOs, and private actors.

## **1.6. Citizen Accountability/Gender and Local Governance**

From 1 January 2016 onwards, within the framework of the new Administrative and Territorial Reform process and the new Law on Local Self-Government (“Organic Law”), the former rural administrative units and administrative divisions now operate within the new Local Self-Government (LGU), and local councillors represent these rural communities in the local council. The local administrator is appointed by the mayor of the Local Self-Government and, according to the new Organic Law, at least 30 per cent of appointed administrators should be women (Articles 54, 64). For the new LGU to respect principles of gender equality requires an overall reform process that ensures that power, responsibility, and resources are equally shared by both women and men and that equity is reflected in service delivery and modes of governance (Articles 27, 28, 77, 95).

The newly approved law on the administrative and territorial division has resulted in the establishment of fewer and larger local government units in Albania.<sup>51</sup> Increased territory, population, and responsibilities of municipalities clearly have to be matched by respective budget allocations and skilled personnel for managing and overseeing these budgets. The reduced number of larger municipalities seeks to improve the concentration of citizens as well as enhance service delivery and outreach to citizens, which remains a critical concern. Fiscal decentralization and adequate resource allocation to municipalities remain major challenges. Overall, ongoing reforms have not yet reached a level of consolidation that would ensure increased efficiency, a broader pool of human resources, capacities to take on additional functions, and an enlarged menu of quality services. Significant support is required to anchor governance modalities and mechanisms that adequately respond to the needs, rights, and entitlements of female and male citizens at local level. Special attention needs to be paid to gender equality considerations and to coherent gender mainstreaming in municipal planning, decision-making processes, and budgets, as well as to the operationalization of specific mechanisms and structures that aim at reducing gender inequalities and discrimination.<sup>52</sup> These include, for example, addressing domestic violence through the Referral Mechanism, and taking affirmative action to support the economic inclusion and social empowerment of women in local communities, particularly in rural areas.

The restructuring processes in LGUs provide an opportunity to integrate Albania's international commitments to gender equality (e.g. to CEDAW, the Beijing Platform for Action, and the EU Gender Equality acquis) into local governance obligations. A clear commitment by LGUs to use their powers,

competences, and partnerships to achieve greater equality for their citizens would also be in line with the European Charter for Equality of Women and Men in Local Life.<sup>53</sup> The new competencies of LGUs, including those in agriculture, offer a clear entry point for measures ensuring that men and women will have equal opportunities in the new system.<sup>54</sup> This includes employment and career advancement within the administration. Specific structures and mechanisms need to be operationalized, such as gender-responsive budget analysis, gender assessments, and gender audit exercises, to ensure that services address women's and men's different interests and needs, and are equally accessible to them. The systematic collection, analysis, and use of sex-disaggregated data and gender statistics are a prerequisite for establishing a decentralized system in which governance decisions are based on and nourished by facts and evidence.

As mentioned in section 1.1., some self-government units that are financially and technically supported by donors have proceeded with implementing national obligations on gender equality by establishing gender equality/domestic violence units or employees, and by gradually addressing gender equality concerns in local planning. The sustainability of these interventions can be ensured by integrating respective actions within local budgets. This emerging positive practice of engaging in gender and socially-responsive local governance needs to be consolidated and replicated in all local government units.

**Policy level.** The National Crosscutting Decentralization and Local Government Strategy 2015-2020 presents a comprehensive approach to decentralization and strengthening local governance, in line with the principles of the European Charter of Local Self-Government and with the principles on local governance enshrined in the European Administrative Space documents with the aim of ensuring political, administrative, and fiscal decentralization.<sup>55</sup> While the strategy mentions gender inequalities in the narrative part, however, respective responses and activities were not included in the strategy's Action Plan and will have to be addressed during implementation.

**GRB at local level.** The respective legislation regulating fiscal aspects of local governance (the Financial Law for Local Government) contains the obligation to engage in gender mainstreaming in the medium-term budget programme.<sup>56</sup> Coherent application of GRB at municipal level will contribute to increasing budgetary accountability and effectiveness of local expenditures.<sup>57</sup> Within this framework, it is imperative to guarantee the application of gender-responsive budgeting not only to services and investments, but also to all local grant schemes for agriculture, rural development, and support services financed by the local budget and/or co-financed by third parties. In addition, it requires the use of appropriate instruments to ensure the accessibility, quality, quantity, and affordability of services for all citizens.

### ***Priority Actions for 1.6.:***

- ▶ **Application of the provisions of the European Charter for Equality of Women and Men in Local Life** as a core reference document for local planning.
- ▶ **LGUs to engage in localizing the National Strategy for Gender Equality 2016 - 2020** as well as international obligations on gender equality and women's empowerment, and embedding their contents within local governance.
- ▶ **LGUs to establish formalized, inclusive, and gender-sensitive participatory consultation mechanisms** (such as Community-Based Scorecards, participatory budgeting, etc.) to ensure the active participation of both women and men and adequate representation of their needs.
- ▶ **Local administration at all levels to increase capacities for gender mainstreaming across sectors** in order to ensure gender-responsive implementation of the new functions and competencies.

- ▶ **LGUs to establish and monitor sex- and age-disaggregated indicators for the beneficiaries** of all programs at local level in line with national gender policy and the new National Statistical Program 2017-2021.
- ▶ Under the lead of the Ministry of State for Local Issues (MSLI) and INSTAT, **the GoA to establish a set of minimum gender indicators** in line with national and international legal and policy frameworks for gender equality for application at municipal level.
- ▶ **The Ministry of Finance to monitor LGUs' engagement in gender mainstreaming in the medium-term budget programme** (gender-responsive budgeting) in line with the new Financial Law for Local Government.
- ▶ **The Ministry of Finance to ensure adequate procedures, mechanisms, capacities, guidance, and monitoring of gender-responsive budgeting** undertaken by LGUs.
- ▶ **The Administration at local and central levels to adhere to and monitor compliance with gender-responsive provisions in national legislation/policy**, including: (i) the operationalization of gender mechanisms (Gender Equality Employee) and the Referral Mechanism for DV; (ii) implementation of the minimum quota of 30 per cent women local administrators appointed by the new mayors; and (iii) affirmative actions for supporting women's economic inclusion and social empowerment in local communities.

## Selected Key Publications for Albania

CEDAW Committee (2016) "National Fourth Periodic Report on the Implementation of the CEDAW Convention in Albania." Available at: [http://www.un.org.al/editor-files/file/CEDAW\\_C\\_ALB\\_4th%20report\\_Nov%202014\\_En.pdf](http://www.un.org.al/editor-files/file/CEDAW_C_ALB_4th%20report_Nov%202014_En.pdf).

Equinet (2015) A Comparative Analysis of Gender Equality Laws in Europe 2015. European Commission. Available at: <http://www.equineteurope.org/A-comparative-analysis-of-gender-equality-law-in-Europe-2015>.

Government of Albania (2014) "Albania: National Report on the Implementation of the Beijing +20 Platform for Action." Available at: [http://www.un.org.al/editor-files/file/Beijing+20\\_ALB%20National%20Report\\_Apr%202014\\_En.pdf](http://www.un.org.al/editor-files/file/Beijing+20_ALB%20National%20Report_Apr%202014_En.pdf).

INSTAT (2016) Women and Men in Albania 2016. Available at: <http://www.instat.gov.al/al/publications/librat/2016/femra-dhe-meshkuj-n%C3%AB-shqip%C3%ABri,-2016.aspx>.

Ministry of Social Welfare and Youth "National Strategy for Gender Equality and its Action Plan 2016-2020", adopted by Council of Ministers' Decision No. 733 on 20.10.2016 and published (Albanian version) in the Official Gazette No. 201 on 31.10.2016. See: [http://www.qbz.gov.al/botime/fletore\\_zyrtare/2016/PDF-2016/201-2016.pdf](http://www.qbz.gov.al/botime/fletore_zyrtare/2016/PDF-2016/201-2016.pdf)

Plaku, A. and M. Kocaqi (2015) "Assessment Report on the Implementation of the National Strategy for Gender Equality and Reduction of Gender Based Violence and Domestic Violence 2011-2015 and its Action Plan," UNDP Albania.

## CHAPTER ENDNOTES

- 1 *The AWMP is composed of 27 women MPs: 14 from the Socialist Party, nine from the Democratic Party, and four from the Socialist Movement for Integration Party. See “Fourth National Periodic Report on the Implementation of the CEDAW Convention in Albania,” Article 3, para 36 - delivered to the Committee on the Elimination of Discrimination against Women in November 2014. Full version available at: [http://www.un.org.al/editor-files/file/CEDAW\\_C\\_ALB\\_4th%20report\\_Nov%202014\\_En.pdf](http://www.un.org.al/editor-files/file/CEDAW_C_ALB_4th%20report_Nov%202014_En.pdf).*
- 2 *Established by Prime Minister’s Order No. 3 dated 08.01.2009, “On functioning of the National Council on Gender Equality”, in line with Law No. 9970/2008 and reconstituted pursuant to Prime Minister’s Order No. 230/2013, “On the functioning of the NCGE”.*
- 3 *As had been foreseen in Activity 1.1.1 of the National Action Plan of the National Strategy for Gender Equality and for the Reduction of Gender-Based Violence and Domestic Violence 2011-2015.*
- 4 *In its last meeting on 23 May 2016, the NCGE discussed and approved the draft National Strategy for Gender Equality and its Action Plan 2016-2020.*
- 5 *As recommended in the “Assessment Report on the Implementation of the National Strategy for Gender Equality and Reduction of Gender-Based Violence and Domestic Violence 2011-2015 and its Action Plan” (prepared by A. Plaku and M. Kocaqi, supported by UNDP Albania, October 2015). The relevant excerpt reads “...The periodical meetings of the NCGE must be based on a preliminarily agreed agenda decided at the beginning of each year and based on the key issues and existing policy documents, based on which this NCGE must evaluate the progress and also must take decisions for improvement. Of course those emergent or unexpected issues can be part of specific meeting agendas and the preliminary plan can be revised and adjusted based on developments and prior to each specific meeting...”*
- 6 *Established in March 2015, when the DSI GE was reorganized into two specific sectors: the Gender Equality Sector and the Social Inclusion Sector. The number of employed staff in the Gender Equality Sector has not changed (three individuals: a chief of sector and two specialists). The institutional memory of this sector has been maintained because these three specialists have more than 15 years of experience working in the respective structures in charge of gender-related issues. See “Assessment Report on the Implementation of the National Strategy for Gender Equality and Reduction of Gender-Based Violence and Domestic Violence 2011-2015 and its Action Plan”.*
- 7 *Law No. 9970 dated 24.07.2008, “On Gender Equality in Society”, published in the Official Gazette No. 125 on 01.08.2008, <http://www.osce.org/albania/36682>.*
- 8 *Law No. 9669 dated 18.12.2006, “On Measures against Violence in Family Relations”, published in the Official Gazette No. 150 on 18.01.2007; in force since 1 June 2007 (<http://www.osce.org/albania/30436>) and amended twice, with the Law No. 9914 dated 12.05.2008, and the Law No. 10329 dated 30.09.2010, published in the Official Gazette No. 142, p. 7703.*
- 9 *Previously this authority was granted to the Minister of Labour, Social Affairs and Equal Opportunities, who exercised these powers through the Department of Equal Opportunities and Family Policies (DEOFP), which had as its mission to formulate and develop policies for promoting GE and reducing DV. For details see the “National Fourth Report on the Implementation of the CEDAW Convention in Albania,” Article 3, para 31.*
- 10 *With the request of the MSWY and the support of UN Agencies, including UNDP.*
- 11 *The National Strategy for Gender Equality 2016 - 2020 was adopted by Council of Ministers' Decision No. 733 on 20.10.2016 and published (Albanian version) in the Official Gazette No. 201 on 31.10.2016. See: [http://www.qbz.gov.al/botime/fletore\\_zyrtare/2016/PDF-2016/201-2016.pdf](http://www.qbz.gov.al/botime/fletore_zyrtare/2016/PDF-2016/201-2016.pdf).*

- 12 Law No. 9970 dated 24.07.2008, "On Gender Equality in Society," Article 4.
- 13 By September 2013, at the central level, three out of 15 ministries had introduced a Gender Equality Employee as part of their internal structure.
- 14 As stipulated in the IPMG Operational Guidelines "Udhëzime operationale për grupet e menaxhimit të politikave, shtator 2015", adopted through Prime Minister's Order No. 129 dated 21.09.2015, the Gender Equality Employee of a respective lead Ministry is a core member of the IPMG, ensuring the anchoring of gender expertise in sector governance, planning, and policy dialogue, in line with the EU Gender Equality acquis.
- 15 See "National Strategy for Gender Equality 2016-2020 and its Action Plan", as described under Activity 4.2.3.
- 16 According to the Law No. 9669 dated 18.12.2006, "On Measures against Violence in Family Relations" and the CoM Decision No. 334 dated 17.02.2011, "For the establishment of the national referral mechanism for the treatment of domestic violence cases, and its way of functioning", each municipality must have a Local Coordinator as part of the Referral Mechanism to be set up at local level.
- 17 At the end of 2014, out of 65 municipalities, only 18 had appointed full-time Gender Equality Employees and had assigned respective offices as part of municipal structures for this purpose.
- 18 Following the implementation of the Law No. 10221 dated 4.2.2010, "On Protection against Discrimination", published in the Official Gazette No. 15/2010, [http://www.ilo.org/aids/legislation/WCMS\\_178702/lang--en/index.htm](http://www.ilo.org/aids/legislation/WCMS_178702/lang--en/index.htm).
- 19 For details see the "Fourth National Periodic Report on the Implementation of the CEDAW Convention in Albania," Article 2, paras 4 and 5.
- 20 In a gender discrimination case (Decision No. 93/30.09.2013) the court found the complainant had suffered direct discrimination on grounds of gender, pregnancy, civil, and marital status. CPD recommended that the Energy Regulatory Authority "revise its framework contract 'General Contractual Terms and Conditions for Supplying Electricity to Households'".
- 21 Including the changes taken after the general elections of 2013 and those of March 2015.
- 22 The National Strategy for Gender Equality 2016 - 2020 was adopted by Council of Ministers' Decision No. 733 on 20.10.2016 and published (Albanian version) in the Official Gazette No. 201 on 31.10.2016. See: [http://www.qbz.gov.al/botime/fletore\\_zyrtare/2016/PDF-2016/201-2016.pdf](http://www.qbz.gov.al/botime/fletore_zyrtare/2016/PDF-2016/201-2016.pdf).
- 23 CoE Recommendation Rec(2007)17 on gender equality standards and mechanisms; see CoE "Gender Equality Standards," p. 4, available at: [www.coe.int/equality](http://www.coe.int/equality).
- 24 The MSWY may support different institutions in drafting the yearly action plan to facilitate implementation of the National Action Plan 2016-2020.
- 25 UN Women presentation "Monitoring the SDGs from a Gender Perspective: Opportunities and Challenges," presented at the High Level Stakeholders Meeting for Gender Statistics, 31 March 2016, Kampala (slide 8).
- 26 See the Law on Gender Equality, the Law on Domestic Violence, as well as the Civil Service Law (Law No. 152/2013, see: [http://www.eurallius.eu/pdf/21.Law%20on%20civil%20service%2030\\_05\\_2013\\_en.pdf](http://www.eurallius.eu/pdf/21.Law%20on%20civil%20service%2030_05_2013_en.pdf)).
- 27 National Strategy for Gender Equality 2016-2020.
- 28 The establishment of the IPMG structure was finally approved by Prime Minister's Order No. 129 dated 21.09.2015. So far, three IPMGs have been launched (Employment and Social Policy; Integrated Water Management; and Public Administration). However, overall operationalization – including the establishment of Thematic Groups under each of the IPMGs – is pending.
- 29 IPMG Operational Guidelines, adopted through Prime Minister's Order No. 129 dated 21.09.2015.
- 30 As presented in the UN Women presentation "Monitoring the SDGs from a Gender Perspective: Opportunities and Challenges," presented at the High Level Stakeholders Meeting for Gender Statistics, 31 March 2016, Kampala (slide 13).
- 31 For further details, refer to the CoE "Gender Equality Standards," p. 4, available at: [www.coe.int/equality](http://www.coe.int/equality).



- coe.int/equality.
- 32 As stipulated in the Operational Guidelines for IMPGs “Udhëzime operationale për grupet e menaxhimit të politikave, shtator 2015”.
- 33 In line with Albanian gender equality legislation (Law No. 9970 dated 24.07.2008); UN ECOSOC; UN CEDAW; the Beijing Platform for Action; Council of Europe’s Recommendation Rec(2007)17; the EU International Cooperation and Development Results Framework, SWD (2015) 80 final, 26.3.2015; European Council Conclusions on Gender Equality and Women’s Empowerment in Development Cooperation, doc. 9561/07, and European Council Conclusions on Gender in Development, doc. 9241/15, 26 May 2015.
- 34 Law No. 9180 dated 5.2.2004, “On Official Statistics”, available at: [http://www.instat.gov.al/media/208100/statistical\\_law.pdf](http://www.instat.gov.al/media/208100/statistical_law.pdf). INSTAT prepares the National Statistical Program, which is approved by Parliament. The National Statistical Program defines the methodology of data-collection and determines the sources from which official information should be obtained, as well as the frequency of its collection. INSTAT has authority over ministries, which are obliged by law to provide all kinds of data as defined in the National Statistical Program.
- 35 In 2010, the Ministry of Labour, Social Affairs and Equal Opportunities (MoLSAEO), supported by UN Women, prepared the Harmonised Set of Gender Equality Indicators (HGI). The HGI was a first attempt to monitor implementation of the National Strategy for Gender Equality and Domestic Violence 2007-2010 (NSGE-DV). The HGI requires revision, reflecting recent policy developments.
- 36 Department of Economic and Social Affairs (2014) Guidelines for Producing Statistics on Violence against Women, United Nations Secretariat.
- 37 Commonly referred to as the “Coordinated Community Response to Domestic Violence” (CCR).
- 38 In line with EU dashboard indicators SEC(2011) 401, EU Youth Indicators, and the Youth Development Index.
- 39 The first attempts to change this kind of perception or “culture” in 2005-2006 were challenging and despite changes in the legal framework, the situation remained the same for several years. In light of this situation, international agencies decided to intervene and provided support to some municipalities, through local Not-for-Profit Organizations (NGOs), to start participatory budgetary processes and to continue with gender budgeting. International organizations, including former UNIFEM (now UN Women) – started similar interventions earlier in 2008, through capacity-building activities at local level.
- 40 Only financial persons and heads of institutions were previously involved in budgeting processes; the presence and input of other staff/directories was neither required nor considered important. Budgeting followed the same routine every year: “planning” was simply a math exercise, where policy directions, aims, and objectives were not counted at all; “accountability” was simply based on the table of expenditures and not necessarily followed by further analyses on cost-effectiveness; and “monitoring” was easily misunderstood as a “strict controlling process to find mistakes”. Consequently, “participatory” or “responsive” notions were not even thought to be linked with “budgeting”.
- 41 The approval of Council of Ministers’ Decision No. 465 dated 16.7.2012, “On Gender Mainstreaming in Medium-Term Budgeting Programmes”, was the first significant step in this direction, followed by the Joint Instruction No. 21 dated 21.06.2013 of the former Ministry of Labour, Social Affairs and Equal Opportunities (today, the MSWY) and the Ministry of Finance “On Establishing Gender Mainstreaming Procedures in Medium-Term Budget Programmes (MTBP)”. These by-laws stipulate that line ministries shall define minimum objectives, indicators, and outcomes for achieving gender mainstreaming in their budgeting processes and programmes.
- 42 “Assessment Report on the Implementation of the National Strategy for Gender Equality and Reduction of Gender-Based Violence and Domestic Violence 2011-2015 and its Action Plan”.
- 43 Presentation of Ms. Mimoza Dhembj, General Director of Budget in the Ministry of Finance, “Guidance on preparation of the

- MTBP 2017-2019,” 4 March 2016.
- 44 As approved in the Official Gazette No. 208 dated 3.12.2015.
- 45 “Albania: National Report on the Implementation of the Beijing +20 Platform for Action,” April 2014. Full version available at: [http://www.un.org.al/editor-files/file/Beijing+20\\_ALB%20National%20Report\\_Apr%202014\\_En.pdf](http://www.un.org.al/editor-files/file/Beijing+20_ALB%20National%20Report_Apr%202014_En.pdf).
- 46 Presentation of Mr. Fan Brahim, Ministry of Finance, “MTBP in the local government units,” 4 March 2016.
- 47 These are Tirana, Shkodra, Vlora, Elbasan, Fier, Permet, and Kelcyra. Preparatory meetings were also organized in Saranda, Lezha, and Durrës.
- 48 The discussion on subcontracting of NGOs and/or other actors as service providers is particularly relevant in the context of services for various groups of women and girls suffering from violence (i.e., the need to run shelters, counseling centers, vocational training centers, etc.). The adequate provision of such services is intricately linked with budgetary accountability and the application of GRB, and is therefore included in this section.
- 49 Mentioned in Specific Objective 4.3 of this document.
- 50 Especially in actions under Specific Objectives 3.2 and 4.2 of this National Action Plan.
- 51 Following the principles and standards defined in the European Charter of Local Self-Government and the principles of the European Administrative Space for local government.
- 52 These include addressing domestic violence through the Referral Mechanism and taking affirmative actions in support of the economic inclusion and social empowerment of women in local communities, in particular in rural areas.
- 53 Council of European Municipalities (2006) European Charter for Equality of Women and Men in Local Life, available at: <http://www.charter-equality.eu/the-charter/observatoire-europeen-en.html>.
- 54 LGUs administrate social services at the local level for vulnerable layers of the population, disabled individuals, children, women, women head of families, women victims of violence, victims of trafficking, mothers or parents with children in need, elderly women and men, etc., as defined in the law.
- 55 The National Crosscutting Strategy for Decentralization and Local Government 2015-2020.
- 56 CoM Decision No. 465 (2012), “On Gender Mainstreaming in Medium-Term Budgeting Programmes”.
- 57 The draft Financial Law for Local Government was approved by Parliament in May 2016.

# CHAPTER 2: CONTRIBUTING TO A SOCIETY FREE FROM VIOLENCE AGAINST WOMEN AND GIRLS AND DOMESTIC VIOLENCE

## *General Overview*

Violence against Women and Girls (VAWG) is one of the most pervasive forms of violence. It is a global pandemic that affects all countries, societies, religions, faiths, and ethnic backgrounds on a daily basis.<sup>58</sup> Preventing and combating Violence against Women and Girls is a precondition for equitable and inclusive sustainable development as well as an important value and objective in itself.<sup>59</sup> VAWG cannot be considered simply a violation of women's human rights (in terms of their physical and psychological integrity), because it has a direct and detrimental impact on the whole of society. A person abused within the family (domestic violence) does not just represent a case of individual suffering, but rather indicates that an entire family is characterized by violence and the threat of violence, with significant negative effects on women, girl and boy children, and elderly family members.

Gender-based violence is the most shocking manifestation of gender inequality, and it serves to perpetuate and reinforce women's subordination. As a result, gender-based violence cannot be understood in isolation from those social norms that govern gender relations and make such violations acceptable. The most common form of violence against women is that performed by a husband or an intimate partner. Men often use violence to punish perceived transgressions of gender roles. Violence against women is often considered a normal rather than a criminal act, and victims rather than perpetrators tend to be blamed and stigmatized. Domestic violence is a serious, preventable violation of human rights that relates to any physical, sexual, or psychological harm done by a current or former partner or spouse both in heterosexual or same-sex couples, ranging from verbal abuse to chronic severe battering.<sup>60</sup> Given the continued prevalence of GBV among European Member States, ensuring the physical and psychological integrity of girls and women is a priority for the EU.<sup>61</sup>

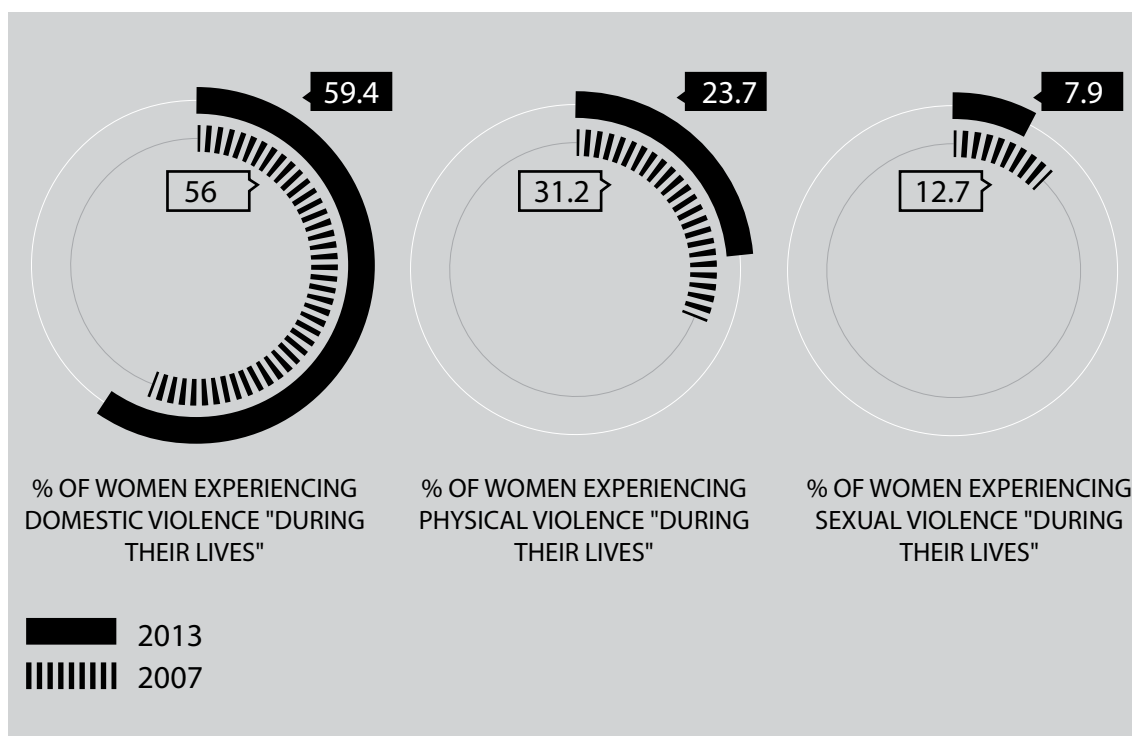
Violence against women and girls is not a new phenomenon in Albania. Such violence is rooted deeply in patriarchal<sup>62</sup> traditions and customs that have long shaped Albanian society, such as strict gender roles and identities, patriarchal authority, respect for the code of honour and shame, control of several generations in the family, poverty, inequality in the area of employment or education, and gender-based migration. During the last ten years, two national surveys on domestic violence have been conducted. The first national population-based survey on domestic violence in Albania was carried out by INSTAT

in 2007,<sup>63</sup> followed by a second one in 2013.<sup>64</sup> The trends associated with this phenomenon during the period 2007-2013 can be summarized as follows:<sup>65</sup>

- The percentage of women who had experienced domestic violence (all forms of violence) “during their lives” increased from 56.0<sup>66</sup> to 59.4 per cent.<sup>67</sup>
- The percentage of women who had experienced physical violence “during their lives” decreased from 31.2 to 23.7 per cent.<sup>68</sup>
- The percentage of women who had experienced sexual violence “during their lives” decreased from 12.7 to 7.9 per cent.<sup>69</sup>

A comparison of the findings between 2007 and 2013 draws attention to several important issues. Firstly, the increase of reported cases reflects an increase in public trust in the responsible state bodies, as people are now more willing to report cases of violence and ask for help. It also indicates a growing awareness that domestic violence is a crime and, as such, should be reported. Secondly, the latest amendments to relevant legislation have resulted in a significant improvement in how institutions deal with VAWG and DV cases, further increasing trust. Thirdly, the reduction in the percentage of cases of physical violence does not necessarily mean an overall reduction in violent acts.<sup>70</sup> Lastly, when analysing figures and drawing conclusions on sexual violence, caution is needed, as this form of violence continues to be a taboo and remains under-reported especially in the case of sexual violence between spouses. For this reason, ensuring implementation of the National Strategy for Gender Equality 2016-2020, and the importance of conducting national periodical surveys as well as improving the data-collection system are highlighted in this section in order to obtain a more accurate picture of the situation.

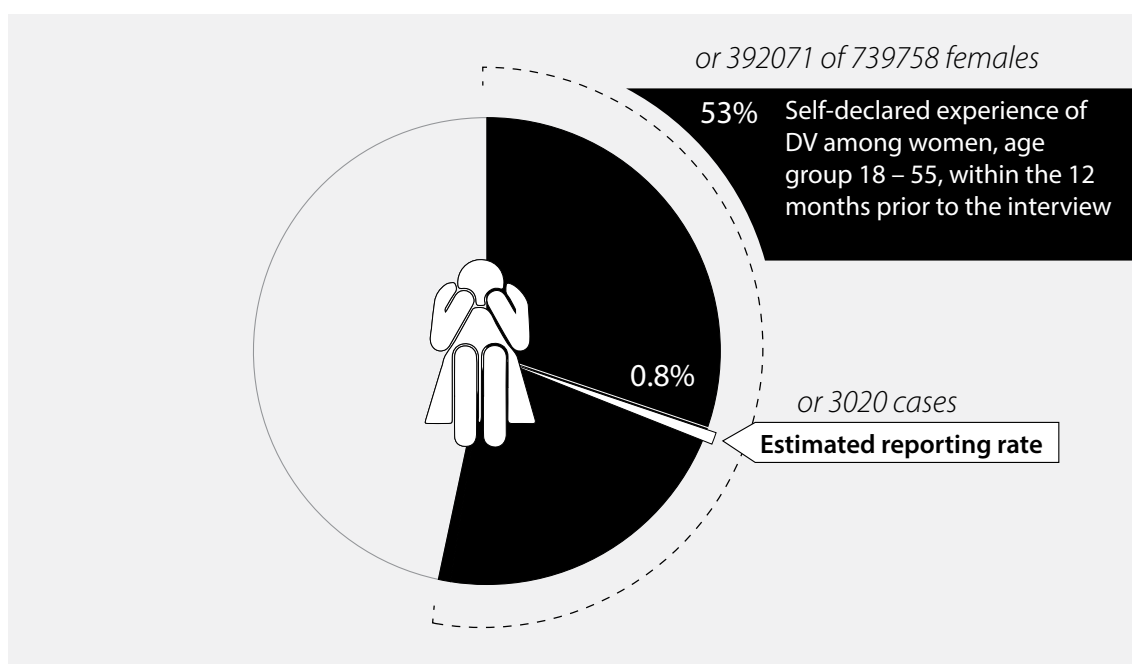
**Figure 3: Incidence of Domestic Violence in Albania: 2007 - 2013**



Source: INSTAT “Domestic violence in Albania: National population-based survey 2013”

According to INSTAT's Women and Men in Albania 2016, in the course of 2010 to 2014, a significant increase in the number of women victims who reported domestic violence has been observed.<sup>71</sup> The highest share of reported cases of domestic violence is found in the prefecture of Tirana, where the figure stands at 34.3 per cent, followed by the prefecture of Durrës with 18.3 per cent. The lowest numbers of reported DV cases are in Kukës and Dibra (1.2 per cent respectively). Comparing the number of reported DV cases with the total female population, the rates of reporting are highest in the prefectures of Durrës, Berat, and Tirana (36.6, 24.1 and 23.1 per cent per 10,000 inhabitants, respectively). The prefectures of Dibra (5.2), Kukës (8.2) and Shkodra (9.1) have the lowest rates of women victims who report domestic violence. These figures are significantly below the Albanian average rate of women who report domestic violence, at 19.1 per cent.<sup>72</sup> Therefore, interventions that aim at raising awareness and effectiveness of the Referral Mechanism are particularly needed in these regions.

**Figure 4: DV Incidence and Reporting Statistics: 2013**



Source: Authors' calculation based on INSTAT DV Survey, General Directory of Albanian State Police, as reported in MSWY in the frame of preparation of the Monitoring Report of NSGE-GBV&DV for the year 2015.<sup>73</sup>

The collection, analysis, interpretation, and presentation of coherent data on domestic violence are extremely important for understanding VAWG and DV issues in Albania, developing adequate responses, and assessing the impact of measures. In order to present a clear picture of the actual prevalence and trends regarding VAWG and DV, specific and detailed data are required, to be registered in formats that allow for comparisons over time. The Albanian State Police (ASP) is one of the key state institutions providing detailed information on VAWG and DV cases reported. However, the ASP has data only on the cases reported to police stations, which may be different from those kept by the judicial system (i.e., the courts), or those reported by the health sector, employment services, municipalities, and other social service providers.

For this reason, and at the request of the MSWY (the state body authorized to collect data on VAWG and DV), UNDP has supported the establishment of an online database system (REVALB)<sup>74</sup> through which

any registered case treated by the different institutions of the Referral Mechanism<sup>75</sup> at local level is entered. This system needs to be used regularly in all municipalities in order to consistently monitor the phenomenon and provide the data basis needed for analyses, especially in periods between the national surveys. In order to make this system functional, specific support is required for strengthening its application. Clear protocols and procedures regulating the sharing of personal data between different institutions, i.e., the members of the Referral Mechanism, also need to be put in place. Statistics on VAWG and DV gathered by the Government of Albania and specific institutions in charge<sup>76</sup> still need to be aligned with EU standards, in order to enable tracking over time, reporting at European and international levels, and engagement in impact and comparative analysis.

Statistics from the General Directory of the Albanian State Police show that in 2015,<sup>77</sup> 74 per cent of DV victims were women and girls, as presented in the table below. Out of the 3867 cases reported to the police, criminal proceedings were initiated in 1719 cases, or 44 per cent of the time. Out of these, only 1300 cases, or less than a third, were referred to prosecutor offices in line with the provisions in Albania's Criminal Code (Article 130/a). In 112 cases, the protection orders issued by the court were violated by the abusers/perpetrators, and out of 20 murdered victims, 10 were women and girls. Strikingly, 56 per cent of cases were subsequently treated according to the Law on Domestic Violence (i.e., filling in the request for Emergency Protection Orders or for Protection Orders), which means that in an administrative-civil way DV is clearly criminalized. This data may indicate a certain reluctance to initiate the criminal process in DV cases, indirectly assigning lower gravity to the offence. Usually the criminal process is initiated when physical injuries are clearly visible or in repeated cases. However, additional data and analysis are required in order to substantiate such findings. Statistics for DV cases for the year 2015 are captured in Table 2.

**Table 1: Statistics for DV cases for the year 2015**

	<b>Total</b>
Reported	3867
Prepared the Request for Protection Order	2148
Protection Orders broken/violated	112
Initiated the Criminal Process	1719
Continued the criminal process according to the Article 130/a of the Criminal Code	1300
Arrested	730
Detained	130
Murdered	18

*Source: General Directory of Albanian State Police.*

The effect of more stringent legislation on punishment of DV is difficult to analyse due to the continuous changes to the statistical forms used by the General Directory of the Albanian State Police. However, monitoring of the implementation and impact of legislation on GBV and DV in Albania over time, including by focusing on revisions to the Criminal Code, is essential. Such monitoring should be conducted complementary to studies on GBV and DV in Albania (as foreseen in the new NSGE 2016-2020 and its Action Plan).

## 2.1. Preventing VAWG and DV, and Engaging Men and Boys

Prevention and reduction of VAW and DV are key governmental commitments (in conjunction with the achievement of gender equality) and have been the focus of many Albanian NGOs, too.<sup>77</sup> Civil society activists, supported by national and international organizations, have undertaken a range of actions such as conducting research,<sup>79</sup> organizing awareness-raising and capacity-building activities, and undertaking many lobbying and advocacy efforts to improve the situation and the legal framework on VAW and DV. As a result, significant progress has been made, starting from 2006 with the approval of the Law on Domestic Violence.<sup>80</sup> In parallel, a series of international conventions<sup>81</sup> and directives have been ratified; national legislation harmonized;<sup>82</sup> data-collection improved;<sup>83</sup> and standards of services enhanced. Taken together, a wealth of concrete actions have been implemented, building the basis for effectively addressing VAW and DV in Albania.<sup>84</sup>

On 19 December 2011, the Government of Albania signed the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), and ratified it on 4 February 2013. This Convention entered into force on 1 August 2014.<sup>85</sup> It is a comprehensive and complex treaty that introduces unprecedented and detailed provisions for measures that should be taken by States Parties to prevent violence against women and domestic violence, protect victims, and punish perpetrators. It has since developed into a key human rights treaty, a criminal law treaty, and an instrument for greater gender equality, and is characterized by an integrated and holistic approach. In addition to the principles of the Istanbul Convention, Recommendation Rec(2002)5 of the Council of Europe on the protection of women from violence is also of relevance to Albania.<sup>86</sup>

The aim of prevention is to stop VAWG and DV before they occur by addressing root causes. The common elements that need to be addressed are power and control, which manifest themselves as gender inequality and discrimination. VAWG and DV prevention is based on a thorough understanding of the causes and contributing factors, and the development of strategies to reduce or eliminate them. VAWG and DV are deeply ingrained in social norms and practices in all areas of society. Therefore, prevention efforts require a long-term perspective to achieve changes to social norms that tolerate abusive behaviours. This must go hand in hand with substantive changes in the economic, social, and political status of VAWG and DV victims/survivors. Considering the above, prevention is less expensive and more effective than treatment, rehabilitation, and reintegration, because it addresses the larger context and influences entire societies.

Awareness raising is a fundamental component of primary prevention strategies. It aims at: (i) changing attitudes, behaviours, and beliefs that normalize and tolerate GBV among the general public; (ii) preventing men and women from becoming GBV victims/survivors or perpetrators; and (iii) informing the wider public and especially victims/survivors about the resources available to tackle the problem.<sup>87</sup>

The Government of Albania has continued its efforts to address gender stereotypes and challenge harmful traditions that violate the rights of women and girls. Public awareness-raising campaigns are organized on an annual basis by state institutions at central and local levels, specialized CSOs, as well as international organizations. The joint implementation of the "16 Days of Activism" campaign, for example, has become a tradition, and during the last two years, some activities even extended beyond the campaign's timeframe.

The need to engage and mobilize far more men and boys in actions against GBV and DV is increasingly being addressed as well. A "National Action Plan for the Involvement of Men/Boys as Partners with Women/Girls for GE and the Prevention of GBV&DV 2014 - 2019" (NAPM&B) was drafted in 2013<sup>88</sup> and formally presented during a meeting of the NCGE.<sup>89</sup> The AP remained without costing or a budget, however, and, consequently, remained unendorsed. However, several of its elements were recently incorporated into the Action Plan of the new National Strategy for Gender Equality 2016-2020.<sup>90</sup>

Concrete actions contained in the original NAPM&B include establishing a national youth movement

for GE; building the capacities of professionals and community leaders (including religious leaders) for addressing GE and DV issues; and educating families and citizens to serve as change agents. Some of the AP's elements were implemented in the framework of national joint campaigns during the period 2013-2015 under the slogan "Men and Boys part of the solution: Show you are against Violence!" Increasing numbers of men and boys have engaged in these campaigns; more than 60 messages from Albanian men and boys in support of the empowerment of women and girls were posted on the "One Story"<sup>91</sup> webpage, and in July 2014, the MSWY joined the global UN Women "HeForShe" campaign.<sup>92</sup> Work with religious communities to join actions against GBV and DV has also started, and during the 16 Days Campaign of 2015, the MSWY prepared and signed a Declaration for Joint Actions Against GBV and DV with all religious communities in Albania.<sup>93</sup> This was followed by trainings for religious leaders on how to initiate joint actions against GBV and DV in 2016.<sup>94</sup>

In addition to campaigns, informative activities focusing on women's education about their rights continue to be organized by various actors. Furthermore, supported by international organizations and national as well as local NGOs, the MSWY and other line ministries and their dependent institutions have built the awareness and capacity of professionals such as the police, doctors, nurses, social workers, legal professionals, and teachers to combat VAWG and DV.<sup>95</sup> For the moment, donors remain the main source of funding for awareness-raising and capacity-building activities. Future capacity-building activities as well as awareness-raising activities are recommended to address all forms of VAW, as foreseen in the Istanbul Convention, to increasingly pursue a targeted approach,<sup>96</sup> and to raise issues related to masculinity and male privilege in the private, economic, social, and political spheres.

### ***Priority Actions for 2.1.:***

- ▶ **Investment in prevention and awareness-raising activities is extremely important and highly effective in dealing with VAWG and DV issues.** Prevention consists of reducing or eliminating the root causes of VAWG and DV and the situation-specific factors that contribute to, perpetuate, or increase the risk of VAWG and DV. To foster the good practice of coordination created thus far between the MSWY, line ministries, NGOs, and international donors, joint awareness-raising activities should continue on a regular basis and go beyond the traditional international campaigns. The creation of a youth movement against VAWG and DV is also recommended. The CEDAW Committee has acknowledged the persistence of harmful stereotypes in Albania, particularly in rural areas, and urged Albania to continue awareness-raising efforts to combat gender-based stereotypes and promote positive images of women and girls (CEDAW, paras 20-21, 2016).
- ▶ **The MSWY to undertake all required measures to ensure implementation of awareness-raising and capacity-building activities on issues of GBV and DV,** as planned in the new NSGE 2016-2020. Such activities must be resourced through the state budget: all institutions must devise specific budget lines for such purposes as part of their budgetary programs.
- ▶ **The MSWY to plan and coordinate annual campaigns well in advance** and in close collaboration with other involved actors, addressing all forms of VAWG and DV. Using media on a regular basis in such campaigns and beyond is extremely important.
- ▶ **Capacity-building activities on GBV and DV for government staff at central and local levels to be provided on a regular basis,** covering basic to advanced knowledge, with an obligatory minimum number of hours, issues, and modules. Such capacity development of professionals needs to be part of regular training plans, and monitored in the human resource management system of each responsible line ministry. These trainings are to be organized and certified in close collaboration with ASPA.



## 2.2. Protection of Victims/Survivors, Access to Services

Significant improvements regarding the protection of victims/survivors of violence have been achieved recently: DV and some forms of VAW are now a criminal offence;<sup>97</sup> there are harsher sanctions against perpetrators; marital rape is now a separate criminal offence; it is considered an aggravation if a criminal offence is committed against a victim who is the subject of a protection order; and sexual harassment has been criminalized. A victim-/survivor-centred approach is increasingly applied to different protection steps. Overall, community trust in state institutions and protection mechanisms has improved, as evidenced by the increase in reporting of DV cases.<sup>98</sup> Yet, despite improvements in the legal, policy, and institutional framework, DV and VAW remain a serious problem – numerous violent incidents within families end in homicide. Additional efforts and actions are needed to ensure effective prevention and full protection in accordance with national and international standards and requirements.

The provision of services and their accessibility remain a challenge. Albanian women who suffer gender-based violence lack access to the most basic services for their safety and protection. Even where these services exist, they are typically underfunded, understaffed, and mostly available only in the major cities. The recent study on “Mapping Violence against Women and Girls Support Services”<sup>99</sup> concludes that “[...] additional services need to be established and extended all around the country. At a minimum, women’s and girls’ emergency and immediate needs should be met through free 24-hour hotlines,<sup>100</sup> prompt intervention for their safety and protection, safe housing and shelter<sup>101</sup> for them and their children, counselling and psycho-social support, post-rape care,<sup>102</sup> and free legal aid to help them understand their rights and options”.

Despite clear progress, additional efforts are needed to meet the requirements of ratified international conventions, namely CEDAW and the Istanbul Convention. Reintegration of women and girl survivors of gender-based violence needs to be ensured by providing social housing, employment, vocational training, social assistance, and access to social services. Furthermore, since women’s unequal economic and employment opportunities are major factors in perpetuating their entrapment in situations of violence, exploitation, and abuse, responses to DV must be supported by far more effective and comprehensive measures for ensuring women’s economic independence and empowerment, such as through increased employment, entrepreneurship, and vocational training. Furthermore, continued support at national level is needed to ensure women’s de-facto rights to own and inherit land and property, to equal pay for equal work, and to safe and decent employment.

### ***Priority Actions for 2.2.:***

- ▶ **The Government of Albania to effectively invest in protection, rehabilitation, and reintegration services for victims/survivors.** Such services must be available all around the country, accessible to all women in need, and structured in line with the requirements of the Istanbul Convention. Key institutions that are obliged to deal with the issue of service delivery include but are not limited to: the MSWY, regarding the provision of some specialist services such as shelters, the free national telephone help-line, and services for children witnesses of violence; the Ministry of Justice, regarding legal services, including free legal support for victims/survivors of VAWG and DV; the Ministry of Health regarding services for victims of sexual violence and the provision of post-rape care; and municipalities, particularly for opening emergency/crisis shelters. In its Concluding Observations, the CEDAW Committee expressed concern at the low rate of reporting of gender-based violence, the insufficient number of shelters, and the restrictive criteria for admission. The Committee urged Albania to encourage reporting by providing free legal aid and establishing a 24-hour hotline; to increase the number and capacity of shelters; and to strengthen the role and capacity of authorities to

provide protection and rehabilitation services to victims (CEDAW, paras 22-23, 2016).

- ▶ **NGOs and international organizations may also support the establishment of different specialist services.** This requires clarification and specification of the legal framework for engaging in such types of “public-private partnership”; the definition of practicing procedures for subcontracted NGO service providers; and the establishment of a monitoring system for checking the quality, adequacy, and accessibility of services provided. The CEDAW Committee noted the potential for cooperation between state authorities and NGOs on the provision of shelter and related services in its 2016 Concluding Observations, and urged Albania to put in place mechanisms for contracting, delegating, and procuring the support of NGOs in order to respond to the needs of GBV victims, including through increased financing (CEDAW, para 23, 2016).
- ▶ **Continuous capacity-building activities for professionals working on protection, rehabilitation, and reintegration issues must be developed and budgeted, as foreseen in the new NSGE 2016-2020.** Professional, trained, and qualified staff – working in line with the required standards – must be available to provide adequate services to all women and girls in need, including those with particular needs due to location, life circumstances, physical abilities, or health conditions. Ensuring capacity development of staff is a responsibility of all line ministries in charge of implementing respective elements of the Law on Domestic Violence, as well as of all other actors involved in this issue. The solid expertise and practical experience of local NGOs and international agencies should serve as guidance in this process, coordinated by the MSWY and realized in close collaboration with ASPA.

## 2.3. Prosecution of Perpetrators and Perpetrators’ Programs

As previously mentioned, the Government of Albania has undertaken significant legislative steps towards enhanced protection of victims/survivors of VAWG and DV, including by enforcing the punishment of perpetrators through improvements in the Criminal Code.

Data and results obtained through the study on “Mapping Violence against Women and Girls Support Services” show that work with perpetrators has begun in Albania, and during the last few years, service providers have tried different approaches and models, mainly based on family counselling and mediation. Work with perpetrators has been initiated because victims/survivors request or suggest it, while some service providers engage perpetrators because it is actually required by the legal framework. All those who participate in piloting models for perpetrators’ programs are aware of the importance of this work. The findings of a recent investigation reveal, however, that the models currently in use require improvement and need to be consolidated and subsequently implemented in municipalities across the country.<sup>103</sup>

In the process of treating and managing VAWG and DV cases, additional efforts are needed to ensure a clear perpetrators’ accountability approach. Despite legal provisions, there is a widespread tendency to “negotiate” or “mediate” VAW and DV cases. However, it is important to keep in mind that mediation is based on the principle of equality of parties, and this element of equality is crucial to mediation’s success. Yet, in VAW and DV situations, this fundamental element is missing. The relationship is neither balanced nor equitable, but rather hierarchical and based on domination and subordination. Since the Istanbul Convention explicitly establishes the aim of “zero tolerance of violence”, mediation is discouraged in cases of GBV, including DV.

Since 2014, a specific program for perpetrators called “Counselling Line for Men and Boys” has been in operation, managed by the Albanian NGO “Counselling Centre for Women and Girls”. Its staff, composed of male counsellors, is trained in collaboration with different international organizations specialized in

this field. There is growing interest in the Counselling Line's services as evidenced by the number of phone calls, including from men who are not obliged by the court to follow a program offered by the centre. The centre's program still needs to be consolidated and an evaluation of its services undertaken, prior to embarking on its replication in other cities around the country.

### ***Priority Actions for 2.3.:***

- ▶ **The Ministry of Interior, the Albanian State Police, the courts, and other relevant institutions to enhance coordination so as to improve implementation of the legal framework regarding the prosecution of perpetrators** – by following the principle of zero tolerance of VAW and DV as a guideline. In its Concluding Observations, the CEDAW Committee noted the frequent failure of relevant authorities to enforce protection orders as well as emergency protection orders in particular, and urged Albania to strengthen the enforcement of court orders, including through capacity-building (CEDAW, paras 22-23, 2016).
- ▶ **The MSWY to coordinate actions and mobilize investment in programs for perpetrators, together with building a strong movement of men and boys.**<sup>104</sup> Ideally, initiatives for opening specific programs for perpetrators will be an integral part of this movement. Additional services in support of perpetrators are to be implemented by other ministries, for example, by the Ministry of Justice through the probation service. In all cases, special attention needs to be devoted to ensuring the application of clear standards regarding the perpetrator's accountability, and to the monitoring of all cases receiving treatment.

## **2.4. Coordination and Integrated Policies**

The challenges raised by the phenomenon of gender-based violence cannot be solved by isolated approaches implemented by actors operating independently of one another. Meaningful and effective responses to GBV pursue and adhere to already well-established concepts, principles, and norms. These provide a solution-generating framework by stipulating cooperative behaviours and attitudes, and the integration and organization of specific actions. In such a holistic and multi-sectoral response to GBV, programs and actions need to be harmonized and implemented by a variety of institutions engaged in areas such as law enforcement (police, prosecutors, and justice departments), psycho-social welfare providers, and health providers. The multi-sectoral response to GBV is based on inter-institutional partnership and cooperation, requires a common philosophy for addressing GBV, and follows the principles and standards determined by the partners involved. The goal of the referral system is to respond to the immediate and multiple needs of the victims/survivors in a manner that ensures the safest and most effective way of reporting, and is in accordance with the preference of victims/survivors for care and treatment. This implies that referral is about coordinating required service delivery.<sup>105</sup>

In Albania, examples of multi-agency coordination exist, and different mechanisms have been established at central and local levels, such as the national referral mechanism against trafficking of human beings, the Referral Mechanism against VAW and DV, and the Child Protection Units. Despite experience in multi-agency collaboration, however, these mechanisms are not operating at the same level of efficiency across all the municipalities where they have been established – sometimes, interventions implemented through outside support, e.g. those supported by international agencies or by projects implemented in collaboration with NGOs, have been more effective.

The **Referral Mechanism** for the treatment of domestic violence cases<sup>106</sup> is based on the philosophy of the “coordinated community response” against VAW and DV and is required to be established nationwide.

Figure 5: Referral Mechanism Actors and Roles



In order to be truly effective in ending and preventing future violence, the Referral Mechanism needs to address the inter-connected social issues of poverty, economic dependence, inadequate housing, and other issues that affect the victim/survivor and family members dependent on her/him. Since violent incidents can and do occur at all times of the day and night, having the ability to meet the immediate needs of a victim is a vital component of such a mechanism. *Victim/survivor-centred decision-making* is one of the core principles of such a mechanism, together with *coordination* among the institutions involved in supporting and resolving a case. Although the municipality is responsible for undertaking the required steps to establish the Referral Mechanism, all its members must take ownership of their part and effectively contribute to its functioning. The core actors and roles of the Referral Mechanism are depicted in Figure 5.

To date, a Referral Mechanism has been established in 29 out of the 61 municipalities in the country.<sup>107,108</sup> Services for DV victims/survivors include both short-term initiatives (emergency protection, safety, medical assistance, accommodation, transportation to safe accommodation, information on/assistance with obtaining protection orders, referral to further services, etc.) and long-term initiatives (employment support, social assistance, accommodation, legal advice and assistance with divorce procedures, counselling and psycho-therapy, help with children, etc.). An assessment of the functioning of this mechanism conducted in 2015 indicates that while progress has been made, there is still a long way to go until such mechanisms become fully functional, effective, and sustainable.<sup>109</sup> Nonetheless, data collection has been institutionalised through the establishment of the “Recording violence in Albania” (REVALB) system, a nation-wide online tracking system that is fed with data from the local DV coordinators in each municipality and centrally managed by the MSWY.<sup>110</sup> Challenges remain in the systematic use of the REVALB system and in ensuring coordination between Referral Mechanism members in tracking and following up on cases. Addressing domestic violence requires long-term

commitments, human and financial resources, capacities, and political will; it is vital, therefore, to keep support to Referral Mechanisms high on the political agenda of the central government, local governments, and international donors. Establishment of Referral Mechanisms in all local government units in Albania is strongly recommended in order to provide services that female citizens and all victims of domestic violence across the country are entitled to by law. Existing Referral Mechanisms need to be strengthened through:

- improved inter-institutional and multi-agency cooperation and coordination to better implement relevant legislation;
- allocation of resources for continuous capacity-building, adequate staffing, and public awareness raising, as well as the provision of a comprehensive package of services to victims of domestic violence to ensure their safety, protection, and long-term rehabilitation and integration into mainstream society; and
- capitalizing on experiences and lessons learnt from existing response mechanisms to domestic violence – particularly in the framework of Territorial Administrative Reform, so as to improve accessibility to as well as quality and timely delivery of services to victims of domestic violence.

#### ***Priority Actions for 2.4.:***

- ▶ Partnerships and adherence to clear procedures and protocols are critical to the success of multi-agency collaboration. In this regard, the role of municipalities as coordinating institutions is extremely important. **The MSWY to support LGUs to establish the Referral Mechanism system nation-wide and to coordinate all Referral Mechanism members (state agencies and NGOs) to effectively engage in multi-agency collaboration**, by defining this philosophy as an integral part of their work instead of an additional duty and responsibility. The CEDAW Committee noted in its 2016 Concluding Observations the insufficient establishment of the Referral Mechanism, particularly at local level, due to a lack of coordination and capacity, and urged Albania to strengthen the role and capacity of relevant authorities to provide better protection and rehabilitation services (CEDAW, paras 22-23, 2016).
- ▶ **The MSWY to seriously invest in turning the existing database of case management records<sup>111</sup> into an effective recording, tracking, and monitoring tool in practice** – this will fulfil the required standards regarding case recording and will also enable performance monitoring of multi-agency collaboration.
- ▶ The MSWY to coordinate the development of the **Standard Operational Protocol** in collaboration with responsible line ministries, LGUs, and Referral Mechanism members.
- ▶ The MSWY, in collaboration with responsible line ministries, LGUs, and Referral Mechanism members, to **monitor the proper functioning of the Referral Mechanism** nation-wide and adherence to procedural guidelines.
- ▶ The MSWY, in collaboration with responsible line ministries and Referral Mechanism members such as LGUs, to ensure the **allocation of adequate human and financial resources for providing appropriate services** to victims/survivors.
- ▶ The MSWY – in close collaboration with LGUs – to intensify and scale-up **capacity-building measures for all Referral Mechanism members**, including re-training.

## Selected Key Publications for Albania

Botkin, S. and M. Kocaqi, (2013) "National Action Plan for Albania for the Involvement of Men/Boys as Partners with Women/Girls for GE and the Prevention of GBV&DV 2014 - 2019"

Haarr, Dr. R.N. (2013) "Domestic Violence in Albania: National population-based survey 2013." INSTAT, UNDP and UNICEF. Available at: <http://www.instat.gov.al/en/publications/books/2013/domestic-violence-in-albania-2013.aspx>.

Kelly, K., J. Lovett, and M. Kocaqi (2015) "Albania Final Report: Mapping Violence against Women and Girls Support Services." Council of Europe and UN Women.

Metaj, E. (2015) "Analysis of the functioning of the coordinated community response to domestic violence at the local level in Albania." UNDP Albania. Available at: <http://www.al.undp.org/content/albania/en/home/library/poverty/functioning-of-the-coordination-mechanism-for-referral-and-treat/>.

UNFPA and East European Institute for Reproductive Health (2015) "Multi-sectoral response to GBV – an effective and coordinated way to protect and empower GBV victims/ survivors." UNFPA. Available at: [http://gbv-implement-health.eu/MSR\\_Generic\\_model\\_eng.pdf](http://gbv-implement-health.eu/MSR_Generic_model_eng.pdf).

## CHAPTER ENDNOTES

- 58 EIDHR, “Combating Violence against Women and Girls – Highlights of the Semester I July - December 2014,” published on 31 July 2015; see [www.eidhr.eu](http://www.eidhr.eu).
- 59 European Council Conclusions on the Overarching Post-2015 Agenda, Council doc. 11559/13, 25 June 2013.
- 60 EIDHR, “Combating Violence against Women and Girls – Highlights of the Semester I July-December 2014”.
- 61 As stated in the EU Gender Action Plan 2016-2020, Staff Working Document, part IV, p. 5.
- 62 Dr. R.N. Haarr (2013) Domestic Violence in Albania: National population-based survey 2013, INSTAT, UNDP, and UNICEF, p. 9, <http://www.instat.gov.al/en/publications/books/2013/domestic-violence-in-albania-2013.aspx>.
- 63 *Ibid.*
- 64 *Ibid.*
- 65 As analysed in “Albania: National Report on the Implementation of the Beijing +20 Platform for Action,” April 2014.
- 66 Domestic Violence in Albania: National population-based survey 2013, p. 14. The target group was composed of women and girls from 15 to 49 years old.
- 67 Domestic Violence in Albania: National population-based survey 2013, p. 33. The target group was composed of women and girls from 18 to 55 years old. The survey showed that 53.7 per cent of the women were “currently” or “some months prior to the interview” experiencing domestic violence in 2013.
- 68 Domestic Violence in Albania: National population-based survey 2013. The survey showed that 14.7 per cent of the women were “currently” or “some months prior to the interview” experiencing this form of violence in 2013.
- 69 Domestic Violence in Albania: National population-based survey 2013, p. 63. The survey showed that 5 per cent of the women were “currently” or “some months prior to the interview” experiencing this form of violence in 2013.
- 70 From the informal discussions with women victims of violence it is also evident that perpetrators are very “careful” when exercising physical violence, because they punch those body parts that are not visible in public or where additional examinations are needed in order to view evidence of mistreatment.
- 71 However, in 2015 there was a drop in reported cases of approximately 11.8 per cent compared to 2014.
- 72 INSTAT (2016) Women and Men in Albania 2016, p. 49, 50 and 60, available at: <http://www.instat.gov.al/al/publications/librat/2016/femra-dhe-meshkuj-n%C3%ABshqip%C3%ABri,-2016.aspx>.
- 73 As reported by the MSWY during preparation of the Monitoring Report on the NSGE-GBV&DV for the year 2015.
- 74 For details see: <http://www.al.undp.org/content/albania/en/home/presscenter/articles/2014/07/02/a-national-online-system-to-track-domestic-violence-cases-launched-in-albania-.html>
- 75 A mechanism established based on the LDV and the CoM Decision No. 334 dated 17.02.2011, “For the establishment of the national referral mechanism for the treatment of domestic violence cases, and its way of functioning”.
- 76 Five line ministries, INSTAT, and LGUs.
- 77 Ministry of Social Welfare and Youth (2015) Monitoring Report 2015.
- 78 NGOs’ efforts to speak openly about these issues date back to 1992 – a time when society was almost unaware of and insensitive to VAW and DV and the government was completely against discussion of this topic in public, refusing its existence and blaming NGOs for using the phenomenon as an opportunity to make

- money.
- 79 In 1996, the women's NGO "Refleksione" conducted the first national research, "Violence against Women and its Psychosocial Taboos" financed by PHARE (Poland and Hungary Aid for the Reconstruction of the Economy) Democracy Program, providing the first data on the domestic violence phenomenon in Albania. According to this survey, 64 per cent of the women interviewed (84 women interviewed in total) admitted that they had felt physically and spiritually violated either by their partners or other family members, and 35 per cent of the people interviewed had witnessed serious physical and psychological violence in their family of origin.
- 80 Law No. 9669 dated 18.12.2006, "On Measures against Violence in Family Relations": This was the first law in Albania approved as a proposal sent to the Assembly from civil society, supported by 20,000 signatures from the community – a clear sign of changing attitudes and the shifting of discussion of this issue from behind closed doors to the open.
- 81 Albania ratified the CEDAW Convention in 1993 and its Optional Protocol in 2003. It signed the CoE Convention on Preventing and Combating Violence against Women and Domestic Violence on 19 December 2011 and ratified it on 04 February 2013. See: <http://www.conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=210&CM=&DF=&CL=ENG>.
- 82 Amendments to the Law on Domestic Violence were approved in 2008 and 2010, and were followed by the approval of Decision No. 334 dated 17.02.2011, "On the establishment of the national referral mechanism for the treatment of domestic violence cases, and its way of functioning". A major step was the amendment of the Criminal Code in 2012 and 2013; the amendments touched upon domestic violence and the protection of women and girls from violence and abuse.
- 83 National research was conducted in 2009 and 2013 and the reporting section on VAW and DV in the INSTAT publication Women and Men in Albania has also been improved; different costing exercises focused on GBV and DV have been undertaken with the support of UN Agencies, including UN Women.
- 84 The concepts of VAW, GBV, and DV are all used in different policy papers in Albania, although the primary focus remains GBV and DV. It is important to explain that VAW and DV have been treated as separate issues: at the beginning of NGOs' efforts, VAW was the primary focus of intervention. With the approval of the Law on Domestic Violence, attention turned to DV cases; later the focus on GBV appeared to be more important, while GBV and DV continue to be frequently used even after the signing of the Istanbul Convention. Despite the wording and the number of cases when each of these concepts is used, it is very important to clarify that VAW, GBV, and DV must be used and addressed in accordance with international obligations.
- 85 See: <http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures>.
- 86 This recommendation sets out a series of measures to end all forms of violence against women, including legislative and policy measures to prevent and investigate violence against women, assist victims, work with perpetrators, increase awareness, education and training, and collect relevant data.
- 87 UNFPA and East European Institute for Reproductive Health (2015) "Multi-sectoral response to GBV – an effective and coordinated way to protect and empower GBV victims/survivors".
- 88 At the request of the MSWY and the support of UN Agencies.
- 89 Organized on 25 November 2014. A special session based on the content of this plan was further organized by the GoA during the CSW 59 held in March 2015.
- 90 Different objectives and activities as specified mainly under Strategic Goal No. 3 of the new NSGE 2016-2020.
- 91 See: <https://www.onestory.com/stories?search=Albania>.
- 92 See: <http://www.heforshe.org/en>.
- 93 Following this step, UN Agencies are continuing their work on this issue.
- 94 The "Children Today" Centre organized in March 2016 a two-day training with religious leaders from Muslim, Bektashi, Catholic, and Orthodox communities on the issues of GBV



- and DV. This initiative was supported by UN Agencies (UNDP, UN Women, and UNFPA) and will be followed by other specific actions with these religious communities.
- 95 Between 2010 and 2013, 4400 health care professionals from 12 regions were trained (1275 women in 2010, 730 women in 2011, and 1067 women in 2013). DV and Child Protection Officers have been appointed in the Public Health Departments of all districts. Between 2012 and 2014, 339 members (210 women) of Inter-disciplinary Technical Teams (part of the DV referral mechanisms) were trained. In 2013, the School of Magistrates conducted a training cycle for 151 legal professionals (69 judges, 27 prosecutors, 11 forensic experts, and 44 other professionals), while during 2012, 51 legal professionals (judges and prosecutors) were trained. In 2012, 31 women working with DV victims received training, while in 2014, 37 workers were trained (of whom 28 female). From January to April 2014, the MSWY trained 51 gender workers and local coordinators on computerized recording of DV cases and from 2011 to 2015, 648 police officers were trained.
- 96 Such as different forms of domestic violence (physical, psychological, economic, sexual violence), rape and sexual assault, sexual harassment, stalking, forced marriages, forced abortion and sterilization, female genital mutilation, crimes in the name of “honour”, and trafficking.
- 97 Amendments to the Criminal Code (Laws No. 23/2012 and No. 144/2013 “On some Additions and Amendments to Law No. 7895/27.01.1995 ‘The Criminal Code of the RA’”). The amendments also criminalize harassment behaviours towards women and envisage harsher sentences for criminal offences committed within the family or against women. In addition, the law criminalizes “coercing someone into or preventing someone from cohabiting, entering into or dissolving a marriage by force”; “causing grievous bodily harm with intent”; “causing someone to commit suicide”; “sexual abuse”; “forcing someone to engage in sexual relations, even within a cohabiting/married couple”; “sexual harassment”; “exploitation of prostitution”; “trafficking in adult persons”; “profiting from or exploiting the services of trafficked people”; and “aiding and abetting trafficking”, and provides for harsher sentences thereof. The legal definition of aggravated criminal offences includes crimes committed on the grounds of gender identity and sexual orientation. Crimes on the grounds of sexual orientation are also provided for under the criminal offence of “incitement of hatred/conflict”, while protection of both sexual orientation and gender identity grounds are provided for under the criminal offence of “violation of the citizen’s right to equality”. Longer sentences are foreseen for crimes committed in the context of blood feuds. The Code also provides for the criminal offence of “forced disappearance”, including the commission of such crimes against pregnant women, children, or vulnerable persons.
- 98 Statistics regarding the DV cases reported to police shows that in 2013, 3020 cases were reported and 1851 requests for protection orders prepared; in 2014, 4121 DV cases were reported and 2422 requests for protection orders prepared; and in 2015, 3867 cases were reported and 2148 requests for protection orders prepared.
- 99 L. Kelly, J. Lovett, and M. Kocaqi (2015) “Albania Final Report: Mapping Violence against Women and Girls Support Services,” Council of Europe and UN Women.
- 100 *Ibid.* Telephone helplines exist in Albania but none of them meet the criteria and standards as required by the Convention. Services are not always available 24/7, not always free of charge, not provided in different languages, and in some cases, personal data are required from the first call. There exist confidential policies for callers and clear protocols for data sharing that respect the issue of confidentiality, but the helplines are weak in terms of protecting callers because there is no way to avoid the tracing of calls.
- 101 *Ibid.* The results from the study show that an additional 137 beds are needed in Albania in order to meet EU standards and Istanbul Convention requirements (one bed for every 10,000 inhabitants). In addition, there is an increased request for opening emergency/crisis shelters (for provision of services within 24-48 hours after the incident occurs).
- 102 *Ibid.* There is a lack of specialist services for women victims of sexual violence. There are no rape crisis centres, although some specialists declared that they do provide counselling and contact with other services for the victims of sexual violence. Even in

- hospitals, there is no sexual violence referral centre specialized in immediate medical care, high quality forensic practice, and/or crisis intervention.*
- 103 See “Albania Final Report – Mapping Violence against Women and Girls Support Services”. The study was initiated by the Council of Europe and UN Women as part of the ongoing partnership between the two organizations to promote the signature, ratification, and implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).
- 104 Similar to initiatives such as HeForShe (UN Women, <http://www.heforshe.org/en/>); the Global Fatherhood Campaign MenCare (<http://men-care.org/>); and the MenEngage Alliance (<http://menengage.org/>).
- 105 See “Multi-sectoral response to GBV – an effective and coordinated way to protect and empower GBV victims/survivors”.
- 106 Established following the CoM Decision No. 334 dated 17.02.2011, “For the establishment of the national referral mechanism for the treatment of domestic violence cases, and its way of functioning”.
- 107 According to data from the MSWY, as presented in the National Strategy for Gender Equality 2016-2020 and reflected in Specific Objective 3.2, activity 3.2.1 of its Action Plan”.
- 108 The mechanism was piloted in 2008, with the support of the UN Trust Fund. In 2009, at the request of the former Ministry of Labour, Social Affairs and Equal Opportunities and supported by UNDP, the National Platform for the Establishment of the Coordinated Community Response in Albania was created by T. Gentle and M. Kocaqi. The pilot was extended to four more municipalities within the framework of the UN Joint Programme. The model was established in five additional municipalities within the framework of a second grant from the UN Trust Fund (2010-2013). The establishment of the Referral Mechanism in different municipalities has been supported by other donors as well, including the Austrian Development Agency (ADA) through the Equity in Governance (EiG) project (2011-2012) and the American Embassy small grants program.
- 109 For details see the Final Report “Analysis of the functioning of the coordinated community response to domestic violence at the local level in Albania”, prepared by E. Metaj in June 2015, at the request of the Ministry of Social Welfare and Youth and funded by UNDP. Available at: <http://www.al.undp.org/content/albania/en/home/library/poverty/functioning-of-the-coordination-mechanism-for-referral-and-treat/>.
- 110 See: <http://www.al.undp.org/content/albania/en/home/presscenter/articles/2014/07/02/a-national-online-system-to-track-domestic-violence-cases-launched-in-albania-.htm>
- 111 The REVALB system ([www.revalb.org/](http://www.revalb.org/)), established on request by the Ministry of Social Welfare and Youth with support by UNDP.

# CHAPTER 3: EMPOWERING WOMEN AND GIRLS SOCIALLY AND ECONOMICALLY

## 3.1. Work and Employment

Analysing women's participation in the labour market is one of the most important ways of understanding the gendered patterns of Albanian society. However, women's work is multi-faceted and complex. During the communist period, efforts were made to increase women's participation in the productive sphere, which – to some degree – challenged traditional gender roles. Yet, women remained responsible for the reproductive and care sphere at home even as they, together with men, engaged in waged employment in various sectors, including highly technical ones. In post-socialist Albania, a re-traditionalization of gender roles and occupations is evident, with women once again almost exclusively in charge of reproductive and unpaid care work. Though the current situation is not the same as that immediately following the fall of socialism, when women disappeared from the productive sphere almost entirely, today women in Albania face numerous challenges and obstacles in accessing the labour market, and continue to carry the multiple burdens of traditional gender roles.<sup>112</sup>

The economic inclusion and empowerment of women remains problematic. Women's labour force participation is low, and a high percentage of women are discouraged from entering the labour market. Furthermore, unpaid care work is the exclusive domain of women, obstructing their participation in productive and paid work. According to the 2011 Time Use Survey conducted by INSTAT, on average, women work two hours more per day than men (paid and unpaid work).<sup>113</sup> In the absence of adequate childcare, employed women in particular are overburdened through their responsibility for both paid and unpaid care work.

In 2015, employment was 60.5 per cent for men and 45.5 per cent for women. Registered unemployment was roughly 17.5 per cent for both women and men. Almost half (45 per cent) of the female population aged 15-64 years was out of the labour market, compared to 26.6 per cent of men. Compared to 2014, this represents an improvement of almost 4.5 per cent.<sup>114</sup> This finding requires further investigation, however, since it is a significant shift compared to labour market statistics of the past three years. Nonetheless, the significant gender gap in labour participation of 18 per cent has remained unchanged over the past four years. In addition, women are 1.3 times more likely than men to work as “contributing family workers”, which does not involve payment and is classified by the ILO as informal employment.

There is a pronounced gender difference in inactivity rates of women and men. Among the 45 per cent of women out of the labour market (officially economically inactive),<sup>115</sup> 22 per cent are “fulfilling domestic tasks” (housewives), 21 per cent are pupils/students, and the remaining are retired/early retired women or discouraged workers.<sup>116</sup> On the other hand, only 0.3 per cent of economically inactive men were

found to fulfil domestic tasks.<sup>117</sup> For men, the main single reason for inactivity is retirement.<sup>118</sup> These figures illustrate the significant and gender-specific trend of women's diversion from the formal labour market towards informality and the domestic sphere.

Among youth in the 15-29 cohort, 34.5 per cent are neither in employment nor in education or training. Among these, young men are far more active in seeking a job (53 per cent) compared to young women (21 per cent). The reasons for youth inactivity are highly gender-specific: while 36 per cent of young women are retired due to "family care", this applies to just 19 per cent of young men.<sup>119</sup> This tendency represents not only a loss for the national economy but also exacerbates (young) women's economic dependence over their lifetime.

Another deeply gendered feature of the labour market is that 50 per cent of employed women are self-employed in the agricultural sector, compared to 36 per cent of men. Among self-employed women in agriculture, the vast majority, namely 87 per cent, work for self-subsistence, which is known to be indicative of a precarious economic situation.<sup>120,121</sup> Women not self-employed in agriculture are concentrated in the private sector (small trade), public services (health and education), manufacturing, and public administration.

**Occupational segregation.** Horizontal and vertical gender segregation (Hakim 2006)<sup>122</sup> are characteristics of the Albanian labour market. Occupational segregation has persisted over the past five years particularly in those sectors that are considered typical domains of men or of women, following gender-stereotyped fields of study and occupational profiles. In agriculture, the employment rate of women is much higher compared to that of men, with a slight decrease from 50.2 per cent in 2014 to 47.7 per cent in 2015.<sup>123</sup> Women dominate the sectors of manufacturing and non-market services, a trend that has increased in recent years. It is worth mentioning that the wages in these sectors tend to be significantly lower compared with other sectors such as construction, mining, and transport. Women are concentrated in sectors such as health and education, and to some degree represented in services, retail, and trade. In the sectors of construction, transport, and telecommunications, women's participation is very low. Vertical occupational segregation is evidenced by the low level of women among lawmakers and in senior and executive positions: women represent only 14.6 per cent of total employees in these categories.<sup>124</sup>

**Time Use.** Women are almost exclusively in charge of unpaid care work in the domestic sphere.<sup>125</sup> Women with small children dedicate the largest amount of time to unpaid work compared to men, women with older children, and women without children. The survey also shows that employed women have the longest working day (in terms of total hours worked), the least amount of free time, and the shortest time available for personal activities. According to the 2011 Time Use Survey,<sup>126</sup> on average, the time women spend on work of some kind (i.e., paid and unpaid work) daily is seven hours compared to five hours for men. Men also enjoy an advantage in comparison to women in terms of free time and personal care.

**Gender wage gap.** Supported by UN Women, in 2011, the former Ministry of Labour, Social Affairs and Equal Opportunities (MoLSAEO) engaged in the calculation of the gender wage gap based on the methodology of Oaxaca, Blinder (1973) and Lemieux (2002).<sup>127</sup> For its calculation, the LSMS 2005-2008 module of employment served as the basis. The calculation revealed a gender wage gap in favour of men of about 18 per cent, and was found to be almost twice as high in rural areas.<sup>128</sup> In 2014, INSTAT calculated the gender wage gap based on the database of the tax office, which contains data for the formal sector in Albania only.<sup>129</sup> The gender wage gap for the formal sector was identified as 10 per cent in favour of men. In 2015, according to INSTAT data, the gender wage gap in the formal sector was found to be 7 per cent, which represents a 3 per cent reduction compared to 2014.

Due to the use of different methodologies and sources of data, existing calculations of Albania's national gender wage gap are incomplete. Particularly in view of the need to produce internationally comparable results, the approach requires urgent alignment with international and/or Eurostat methodologies. According to Eurostat, the methodology for calculating the gender wage gap should be

based on the unadjusted gender pay gap (GPG). This represents the difference between average gross hourly earnings of male and female paid employees as a percentage of average gross hourly earnings of male paid employees. The GPG is calculated based on the four-yearly Structure of Earnings Survey (SES), with the scope as required by the SES regulation. The data should be broken down by economic activity (Statistical Classification of Economic Activities in the European Community – NACE), economic control (public/private) of the enterprise, as well as working time (full-time/part-time) and age (six age cohorts) of employees. Data are released every February/March based on information provided by national statistical institutes.<sup>130</sup>

**Pension.** Albania's pension scheme was established in 1993, in response to the major socio-economic transition from a centralized to a market economy. Since 1994, the World Bank has provided technical and legal assistance to Albania to help it adjust its social system to the model used by the EU Member States in Central and Eastern Europe.

Over the past two decades, the scheme has been modified and improved several times; for example, by decreasing the labour tax in an attempt to reduce the significant degree of informality in the labour market. So far, general discussions have focused on increasing the retirement age and the rate of contributions. Furthermore, the relation between wages and pension benefits, and procedures for the collection of contributions have improved.

In July 2014, the Albanian Parliament adopted specific revisions to the pension system that entered into force on 1 January 2015. The reform was a critical move towards ensuring the financial sustainability of the pension scheme, which was heading towards bankruptcy within the next decade. The amendments did not change the core of the system, which remains built upon the pay-as-you-go model, but aim to address some long-standing structural inefficiencies as well as serious social problems deriving from persisting informality in the economy. The reform envisages a new formula for the calculation of pensions that aims to ensure straightforwardness and uniformity as well as guarantee fairness and transparency. Further amendments entail an increase in the retirement age for women (from 60 to 65 years) with a progression of two months every year until the maximum retirement age is reached. By 2056, the retirement age for both women and men is expected to be 67 years. The reform also establishes a social pension for those aged 70 years and above who have not paid contributions, and limits future pension growth through adjustment to living costs.

However, an essential element still missing from the discussion of Albania's pension system is a review of social security and gender equality. Albania's labour market is characterized by marked gender differences in terms of participation rate, informality, employment rate, and wages. These differences ultimately affect women's and men's pension entitlements accumulated over time, and women's pensions run higher poverty risks than those of men as a consequence of the existing inequalities between women and men in the labour market.

In order to elucidate the impact of pension models on women and men, in 2011, the European Commission (EC) conducted a comparative gender-sensitive review of traditional EC pension models and the World Bank model across 33 EU and non-EU states.<sup>131</sup> The report confirmed that inequality between women and men in the labour market and differences in work patterns over a lifetime are mirrored, often in the form of indirect discrimination, by pension schemes. This was found to particularly apply to pension schemes when: (i) the pension system is based on the lifetime employment record of claimants; (ii) the scheme is based on gender-typical actuarial factors; (iii) there is a strong linkage between benefits and contributions (as is the case in contribution-based schemes); and (iv) benefits are earning related. In order to remedy this situation, a review of gender equality laws in a number of EU Member States and EU accession candidate countries was completed<sup>132</sup> and insights fed into the review of Directive 79/7/EEC.<sup>133</sup>

To date, studies that investigate the linkages between significant gender inequalities in the labour market and their impact on contribution rates, retirement age, and pensions of women and men in Albania are lacking. Thus far, analyses of the different implications of the current pension system on women and men, the gender-specific effects of pension scheme reforms, and the impact of poverty on

old age have been undertaken. Findings are particularly relevant for aligning Albania's pension policy with the agendas delineated in the EU's Ageing Report,<sup>134</sup> as well as with EU laws such as Directive 79/7/EEC and Directive 2004/113/EC governing gender discrimination in social security and the provision of goods and services, and Directives 2000/78/EC and 2000/43/EC prohibiting discrimination on a range of grounds.<sup>135</sup>

Drawing from the substantial body of gender evidence, and in accordance with EU regulations, a respective review in Albania could start with an outlook on the social policy trends in the country and an assessment of the crucial gender inequality features of the statutory old-age pension system and other social insurance programmes. In this context, attention can be paid to: (a) existing qualifying conditions; (b) the pension amount; (c) derived rights (Article 7.1 c-d); (d) caring credits; (e) exceptions to Directive 79/7/EEC (pensionable age, Article 7.1 a); and (f) advantages granted to persons who have brought-up children (Article 7.1 b). The review could also assess occupational old-age pension schemes in light of gender equality, since they are deeply involved in the processes of reforming old-age pensions and increasingly run according to insurance principles. Thus, under the criteria of capitalization, they may give rise to many gaps in terms of social protection, especially when non-standard working patterns, mainly affecting women, are prominent. The features to be analysed as regards occupational funds include coverage, the calculation of benefits and contributions, the use of actuarial factors, caring credits, vesting and reimbursement rules, and the pensionable age.

**Vocational Education/Training.** Individuals registered as unemployed with the labour office receive professional training as a means to reintegrate into the labour market. During the last five years, the number of women and men receiving professional training constantly increased by 30 per cent.<sup>136</sup> However, despite the significantly higher unemployment rate among women, in 2015, the share of male beneficiaries receiving professional training exceeded that of women by almost 30 per cent.<sup>137</sup> Data on the rate of post-training employment of female and male beneficiaries of professional training are currently missing due to flaws in data-collection. Tracer studies still need to be conducted.

The number of women benefitting from employment programme schemes has increased considerably over the last three last years. In 2015, women accounted for 65 per cent of beneficiaries, most likely due to programmes specifically targeting women in the labour market.<sup>138</sup>

**Employability.** It is imperative that the Albanian educational system orient girls and boys towards those skills that are most likely to be required for gainful employment. The level of female and male beneficiaries' employability should be an essential element in assessing the efficiency of employment programmes and professional training. Female and male beneficiaries of employment programmes should also be increasingly equipped to be able to move between jobs, thus remaining employable throughout their lives. Gender analysis of the Albanian labour market would provide valuable input into the establishment of regulations and internal mechanisms to strengthen linkages between private sector needs, economic governance, and educational policy. It would also contribute to elucidating the areas, moments, and sectors where/when girls and women drop out of the labour market, and provide guidance towards the targeted, gender-responsive policy measures and actions required in order to tap women's human resource potential and grow the economy in a sustainable manner.

**Child care.** Lack of access to affordable and quality child care options is often associated with women's limited labour force participation. Ongoing quantitative and qualitative analysis of child and elder care undertaken by the World Bank in neighbouring countries shows that this is often the case, pointing to issues of accessibility, quality, and affordability of child care facilities.<sup>139</sup> An analysis of child and elder care in Albania is pending.

Since 2015, according to the revised Labour Code, both partners/spouses are entitled to receive maternity/paternity benefits. As a result, data on beneficiaries need to be disaggregated by sex from the start in order to monitor the proportion among mothers/fathers who actually go on maternity/paternity leave. The Social Insurance Institute is in charge of such monitoring.

**Health and Safety at Work.** Despite increased measures benefiting women and ensuring decent

conditions in the work place,<sup>140</sup> the legally foreseen appointment of designated specialists monitoring companies' compliance with Occupational Safety and Health (OSH) regulations still needs to occur. The Occupation Safety and Health Policy 2016-2020 and its Action Plan are expected to be adopted by the Council of Ministers in mid-2016. The monitoring system for tracking protection of women and men in the work place still needs to be operationalized.

**Policy level.** The Government of Albania has made several efforts to tackle the difficulties of women's participation in the labour market.<sup>141</sup> The 2013-2017 Government of Albania Programme focuses on increasing employment and improving the quality of the workforce in line with the EU vision and directives, the Europe 2020 Strategy, and EU accession criteria. In particular, the National Employment and Skills Strategy 2014-2020 aims to identify and outline appropriate and gender-sensitive policies for the promotion of employment and vocational training of the workforce, better jobs and opportunities for life-long training, and better access for jobseekers to vocational training and employment.

Albanian legislation does not discriminate in relation to the right of equal remuneration for men and women; remuneration depends on the work done, regardless of gender. Given the importance of 'equal pay for equal work of equal value', efforts have been made to improve the present legislation with regard to enforcement of this principle.

The draft Labour Code contains several proposals for amendments in this respect (Council of Ministers 2014). The amendments to Law No. 10399, dated 17 March 2011 "On Social Assistance and Services", significantly improved the situation of women and girls in terms of accessing economic assistance and aid.<sup>142</sup> The law now stipulates that the right to withdraw economic aid is no longer exclusively the right of the male head of the household, but extends also to all women of those families who fulfill the conditions; all women with a protection order or emergency protection order; those engaged in divorce proceedings; as well as women who have been victims of trafficking.<sup>143</sup>

### ***Priority Actions for 3.1.:***

- ▶ **The MSWY to assess the efficiency and effectiveness of labour programs for women and men.** The MSWY to evaluate current policies and strategies in order to (i) better assess which elements work; and (ii) identify areas that require modification to close gaps in women's and men's employment.
- ▶ **Conduct qualitative and quantitative analysis of child and elder care** in Albania, and determine the unmet care needs in urban and rural areas.
- ▶ **Provide adequate, affordable, and sufficient child and elderly care**, freeing women from unpaid care obligations that prevent them from engaging in paid work.
- ▶ **The MSWY to engage in rigorous and gender-sensitive skill gap analysis**, analysis of women's education, and analysis of the main sectors providing employment in the future, including a breakdown by region.
- ▶ **The MSWY and the State Labour Inspectorate to operationalize the monitoring system for gender-sensitive OSH compliance.**
- ▶ **The MSWY and MES to effectively engage in orienting girls and boys, and women and men, towards less "traditional"/gender stereotyped fields** of studies and professions. In its Concluding Observations, the CEDAW Committee noted its concern about continued gender segregation and urged Albania to introduce measures to encourage young women to consider non-traditional careers, including those that are male-dominated (CEDAW, paras 28-29, 2016).
- ▶ **The State Labour Inspectorate to enhance effective inspection of informality** regarding both social insurance contributions and regular contracts. Exploitation and vulnerability due

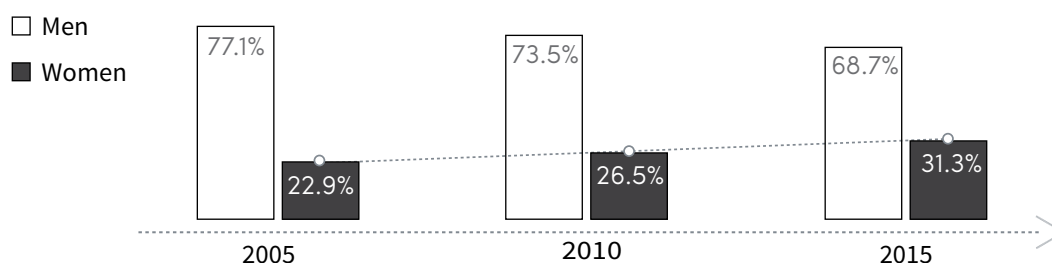
to lack of legal and institutional protection are significantly discouraging women and girls from entering the labour market. The CEDAW Committee noted its concern in its Concluding Observations as regards the lack of labour and social protection for women concentrated in the informal labour market, and urged Albania to improve such protection accordingly (CEDAW, paras 30-31, 2016).

- ▶ Drawing from the substantial body of gender evidence in EU Member States and accession candidate countries, and in accordance with EU regulations, **the MSWY to conduct a gender-sensitive assessment/review of the old-age pension system and other social insurance programmes in Albania.**

## 3.2. Women and Entrepreneurship

The Albanian economy continues to be dominated by small, very small, and micro enterprises with one to four staff (92 per cent of all registered businesses), out of which 62 per cent are active in trade and in hotels, bars, and restaurants, providing jobs that are considered predominantly “male”.<sup>144</sup> Limited access to credit and property<sup>145</sup> and (until recently) the lack of policies promoting the private entrepreneurship of women account for the relatively low number of women entrepreneurs. During the 2005-2015 period, the percentage of newly registered enterprises owned and/or administered by a woman increased to 31.3 per cent.<sup>146</sup>

Figure 6: Percentage of Newly Registered Enterprises by Year and Sex of Owner/Administrator



Source: INSTAT 2016

However, this positive increase needs to be considered with caution, since the majority of these enterprises are small, with one to four employees. Thus, although the trend regarding women’s entrepreneurship is positive, in the long run, issues related to the volume, growth orientation, and viability of these businesses need to be kept in mind. As regards big enterprises (manufacturing) with more than 50 employees, the increase in women owned/managed companies is 8 per cent for the same period.<sup>147</sup> The highest participation of women as owners/administrators is found in trade and other services, while 90 per cent of businesses in transport and storage, agriculture, forestry and fishing, and construction are owned administered by men.



Almost half (43 per cent) of female owned/administrated enterprises are concentrated in the prefecture of Tirana. In 2015, the highest numbers of active enterprises owned/ administered by women were located in the prefectures of Tirana, followed by Vlora, Lezha, and Fier where women own/manage around one-third of businesses.<sup>148</sup> The prefectures with the lowest share of women as business owners/administrators are Kukës (21.8 per cent) and Dibër (25.7 per cent); however, it is important to note that this is a considerable improvement compared with 2014 (15.6 and 19.0 per cent, respectively). Vlora and Kukës were identified as the two prefectures with the highest and lowest rates respectively of newly created enterprises owned/administered by women (INSTAT 2016).

According to the draft UN Women study “Women on boards and in senior positions in companies operating in Albania”, women hold 42.2 per cent of senior positions in companies. On the other hand, the share of women on boards decreased from 30.3 per cent in 2010 to 27.9 per cent in 2015. Women hold the position of CEO in 31.5 per cent of businesses, with a slightly increasing trend of almost 3 per cent compared to five years ago. On average, it takes women eight years to reach top-level or top managerial positions. “Commitment to family responsibilities” was identified as the single biggest obstacle preventing women from pursuing a career in the private sector.<sup>149</sup>

**Policy level.** In 2013, supported by UN Women, the Ministry of Economic Development, Trade, Tourism and Entrepreneurship (MEDTTE) prepared the National Women’s Entrepreneurship Action Plan 2014-2020. This policy document, officially endorsed by MEDTTE, accompanies the Government’s Strategy on Business and Investments 2014-2020. The Action Plan’s main aim is to improve the overall business environment for women in Albania and includes four pillars: (i) Policy Support; (ii) Education and Training; (iii) Access to Finance and Competitiveness; and (iv) Networking, as well as the cross-cutting issue Women’s Participation in the Rural Economy. Furthermore, in the framework of the 2014-2020 Business and Investment Strategy, MEDTTE included the establishment of a Fund in Support of Women Entrepreneurs, with an overall value of 26,500,000 ALL (approximately 190,000 EUR) to be implemented over a four-year period. Evaluation of the fund is recommended to analyse the disbursement rate; the number of beneficiaries; the type, size, and geographical distribution of businesses; and the impact on women’s businesses realized through this instrument.

### ***Priority Actions for 3.2.:***

- ▶ **Strengthen professional networking of women entrepreneurs.** This would facilitate the sharing of business ideas, experiences, and information. Moreover, such networks could ultimately develop into support and advocacy platforms addressing and solving common challenges women entrepreneurs face.
- ▶ **MEDTTE to assess and analyse the business obstacles and needs specifically in those areas/ regions where the level of women’s entrepreneurship is very low,** in support of developing specific policies and actions for increasing women’s entrepreneurship.
- ▶ **Undertake analytical research on women owned/managed businesses** in order to investigate and develop a detailed understanding of the challenges they face, as a basis for more targeted policy responses and support.
- ▶ **Facilitate access to capital and financial products** for women in business, by engaging in collaboration with banks and other credit institutions.
- ▶ **Chambers of Commerce, business associations, and other institutions to offer training and mentoring for women** to advance to top decision-making levels.

## 3.3. Addressing Multiple Discrimination

### 3.3.1. Women and Girls in Rural Areas

Traditional gender roles continue to prevail in rural families. The household profile in rural areas is characterized by the woman who engages in the main share of unpaid agricultural work and is also responsible for home chores. Men manage the farm, control the financial resources of the household, own the agricultural land, and migrate for waged employment nationally or internationally. Women in general lack the social position as well as the spare time to compete with men in the hierarchy, since they are heavily involved in work, primarily unpaid and unregistered, in and outside of the home. Although women maintain the majority of private activities, businesses, and cooperatives, they are managed and led by their husbands, who also oversee benefits. Women's lack of time and unpaid work in and out of the home, coupled with non-recognition of and therefore non-compensation for their contributions to the rural economy, make women and girls vulnerable, dependent, and poor.

Women are mainly represented among seasonal and part-time workers.<sup>150</sup> The share of female-headed households in rural areas is 7.4 per cent. A large share of de jure female-headed households in rural areas, namely 82 per cent, are headed by a widow. There are no studies focusing on the lives and future perspectives of girls in rural areas.

**Women's employment opportunities in rural areas.** In the agricultural sector, only 7 per cent of farms are owned by women, while women constitute 47.7 per cent of the agricultural labour force.<sup>151</sup> Almost six out of ten employed women are engaged in agricultural activities, making agriculture the primary sector of employment for women. In general, the agricultural sector is characterized by a low quality of employment, and women are overrepresented among unpaid family workers. The majority of women working in agriculture, namely 87 per cent, do so as informal and unpaid family workers. Compared to other sectors, the gender wage gap in agriculture is wider – a woman in a rural area earns 57 per cent of what a man does.<sup>152</sup> Production is primarily subsistence based, and women engage in a range of extensive agricultural activities. Farmers, predominantly male, sell their produce in the market outside their community but still within a district market, and sell directly to final consumers.

**Women's access to social benefits in rural areas.** Women's work in agriculture is predominantly informal, and as a result, women tend to be excluded from the social protection and insurance system. For instance, in 2015, only 32 per cent of women giving birth to a child received a maternity allowance,<sup>153</sup> indicating very low rates of social insurance coverage in general. The share of rural women receiving a maternity leave allowance is significantly less than that of women in urban areas. Women's informal status in agriculture reduces their access to entitlements, productive resources, and services, while the lack of economic and educational opportunities further limits social and economic development. Such imbalances are reflected as well in the unequal distribution of power at the household level. Women's rights to own and inherit land as well as determine its use in rural areas is limited. Furthermore, domestic violence, a clear indicator of the status of women in any given society, is widespread and socially tolerated in rural areas.<sup>154</sup>

**Women's access to health and education in rural areas.** In rural areas, long distances to access health centres, lack of specialized health care personnel and emergency obstetrical services, and shortfalls in service provision and infrastructure have been identified.<sup>155</sup> Regarding the use of health care services, women tend to visit nurses, paramedics, and midwives rather than the hospital of the primary health care system. Men tend to visit private doctors more often than women.<sup>156</sup>

In 2005, the average years of formal education of rural heads of households was around seven for women and five for men. The years of completed education slightly increased for male heads between 2002 and 2005, while for female heads it stayed constant. Rural youth lack foundational skills, contributing to gender parity in primary and secondary education. Enrolment in technical and vocational education in Albania was 200,000 in 2010, and the share of women and girls was 31 per cent.

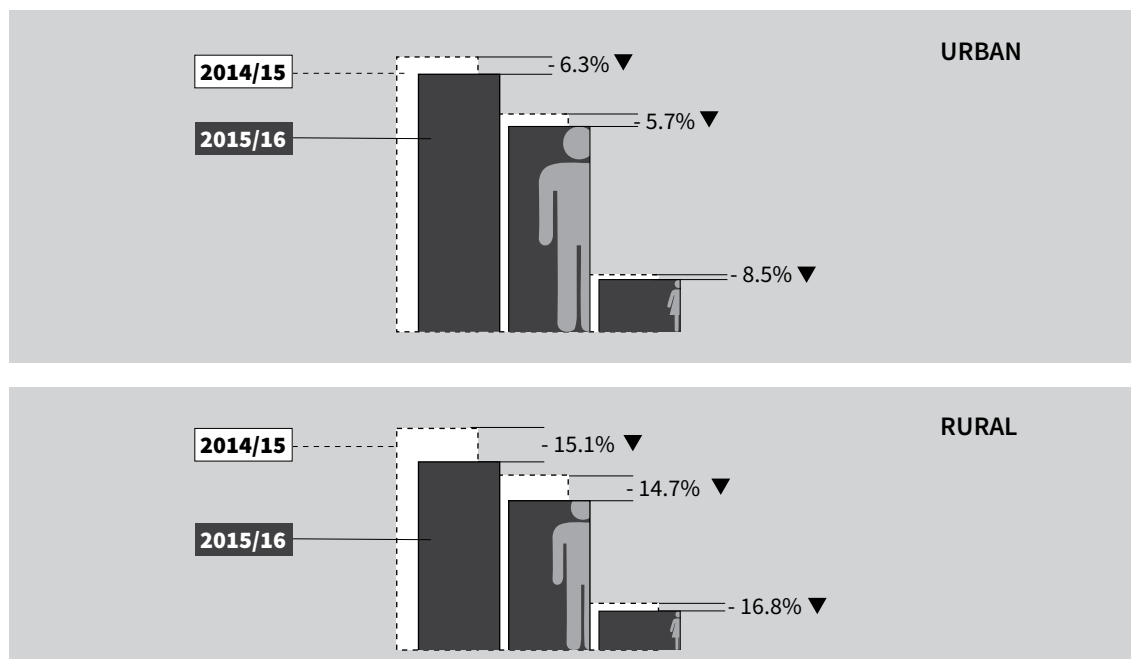
The share of girls enrolled in vocational education in rural areas is very low (21 per cent) and shows a decrease in the current academic year. Overall, girls represent only a striking 1 per cent of young people enrolled in the vocational educational system at the national level.

**Table 2: Girls' and Boys' Vocational Education Enrolment in Urban and Rural Areas**

Academic year	Total urban & rural			Urban			Rural		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
2014/15	27267	21603	5664	25876	20505	5371	1391	1098	293
2015/16	25428	20269	5159	24247	19332	4915	1181	937	244

Source: INSTAT 2016

**Figure 7: Vocational Education Enrolment in Urban and Rural Areas**



Source: INSTAT 2016

The share of female graduates from tertiary agricultural education in Albania is relatively high and was 46 per cent in 2011.<sup>157</sup> However, the distribution of graduates across agricultural specializations is highly gendered, with women weakly represented in agro-technical fields.

**Women's access to social services in rural areas.** Rural women divide their daily time between household chores, care for children and elders, and agricultural activities, mostly focusing on livestock and activities nearby the farm. Access to social services, kindergarten, the primary health care system, and awareness of reproductive health care facilities is inadequate for both women and men. However, women's limited mobility, engagement in predominantly unpaid work, and limited social insurance

coverage result in rural women’s higher vulnerability. The already low general level of coverage by social insurance in rural areas is particularly low for young women of working age, resulting from a lack of employment opportunities for this particular group and concomitant high informal engagement.<sup>158</sup> Women in rural areas engage six times more in domestic and reproductive activities compared to men, and the time they invest in study is half that of women living in urban areas.<sup>159</sup>

**Women and housing conditions in rural areas.** A significant share of women in rural areas live in houses with no running water, with toilets not connected to the sewage infrastructure, and use firewood as the main source for heating (80 per cent of households; 7.1 per cent use gas and only 4.1 per cent use electricity).<sup>160</sup> A recent cross-national Gender Gap review undertaken by the European Bank for Reconstruction and Development (EBRD) highlighted rural women’s high exposure to toxic smoke in Albania due to limited access to and use of non-solid fuel (predominantly fire wood).<sup>161</sup> Furthermore, women in rural areas lack modern timesaving home appliances and devices such as washing machines, which significantly increases the time consumed by performing unpaid care work. The percentage of rural households owning a water boiler or a TV decoder is about half that of urban ones. Women in rural areas have particularly limited access to information on the web, with only 17.7 per cent of households reported to enjoy internet coverage.<sup>162</sup> Car ownership in rural areas has surpassed the level of urban areas; however, men are almost exclusively the users and owners.<sup>163</sup>

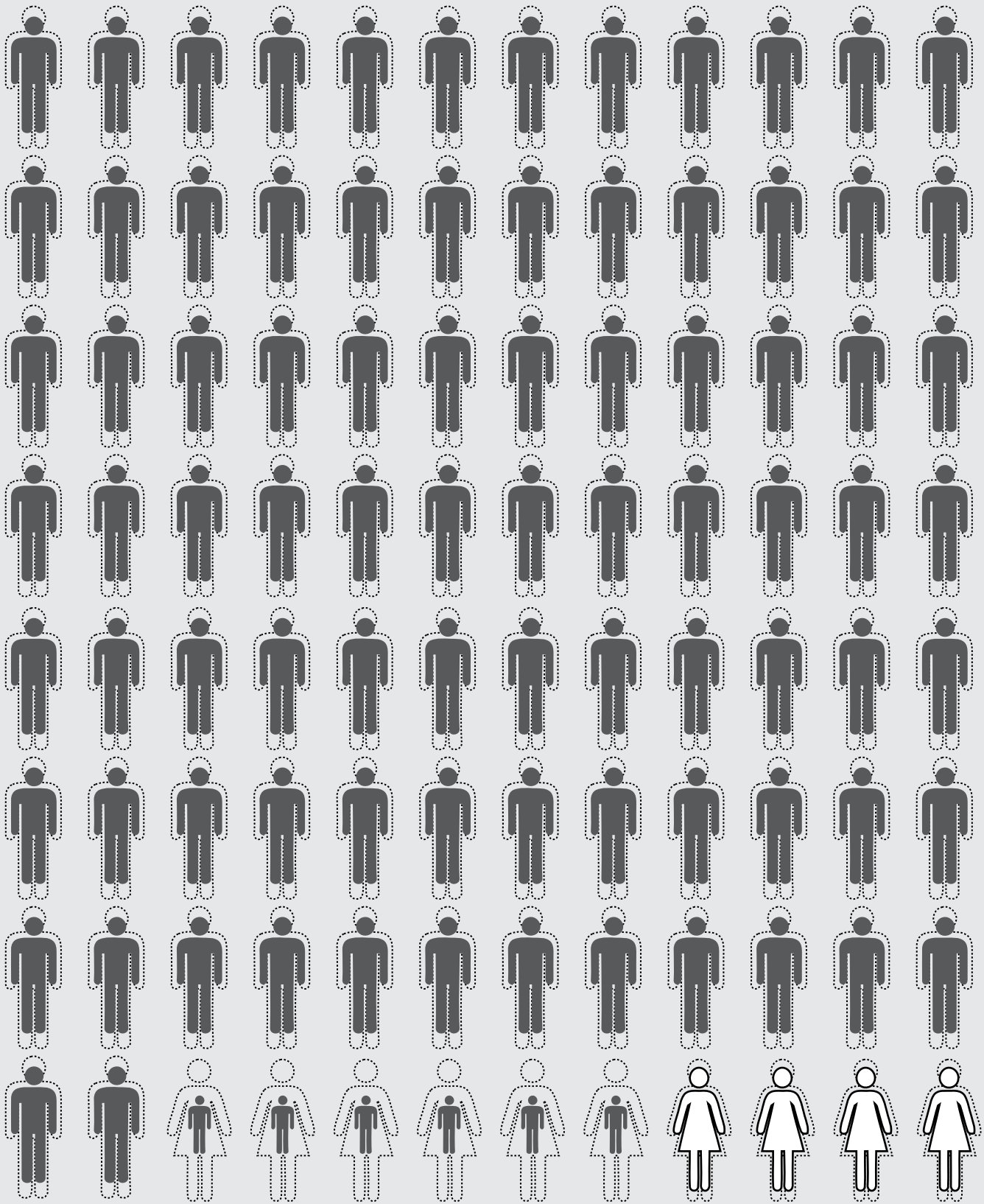
**Women’s access to technology and agricultural extension services.** Women’s gainful engagement in the rural economy is hindered by limited participation in, knowledge of, and access to information on agricultural technology, which also negatively affects their ability to access financial resources. Representing only 7 per cent of farm owners, rural women have limited access to subsidy schemes and extension services, since entitlement is based on being officially registered as a “farmer”. Men dominate the channels of communication and the market. The negative impact that women’s exclusion from support services has on agricultural productivity and rural development has recently started to be addressed by the Ministry of Agriculture, Rural Development and Water Administration: data on the number of women farmers who received extension services show an increase over the last three years. While still far too low, the share of women benefiting from agricultural extension services doubled from 5 per cent in 2011 to 10 per cent in 2015.<sup>164</sup>



**Table 3: Access to Agricultural Extension Services: Women and Men**



	<b>Total</b>	<b>Women</b>	<b>Men</b>	<b>% Women</b>	<b>% Men</b>
Individuals working in agriculture 2011	442440	219020	223420	49.5	50.5
Individuals working in agriculture 2015	529573	286761	242811	54.2	45.8
	<b>Total #</b>	<b>% Women</b>	<b>% Men</b>		
Recipients of extension services 2011	70000	5	95		
Recipients of extension services 2015	70000	10	90		

Source: LFS 2011 and 2015; and Ministry of Agriculture, Rural Development and Water Administration, 2015 data for MTBP 2016-2018.

Figure 8: Recipients of **EXTENSION SERVICES** and **AGRICULTURE** in **2011** vs **2015**



Recipients of agricultural extension services **2011**  

Recipients of agricultural extension services **2015**  

**Women and property rights in rural areas.** Rural women are predominantly the unpaid worker on agricultural land. While national legislation foresees equal rights to land and tenure, de facto, women do not enjoy the right to land. In urban areas, the share of female holders of ownership titles is 36 per cent.<sup>165</sup> The gender dynamics of land titling and management have a clear economic impact. Overall, male-headed households – the vast majority of rural households – manage about 20 per cent more land than female-headed households. Gendered dynamics can also be observed, for example, with regard to livestock holdings: according to the Food and Agriculture Organization (FAO) Rural Income Generation Activities (RIGA) database, in Albania, livestock holdings of male-headed households are between 30 to 50 per cent larger than those of female-headed households.<sup>166</sup>

The reform of the division of agricultural land and its application to rural areas has negatively affected women's land ownership rights. According to the legislation on property registration and ownership rights, the certificate of ownership of agricultural land is issued in the name of the head of household. As mentioned above, the vast majority of heads of households are men. Consequently, for the past 25 years, land has almost exclusively been registered in the name of men. Women must claim their ownership right in court, for example, in cases of divorce or inheritance. However, complex legal procedures, financial implications, and social pressures are strongly discouraging factors, and respective claims made by women are uncommon. Furthermore, since land titles are intricately linked to a range of entitlements, women in general are at a clear disadvantage.

There are no legal restrictions on women's access to bank loans, but poverty is high among women (and men), and many if not most women are unable to borrow because they cannot provide collateral.<sup>167</sup> Even when Albanian women have access to bank loans, it is rare for them to establish businesses using credit.

**Policy level.** Since 2014, implementation of the National Action Plan for Women's Entrepreneurship 2014-2020 has focused on rural women. This National Action Plan includes the pillar of "Women's Participation in the Rural Economy" as a cross-cutting issue. Close collaboration between MEDTTE and the Ministry of Agriculture, Rural Development and Water Administration is envisaged, primarily through the program of extension services and subsidies schemes. Expected outputs include the promotion of rural women's entrepreneurship, capacity development for government officials, and dissemination of information to women on their rights to access assets such as land and housing. Support for these policies and programs is also linked to the Vocational Education and Training (VET) system, which aims at increasing the number of Instrument for Pre-accession Assistance and Rural Development (IPARD) applications submitted by women entrepreneurs in rural areas, as well as improving women's access to extension services. However, no specific strategy or governmental policy document targets women in rural areas per se, or addresses the challenges that women face with regard to employment, poverty, and access to health, education, infrastructure, and social security, etc.

### ***Priority Actions for 3.3.1:***

- ▶ **Address the specific circumstances, rights, and needs of women in all research and analyses on rural areas across all sectors.** The situation of women in rural areas is systemically different compared to men, and it differs as well from the condition of women living in urban areas. In addition to the economic difficulties of and limited opportunities for women in rural areas, a broad range of structurally-determined obstacles, such as accessing health care, education, infrastructure, and social services, as well as the discriminatory practices related to land rights and eligibility criteria for benefiting from support functions need to be analysed and addressed. The CEDAW Committee in its 2016 Concluding Observations noted women's limited ownership of land and continuing inequalities between men and women as regards inheritance. The Committee recommended that Albania introduce measures to enforce rights regarding joint ownership of property and inheritance (CEDAW, paras 41-42, 2016).

- ▶ **Ensure production and availability of administrative statistics for monitoring socio-economic development** specifically in rural and urban areas as a basis for targeted planning and budgeting.
- ▶ **Development of policies targeting the situation of different groups of women in rural areas**, in particular the circumstances and perspectives of girls and young women. Recognizing the continued disparities in access to opportunities and services between rural and urban women, the CEDAW Committee in its 2016 Concluding Observations recommended that Albania develop and implement a comprehensive strategy to ensure equal access and opportunities for women in rural areas (CEDAW, paras 36-37, 2016).
- ▶ In programmes aimed at sustainable socio-economic rural development and stimulating economic activities (MEDTTE, MARDWA, MSWY; donor-supported efforts), **stronger linkages need to be made between women working in agriculture, women entrepreneurs working in trade, and women engaged in the tourism and hospitality sector**. Specific efforts are required to support the inclusion of women in value chains as equally legitimate economic actors.
- ▶ **Increase the participation of girls, particularly rural girls, in the Vocational Education and Training (VET) system**. (Girls represent only 1 per cent of young people enrolled in vocational education at the national level). The MSWY to enhance implementation of gender-sensitive activities foreseen in the National Employment and Skills Strategy 2014-2020 and to engage in effective affirmative action with the aim to remove barriers for girls to access and benefit from the VET system. Specific attention is to be paid to promoting the vocational training of girls in rural areas as well as disadvantaged and vulnerable girls as a means to ensure their future access to the labour market.

### 3.3.2. Women and Girls with Disabilities

In Albania, the particular issue of women with disabilities is primarily treated under the encompassing framework of “People with Disabilities” (PWDs), rather than being addressed in a specific manner.<sup>168</sup> Yet women with disabilities are in a particularly disadvantaged position compared to men with disabilities, since they suffer from double discrimination. Strikingly, appropriate gender-sensitive policies are missing, and women with disabilities are absent from the development programs for “groups in need”.<sup>169</sup>

Statistics of the Ministry of Social Welfare and Youth for 2015 officially speak of 138,882 individuals with disabilities.<sup>170</sup> The number accounts for 5 per cent of Albania’s population and includes adults, teenagers, and children. There are significant gaps in statistics about individuals with disabilities, however, and data is not disaggregated by sex or by further characteristics such as age and location. With the exception of 7,760 girl beneficiaries of social protection programs, sex-disaggregated data on beneficiaries is unavailable, pointing to an urgent need for the re-organization of data-collection and processing to include as many details as possible in relation to this group. In order to plan interventions in an appropriate, gender-responsive manner and target groups in specific ways, clear evidence is required on the specific situations faced by different groups of individuals with disabilities, as well as the specific needs of women, men, girls, and boys among them.

Many international documents, including the Fundamental Rights and Freedoms of Women and Girls with Disabilities,<sup>171</sup> apply to the national context, and reference to women with disabilities in Albanian legislation has increased in recent years.<sup>172</sup> However, progress in effectively addressing the needs of women with disabilities is still slow and insufficient. A study conducted in 2010 by the Albanian Disability Rights Foundation (ADRF) found that in the legal and policy framework, provisions regarding women and girls with disabilities are almost non-existent, and women with disabilities are largely invisible.<sup>173</sup> The same applies to organizations delivering services, including women’s rights organizations and centres providing services for women and girl victims of violence, which do not pay specific attention to ensuring access for girls and women with disabilities. Overall, issues of women and girls with

disabilities are primarily addressed through non-discrimination in employment. Furthermore, the terminology currently in use for persons with disabilities is highly inappropriate and inconsistent with the terminology proposed in the Convention on the Rights of Persons with Disabilities (CRPD).

Several national studies provide evidence of limited efforts in improving access to VET programs for persons with disabilities. There are currently no studies available focusing specifically on PWD participation in VET.<sup>174</sup> Despite legal provisions, figures for PWD employment and those benefiting from Employment Office services are negligible.<sup>175</sup> An ADRF study conducted with about 1000 PWD and their family members revealed that only 8.5 per cent of respondents accepted offers to participate in vocational and professional training courses, indicating low attractiveness, and possibly inadequacy, for PWD.<sup>176</sup> In the absence of official statistical data, it is currently almost impossible to analyse the vulnerability of PWD, and women and girls among them, in the labour market.<sup>177</sup>

Recently, the Government of Albania has made efforts to prioritize the needs of women with disabilities by offering dedicated vocational training courses and employment mediation programmes. Amendments to the Law on Social Assistance and Social Services provide that disabled single mothers or heads of households may benefit from additional support services offered by public community centres, or may be referred to NGOs providing alternative services, where such services are not provided by the authorities. Order No. 286/16.12.2013 “On Fees in the Public Vocational Training System” of the Minister of SWY, provides that certain social groups, including disabled women and girls, are exempt from paying fees.<sup>178</sup> Despite these initial measures, the reality is that efforts and actions need to be better coordinated. Adequate resources need to be allocated to address the range of issues affecting women and girls with disabilities, including – but not limited to – multiple discrimination, violence, and abuse in family relations.

Difficulties faced by women with disabilities in VET and the labour market highlight the need to:

- enable equitable access and equal opportunities by providing appropriate information in accordance with the needs of particular groups of women and girls with disabilities;
- organize specific awareness-raising activities targeting PWD but also different institutions and actors involved in employment and VET;
- conduct capacity-building activities for staff working in employment offices and VET centres;
- provide specific support services for PWD, such as appropriate transport, translators, and personal assistants, among others; and
- allocate sufficient financial resources and budgets to cover and/or compensate for opportunity costs.

Women and girls with disabilities are victims of the same forms of violence as women without disabilities, but in addition to other forms of violence related to their disability. However, women and girls with disabilities do not have access to legal aid for effective protection from violence<sup>179</sup> and face severe obstacles in obtaining an attorney-at-law or in making their complaint directly to the institutions in charge. Family members and legal custodians are the main perpetrators, and women with disabilities enter a long cycle of violence from which it is difficult to escape.

In Albania, as elsewhere, the majority of those who take care of persons with disabilities are women. Proposed legislation foresees the recognition and evaluation of the special work done by those who take care of persons with disabilities, and guarantees that special measures in this regard do not constitute discrimination. In addition, the law provides for monitoring of disability benefits, in line with gender



equality principles.<sup>180</sup> However, support mechanisms and services in support of the vast majority of female caretakers of PWD are entirely missing.

### ***Priority Actions for 3.3.2.:***

- ▶ **The Government of Albania to undertake all required measures for implementing the provision as stated in Recommendation Rec (2012)6 on the protection and promotion of rights of women and girls with disabilities.** Specific measures need to be taken in order to adopt the appropriate legislative measures and apply other positive actions likely to encourage the participation of women and girls with disabilities in all areas of life. Noting that women and girls with disabilities may suffer multiple discrimination, the proposed measures cover areas such as education and training; employment and economic situations; health care; access to social protection; sexual and reproductive rights, motherhood and family life; access to justice and protection from violence and abuse; participation in culture, sport, leisure and tourism; and awareness raising and changing attitudes. In its Concluding Observations, the CEDAW Committee expressed concern at the limited opportunities for women with disabilities to participate in the formal economy, and urged Albania to adopt measures to ensure their equal access to the formal economy (CEDAW, paras 30-31, 2016).
- ▶ **The MSWY to assume a leading role in (i) improving the legal and policy framework; (ii) establishing required services for women and girls with disabilities; and (iii) creating the conditions for ensuring access to these services.** The CEDAW Committee has urged Albania to adopt specific provisions aimed at protecting the rights of those with disabilities, in line with the Convention on the Rights of Persons with Disabilities (CEDAW, para 39, 2916).
- ▶ The MSWY to improve the systems for **data-collection and reporting** regarding a variety of issues related to women with disabilities and their discrimination, in close coordination with other ministries, such as the Ministry of Education and Sports, the Ministry of Health, the Ministry of Economy, the Ministry of Transport, and the Ministry of Culture.
- ▶ **The MSWY to ensure that in line with national legislation and Eurostat guidelines, all data referring to individuals is disaggregated by sex** and, where relevant, further disaggregated by age, socio-economic status, location, educational attainment, etc.
- ▶ **LGUs to improve and monitor availability, access, and quality of services** for women and girls with disabilities.
- ▶ **The MSWY to undertake measures to significantly improve the inclusion of women and girls with disabilities in VET programs and in the labour market.** Specific measures include the provision of appropriate information in accordance with women's and girls' needs and different forms of disabilities, and organizing capacity-building activities with staff of VET centres in order to improve their ability to deal with PWD.
- ▶ **The MSWY in collaboration with MEDTTE and the business community to increase the share of employed PWD** by developing, implementing, and monitoring a set of concrete measures and support actions that go beyond the existing yet ineffective financial incentives for employers hiring PWD.
- ▶ All services available to women and girls with disabilities, especially the ones focused on issues of protection from discrimination and protection from VAW and DV, must be **available 24/7, accessible to all women and girls in need, and function according to nationally-approved standards.**

### 3.3.3. Elderly Women

Data from the United Nations Population Fund (UNFPA) study “Population Ageing - Situation of Elderly People in Albania”,<sup>181</sup> show that between 1979 and 2011, the number of persons aged 65 and over increased more than 4 times to 318,000, comprising around 11 per cent of the total population. Further increases in the number of elderly are projected in the next five decades. Population ageing is not ‘gender-neutral’. Men’s higher mortality means that women typically outnumber men in older age, and the difference is quite large among the oldest. According to LSMS 2012 data, an estimated 10 per cent of the population aged 65 and over is poor and cannot meet the basic standards of living. Around 60 per cent of the elderly live in rural areas. Older women are much more likely to live alone: in 2011, 77 per cent of elderly living alone (18,600 persons) were women. Due to higher life expectancy and lower age at marriage, 48 per cent of elderly women are widows.

The average old-age pension for women is lower than that of men,<sup>182</sup> which reflects the accumulation of gendered disadvantages during one’s lifespan, particularly economic disadvantages. Consequently, older women are particularly vulnerable to poverty and poverty-related phenomena (violence, neglect, abuse, etc.). Elderly women consistently have a higher prevalence for disabilities than elderly men, even when the older age distribution of women is accounted for. According to the 2011 Labour Force Survey, around three-quarters of elderly women who have passed retirement are working as contributing family workers, primarily concentrated in agriculture (92 per cent).

The Inter-Sectorial Policy Document on the Third Age<sup>183</sup> envisages measures that take into account women’s needs, address gender inequalities in pension schemes, and promote women’s active participation in society and development. A law on the third age is planned, in which women are foreseen as a specific category deserving particular attention.

However, so far, comprehensive analyses and statistics on older women and their situation are unavailable and respective sections of the CEDAW Convention, such as Article 11/e,<sup>184</sup> still need to be addressed by policy measures. Documentation of elderly women’s needs and a respective database are missing, which impedes the development of fact-based, targeted policy responses.

#### ***Priority Actions for 3.3.3.:***

- ▶ **Adopt a “life course” approach when dealing with the interconnectedness of ageing and gender.** The present circumstances of older women and men can only be understood and addressed by references to their prior course of life. This is of particular relevance in the context of Albania’s recent history and the impact of the transition process on women and men in the economy, and consequently on their gender-specific life course. In its Concluding Observations, the CEDAW Committee in 2016 highlighted the continued discrimination against older women, and recommended that Albania adopt targeted laws, policies, and programmes to protect the rights of older women, particularly through adoption of the Law on Third Age Status (CEDAW, paras 38-39, 2016).
- ▶ Step up efforts towards **responding to the CEDAW Concluding Observations 2010** for Albania, in which the Committee raised concern about the lack of sex-disaggregated data for the older population. It requested the State Party to provide, in its next periodic report, a comprehensive picture of the de facto situation of older women, including sex-disaggregated data for all areas under the Convention, and to report on sex- and gender-specific measures taken to eliminate discrimination against women based on their age.<sup>185</sup>
- ▶ In **pension reform**, adequately address the economic effects of the traditional roles of (older) women. Guarantee that – in line with EU legislation<sup>186</sup> and the findings of the EU’s Ageing Report<sup>187</sup> – time spent on unpaid care work for children and older relatives and women’s primary engagement in the informal labour market is adequately accounted for with respect to their pension entitlements.

- ▶ In the reform of social services and service delivery at local level, **ensure accessibility, affordability, and adequacy of services that elderly women need and are entitled to.**

### 3.3.4. Migrant Women

According to World Bank data, between 1990 and 2010, nearly 1.5 million Albanians – that is, almost half of the resident population of Albania – emigrated.<sup>188,189</sup> During the early 1990s, international emigrants were mainly young men.<sup>190,191</sup> Azzarri and Carletto (2009) show that from 1991 until 2001, the share of women among international migrants increased from 20 to 60 per cent.<sup>192</sup> This increase in the number of women in the emigration process was mainly due to family unification as well as student migration.<sup>193</sup>

While the crossing of country borders in the early 1990s remained difficult – the majority of emigrants had left illegally – internal migration was no longer suppressed as it had been during communism. Concomitantly, internal migration started in the early 1990s. Gender analysis of internal migration patterns reveals that it is a female-dominated process,<sup>194</sup> contrary to international migration. The decade from 2001 to 2011 witnessed a significant increase in internal migrant women, representing 59 per cent of total internal migrants (2011 Census). This may be explained by the fact that men tend to migrate predominantly abroad, with remaining family members, namely women, moving internally. The main common economic feature of internal migrant women is their engagement in informal employment. One specific group of internal migrant women are young female students migrating to Tirana for educational purposes. While gender discrimination is experienced by all women, sexual discrimination and prejudices have been shown to especially affect internal single female migrants.<sup>195</sup>

Between 2001 and 2011, approximately 140,000 Albanians returned to the country.<sup>196</sup> A survey conducted by INSTAT and IOM Albania in 2013 found that from the total of 133,544 Albanian migrants of the age group 18-64 who returned to Albania during the period 2009 to 2013, 76 per cent were men.<sup>197,198</sup>

Returnees tend to be relatively young and of working age. Illustrated by the high levels of self-employment of female returning migrants, which was found to have increased from 5.6 per cent prior to migration to 12.1 per cent at the time of the survey, returnees are willing to invest their knowledge, skills, and financial capital gained abroad in income-generating activities. However, women who had tried to establish their own enterprise were found to have faced a range of discriminatory practices during the process, for example, when trying to rent space or submit the required documents. They often are forced to seek the support of male family members – who then act on their behalf – in order to circumvent gender-specific discrimination.<sup>199</sup> Overall, data on returnees disaggregated by sex are limited and the gendered dimension of return migration and its impact on future labour market dynamics and on poverty levels still need to be explored.

Around 40 per cent of returnees decide to settle in a location other than their town or village of origin, Tirana being the most preferred city.<sup>200</sup> A survey conducted in 2013 revealed that one-third of returnees intend to re-emigrate due to difficulties faced in securing sufficient income for their families. The two additional key factors heavily affecting a returnee's decision to re-migrate were identified as the lack of adequate services and an inadequate health care system.<sup>201</sup> The survey also found that the majority of returnees are unaware of Migration Counters and the services provided by them. In reality, a very low percentage of return migrants – in numbers, less than 2000 – were found to have contacted the Migration Counters in order to receive support.<sup>202</sup>

Even though the peak of return migration due to the economic crisis in neighbouring Greece and Italy has levelled off, the scale of returnees remains significant. This highlights the need for measures that respond to the particular characteristics and priorities of female and male return migrants, including their children, to enable their effective reintegration into Albanian society and the economy.

**Policy level.** In 2010, the Government of Albania approved the Reintegration Strategy for Returning Albanian Citizens (2010-2015) and its accompanying Action Plan. The overall aim of the strategy was to ensure a sustainable return for Albanian migrants through support to the reintegration process in

the country, irrespective of the form of return (voluntary or involuntary).<sup>203</sup> The core elements of the reintegration mechanism are the Migration Counters. These units started to function in July 2010 within 36 regional and local employment offices throughout the country. Registration at Migration Counters is conducted on a voluntary basis. The objective of Migration Counters is to first assess the reintegration needs of returning migrants and subsequently refer them to appropriate public services, such as health, education, accreditation/certification, employment, etc. However, returnees reported these services to be wanting in regularity, strictness, and client-need orientation. In addition, institutional support was frequently found to be offered or provided through forms of nepotism and corruption.<sup>204</sup>

In terms of employment services, Migration Counters have largely failed to assist returnees living in rural areas. Based on the argument that their family owns a plot of land, returnees in rural areas are considered to already have employment opportunities. However, once returnees are considered 'self-employed in agriculture', they are no longer entitled to claim unemployment benefits or economic assistance. Nor can they benefit from other job-brokering services, unless they state that they are no longer living in a rural area.

The National Strategy for Employment and Skills (2014-2020) and its Action Plan make explicit reference to the specific situation of returnees. Under Strategic Objective A "Foster decent job opportunities through effective labour market policies", Activity Area 3 aims at expanding the range and scope of employment services and programmes (i.e., active labour market policies). Special measures targeting and benefiting return migrants include: (i) cooperation agreements with non-profit local and international organizations providing guidance and orientation for female and male returnees; (ii) designing and updating of targeted e-information for female and male returnees in the National Employment Service; and (iii) establishment of a new procedure for registering female and male unemployed jobseekers from rural areas. The Action Plan explicitly foresees coherent sex-disaggregation across indicators, including of returnees' unemployment rates.

Thus far, there are no policies or strategies in place that focus on internal migration processes or that consider the gendered dynamics and socio-economic implications of out-migration or of Albania as a destination area.

#### ***Priority Actions for 3.3.4.:***

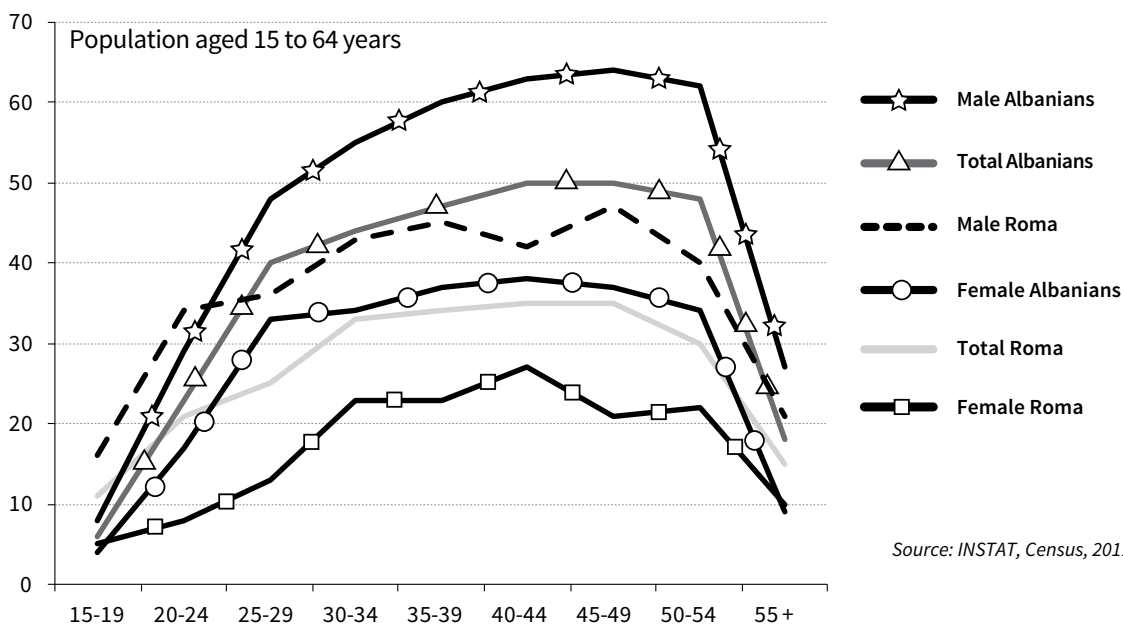
- ▶ **Undertake research investigating the gendered patterns of internal and return migration.** This would shed light on the situation of migrant women not only regarding employment issues, but also regarding access to social services, entrepreneurship potential, and exposure to violence and sexual harassment, etc. For its part, the CEDAW Committee noted the lack of sex-disaggregated data on labour migration to third countries, and urged Albania to improve its statistical analysis in this regard (CEDAW, para 30, 2016).
- ▶ There is a need for a **comprehensive strategy in relation to internal migration dynamics** and the social and economic consequences of the recent/current migration process. In its 2016 Concluding Observations, the CEDAW Committee recommended that Albania monitor the impact of the "Strategy on the Reintegration of Returned Albanian Citizens 2010-2015" on migrant women (CEDAW, para 39, 2016).
- ▶ **The MSWY to intensify efforts in providing the type and quality of services that returning migrants, including their children, need.** Special attention should be paid to the needs of female returnees, including those who wish to invest their finances, skills, and social remittances in a business.
- ▶ **The MSWY to strengthen the State Labour Inspectorate,** to better protect female migrant workers from violence, abuse, and/or labour exploitation (informality, inadequate working conditions, long hours, sexual harassment, etc.).

### 3.3.5. Roma and Egyptian Women and Girls

The population size of the two officially recognized ethno-linguistic minority groups, Roma and Egyptians, remains disputed. The census conducted in 2011 identified only 8,300 Roma and 3,368 Egyptians.<sup>205</sup> Other research reports 4.14<sup>206</sup> per cent of Roma,<sup>207</sup> and approximately 6.91 per cent<sup>208</sup> of Egyptians among the total Albanian population. Roma and Egyptians are exposed to poverty, difficult living conditions, lack of basic infrastructure, and limited access to health services, and suffer from low educational levels and discrimination. The health situation among Roma and Egyptians in Albania is worse than among the majority population, which is reflected in their lower life expectancy. Unemployment among Roma (50.3 per cent) and Egyptians (57.6 per cent) is high, as is long-term unemployment.<sup>209</sup> The vast majority, namely about 90 per cent, of Roma and Egyptians who work do so under informal conditions, without work contracts or social security and health coverage, further adding to their vulnerability. The significant degree of socio-economic exclusion of both groups is well documented and of serious concern.<sup>210,211,212</sup>

The most striking element in the discussion of Roma and Egyptian women and girls is their absence from administrative data. As a result of this significant data gap, it is almost impossible to accurately describe their situation. From empirical evidence and recently emerging analyses, it is evident that for Roma and Egyptian women and girls, discrimination on the grounds of gender and ethnicity converge, resulting in a particularly vulnerable situation. For example, in a recent analysis of women's and men's position in and exclusion from the labour market in Albania, Roma women were found to be the least likely to find employment.<sup>213</sup> The figure below captures the employment rates of the Albanian population by age group, ethnicity and sex. Roma women's employment rate is lowest among all Albanian groups, reflecting their limited access to and participation in the formal economy.

Figure 9: Access of Women and Men to the Formal Economy



Source: UNDP (2015) "Roma and Egyptians in Albania: A socio-demographic and economic profile based on the 2011 census".

The National Action Plan for the Integration of Roma and Egyptians in the Republic of Albania 2016-2020 was prepared in November 2015 by the Ministry of Social Welfare and Youth.<sup>214</sup> The Action Plan aims to eliminate barriers that Roma and Egyptians face in accessing services, improve their living conditions, and promote intercultural dialogue. It consists of six priority areas, including: Civil registration; Education and promoting intercultural dialogue; Employment and vocational education and training (VET); Health care; Housing and urban integration; and Social protection.

However, the Action Plan uses gender-neutral wording, mentioning women and girls in an indiscriminate manner, in parallel with men and boys. Actions responding to the gender-specific challenges and the multiple discrimination Roma and Egyptian women and girls face are lacking. The significant gaps in sex-disaggregated statistics and gender data on Roma and Egyptians pose a challenge for identifying, monitoring, and analysing gender-specific aspects of access, impact, and outcomes for women and men. Lack of gender analysis prevents key issues from being taken up in policy dialogue and integrated into evidence-based revisions of sector policies and plans.

Closing the statistical gap in data on Roma and Egyptian women and girls is an urgent and essential precondition for developing and implementing policies that adequately respond to their situation. This also applies to replacing the commonly used aggregate “children” with “girls” and “boys”. In line with Albanian gender equality legislation,<sup>215</sup> the UN Statistical Commission (UN ECOSOC Statistical Commission (2013)),<sup>216</sup> the UN Beijing Platform for Action (Article 4),<sup>217</sup> and pursuant to the Council of Europe’s Recommendations of the Committee of Ministers to Member States on Gender Equality Standards and Mechanisms,<sup>218</sup> it is imperative to ensure the coherent collection, analysis, and use of sex- and age-disaggregated data and gender statistics in all matters where Roma and Egyptians are concerned. Furthermore, in all actions, the multiple discrimination faced by Roma and Egyptian women and girls needs to be addressed in a coherent and adequate manner.

### ***Priority Action for 3.3.5.:***

- ▶ **All institutions and organizations undertaking studies and collecting information on Roma and Egyptians to provide all data disaggregated by sex, age, and other characteristics** essential for the area in which data will be gathered (e.g. education, employment, social protection coverage, health including reproductive and maternal health, and VAWG and DV). This includes disaggregation of “children” into “girls” and “boys”. In its Concluding Observations, the CEDAW Committee noted the limited access to the formal economy for women of ethnic and linguistic minorities, and encouraged the collection and analysis of disaggregated data as well as adoption of measures to ensure the equal access of women belonging to ethnic and linguistic minorities to the formal economy (CEDAW, paras 30-31, 2016). It specifically recommended the adoption of targeted laws, policies, and programmes to ensure equal opportunities for Roma and Egyptian women and to improve their access to education, health services, employment, and housing (CEDAW, para 39, 2016).
- ▶ **The MSWY to undertake a thorough gender revision of language and all measures** foreseen in the National Action Plan for the Integration of Roma and Egyptians in the Republic of Albania 2016-2020, and to **readjust activities, indicators, targets, and budgets to the specific reality, needs, rights, and entitlements of Roma and Egyptian women and girls.**
- ▶ All institutions responsible for implementing the National Action Plan for the Integration of Roma and Egyptians in the Republic of Albania 2016-2020 to **implement all actions in a gender-responsive manner.**
- ▶ **The MSWY to coherently monitor the impact of actions** implemented under the National Action Plan for the Integration of Roma and Egyptians in the Republic of Albania 2016-2020 on women, girls, men, and boys.

- ▶ All involved institutions to ensure the **allocation of sufficient financial and human resources** for the implementation of the NAP, particularly **for actions specifically targeting Roma and Egyptian women and girls.**

### **3.3.6. Lesbian, Bisexual, Transgender, and Intersex Women**

The Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) community in Albania continues to face prejudice, discrimination, and marginalization on a daily basis, and is still at high risk of being attacked. Albanian society remains very conservative, with homophobic attitudes firmly entrenched in the country. For example, in the European Social Survey (ESS) published in 2013, Albanian society was found to be the most homophobic among the countries studied: about 53 per cent of Albanians surveyed believed that “gays and lesbians should not be free to live life as they wish”.<sup>219</sup>

The situation of LGBTI women is even worse. LGBTI women suffer from multiple discrimination; as women, they are subject to discrimination and are at high risk of violence because of their gender; as persons belonging to the LGBTI community, they suffer discrimination and violence because of their sexual orientation. This is particularly the case in areas outside of the capital, Tirana. There are currently no LGBTI NGOs outside Tirana that can provide assistance to these women. They suffer abuse and violence from their families and, being economically dependent on their families, they are unable to report any cases of violence to the police or even talk about them, because of the high risk of shaming. They are often forced into arranged marriages. Many members of the LGBTI community continue to endure discrimination, which often starts in the family home, where they do not find acceptance. According to Aleanca LGBT (Alliance LGBT), one of the main LGBT NGOs in Albania, lesbians tend to be thrown out of their home once their family learns of their sexual orientation.<sup>220</sup>

Responding to the high risk of violence and homelessness among LGBTI persons, STREHA, a shelter for LGBTI young people, opened as a pilot project in 2014 and became an independently operating entity in 2015.<sup>221</sup> STREHA is the only one of its kind in the Balkans, providing a safety net and life-saving support to individuals who have suffered abuse, discrimination, and primarily homelessness. The shelter offers social services and equips residents with skills and resources that enable them to build a life of dignity and independence, as equal and productive members of society.

With regard to legislation, the Government of Albania has signed and ratified various international conventions, documents, and resolutions related to LGBTI rights,<sup>222</sup> and has drafted national legislation in line with international Conventions. In February 2010, the Government of Albania passed the Law No. 10221 “On Protection from Discrimination”. The law protects the individual on many grounds, including protection against discrimination based on gender and sexual orientation. The law covers a broad range of anti-discrimination issues and bans discrimination in the areas of employment, education, and the field of goods and services. However, according to one advocacy group, since the adoption of the Anti-Discrimination Law, the Parliament has “not passed many legislative or political initiatives in support of human rights of every LGBTI individual in Albania.”<sup>223</sup> In 2013, Albania amended its Criminal Code, making hate crimes against sexual orientation and gender identity on par with hate crimes against gender, race, ethnicity, religious belief, disability, and other categories. It also passed a new law punishing the dissemination of homophobic information through any means (including the internet) by a fine and up to two years’ imprisonment.<sup>224</sup> Albania was also one of the co-sponsors of the UN Human Rights Council Resolution<sup>225</sup> to combat violence and discrimination based on sexual orientation and gender identity, passed on 26 September 2014.

An important step to be taken is the approval of the Resolution on the Protection of the Rights and Freedoms of Persons Belonging to the LGBTI Community, which was approved by the Albanian Parliament on 7 May 2015.<sup>226</sup> The resolution was passed by an overwhelming majority of votes<sup>227</sup> and considered “a tremendous victory for the LGBTI community.”<sup>228</sup>

On 25 May 2016, the “National Action Plan for LGBTI Persons in the Republic of Albania 2016-2020”<sup>229</sup>

was adopted as part of the Policy Document for Social Inclusion", launched in a round table organized from Ministry of Social Welfare and Youth, on October 21st, 2016.<sup>230</sup> The NAP builds on the previous "Plan of Measures against Discrimination on Grounds of Sexual Orientation and Gender Identity 2012-2014", supported by the CoE Project "Fighting Discrimination on Grounds of Sexual Orientation and Gender Identity". The vision of the new NAP 2016-2020 is "A society that fights against all forms of discrimination on grounds of sexual orientation and gender identity, and that provides the guarantee of equal rights, increasing access to education, employment, health, housing and full integration of LGBT people in society". The plan encompasses three strategic goals:

- improvement of the legal and institutional framework, as well as raising awareness about discrimination and protecting the rights of LGBTI persons in accordance with international standards;
- elimination of all forms of discrimination against the LGBTI community through capacity-building of law enforcement and security structures; and
- improvement of access to employment services, education, health, housing, and sports for LGBT persons, ensuring equal opportunity and equal rights.

Likewise, the National Implementation and Coordination Group has been established with a Prime Minister Order to monitor the implementation and progress of the National Action Plan for LGBTI for the period 2016-2020.<sup>231</sup>

The National Implementation and Coordination Group is responsible for:

- preparing of the calendar for implementation of the action plan for the persons of this community
- monitoring and coordinating the duties of the National Action Plan for LGBTI persons
- reviewing and approving the materials submitted by each institution responsible for implementing the plan, to achieve the foreseen objectives
- assessing and finalizing concrete proposals aiming at institutional coordination in order to implement the introduced measures.
- The National Implementation and Coordination Group is required by the Prime Minister's Order to meet every three months to determine any potential changes based on proposals that may be tabled by the organizations which deal with the protection of LGBTI persons' rights.

### ***Priority Actions for 3.3.6.:***

The Government of Albania to **undertake all required measures to implement** the provisions and recommendations of the Resolution on **the Protection of the Rights and Freedoms of Persons Belonging to the LGBT Community**, including:

- ▶ approval of necessary legal changes within the framework of the National Plan of Action for the protection of LGBTI rights, part of the roadmap on the five priorities of Albania for the opening of Albania's negotiations for EU membership. The CEDAW Committee recommended in its 2016 Concluding Observations that Albania ensure the protection of LGBTI rights by harmonizing the Criminal Code with anti-discrimination laws and introducing the definition of hate crimes (CEDAW, para 39, 2016);
- ▶ approval of the Ombudsman's legislative recommendations for the supplements and amendments to the Labour Code, in line with Council of Europe Directives;



- ▶ under the Ministry of Education and Sports, training of teaching staff on better protection of LGBTI persons, to establish zero tolerance of any form of discrimination on the grounds of sexual orientation and gender identity;
- ▶ organization of cultural activities against homophobia in educational institutions, with the participation of representatives of the LGBTI community;
- ▶ monitoring the rights and freedoms of LGBTI persons by the Ombudsman; and
- ▶ support to and collaboration with civil society organizations to raise public awareness and prevent discrimination against the LGBTI community.

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225. See: <http://www.hrw.org/news/2014/09/26/un-landmark-resolution-anti-gay-bias>.
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# CHAPTER 4: ENSURING WOMEN'S EQUAL VOICE AND REPRESENTATION

## 4.1. Women in Political and Electoral Processes

The percentage of women in parliament increased from 16.7 per cent in 2013 to 23 per cent in 2015, representing the highest share since 1997.<sup>233</sup> This was largely a result of strong lobbying efforts on the part of women's organizations for introducing and applying the gender quota, as well as of increased general awareness of the significance of women's political representation. Though revisions to the Electoral Code were adopted in 2012,<sup>234</sup> the law was not fully respected in the two subsequent general elections. Despite significant achievements, for example, the phenomenon of placing women at the bottom of candidate lists is still observed. In the general elections of 2013, the main political parties were fined by the Central Electoral Commission for not adhering to the gender quota. Another phenomenon observed was the withdrawal of female candidates from the candidate lists in order to let men fill the vacancies and thereby become Members of Parliament (MPs).<sup>235</sup>

The role of women MPs received a boost with the establishment of the Alliance of Women MPs (AWMP) in 2013, a group pushing for gender mainstreaming of laws and the promotion of gender equality. Overall, however, the legal requirement of increasing women's participation in parliament to a minimum of 30 per cent still remains to be fulfilled.

**Table 4: Gender Composition of Parliament by Position in 2015**

<i>Position</i>	<b>Number</b>		<b>Percentage</b>	
	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>
Speaker of Parliament	1	0	100	0
Deputy Speaker(s)	2	1	67	33
Member of Parliament (MP)	108	32	77	23
Chairs of Parliamentarian Commissions	5	3	63	38
Chairs of Parliamentarian Groups	5	0	100	0

*Source: Parliament of Albania*

In the government established after the general elections of 2013, the number of women ministers



increased significantly and in 2016, out of 19 ministers, eight are women, representing over 30 per cent.<sup>236</sup>

At the local level, amendments to the Electoral Code resulted in a significant increase in women's representation in the local elections of 2015: women currently represent 34.7 per cent of municipality councillors, up from 12.5 per cent previously. There are nine women among 61 mayors. While this is just roughly 13 per cent, it is a significant step forward in view of the previous share of three women heads among the former 385 local government units.<sup>237</sup>

**Table 5: Share of women and men as candidates for mayor and winning mayor in the local elections of 2014**

	<b>Total</b>	<b># Women</b>	<b># Men</b>	<b>% Women</b>	<b>% Men</b>
Candidates for Mayor of Municipality	158	16	142	10	90
Winning Mayor of Municipality	61	9	52	15	85

Source: INSTAT 2015

**Women councillors.** With regard to local governance, a recent study found that the higher proportion of women in local councils has not automatically resulted in a concomitant increase in women's voice, influence, and decision-making power.<sup>237</sup> In fact, councilwomen face numerous structural barriers in effectively influencing decision-making and governance processes in the local government councils. One of the reasons is that parties select women primarily to fulfil a quota and not necessarily with the aim to generate and support strong female leadership. Supported by numerous accounts of women interviewed, one study suggests that councilwomen's participation in local politics might be less an expression of their commitment to women's rights, empowerment, and gender equality, and more an obligation to serve the interests of Party leaders. For example, more than half of councilwomen reported having taken the floor one to two times per council meeting, whereas councilmen do so three to five times more often. Councilwomen also state that their male colleagues have more power and influence in the council as well as within the Party. Two-thirds of councilwomen express that they are concerned about their position and level of influence within the council, since "decision-making power is not only about voicing community concerns, but [it is also about mobilizing] support for policy proposals".<sup>239</sup> Structural barriers and the configuration of male power need to be addressed and changed in order to provide councilwomen with legitimate space to effectively promote a change agenda at local level. The recent establishment of the cross-party "Women's Coalition" within the municipality councils in Tirana and Vlora is one step in this direction.

Women's political representation is significantly determined by political party leaders. However, the gendered dynamics within political parties have not been studied in detail yet, and recent and accurate data on this issue is limited. A recent UN Women report identified a general neglect of women and girls by political parties,<sup>240</sup> and recent research concludes that political parties keep selecting women primarily "to serve as tokens".<sup>241</sup> Women were found to be rarely invited to regular party meetings except for election campaign purposes. In the life of parties, election campaigns are considered the only moments when women are present and publicly visible.<sup>242</sup>

**Legislative and policy level.** During the period 2010 to 2015, various amendments were made to the Electoral Code (Articles 67/6, 7; 164; 175) in order to improve women's representation and participation in political decision-making.<sup>243</sup> Further amendments in April 2015 reflected Albania's new territorial and

administrative division; they also addressed a long-standing OSCE Office for Democratic Institutions and Human Rights (ODIHR) recommendation to promote women candidates by increasing the gender quota on candidate lists for local councils to 50 per cent, with the gender of candidates alternating at every second name (zipper/zebra lists).<sup>244</sup>

### ***Priority Actions for 4.1.:***

- ▶ **Undertake research on and analysis of the conditions and dynamics within political parties** that determine women's participation, engagement, voice, and influence.
- ▶ In addition to the provision of quantitative, statistical information on women's participation in political parties, **undertake qualitative research on and analysis of women's role and position**, and on the technical implications and impact of Albania's electoral system on women's political representation.
- ▶ **Increase knowledge and understanding of the dynamics and conditions of women in politics** not only in the big urban centres but also in smaller towns, rural areas, and villages.
- ▶ **Parties to regularly report on the representation of women at various levels** within party structures, including on female/male party membership.
- ▶ **Civil society and watchdog organizations** to lobby respective state institutions, media, and international organizations **to respect all provisions in the Electoral Code** that safeguard women's representation, and to strictly adhere to the specific measures and procedures that apply to general and local elections. The CEDAW Committee in its 2016 Concluding Observations urged the promotion of women's substantive participation in political and public life by enforcing the statutory quota and applying sanctions to political parties that do not comply with it, as well as monitoring the implementation of temporary special measures to promote women's participation in decision-making (CEDAW, para 27, 2016).
- ▶ The Central Election Commission and the Ministry of Justice to revise the Electoral Code and **include the compulsory application of a zipper/zebra system to candidate lists for national elections**.
- ▶ **All political parties to adopt zipper/zebra lists** in the national elections in 2017.

## **4.2. Women's Voice and Influence in Governance Processes**

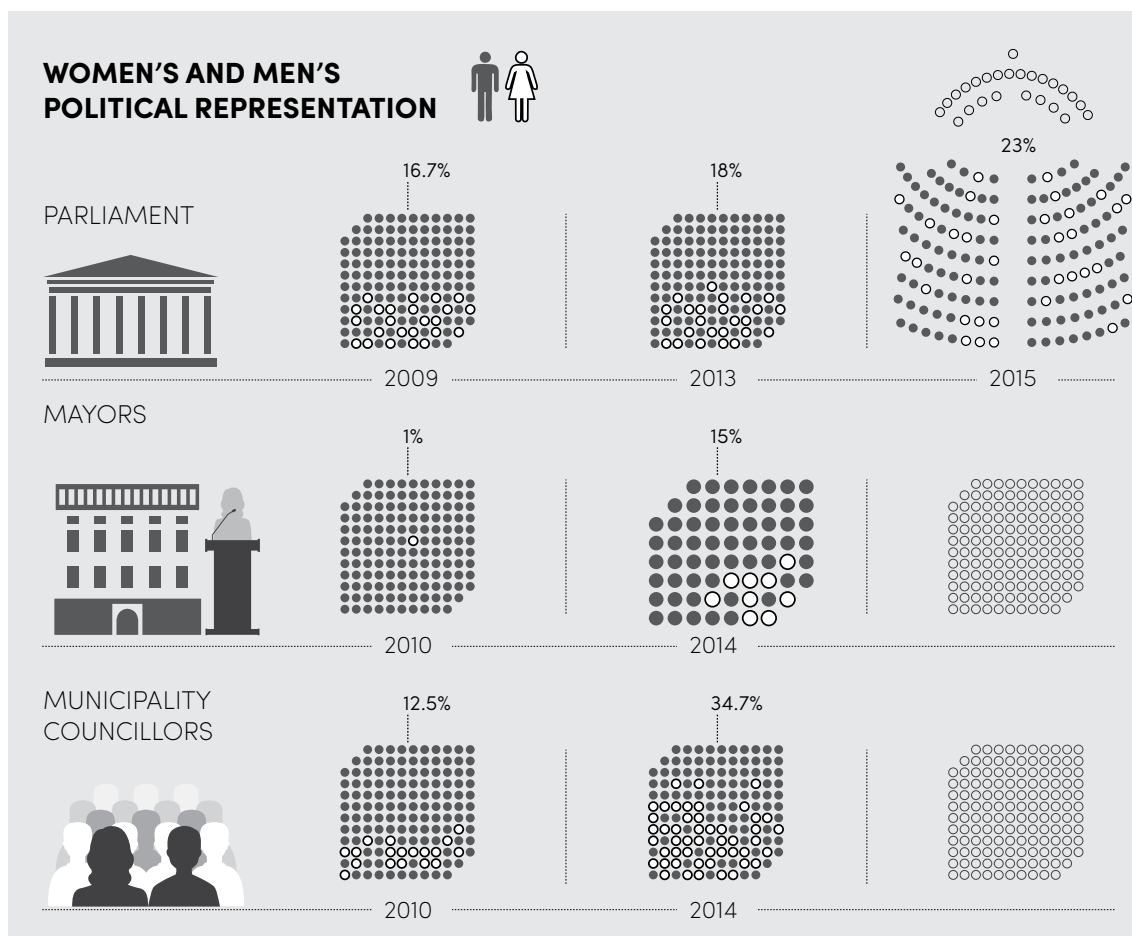
Women in politics are aware that their reputation increases when they manage, oversee, and decide on funds that have a social character and positive impact on female and male citizens in their communities. However, in general, party programmes tend to lack conceptual clarity and do not contain gender equality considerations. Furthermore, current councilwomen are relatively weakly connected to their electorate beyond urban areas: firstly, female party members and current councilwomen were not involved in the consultations prior to the new administrative division, and secondly, rural areas had not been targeted by campaigns that – as a result of post-election territorial and administrative reform – are now part of the municipality territory. Councilwomen are faced with the challenge of addressing gender equality concerns within the local governance agenda, an undertaking for which knowledge and also consensus have not yet been established. However, the anchoring of gender equality goals within the local governance agenda is vital for establishing strong linkages with the electorate, for increasing accountability, and for achieving governance outcomes that equally benefit women and men.

**Citizen participation and gender accountability at local level.** The use of formalized and tested accountability tools is essential for strengthening citizen voices and increasing accountability to women and men at local level. In addition to public hearings, the main approaches taken thus far are (i) participatory budgeting;<sup>245</sup> (ii) gender-sensitive Community-Based Scorecards (CBS); and (iii) Gender-Responsive Budgeting (GRB). Supported by UN Women and USAID's Planning and Local Governance Project (PLGP), CBS has been tested and implemented in five out of 61 municipalities, encouraging women in particular to engage in the prioritization of needs at the community level, and lobbying politicians and local government for change. GRB is a tool for increasing public funds' transparency, accountability, and efficiency, while concomitantly promoting human rights and gender equality. Supported by UN Women, equitable planning and budgeting has thus far been initiated in seven municipalities. With larger territories and higher populations, but limited funds, the application of GRB will be essential for new municipalities to effectively respond to the increased need for services. Application of gender mainstreaming to the medium-term budget programme (MTBP) at municipal level is reflected in the recently approved Financial Law for Local Government (June 2016; still to be officially endorsed).

### ***Priority Actions for 4.2.:***

- ▶ There is a serious need to strengthen women's voice and engagement at local level, particularly in rural areas, which requires **attracting, mobilizing, and recruiting qualified and interested women**. Targeted coaching, training, and mentoring needs to be accompanied by fostering communication with and the collaboration of women and girls within the same and across political parties, and by strengthening relationships with Members of Parliament and their local female constituents. The CEDAW Committee in its Concluding Observations noted the continued barriers that disadvantaged and marginalized women continue to face in particular, and urged Albania to promote and enable the active participation of such women as well as to proactively remove any obstacles to enable them to exercise their right to political participation (CEDAW, paras 26-27, 2016).
- ▶ **Undertake research on enabling and hindering factors determining the degree of women's active and articulate engagement in policy and governance processes**, particularly at the local level.
- ▶ **NGOs and International Organizations to facilitate effective collaboration** between citizens participating in gender accountability processes and local women councillors.
- ▶ All development actors engaged in local governance **to develop the technical capacity of local councillors** to engage in and support gender-responsive policy and budgeting processes.
- ▶ **Strengthen collaboration between councilwomen across party lines**, and support networks of councilwomen at regional and national levels.
- ▶ The Ministry of Finance, Ministry of Local Issues, Ministry of Urban Planning, municipalities, and international actors to **support the use of formalized accountability tools** such as gender-sensitive participatory budgeting, gender-sensitive Community-Based Scorecards, and Gender-Responsive Budgeting as a means to strengthen citizen voice, budgetary accountability, and human rights and gender equality.

Figure 10: Women's Political Representation in Albania



Source: Central Election Commission. "Participation of women in the local elections of 2015." Study commissioned by UN Women (in preparation).

## Selected Key Publications for Albania

Council of Europe (21 June 2015) "Observation of local elections in Albania." CoE Congress of Local and Regional Authorities. Available at: <https://wcd.coe.int/ViewDoc.jsp?p=&id=2364093&direct=true>.

Dauti, M. and E. Cepani (2015) Strengthening the Decision-Making Power of Councilwomen in Albania. UNDP Albania. Available at: <http://www.al.undp.org/content/albania/en/home/library/poverty/study-strengthening-the-decision-making-power-of-councilwomen-in.html>

Dhembo, E. (2010) "Women in Politics and Decision-Making in Albania: A Qualitative Analysis." Journal of International Social Research. Vol. 3, No. 13. Available at: [http://www.sosyalarastirmalar.com/cilt3/sayi13kadiansayisipdf/dhembo\\_elona.pdf](http://www.sosyalarastirmalar.com/cilt3/sayi13kadiansayisipdf/dhembo_elona.pdf)

OSCE/ODIHR (8 September 2015) "Final Report: Republic of Albania Local Elections, 21 June 2015." Available at: <http://www.osce.org/odihr/elections/albania/180731%20%20%20?download=true>.

## CHAPTER ENDNOTES

- 226 INSTAT (2016) *Men and Women in Albania 2016*. In August 2016, the mandate of a male MP was transferred to that of a female by the CEC, bringing the number of women MPs to 33, or 23.6 per cent. Source: OSCE Presence in Albania, Electoral Reform Unit, September 2016.
- 227 Council of Europe (21 June 2015) "Observation of local elections in Albania." CoE Congress of Local and Regional Authorities. Available at: <https://wcd.coe.int/ViewDoc.jsp?p=&id=2364093&direct=true>.
- 228 The law stipulates that in case of the withdrawal of any elected MP, the vacant position should be filled by the less represented gender, in this case, a woman.
- 229 See Council of Ministers webpage: <http://www.kryeministria.al/> for 2016 statistics and INSTAT (2016) *Men and Women in Albania 2016* for 2013 statistics.
- 230 Central Electoral Commission data, see: [http://www.cec.org.al/Portals/0/Documents/CEC%202013/Barazia\\_gjinore/kuota\\_gjinore\\_kanidimet\\_Zgjedhjet\\_%20Vendore\\_%202015.pdf](http://www.cec.org.al/Portals/0/Documents/CEC%202013/Barazia_gjinore/kuota_gjinore_kanidimet_Zgjedhjet_%20Vendore_%202015.pdf), cited in Institute of Political Studies (2016); and "Local Elections of 2015. Participation of women in the local elections of 2015". Study commissioned by UN Women (in preparation).
- 231 M. Dauti and E. Cepani (2015) *Strengthening the Decision-Making Power of Councilwomen in Albania*, UNDP. See: <http://www.al.undp.org/content/albania/en/home/library/poverty/study-strengthening-the-decision-making-power-of-councilwomen-in.html>.
- 232 *Ibid.*, p. 18.
- 233 UN Women (2014) "National Report on the Implementation of the Beijing +20 Platform for Action".
- 234 See Dauti and Cepani (2015).
- 235 *Ibid.*
- 236 (a) At least 30 per cent of the candidates on party lists must be from either gender. (b) At least one of the first three names on party lists must be from either gender. (c) For the first time, in addition to the candidate list, the political subject must also report on the composition of seats according to the gender quota, and on the implementation of the exception in filling vacancies when the requirements defined in the Code are met. A vacant seat that was won as per Article 64/6 is filled by the next candidate of the same gender on the party list, irrespective of this candidate's general ranking. Other candidates progress up the list to the rank of the preceding candidate of the same gender. (d) Administrative sanctions for each electoral constituency where violations are identified, for failure to meet one of the conditions of Article 67/6 on the composition of the candidates' list. The sanctions are applicable to national and local elections.
- 237 International Election Observation Mission of 22 June 2015, Council of Ministers 2014.
- 238 Participatory budgeting, albeit not necessarily in a gender-sensitive way, was included in the previous Organic Law. It was piloted by the Municipality of Elbasan and has been practiced by several municipalities since 2004.

# CHAPTER 5: WOMEN'S ACCESS TO JUSTICE AND THE RULE OF LAW

Achieving gender equality is central to the protection of human rights, the functioning of democracy, respect for the rule of law, and for achieving economic growth and sustainable development. However, respect for and protection of human rights can only be guaranteed when effective remedies, adequate reparation, and/or compensation mechanisms are in place. In this regard, women's equal access to justice is key to ensuring equality before the law – not only *de jure* but also in real life. The Council of Europe's pioneering work on human rights and gender equality has resulted in a solid legal and policy framework that has greatly contributed to fighting inequality and better protecting women's human rights and dignity in its 47 Member States.

In Albania, gender equality standards are far from being a reality for women, however. Persisting inequalities between women and men, gender bias, and stereotypes result in unequal access of women and men to justice. Women's limited access to justice is a complex social phenomenon that combines a series of inequalities at legal, institutional, structural, socio-economic, and cultural levels.<sup>246</sup> Women face significant barriers in accessing justice in the following areas: land titling, property legalization/registration, inheritance, division of property in the course of divorce, and maintenance and alimony payments. A specific focus on women's cases is needed here, including those of women (and men) from poor and marginalized groups unable to pay for the execution of court decisions by private bailiff offices. Of particular importance will be the reflection of gender equity concerns in the process of drafting new legislation regulating legal aid and court fees.<sup>247</sup> Addressing cases involving minorities – which may be delayed due to discrimination and prejudices towards them – for example, LGBTI, Roma women and men, and women and men with disabilities, is particularly critical. Ensuring access to free legal aid is equally paramount.

In the current reform of Albania's justice sector, the principle of equality – including equality between women and men – must become firmly anchored. This entails:<sup>248</sup>

- strengthening the capacity of state institutions/government bodies to incorporate equality objectives in all EU-supported reform strategies, frameworks, systems, plans, and measures;
- increasing the accessibility and effectiveness of structures that play a pivotal role in access to justice for women and men, particularly for the poorer, discriminated, vulnerable, and marginalized groups among them (e.g. the bailiff system);
- strengthening the capacity of government institutions and bodies to apply gender-sensitive indicators to monitor the impact of EU-supported justice reform on women and men, and on particular subgroups among them.

### **Priority Actions for 5:**

- ▶ **Support continued harmonization of national legislation with international standards**, and transposition of national laws and sub-legal acts that particularly affect women (see, for example, the Recast Directive; the UNDP Legislative Analysis Package 2013; the Istanbul Convention; and the UN CEDAW Concluding Observations – Fourth Periodic Report). In its 2016 Concluding Observations, the CEDAW Committee expressed concern about the non-execution of court orders, particularly protection and emergency protection orders, and urged Albania to ensure the enforcement of such orders and strengthen sanctions against those who do not comply (CEDAW, paras 12-13, 2016).
- ▶ The Ministry of Justice to ensure the **coherent use, collection, and analysis of sex- and age-disaggregated data and gender statistics** in all matters where individuals are concerned and the adoption of a set of selected indicators measuring the gendered impact of EU SBS/reform in the justice sector.
- ▶ **Carry out gender assessments of the justice sector** as an integral component of reform.
- ▶ Gender equality, women’s rights, the gendered impact of the legal and judicial system, the EU Gender Equality acquis, and issues of gender-based violence must be incorporated as mandatory and integral components of the **training curricula and continuing legal education for all legal practitioners**.
- ▶ **Monitor particular types of court cases** that are of significant relevance for women’s right to justice.
- ▶ **Undertake assessments of how the legal system works** for both women and men.
- ▶ **Review statistical databases, court, and other institutional records, to assess who is utilizing the court system**, for what types of claims, and with what outcomes, e.g., focusing on whether women or other particular social groups are equally bringing cases to court, and if they do not, exploring the reasons.
- ▶ **Review what types of punishments are used for perpetrators**, with particular attention to punishment for gender-based violence/crimes and crimes committed against marginalized social groups.
- ▶ Due to gender rules and norms in society, women and men have a distinctly different standing vis-à-vis the justice system. This fact needs to be carefully addressed in the design of awareness-raising and information dissemination and sensitization campaigns, **familiarizing the general public, and women and marginalized groups in particular, with the concept of ‘rights’**, legal literacy, zero tolerance, specific laws, and information about specific complaint and redress mechanisms.
- ▶ **Conduct analyses and research on the gendered dimension of corruption** and the detrimental impact on women in general – and on women from poor, marginalized, and vulnerable groups in particular – in accessing basic services and rights.
- ▶ **Ensure access to free legal aid** by improving the free legal service system, especially access to free attorneys for women belonging to ethnic and linguistic minorities, women in rural areas, domestic violence survivors, and women belonging to disadvantaged groups. The CEDAW Committee in its 2016 Concluding Observations praised the introduction of legal aid but expressed concern that many women, particularly from disadvantaged and marginalized groups, are still unaware of their right to access free legal aid. The Committee recommended that Albania enhance awareness raising among the public and women victims of their rights and strengthen the State Commission on Legal Aid within the Ministry of Justice (CEDAW, paras 12-13, 2016).

- ▶ “In the drafting of the new legal basis for legal aid and court fees, supported by the European Assistance Mission to the Albanian Justice System (EURALIUS), ensure that the respective limits for free legal aid fees are defined in a manner that enables women’s and particularly poor women’s access to justice.
- ▶ **Regulate the services of the bailiff office** with regard to the treatment of cases of poor and marginalized groups, particularly women among them.
- ▶ **Support the implementation of the Palermo Convention** and amendments to the law on witness protection, and provide effective support to witness protection, particularly for women victims of trafficking, enabling victims of trafficking to turn into witnesses. The conditions under which trafficking occurs are extremely complex, and the majority of cases involve family members. As long as a woman has to testify in court against her trafficker face-to-face, a woman will never dare to speak, as too much is at stake for her and the relatives on her side. The conditions for female victims to turn into witnesses are clearly not in place yet. The CEDAW Committee recognized in its 2016 Concluding Observations that trafficking and exploitation of women remains a significant problem and urged Albania to strengthen investigations, prosecutions, and convictions of traffickers; exempt victims of trafficking from liability; provide victims with access to witness protection programmes; and increase funding to shelters to provide victims with appropriate services (CEDAW, paras 24-25, 2016).
- ▶ **Specific technical support to be provided to law enforcement** and close monitoring conducted to safeguard women’s/girl’s rights in inheritance, land titling, property legalization/ registration, child custody, division of property in the course of divorce, and maintenance and alimony payments.
- ▶ Among the general population and among women and marginalized groups in particular, familiarity with the concept of ‘rights’, legal literacy, and awareness of specific laws, for example on protection against discrimination and on the complaint mechanism, remains low. Key principles of the rule of law and zero tolerance for corruption are learned from an early age onwards, starting in pre-school education (and even earlier). **The Ministry of Justice and the Ministry of Education and Sports to be supported to conduct age- and target group-specific campaigns**, promoting a culture of the rule of law and raising awareness including among girls and boys not only of their rights, but also of their duties as citizens.
- ▶ In line with the EU’s diversity policy, **affirmative action measures need to be employed to ensure women’s equal opportunities** in professional life and women’s equal participation and representation in decision-making at all levels. There is a slight trend towards feminization of the justice sector, but the share of women tends to fall in higher echelons. The legally foreseen minimum quota of 30 per cent qualified women in positions of decision-making and leadership needs to be promoted in the justice sector, and sought in all the managing bodies.
- ▶ **Gender expertise must be anchored in the IPMG on Public Administration and Good Governance** and the Thematic Groups on Justice and Anti-Corruption.



## Selected Key Publications for Albania

Gender Equality Commission (2015) “Compilation of good practices to reduce existing obstacles and facilitate women’s access to justice.” Council of Europe. Available at: <https://edoc.coe.int/en/gender-equality/6695-gender-equality-commission-compilation-of-good-practices-to-reduce-existing-obstacles-and-facilitate-women-s-access-to-justice.html>

EURALIUS (2016) “Future of the Legal Aid System in Albania,” Report of the conference on “Necessary Strategic Decisions for a Functioning and Financially Sound System of Legal Aid in Albania, 16 March 2016. Available at: <http://www.euralius.eu/en/news/211-abolishment-of-state-commission-for-legal-aid>.

ICJ (2016) Women’s Access to Justice for Gender-Based Violence. International Commission of Jurists. Available at: <http://www.icj.org/wp-content/uploads/2016/03/Universal-Womens-accesss-to-justice-Publications-Practitioners-Guide-Series-2016-ENG.pdf>.

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- 246 *Gender Equality Commission (2015)*  
“*Compilation of good practices to reduce existing obstacles and facilitate women’s access to justice*,” Council of Europe.  
Available at: <https://edoc.coe.int/en/gender-equality/6695-gender-equality-commission-compilation-of-good-practices-to-reduce-existing-obstacles-and-facilitate-women-s-access-to-justice.html>.
- 247 See the report of a recent EURALIUS-supported conference on the issue: <http://www.euralius.eu/en/news/211-abolishment-of-state-commission-for-legal-aid>.
- 248 UN Women comments on EU IPA II draft Action Document “*Consolidation of the Justice System in Albania*,” April 2016, version “16-04-08 AD Justice Revised OPS1”.

# CHAPTER 6: PROTECTING SEXUAL AND REPRODUCTIVE HEALTH RIGHTS

In response to the recent EU Non-Paper “To advance the understanding of Sexual and Reproductive Health and Rights (SRHR) in EU Development Cooperation” and its relevance for implementing the EU Gender Action Plan II 2016-2020, a section on SRHR in Albania is included in this report.

The protection and fulfilment of all human rights, including sexual and reproductive rights, is a cornerstone of the EU *acquis*.<sup>249</sup> The importance of SRHR with regard to gender equality is acknowledged by objectives ten and eleven of the new Gender Action Plan 2016-2020, adopted by the European Council in October 2015. In implementing these policies, the European Commission concentrates on, among other issues, ending or mitigating the effects of child marriage and sexual violence. The promotion and strengthening of health systems and the tackling of inequality in access to essential quality health services - including SRH care, family planning, and appropriate sexuality education - are at the core of implementing effective health care systems.<sup>250</sup>

In its Concluding Observations to Albania’s Fourth Periodic Report, the CEDAW Committee in July 2016 noted that disadvantaged, marginalized, and rural women in particular continue to have limited access to health care services, including sexual and reproductive health care, and expressed concern at the increase in mother to child transmission of HIV/AIDS. It urged Albania to promote access to health care services for the most disadvantaged and enhance efforts at introducing age-appropriate education on sexual and reproductive health in schools. The Committee recommended that Albania strengthen efforts to prevent and detect mother to child transmission of HIV/AIDS through screening, early diagnosis, and free distribution of essential anti-retroviral medicines (CEDAW, paras 32-33, 2016).

Tackling inequality in access to essential quality health services - including sexual and reproductive (SRH) health care, family planning and appropriate sexuality education - is critical to the effective functioning of health care systems and the fulfilment of women and girls’ sexual and reproductive rights. Gender equality is key to ending dangerous and discriminatory health practices.

## 6.1 Sexual and Reproductive Health Rights for Women and Girls in Albania: A Snapshot

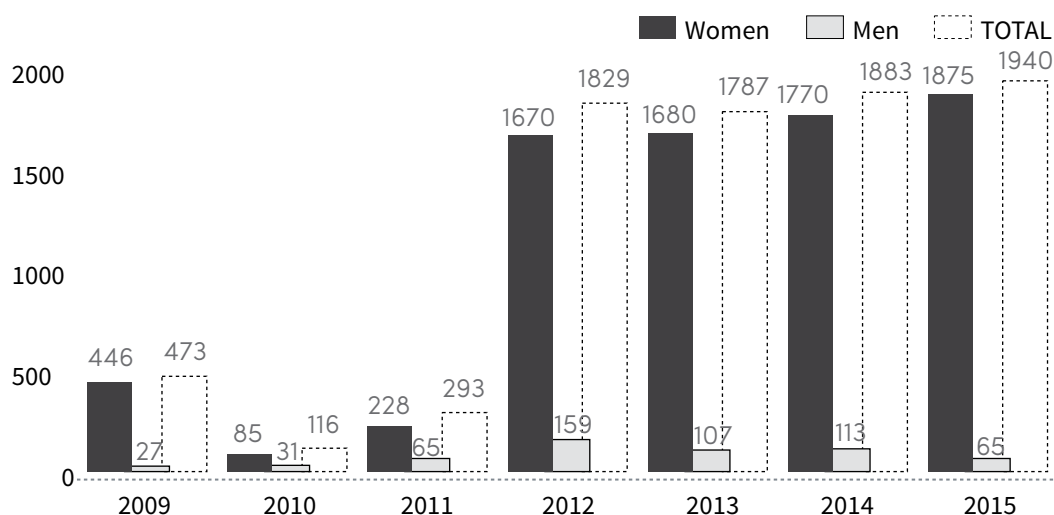
Reporting of **HIV and AIDS** appears to be very low in Albania; 883 cases were reported in 2015, the majority (82 percent) through heterosexual transmission. Ante-natal services to screen pregnant women for HIV and facilitate early diagnosis, provision of counselling services in mother and child health centres, and free distribution of anti-retroviral medicines are envisaged in the upcoming National Strategy for

Reproductive Health 2016-2020 and foreseen in the Basic Package of Primary Health Care Services. In July 2015, the Ministry of Health approved protocols for the prevention of infectious agents transmitted from mother to child, including **sexually transmitted infections (STIs)** such as HIV/AIDS.

Nonetheless, mother to child transmission is a growing concern, representing 31 or 3.5 percent of the total reported cases. There are no separate guidelines for management and follow up of HIV positive pregnant women or for the treatment and care of children born to HIV positive adolescents and mothers. Uptake of **voluntary counselling and testing (VCT)** remains low; VCT services involve the collection of blood samples and lengthy pre-test counselling which may deter those most at risk of HIV. To address this, “provider-initiated testing and counselling” in antenatal care settings across the country will be introduced through the Global Fund Programme. Services will also be promoted for pregnant women through campaigns, and efforts will be made to address stigma and discrimination.

More data is available for **breast cancer** than **cervical cancer**; 443 new cases of breast cancer were reported in 2013, compared to 98 cases of cervical cancer. A national program on breast and cervical cancer screening is lacking; protocols for breast cancer and cervical cancer have been designed but still need to be approved and implemented. The low use of **condoms** exacerbates the spread of STIs, including syphilis. There has been a marked increase in the number of diagnosed STIs, most significantly among women. Low diagnosis levels among the male population reflect men’s low frequency of undertaking medical check-ups, as well as men’s - and the general health care system’s - limited awareness of reproductive health needs. In Albania, there is currently no ante-natal screening programme for HIV, Hepatitis or syphilis. In 2015, the Government, in collaboration with UNFPA, prepared the first screening guidelines for infectious agents in pregnancy.

**Table 6: Sexually Transmitted Infections Diagnosed**



Source: Institute of Public Health, 2015.

Unofficial sources indicate a higher number of abortions than those officially reported. Developing **awareness and information campaigns** that target specific groups is important in ensuring that women and men, girls and boys understand and apply safe sexual and reproductive health practices and can access adequate methods. To this end, **Comprehensive Sexuality Education (CSE)** was initiated in late 2014 and compulsory CSE implementation is now part of the curriculum in schools. Developed

in line with the European Framework for Comprehensive Sexuality Education, CSE is human rights-based, includes gender, sexual and reproductive health, and provides information on gender identity, sexuality, and society.

In 2014, the sex ratio at birth was found to be 108 boys for 100 girls, which is above the natural rate for male new-borns. Some commentators suggest that **pre-natal sex selection** practices, which have been identified in several countries in South-East Europe and the South Caucasus, may be involved.<sup>251</sup> Already in 2012, a report by UNFPA and World Vision<sup>252</sup> had raised concern about the possible prevalence of this practice in Albania, but since then no conclusive further evidence has been produced.

**Child marriage** continues to be a concern in Albania, which affects girls from rural and Roma communities in particular, making it difficult for these girls to enter the labour market or develop economic independence. According to the Family Code of the Republic of Albania, the minimum age for marriage is 18 years for both women and men. However, the Family Code does not provide for an absolute legal minimum age, and courts may allow marriage at an earlier age for “important reasons”. In such cases, no minimum age is defined. So far, in 100 percent of the requests, the court has given permission. The requests have always been made for the marriage of girls.

In 2011, 31 percent of 13 to 17 year-old Roma girls were married or in union.<sup>253</sup> In relation to forced marriages, the Criminal Code has been aligned with the standards set out in CEDAW and the Istanbul Convention. Furthermore, some quantitative analyses have been undertaken by CSOs, and a child marriage indicator has been included in the Statistical Programme 2017-2021.<sup>254</sup> The statistical program intends to align Albania’s monitoring system with EUROSTAT, however, stronger emphasis needs to be put on strengthening the health management information system, which includes harmonizing methodologies and ensuring data flow between local and national health care centres.<sup>255</sup>

**Data-collection efforts** have so far been hindered by the lack of sex-disaggregated administrative data and different collection methodologies among key health actors such as the Albanian Institute of Statistics (INSTAT), the Ministry of Health, and the Institute of Public Health (IPH). This has made monitoring of the impact of national health policy and legislation on women and girls very difficult. In order to remedy this situation, in late 2015, the MoH and the IPH started compiling a list of health indicators based on the European Core Health Indicators (ECHI) and a Manual of Core Health Indicators has been developed.<sup>256</sup> Respective health indicators were piloted recently, while large-scale implementation has not yet begun.

According to the Albanian Centre for Population and Development’s (ACPD) Shadow Report “Healthcare Field - Case of Albania” submitted to the CEDAW Committee,<sup>257</sup> the Government of Albania has established a comprehensive **legislative framework** to protect the sexual and reproductive health rights of women and girls. However, significant gaps remain in the organization and integration of services; addressing gender-based violence; providing mental health screening and screening for cancers of the reproductive system; and drafting of legislation that guarantees the rights of transgender women. Capacities for providing nation-wide quality services that respond to the specific health needs of women and men require strengthening at every level of care.

While specific attention is paid to women in the draft National Strategy for Sexual and Reproductive Health 2016-2020, the draft National Health System Strategy 2016-2020<sup>258</sup> does not include women’s health and well-being as separate items, making it difficult to develop appropriate interventions for women and girls. For example, the specific protocol developed by UNFPA for the effective treatment of victims of gender-based violence needs to be officially recognized and effectively applied, which also requires specific training for health care professionals in applying and operating in line with this protocol. In general, capacities for monitoring the application of standard operational protocols need to be increased for all newly introduced protocols.

## 6.2 Improving Access to Health for Women and Girls in Albania

Addressing the challenges identified above requires a comprehensive approach focused on policy and legislative reform, investment in research and health services, education, and improved data-collection methods. Priority Actions touch on each of these areas and are described below.

### ***Priority Action 1: Developing and Improving Application of Health Care Protocols***

- ▶ The **Government of Albania** should enhance efforts to organize, integrate, and ensure universal access to key sexual and reproductive health services, such as cancer and HIV voluntary screening and counselling for all women, men, girls and boys.
- ▶ The **Ministry of Health (MoH)** should develop and monitor the coherent use of protocols in treating victims of gender-based violence, domestic violence and sexual violence; and deliver training on these protocols to health professionals to ensure proper delivery of services.
- ▶ The **MoH** should establish and operationalize a dedicated structure within the MoH on sexual and reproductive health.

### ***Priority Action 2: Enhancing Access to Health Care for Women and Girls***

- ▶ The **Ministry of Health** and **local health care providers** should strengthen the health information system by supporting gender-sensitive research, analysis, and nation-wide qualitative assessments. The aim should be to identify gaps in health care service delivery and access to health care services for women and girls, including primary as well as sexual and reproductive health care, with an emphasis on women and girls in rural areas and from disadvantaged groups.

### ***Priority Action 3: Improving and Aligning Data Methodologies among Health Agencies***

- ▶ **INSTAT, the MoH, and the Institute of Public Health** should enhance efforts in improving methods of data-collection and analysis, as well as ensuring sex- and age-disaggregation and full alignment with the European Core Health Indicators and the ECHI Manual.
- ▶ **INSTAT, the MoH, and the Institute of Public Health** should improve collection, disaggregation and reporting of data related to the incidence of STIs and prevalence of abortion through the Abortion and the STIs Surveillance Systems.
- ▶ The **MoH and health service actors** should strengthen the **health management information system**, including consistent data collection, the application of harmonized methodologies, and effective sharing of compatible data between national and local health care centres.
- ▶ The **MoH** should improve sex-disaggregated data collection for the National Cancer Registry (under development) through capacity-building of key health staff, improved methods of data transfer, and introduction of specific codes for identifying cancer-related diagnoses.

#### ***Priority Action 4: Establishing Critical Sexual and Reproductive Health Services for Women***

- ▶ The **MoH and relevant health care institutions** should integrate screening of cancers affecting the reproductive system (cervical cancer, breast cancer, prostate cancer) into the national program of cancer screening.
- ▶ The **MoH and relevant health actors** should establish universal access to STI and particularly HIV testing, facilitate access to early diagnosis and provision of counselling services, as well as ensure free distribution of anti-retroviral medicines to all individuals in need, in particular pregnant women.

#### ***Priority Action 5: Implementing Campaigns on Safe Sexual and Reproductive Practices***

- ▶ The **MoH**, in cooperation with key **local health service actors and civil society**, should develop and implement effective awareness-raising and information campaigns promoting the use of modern contraceptives among girls, boys, women and men to prevent unwanted pregnancies and support family planning.
- ▶ Special attention needs be paid in developing communication strategies to reach **boys and men**, to create awareness of their role in engaging and promoting safe sexual practices.
- ▶ Care should be taken to target communication campaigns to different groups of women and girls from **disadvantaged and marginalized groups**, using fine-tuned techniques and approaches.

#### ***Priority Action 6: Addressing Child Marriage and Other Discriminatory Practices through Education and Legislation***

- ▶ The **Government of Albania** should revise the Family Code and Criminal Code to specify an absolute minimum age to marry, and train representatives of local courts on the rights of women and girls as regards consent to marry and other protection measures.
- ▶ The **Ministry of Education and Sports**, in cooperation with the **Ministry of Health and Local Government Units**, should develop awareness-raising campaigns on the negative consequences of early marriage for girls, both for the girls themselves and for society.
- ▶ The **Ministry of Health** should work with health service actors and civils society to address discriminatory practices such as pre-natal sex selection practices.

#### ***Suggested amendments to the Family Code:***

1. Establish a minimum age under which the Court shall not have discretion to issue a license on grounds of “*good cause*”. Thus, Article 7, paragraph 2 of the Family Code should read: “*The local court in the area where the marriage is entered may authorise marriage of parties under this age; however, authorisation may not in any case be granted for minors under 16 years of age*”.

2. In addition to the above, **from a procedural point of view**, it is important that the Family Code include a provision to say that, in assessing such applications, the Court shall hear from the person under 18 separately, that is to say, outside the presence of their parent(s), guardians, or intended spouse. This would provide more protection to the minor and the Court would be in a better position to assess “free consent”. Given the combined substantive and procedural nature of the Code, it is possible for this provision to be included therein.
3. Additionally, the **Family Code** must clarify active legitimation issues as it relates to cases of marriage applications by minors, to ensure that such applications are made by the minors themselves; treating them as exceptions to adult active legitimation provisions. This is important to minimize the role of the child’s legal representatives who in some cases may be in a rush to submit an application that may lead to a forced marriage - or even to trafficking and forced labour - and may be in breach of the free and voluntary consent requirement. The suggestion is to add Article 7/1 stipulating that *“A minor may submit a marriage application. In examining the application, the Court shall hear from the under-age applicant separately, that is to say, outside the presence of their parents, guardian or intended spouse”*.
4. Similarly, it would be advisable to introduce a provision on **mandatory pre-marital counselling** in all cases of marriage applications by minors, as well as a requirement for the involvement of a counsellor/psychologist. Although counsellors and their role are already mentioned in the general principles, a specific provision would be preferable.

## Selected Key Publications for Albania

Albanian Center for Population and Development (2016) “Shadow Report: Healthcare Field: Case of Albania.” Report submitted to the United Nation’s Committee on the Elimination of All Forms of Discrimination Against Women. UNFPA. Available at: [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/ALB/INT\\_CEDAW\\_NGO\\_ALB\\_23255\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/ALB/INT_CEDAW_NGO_ALB_23255_E.pdf)

Institute of Public Health (2014) National Health Report: Health Status of the Albanian Population. Available at: <http://www.ishp.gov.al/wp-content/uploads/2015/materiale/Health-report-English-version.pdf>

UNFPA & World Vision (2012). Sex imbalances at birth in Albania. [http://www.unfpa.org/sites/default/files/resource-pdf/UNFPA\\_report\\_Albania2012.pdf](http://www.unfpa.org/sites/default/files/resource-pdf/UNFPA_report_Albania2012.pdf)

UNFPA (2012) “Child Marriage in Albania: Overview.” Available at: <http://eeca.unfpa.org/publications/child-marriage-albania-overview>



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249. "In defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation". Treaty on the European Union and the Treaty on the Functioning of the European Union, Article 10: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012E/TXT>. The Charter of Fundamental Rights of the European Union includes "the right of access to preventive health care", prohibits "discrimination based on sex or sexual orientation" and requires "equality between women and men to be ensured in all areas". See: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>.
250. All these actions follow the International Conference on Population and Development and are carried out in accordance with the partner country's legal framework. The EU's health cooperation promotes international guidelines and quality standards set by the World Health Organization (WHO), the United Nation Population Fund (UNFPA), and other UN Agencies, and relies on scientific evidence.
251. In South-East Europe and the South Caucasus, levels above 110 have been observed in Albania, Montenegro, Azerbaijan, Armenia, and Georgia. See also Meslé, Vallin, and Badurashvili (2007), and Brainerd (2010). The Council of Europe published a review of data from Eastern Europe as early as 2011.
252. UNFPA & World Vision (2012) Sex imbalances at birth in Albania. Available at: [http://www.unfpa.org/sites/default/files/resource-pdf/UNFPA\\_report\\_Albania2012.pdf](http://www.unfpa.org/sites/default/files/resource-pdf/UNFPA_report_Albania2012.pdf)
253. UNFPA (2012) "Child Marriage in Albania: Overview," pg. 5. Available at: <http://eeca.unfpa.org/publications/child-marriage-albania-overview>.
254. So far, marriages of children (girls and boys) under the age of 18 are reported by INSTAT based on data from the civil registry. The Child Marriage Indicator included in the new National Statistical Program is based on a survey which has not been verified yet. For the moment, annual reporting of this indicator is considered unfeasible and therefore unlikely.
255. Institute of Public Health (2014) National Health Report: Health Status of the Albanian Population. Available at: <http://www.ishp.gov.al/wp-content/uploads/2015/materiale/Health-report-English-version.pdf>.
256. Ministry of Health (2015). Indikatorët e përbashkët shëndetësorë Evropianë (ECHI). Manual i Indikatorëve Shëndetësorë për Shqipërinë. [European Core Health Indicators (ECHI). Health Indicator Manual for Albania]. <http://ishp.gov.al/wp-content/uploads/2015/04/libri-indikatoreve-final.pdf>. The Guidelines for piloting key health indicators (Udhëzues "Pilotimi i disa indikatorëve kyç shëndetësorë") were presented in October 2016.
257. Albanian Center for Population and Development (2016) "Shadow Report: Healthcare Field: Case of Albania," report submitted to the CEDAW Committee, UNFPA. Available at: [http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/ALB/INT\\_CEDAW\\_NGO\\_ALB\\_23255\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/ALB/INT_CEDAW_NGO_ALB_23255_E.pdf).
258. See: <http://www.shendetesia.gov.al/al/baza-ligjore/konsultimi-i-strategjise-se-shendetesise-2016-2020/konsultimi-i-strategjise-se-shendetesise-2016-2020>

# CHAPTER 7: EMERGING GENDER ISSUES

## 7.1. Disaster Risk Management

Given Albania's risk profile, irrigation, drainage, and flood protection are major components of water resource management in the country. Seasonal features of the rainy season make irrigation essential during the summer and flood protection is required during the winter.

Moreover, floods and droughts are recurrent events in Albania. For instance, during the big floods of December 2010, 14,000 hectares in Shkodra were inundated due to heavy rains and resulting high water levels of the Drin River. This region was part of the affected area in the February 2015 floods. In recent decades, flooding has worsened due to deforestation, overgrazing, and erosion combined with a lack of maintenance of drainage canals and pumping stations.

In February 2015, the European Union, through ECHO and the Union Civil Protection Mechanism (UCPM) as well as other bi- and multilateral partners, helped the Albanian Government to provide immediate disaster relief assistance. The Government also approached development partners, including the European Union and the World Bank, to assist with reconstruction and recovery in the affected areas. The joint methodology applied was based on the Post-Disaster Needs Assessment (PDNA), which encompasses two perspectives: (i) the evaluation of physical damage and economic loss and (ii) the identification of human recovery and reconstruction needs based on information obtained from the affected population with a focus on increasing resilience to future hazards.

In close collaboration with a team of experts from the World Bank, UNDP, the EU Delegation, and FAO, UN Women undertook a rapid gender assessment of the impact of the floods. This complemented the work conducted by the aforementioned organizations, by following the basic guidelines for a Gender-Sensitive DALA-PDNA and Recovery Process, which has been successfully implemented in Serbia and Bosnia and Herzegovina. The results of UN Women's rapid assessment underlined the disastrous effects on women's lives and livelihoods and recommended a series of actions for the recovery and reconstruction phase.<sup>259</sup>

Damages to crops and land were a major concern to women, as they clearly suffered significant losses of products for both personal consumption and sale, including loss of livestock and animal feed, as well as damage to barns, which further exacerbated the situation. Damages to the home, furniture, and household equipment, as well as persistent dampness were major concerns. According to 64 per cent of respondents, domestic violence increased after the floods, and unexpectedly, women heads of household reported a higher incidence of violence (73.1 per cent) than women spouses. Women were found to be affected not only by domestic violence, but also by violence outside the home. Women reported having been treated differently than men as concerns the distribution of aid by municipality officials, where men had easier access to municipality staff and benefited more from state support.<sup>260</sup>

Data from the State Social Service on flood-prone rural areas show very low coverage of inhabitants by social protection. Only 3.5 per cent of affected households were classified as eligible to receive Economic Aid assistance (cash transfers), out of which just 0.4 per cent were women heads of household. Apart from the cash transfers, no other social services were provided in these areas.

### ***Priority Actions for 7.1.:***

- ▶ Disaster Management Authorities – Civil Protection to **integrate gender equality considerations** and develop appropriate responses within their risk management policy.
- ▶ The Ministry of Interior and Local Government Units to **conduct risk reduction training** with LGUs and other national institutions at local level.
- ▶ The MSWY to foresee **disbursement of reproductive unpaid labour compensation** to women.
- ▶ The Ministry of Justice to **conduct a gender-sensitive study of land ownership** and tenure.
- ▶ The Directory for Civil Emergency within the Ministry of Interior and the Local Government Units to **develop and conduct public information campaigns on post-disaster awareness and responses to violence against women.**<sup>261</sup>

## **7.2. Environment, Energy Poverty, Climate Change**<sup>262</sup>

In Albania, the nexus between gender inequality, energy, the environment, and climate change has remained relatively unexplored. In the public perception of modern life in urban centres, women do not walk long hours to collect firewood or fetch water, are only moderately affected by droughts and floods, and cook over smoking stoves only in remote areas.<sup>263</sup> In general, the impact of the energy crisis on women is far subtler and, as a result, less visible.

Yet, it is widely acknowledged that current modes of energy governance do have a gendered impact in the countries of the Western Balkans. This impact is primarily felt within households as an increase of expenditures and concomitantly poverty, and a drop in the quality of life for those who are traditionally responsible for household chores – women. Dynamics are further exacerbated by limited economic opportunities for women, the low representation of women in decision-making, and low levels of women’s political participation. However, since these aspects are considered common (or ‘traditional’) characteristics in all economies in the Western Balkans, the gender component that is specifically related to energy has remained largely unexplored. To date, the only publication available is the gender section of Macedonia’s Third National Communication on Climate Change, prepared in the framework of the country’s progress reporting on the United Nations Framework Convention on Climate Change (UNFCCC) in 2014.<sup>264</sup>

**Energy** policies and strategies, Energy Action Plans, tariff systems, and modes of energy governance ultimately affect both female and male citizens as customers. This seemingly simple logic – that there is an end client who will feel the impact of policies and strategies – is seldom considered in formulating sustainable energy policies and developing action plans. The awareness that energy supply, use, and consumption have a social dimension as well as a differentiated impact on the female and male population is just emerging. Even less considered is the fact that this impact on end users/consumers is different for various groups of users: female/male, employed/unemployed, affluent/less-affluent, urban/rural, young/elderly, those living in rural or urban areas, or those belonging to an ethnic minority group. One further element worth paying attention to is the overall situation of energy poverty in all

countries of the Western Balkans, resulting in the fact that some parts of the population cannot afford sufficient (as well as more efficient) energy. However, at present, there is only anecdotal evidence on the gendered differences in (sustainable) energy supply, access, and use in South-Eastern Europe. Gender-sensitive considerations are relevant and would contribute to a more sustainable and inclusive energy discourse in the region, in turn building the basis for more gender-responsive policy- and decision-making in the energy sector.

**Women and the environment** is one of the 12 critical areas of concern identified in the Beijing Declaration and Platform for Action, adopted by global leaders at the Fourth World Conference on Women in 1995. The Platform pinpointed three strategic objectives for government action on the environment. These include: (i) involving women actively in environmental decision-making at all levels; (ii) integrating their concerns and perspectives in policies and programmes; and (iii) establishing ways to assess the impact of development and environmental policies on women.<sup>265</sup>

In general, publications on gender, energy, the environment, and climate change are recent, published from 2011 onwards.<sup>266</sup> UN Women inputs to the negotiations towards the climate agreement, COP 21, in 2015 in Paris, highlighted the need to address systematically the persistent gender gaps in the response to climate change as one of the most effective means to build climate resilience. To date, the most comprehensive analysis and presentation of the “gender and environment nexus” is presented in the United Nations Environment Programme’s (UNEP) recently published Global Gender and Environment Outlook 2016.<sup>267</sup> The publication focuses on ways to influence future environmental policy that pay due attention to the social dimensions of environmental issues, and examines a wide range of topics, including food production, water and sanitation, energy, sustainable consumption and production, fisheries and fishing communities, and forests, including those who depend on them for their livelihoods. EU guidance on mainstreaming gender equality into the energy sector<sup>268</sup> and into the environment and climate change<sup>269</sup> was recently compiled by the European Institute for Gender Equality (EIGE).

### ***Possible areas of gender-sensitive engagement under 7.2:***

- ▶ The Ministry of Environment to mainstream **gender equality concerns into Albania’s reporting to the United Nations Framework Convention on Climate Change**. This is recommended to be undertaken as an integrated gender mainstreaming capacity-development measure during UNFCCC drafting and to be facilitated by international gender expertise.
- ▶ The Ministry of Environment, MARDWA, the Ministry of Energy and Industry, and others to mainstream **gender equality concerns into all policies**, and to embark on **researching and analysing the gender dimension** of environmental issues, natural resource management, energy, climate change, food production, disaster mitigation, risk management, and other relevant issues in the Albanian context.
- ▶ **The Ministry of Energy and Industry** to ensure adequate access to economically viable and environmentally sustainable energy sources for households in rural areas.
- ▶ **Addressing gender equality in Energy Action Plans:** Some energy measures that are part of the Sustainable Energy Action Plans (SEAPs) have a significant gender and social impact. However, so far, SEAPs have not been viewed from these perspectives. For example, private cars are purchased, owned, and used primarily by men, while public transport greatly benefits women, children, and the elderly, increases their mobility, and reduces dependency, cost, and time burdens. In the framework of CO2 reductions, supporting public transport in the framework of SEAPs would be a clearly gender-responsive measure.
- ▶ **Analysis/study of the impact of energy poverty on women and men:** Currently, data on the impact of energy poverty on women and men is unavailable. The unavailability of such evidence makes it difficult to engage in serious public information sharing, awareness raising,

and lobbying and advocacy. Since the required statistical reform for generating administrative data on the gender dimension of poverty, including micro-data on energy poverty, has not occurred yet in the Western Balkan region, alternative ways of investigation – in the form of surveys and studies – are required.

- ▶ **Gender-sensitive analysis of characteristics of energy expenditures within households:** Liberalization of the energy market will have a huge impact on households – prices will increase, and so will the economic burden, significantly affecting citizens. However, there is no research on the gendered dimension of energy poverty within households (including health and economic impacts). Energy in general is perceived as a male topic, the majority of actors are men, and there is limited understanding of how energy might relate to gender. On the other hand, the household is considered the responsibility of women, and once a discussion of energy poverty or inefficiency at the household level is initiated, the linkages with gender become immediately apparent. Relevant topics include household energy poverty, household energy consumption, means of heating (coal, wood, electricity), health impacts, and quality of life especially during the winter time. What is needed is simple, practical information (for example, on household appliances, cooking, cleaning, and insulation activities). Viable, gender-responsive, and socially-just responses to gendered energy poverty should be identified and, where missing, developed.<sup>270</sup>
- ▶ **Alternative energy solutions for remote and poor (rural) areas:** Remote and poor rural areas are increasingly disconnected from services, including energy provision and maintenance. Due to male out-migration, the share of women, children and the elderly living in such regions is relatively high, suffering disproportionately from energy poverty. Dissemination of information on low-cost practical energy solutions to these groups is lacking.

## Selected Key Publications for Albania

EBRD (2015) “Strategy for the Promotion of Gender Equality 2016-2020.” Document of the EBRD. Available at: <http://www.ebrd.com/gender-strategy.html>.

EIGE (2016) “Energy: Relevance of gender in the policy area”. See: <http://eige.europa.eu/gender-mainstreaming/sectoral-areas/energy>.

EIGE (2016) “Environment and climate change: Relevance of gender in the policy area”. See: <http://eige.europa.eu/gender-mainstreaming/sectoral-areas/environment-and-climate-change>.

UN Women (2015) Gender Inequality and Floods Impacts in Albania.

UNEP (2016) Global Gender and Environment Outlook 2016. For a summary see: <http://www.eurasia.undp.org/content/dam/rbec/docs/FastFacts%20Climate%20Change%20Disaster%20Resilience%20and%20Gender%20Equality%20in%20ECIS%20September%202015.pdf>. Available at: [http://web.unep.org/sites/default/files/ggeo/gender\\_and\\_environment\\_outlook\\_opt.pdf](http://web.unep.org/sites/default/files/ggeo/gender_and_environment_outlook_opt.pdf).

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- 259 UN Women (2015) *Gender Inequality and Floods Impacts in Albania*. For a summary see: <http://www.eurasia.undp.org/content/dam/rbec/docs/FastFacts%20Climate%20Change%20Disaster%20Resilience%20and%20Gender%20Equality%20in%20ECIS%20September%202015.pdf>
- 260 UN Women (2015) *Gender Inequality and Floods Impacts in Albania*.
- 261 *Ibid.*
- 262 This section draws in part from a gender assessment of the GIZ Open Regional Funds for Energy Efficiency in South East Europe, conducted in 2014.
- 263 A recent cross-national Gender Gap review undertaken by EBRD identified a disproportional burden faced by rural women in Albania due to limited access to and use of non-solid fuels (predominantly fire wood), resulting in women's high exposure to toxic smoke. EBRD (2015) *Strategy for the Promotion of Gender Equality 2016-2020*. Annex 2: Gender Gaps 2015. Available at: <http://www.ebrd.com/gender-strategy.html>.
- 264 The document provides a thorough overview on gender and climate change in Macedonia, and contains Gender and Climate Change Indicators as well as a proposed (national, inter-sectoral) Action Plan on Gender and Climate Change Adaptation and Mitigation. From the 42 proposed gender-responsive actions, 11 are of immediate relevance for energy efficiency.
- 265 See <http://beijing20.unwomen.org/en/in-focus/environment#sthash.exlvkExv.dpuf>.
- 266 See for example: (i) G. Köhlin, E.O. Silis, S.K. Pattanayak and C. Wilfong (2011) *Energy, Gender and Development. What are the Linkages? Where is the Evidence? Background Paper to the 2012 World Development Report on Gender Equality and Development*, Policy Research Working Paper 5800, World Bank. Available at: <http://elibrary.worldbank.org/doi/abs/10.1596/1813-9450-5800>; (ii) BRIDGE (2011) "Gender-Responsive Strategies on Climate Change," available at: <http://www.bridge.ids.ac.uk/global-resources/resource/A58722?lang=en>; (iii) NORAD (2011) *Gender Equality in Financing Energy for All*, Discussion Paper developed in cooperation with ETC/ENERGIA and Nord/Sør-konsulentene consortium. Available at: <http://gender-financing.unwomen.org/~media/files/un%20women/grb/resources/gender%20equality%20in%20financing%20energy%20for%20all.pdf>; (iv) DANIDA (2012) "Gender equality, women's rights and access to energy services", produced in the run-up to Rio+20. Available at: <http://eu2012.dk/en/Meetings/Other-Meetings/Apr/~media/Files/Other%20meetings/April/EU%20Sustainable%20Energy%20for%20All%20Summit/Discussion%20paper%201.pdf>; (v) UNIDO/UN Women Guidance Note (2014) "Sustainable Energy for All: The Gender Dimensions", available at: [https://www.unido.org/fileadmin/user\\_media\\_upgrade/What\\_we\\_do/Topics/Women\\_and\\_Youth/GUIDANCENOTE\\_FINAL\\_WEB.pdf](https://www.unido.org/fileadmin/user_media_upgrade/What_we_do/Topics/Women_and_Youth/GUIDANCENOTE_FINAL_WEB.pdf); and (vi) UNDP/Global Gender and Climate Alliance (2013) "Gender and energy".
- 267 UNEP (2016) *Global Gender and Environment Outlook 2016*. Available at: [http://web.unep.org/sites/default/files/ggeo/gender\\_and\\_environment\\_outlook\\_opt.pdf](http://web.unep.org/sites/default/files/ggeo/gender_and_environment_outlook_opt.pdf).
- 268 See EIGE (2016) "Energy: Relevance of gender in the policy area," <http://eige.europa.eu/gender-mainstreaming/sectoral-areas/energy>.
- 269 See EIGE (2016) "Environment and climate change: Relevance of gender in the policy area," <http://eige.europa.eu/gender-mainstreaming/sectoral-areas/environment-and-climate-change>.
- 270 Electricity bills can vary significantly between different areas of the capital. The reasons for this phenomenon could be due to higher consumption, building characteristics, energy efficiency measures, the supplier, manipulation of bills, or other possibilities. The phenomenon remains uninvestigated and the reasons are unknown, as is the degree to which these differences affect different segments of the population (young families with children, poorer segments, the elderly, etc.). As a concrete and practical activity, which raises awareness and serves the population, the reasons for differences in electricity bills of otherwise relatively comparable dwellings might be well-worth investigating.

# GLOSSARY

**Affirmative (positive) action** refers to measures targeted at a particular group and intended to eliminate and prevent discrimination or to offset disadvantages arising from existing attitudes, behaviours, and structures (sometimes referred to as positive discrimination). (European Commission, 1998)

**Decision-making** refers to a key aspect of changing gender relations at individual, household, group, village, and societal levels. (ILO, 2002)

**De facto and de jure gender equality:** De jure equality (sometimes called formal equality or “paper governance”) refers to equality under the law. De facto equality refers to equality in practice. (UN Women, 2011)

**Empowerment** implies people – both women and men – taking control over their lives: setting their own agendas, gaining skills (or having their own skills and knowledge recognized), increasing self-confidence, solving problems, and developing self-reliance. It is both a process and an outcome. Empowerment implies an expansion in women’s ability to make strategic life choices in a context where this ability was previously denied to them. (UN INSTRAW)

**Equal opportunities for women and men** is the absence of barriers to economic, political, and social participation on the ground of sex. (European Commission, 1998)

**Gender** refers to the array of socially-constructed roles and relationships, personality traits, attitudes, behaviours, values, relative power, and influence that society ascribes to the two sexes on a differential basis. Whereas biological sex is determined by genetic and anatomical characteristics, gender is an acquired identity that is learned, changes over time, and varies widely within and across cultures. Gender is relational and refers not simply to women or men but to the relationship between them. (UN INSTRAW)

**Gender analysis** is a systematic way of looking at the different impacts of development, policies, programs, and legislation on women and men that entails, first and foremost, collecting sex-disaggregated data and gender-sensitive information about the population concerned. Gender analysis can also include the examination of the multiple ways in which women and men, as social actors, engage in strategies to transform existing roles, relationships, and processes in their own interest and in the interest of others. (UN INSTRAW)

**Gender-based discrimination** means that girls and women do not have the same opportunities as boys and men for education, meaningful careers, political influence, and economic advancement. When women and men perform the same tasks for pay, women are often paid less and receive fewer benefits from their work than men. (CIDA)

**Gender-based violence (GBV)** is an umbrella term for any harm that is perpetrated against a person’s will; that has a negative impact on the physical or psychological health, development, and identity of the person; and that is the result of gendered power relations that exploit inequalities and subordination between males and females, among males, and among females. Although not exclusive to women and girls, GBV principally affects them across all cultures. Violence may be physical, sexual, psychological, economic, or socio-cultural. Categories of perpetrators may include family members, community members, and those acting on behalf of or in proportion to the disregard of cultural, religious, state, or intra-state institutions.<sup>271</sup>

**Gender blind** means ignoring or failing to address the gender dimension (as opposed to gender sensitive or gender neutral). (European Commission, 1998)

**Gender-responsive budgeting (GRB)** is an application of gender mainstreaming in the budgetary process. It means a gender-based assessment of budgets, incorporating a gender perspective

at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality. Gender-responsive budgeting involves examination of the gender distributional outcomes of budgetary allocations, that is, how these allocations affect the social and economic opportunities of women and men. Reallocations in revenue and expenditure and restructuring of the budgetary process may be necessary in order to promote gender equality. (ILO, 2004)

**Gender equality** describes the concept that all human beings, both women and men, are free to develop their personal abilities and make choices without the limitations set by stereotypes, rigid gender roles, or prejudices. Gender equality means that the different behaviours, aspirations, and needs of women and men are considered, valued, and favoured equally. It does not mean that women and men have to become the same, but that their rights, responsibilities, and opportunities will not depend on whether they are born female or male. (UN Women, 2011)

**Gender equity** means that women and men are treated fairly according to their respective needs. This may include equal treatment or treatment that is different but considered equivalent in terms of rights, benefits, obligations, and opportunities. In the development context, a gender equity goal often requires built-in measures to compensate for the historical and social disadvantages of women. (UN Women, 2011)

**Gender mainstreaming** is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programmes, in any area and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension in the design, implementation, monitoring, and evaluation of policies and programmes in all political, economic, and social spheres, such that inequality between women and men is not perpetuated. (UN Women, 2011)

**Gender neutral** means having no differential positive or negative impact for gender relations or equality between women and men. (European Commission, 1998)

**Gender wage (pay) gap.** Despite the recognition of the fundamental right to equal pay for equal work,<sup>272</sup> the wage gap between women and men, measured as the “relative difference in average gross hourly earnings between women and men”, is estimated to be 17.4 per cent to women's disadvantage in the European Union at the moment. Measured over the lifecycle rather than on the basis of hourly earnings, the wage gap grows wider still, explaining the feminization of poverty – in particular for single mothers and in old age. Several factors are usually put forward to explain the wage gap between women and men: horizontal and vertical gender segregation in the labour market (commonly referred to as “glass walls” and “glass ceilings”), women's supposedly lower qualifications and lesser experience, and their atypical working hours and career structures due to childbirth and care responsibilities. However, over half of the typical gender wage gap cannot be objectively explained through such “structural” factors and is, in reality, due to old-fashioned discrimination against women: to differences in access to education, training, and the labour market itself, to biased evaluation, pay, and promotion systems, and to discriminating gender stereotypes and outdated gender roles.<sup>273</sup>

**Gender perspective** or “gender lens” can be defined as a focus that applies a framework of analysis in order to assess how women and men are affected differently by policies, programmes, projects, and activities. It enables recognition that relationships between women and men can vary depending on the context. A gender perspective takes into account gender roles, social and economic relationships and needs, access to resources, and other constraints and opportunities imposed by society or culture, age, religion, and/or ethnicity on both women and men. (UN Women, 2011)

**Gender roles** are the roles assigned to women, men, girls, and boys respectively according to cultural norms and traditions. They vary among different societies and cultures, classes, ages, and during different periods in history. Most often, gender roles are not based on biological or physical imperatives, but rather result from stereotypes and presumptions about what women, men,



girls, and boys can and should do. Gender roles become problematic when a society assigns greater value to the roles of one gender – usually men's.<sup>274</sup>

**Gender sensitive** means addressing and taking into account the gender dimension. (European Commission, 1998)

**Gender sensitivity/ awareness/ responsiveness** refers to understanding and taking into account the socio-related factors underlying gender discrimination.

**Gender-sensitive indicator** can refer to a measurement, a number, a fact, an opinion, or a perception that focuses on a specific condition or situation, and measures changes in that condition or situation over time. The difference between an indicator and a statistic is that indicators should involve comparison with a norm. Gender-sensitive indicators measure gender-related changes in society over time; they provide a close look at the results of targeted gender-based initiatives and actions. (UN Women, 2011)

**Gender stereotypes** arise from (often outdated) presumptions about the roles, abilities, and attributes of women, men, girls, and boys. While in some specific situations, such stereotypes can be found to have a basis in reality, stereotypes become problematic when they are then assumed to universally and obligatorily apply to all women or all men. This can lead to both material and psychological barriers that prevent women and men from making choices and fully enjoying their rights.<sup>275</sup>

**Informal economy/work** refers to unpaid economic activities done for the direct benefit of the household or of related and friends' households on a reciprocal basis, including everyday domestic work and a great variety of self-provisioning activities and/or professional activity, whether as a sole or secondary occupation, exercised gainfully and not occasionally, on the limits of, or outside, statutory, regulatory, or contractual obligations, but excluding informal activities which are also part of the criminal economy. (European Commission, 1998)

**Intersex people** are persons who are born with chromosomal, hormonal level, or genital characteristics which do not correspond to the given standard of "female" or "male" categories as for sexual or reproductive anatomy. (World Health Organization, 2011)

**LGBT people or LGBT persons** is an umbrella term used to encompass lesbian, gay, bisexual, and transgender persons. It is a heterogeneous group that is often bundled together under the LGBT heading in social and political arenas. Sometimes LGBT is extended to include intersex and queer persons (LGBTIQ).<sup>276</sup>

**Men and masculinities** refer to better understanding the "male side" of the gender equation. It involves questioning the masculine values and norms that society places on men's and boys' behaviour, identifying and addressing issues confronting men and boys in society, the family, and the world of work, and promoting the positive roles that men and boys can play in attaining gender equality. (ILO, 2004)

**Multiple discrimination** is a concept used to describe the complexity of discrimination implicating more than one ground, also known as "intersectional" or "multi-dimensional inequalities." It describes two situations: (1) a situation where an individual is faced with more than one form of grounds-based discrimination, or (2) a situation where discrimination affects only those who are members of more than one group.<sup>277</sup>

**National women's (gender) machinery** is an institutional governmental and, in some cases, parliamentary structure set up to promote women's advancement and to ensure the full enjoyment by women of their human rights. Its main function is to monitor and to ensure the implementation of the law and of the principle of non-discrimination and equality between women and men.<sup>278</sup>

**Occupational segregation** refers to the concentration of women and men in different types and levels of activity and employment, with women being confined to a narrower range of occupation

(horizontal segregation) than men, and to the lower grades of work (vertical segregation). (European Commission, 1998)

**Reproductive rights** refer to the right of any individual or couple to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. (European Commission, 1998)

**Sex** refers to the biological characteristics that define humans as female or male. These sets of biological characteristics are not mutually exclusive as there are individuals who possess both, but these characteristics generally differentiate humans as females and males. (UN Women, 2011).

**Sex-disaggregated data** can be defined as data that is collected and presented separately on women and men. It is quantitative statistical information on the differences and inequalities between women and men. There is widespread confusion over, and misuse of, the terms “gender-disaggregated data” and “sex-disaggregated data”. Data should necessarily be sex-disaggregated but not gender-disaggregated since females and males are counted according to their biological difference and not according to their social behaviours. The term gender-disaggregated data is frequently used, but it should be understood as sex-disaggregated data. (UN Women, 2011)

**Sexual harassment** refers to unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of women and men at work, including conduct of superiors and colleagues. (European Commission, 1998).

**Unpaid care work** includes housework (meal preparation, cleaning) and care of persons (bathing a child, watching over a frail elderly person) carried out in homes and communities. Such work contributes to well-being and feeds into economic growth through the reproduction of a labour force that is fit, productive, and capable of learning and creativity. Women perform the bulk of unpaid care work across all economies and cultures. Furthermore, it is estimated that if such work were assigned a monetary value it would constitute between 10 per cent and 39 per cent of GDP. (UNRISD).

**Violence against Women** is defined in Article 1 of the Declaration on the Elimination of Violence against Women (1993). The term refers to “any act of gender based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether in public or in private life”.

**Women’s empowerment** is a ‘bottom-up’ process of transforming gender power relations, through individuals or groups developing awareness of women’s subordination and building their capacity to challenge it.<sup>279</sup>

**Women’s (economic) empowerment** or gender equality in the economy refers to the full and equal enjoyment by women and men of their economic rights and entitlements facilitated by enabling policy and institutional environments and economic empowerment. Economic empowerment refers both to the ability to succeed and advance economically and to the power to make and act on economic decisions. Empowering women economically is a right that is essential for both realizing gender equality and achieving broader goals such as economic growth, poverty reduction, and improvements in social well-being.<sup>280</sup>

**Women’s rights** refers to the rights of women and the girl child as being an inalienable, integral, and indivisible part of universal human rights. (European Commission, 1998) Annex 1: Priority Action Alignment

## CHAPTER ENDNOTES

- 271 *Council of Europe (2007) Gender Matters. Manual on gender based violence affecting young people.*
- 272 *Enshrined in the 1948 Universal Declaration of Human Rights and in the 1957 Treaty of Rome that founded the European Community. Enlarging this right, the right to equal pay for work of equal value was enshrined in the 1961 Council of Europe Social Charter (as well as in the 1996 revised charter) and in the 1975 European Community Directive devoted to the subject.*
- 273 *The wage gap between women and men. Committee on Equal Opportunities for Women and Men. Parliamentary Assembly 8 February 2010, Council of Europe. Available at: <http://assembly.coe.int/Documents/WorkingDocs/Doc10/EDOC12140.pdf>.*
- 274 *UNDP (2005) Gender Mainstreaming in Practice: A Handbook, UNDP Regional Centre for Europe and the CIS.*
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- 277 *C. Sheppard, Multiple Discrimination in the World of Work, International Labour Organization, 2011.*
- 278 *Council of Europe (2001) Handbook on National Machinery to Promote Gender Equality and Action Plan Guidelines for establishing and implementing National Machinery to promote equality, with examples of good practice, available at: [http://www1.uneca.org/Portals/ngm/CrossArticle/1/Documents/national\\_machinery.pdf](http://www1.uneca.org/Portals/ngm/CrossArticle/1/Documents/national_machinery.pdf).*
- 279 *Bridge Institute of Development Studies, available online: <http://www.bridge.ids.ac.uk/reports/re55.pdf>.*
- 280 *A.M. Golla, A. Malhotra, P. Nanda, and R. Mehra (2011) "Understanding and Measuring Women's Economic Empowerment," International Centre for Research on Women 1-12. Retrieved from <http://www.icrw.org/publications/understanding-and-measuring-womens-economic-empowerment>.*

## Annex 1: Priority Action Alignment

“Gender Brief Albania” Priority Actions (listed in this publication)	Contributing to SDG Goal/ Indicator No.	In support of following up on CEDAW Concluding Observations Albania (2016)	Contributing to EU GAP II Activity/ Indicator No.	Supporting NSDI II, Pillar 3: Investing in People and Social Cohesion, 11.7: Ensuring Gender Equality; GoA policy priorities/ Action Plans
<b>Priority Actions for Chapter 1 – Delivering on Gender Equality Commitments</b>				
1.1. Institutional Mechanisms and National Gender Machinery	SDG 5.c SDG 5.1.1	CEDAW, paras 14-15, 2016	Precondition for implementing actions under EU-GAP Pillar A, Objective 1/1.1. Objective 4/4.3. Objective 6/6.2. Objective 6/6.3.	National Strategy for Gender Equality 2016-2020
1.2. Coordination and Leadership on Gender Equality	SDG 5.c	CEDAW, para 15, 2016	Precondition for implementing actions under EU-GAP Pillar A, Objective 1/1.4. Objective 6/6.2. Objective 6/6.3.	National Strategy for Gender Equality 2016-2020
1.3. Sex-disaggregated Data and Gender Statistics	SDG 17.18	CEDAW, para 31, 2016	Precondition for implementing actions under EU-GAP Pillar A, Objective 2/2.4. Objective 4/4.1. Objective 5/5.1. Objective 6/6.1.	National Strategy for Gender Equality 2016-2020  National Plan of Statistics

1.4. Public Finance Management: Gender-Responsive Budgeting	SDG 5.c.1 SDG 16.6	CEDAW, para 15, 2016	Precondition for implementing actions under EU-GAP Pillar A, Objective 6/6.1. EU-GAP/17.7.	National Strategy for Gender Equality 2016-2020  Albania Public Finance Management Strategy 2014 – 2020, Key Action 2.2.6
1.5. Building National Capacity for Gender Mainstreaming/ Public Administration Reform	SDG 5.5 SDG 5.c SDG 16.6		Precondition for implementing actions under EU-GAP Pillar A, Objective 3/3.5. Objective 6/6.2.	National Strategy for Gender Equality 2016-2020
1.6. Citizen Accountability/ Gender & Local Governance	SDG 5.1.1 SDG 5.5 SDG 5.c SDG 16.6 SDG 16.7		Precondition at local level for implementing the above actions under EU-GAP Pillar A	National Strategy for Gender Equality 2016-2020  National Cross-cutting Strategy for Decentralization and Local Governance 2015-2020
<b>Priority Actions for Chapter 2 – Contributing to a Society free from Violence against Women and Girls and Domestic Violence</b>				
2.1. Prevention of VAWG/DV and Engaging Men and Boys	SDG 5.1 SDG 5.2 SDG 16.1.3	CEDAW, paras 20-21	EU-GAP/7.2.	National Strategy for Gender Equality 2016-2020  National Action Plan for the Involvement of Men/Boys as Partners with Women/Girls for GE and the Prevention of GBV&DV 2014 - 2019
2.2. Protection of Victims/ Survivors and Access to Services	SDG 5.1 SDG 5.2 SDG 16.1.3	CEDAW, paras 22-23, 2016 CEDAW, para 23, 2016	EU-GAP/7.2. EU-GAP/7.3. EU-GAP/17.5.	National Strategy for Gender Equality 2016-2020

2.3. Prosecution of Perpetrators and Perpetrators' Programmes	SDG 5.1 SDG 5.2 SDG 16.3	CEDAW, paras 22-23, 2016	EU-GAP/7.3.	National Strategy for Gender Equality 2016-2020
2.4. Coordination and Integrated Policies	SDG 5.1 SDG 5.2	CEDAW, paras 22-23, 2016	EU-GAP/7.3.	Draft National Strategy for Gender Equality 2016-2020
<b>Priority Actions for Chapter 3 – Empowering Women and Girls Socially and Economically</b>				
3.1. Work and Employment	SDG 1.1 SDG 4.5 SDG 5.4 SDG 8.3 SDG 8.5. SDG 8.8	CEDAW, paras 28-29, 2016 CEDAW, paras 30-31, 2016	EU-GAP/12.4. EU-GAP/13.10. EU-GAP/14.1. EU-GAP/14.2. EU-GAP/14.4. EU-GAP/14.5. EU-GAP/14.6. EU-GAP/15.3.	National Strategy for Employment and Skills 2014-2020  National Social Protection Strategy 2015-2020  Business and Investments Development Strategy 2014-2020
3.2. Women and Entrepreneurship	SDG 5.5 SDG 5.a, 5.b, 5.c SDG 8.3		EU-GAP/14.1. EU-GAP/15.8. EU-GAP/17.2.	National Action Plan for Women's Entrepreneurship 2014-2020  Business and Investments Development Strategy 2014-2020
3.3. Addressing Multiple Discrimination	SDG 1.3 SDG 1.4 SDG 10.2 SDG 10.3 SDG 10.4		EU-GAP/12.4. EU-GAP/15.1. EU-GAP/15.2.	Cross-cutting Strategy on Property Rights 2012-2020, Strategic Objective No 4  National Social Protection Strategy 2015-2020

3.3.1. Women and Girls in Rural Areas	SDG 1.3 SDG 1.4 SDG 4.5 SDG 5.a SDG 10.2 SDG 11.2 SDG 11.a	CEDAW, paras 41-42, 2016 CEDAW, paras 36-37, 2016	EU-GAP/12.4. EU-GAP/13.10. EU-GAP/15.6. EU-GAP/15.7. EU-GAP/15.8.	Cross-cutting Strategy on Property Rights 2012-2020, Strategic Objective No 4  Inter-sectoral Strategy for Agriculture and Rural Development in Albania 2014-2020, objective 3.5
3.3.2. Women and Girls with Disabilities	SDG 1.3 SDG 4.5 SDG 4.a SDG 10.2	CEDAW, paras 30-31, 2016	EU-GAP/17.3.	National Social Protection Strategy 2015-2020
3.3.3. Elderly Women	SDG 1.3 SDG 1.4 SDG 5.4 SDG 5.c SDG 10.2	CEDAW, paras 38-39, 2016	EU-GAP/12.4.	
3.3.4. Migrant Women	SDG 1.4 SDG 8.8 SDG 10.7	CEDAW, para 30, 2016	EU-GAP 12.4.	National Strategy for Employment and Skills 2014-2020  Business and Investments Development Strategy 2014-2020
3.3.5. Roma and Egyptian Women and Girls	SDG 10.2 SDG 10.3 SDG 10.4 SDG 11.1 SDG 17.18	CEDAW, paras 30-31, 2016 CEDAW, para 39, 2016	EU-GAP/17.3.	National Action Plan for the Integration of Roma and Egyptians in the Republic of Albania 2016-2020  National Social Protection Strategy 2015-2020
3.3.6. Lesbian, Bisexual, Transgender and Intersex Women and Girls	SDG 5.1 SDG 10.3.1 SDG 16.b.1	CEDAW, para 39, 2016	EU-GAP/17.3.	National Action Plan for LGBT Persons in the Republic of Albania 2016-2020

<b>Priority Actions for Chapter 4 – Ensuring Women’s Equal Voice and Representation</b>				
4.1. Women in Political and Electoral Processes	SDG 5.1 SDG 5.5 SDG 5.c SDG 10.3 SDG 16.7 SDG 16.b.1	CEDAW, para 27, 2016	EU-GAP/17.1 EU-GAP/17.3. EU-GAP/17.6. EU-GAP/19.3.	National Strategy for Gender Equality 2016-2020
4.2. Women’s Voice and Influence in Governance Processes	SDG 5.5 SDG 10.2 SDG 16.7	CEDAW, paras 26-27, 2016	EU-GAP/17.2 EU-GAP/17.6.	National Strategy for Gender Equality 2016-2020
<b>Priority Actions for Chapter 5 – Women’s Access to Justice and the Rule of Law</b>	SDG 5.39 SDG 16.1.3 SDG 16.6	CEDAW, paras 12-13, 2016 CEDAW, paras 12-13, 2016 CEDAW, paras 24-25, 2016	EU-GAP/7.3. EU-GAP/7.5. EU-GAP/17.5.	National Strategy for Gender Equality 2016-2020
<b>Chapter 6 – Women’s Sexual and Reproductive Health and Rights</b>	SDG 3.3.1 SDG 3.7 SDG 3.8 SDG 5.6	CEDAW, paras 32-33, 2016	EU-GAP/10.4 EU-GAP/11.1. EU-GAP/11.2. EU-GAP/11.3. EU-GAP/11.4. EU-GAP/11.5. EU-GAP/11.6. EU-GAP/11.7.	National Strategy for Gender Equality 2016-2020 Specific Objective 4, Activity 4.4.2.  Draft Albanian National Health Strategy 2016-2020, Strategic Priority 2
<b>Chapter 7 – Emerging Gender Issues</b>				
7.1. Disaster Risk Management	SDG 5.2 SDG 5.4 SDG 5.5. SDG 5.a SDG 11.b SDG 13.1 SDG 13.3		EU-GAP/20.1.	
7.2. Environment, Energy Poverty, and Climate Change	SDG 11.6 SDG 11.b SDG 12.c SDG 13.b		EU-GAP/9.5. EU-GAP/16.5. EU-GAP/16.6. EU-GAP/16.8.	Draft Cross cutting Environment Strategy 2015-2020, climate change policy No 1



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