

International Covenant on Economic, Social and Cultural Rights
The consideration of the second and third periodic reports of Albania
6 November 2013

Statement

by

the Head of Delegation of the Republic of Albania

**Mrs. Filloreta Kodra, Ambassador, Permanent Mission of the Republic of
Albania to United Nations Office and other International Organization in
Geneva**

Honorable Mr. Chair,

Honorable Members of the Committee,

Ladies and Gentlemen,

At the outset of my address, permit me, Mr. Chairman, to extend the highest consideration of the Government of Albania on the activity of the Economic Social and Cultural Rights Committee for the implementation of the International Covenant on Economic Social and Cultural Rights aiming at promoting universal human rights worldwide.

in February 2013 Albania did ratify the Convention on the Rights of Persons with Disabilities, which is the last international instrument on human rights in the framework of the United Nations.

I am very pleased to inform the Committee that relevant institutions in Albania have already initiated the internal procedure to ratify the Optional Protocol of the Covenant (OPCESCR) and are engaged in a constructive dialogue over the impact of ratifying the Optional Protocol of the Convention on the Rights of Persons with Disabilities

On the question regarding compatibility of Albanian Constitution to this Covenant pursuant to article 27 of Vienna Convention on Law and Treaties I would like to clarify that the article 122 of the Constitution stipulates that an international agreement constitutes part of the domestic and the prevalence of

international instrument over the domestic legislation, the provisions of this Covenant shall be applicable.

This produces the impact that every right, including the cultural, economic and social ones, is fully subject to trial through the traditional legal system and complaint legal remedies. There have been cases of the Covenant applicability before the Constitutional Court and this Court has referred to this Covenant in its three decisions.

Mr. Chair,

One of the priorities of the new elected government is fight against corruption consisting in improvement of legislation and capacity building. In particular the establishment of the National Byro of Investigation , together with the amendements to the Crimonal Code and Criminal Procedural Code.

- The rights of persons with disabilities.

Since April 2013, has begun conducting a SWOT analysis in the disability sector. The purpose is to identify the short and medium term priorities for implementation of the Convention "On the Rights of People with Disabilities", with a view to encouraging line ministries and local governments to include issues of disability, forecasting, planning and facilitating the involvement of new Index Classification of Functioning(ICF) adopted by WHO in assessing disability.

The new government has clearly expressed its political commitment to employee People with Disability in public administration.

During general elections of June 2013 measures were taken to facilitate the access of People with Disabilities to the polling stations.

- **Roma minority**

During 2012 the Regional and Local Employment Offices, unemployed job seekers belonging to Roma community, about 130 Roma people. under the special program for the employment of women in need has employed about 40 Roma women.

There is a specific vocational training program implemented for Roma community, that provide free training courses. During 2012, in the Regional Public Professional Centers, 166 unemployed Roma people trained in various courses.

-In the past three years are allocated 20 admission quotas and tuition fees at public institutions of higher education every year for Roma and Egyptian students.

-There is a pilot project for measures to promote learning, attendance and progress of the Roma and Egyptians pupils, that support 670 pupils with scholarships / food quota.

- The 100% subsidy by the State for Roma Children of the compulsory education.
- The enrollment of Roma and Egyptian children even in the absence of their birth certificate.
- During the academic year 2011-2012, under the successful implementation of the "Second Chance" project for the education of students which drop-out the school, there were 438 reintegrated Roma and Egyptian children in the education system.

7. Article 3 - Equal rights of men and women

One important objective has been the increase of the number of young girls and women in political and public life which has been estimated to have had an a qualitative and quantitative increase.

In the Electoral Code was sanctioned gender quota by 30%. From its application became possible the increase women's representation in parliament

from 10 in 2005 to 25 or 17.1% in 2013. Because of the decision to separate the executive from legislative mandate the number of women MP in the Parliament is expected to be increased. The New Cabinet, out of 19 Ministries, 6 are headed by women or 31%. 8 out of 23 or 30 % are women Deputy Ministers.

The figures also indicate that women in public administration held leading positions such as Heads of Departments, 43%, and other high level positions such as the general secretary or director general up to 29%. The new government has appointed young women in key positions as the Director General of Customs, Director General of Taxes.

The governmental program on gender equality is based on 1. Strengthening of legal and institutional mechanisms 2: increasing women participation in decision making process, 3. Economic empowerment of girls and women, 4. reducing of gender based violence. Economic empowerment of Albanian women plays an important role in achieving de facto gender equality and has a direct impact on reducing the gender and domestic based violence. Albanian institutions are committed to take concrete steps to empower the position of women and girls through employment, entrepreneurship, training and professional qualification.

8.9.10. The right to work - Article 6

Labour Code does not fully comply with the Convention. The government took the initiative to revise the Labour Code with International Labour Conventions (ILO), EU Directives and the revised European Social Charter. The draft Labour Code has been completed and is expected to be approved in the Parliament. In the draft law is included the definition of discrimination on the ground, "discrimination against persons with AIDS and sexual orientation" sexual harassment in the workplace, the right of the employees to be informed, parental leave for men, protection of pregnant women and breastfeeding, reduction of the minimum age for children to work from 16 to 15 years of age, etc.

The right to just and favorable condition of work - Article 7

After the year 2010 in the field of occupational health and safety is improved:

1. legal framework in compliance with EU directives ,
2. Enforcement of the Law through
 - a) The reforming of inspection bodies,
 - b) the establishment of the Administrative Court that begun its work on 4th of November 2013
 - c) the bailiff system reform.

As result of the implementation of secondary legislation it is reported an increase in the number of the small and medium enterprises that have hired medical personel as required by the law. it is It is increased the number of legally employed workers. The informality is reduced by 30 % compared to the data reported in 2010.

Regarding the right to equal pay for equal work, legally there is no difference between men and women. . In practice there is a significant difference which is mainly related to the types of works.

According to studies conducted by independent experts, the ratio of the wage gap has been narrowed from 35% in 2005 to around 18% in 2012.

The minimum wage is increased annually at a rate of twice the inflation. Even in 2013 the gross minimum wage was increased by 5%, while net wages rose by 11.3%. The minimum official wage in Albania in 2013 is 22000 ALL with an increase of 16 % compared to 2009 year.

The Labor Code provides sanctions for entities breaching the official minimum wage, wich amounts up to 30 times the amount of minimum wage.

The enforcement of minimum wage provizion in Albania is mproved through:

- a) strengthenig of labour Inspectoriate
- b) Icrease of coordination between labour inspectoriate and tax authorities ,
- c) online payment declaration, and
- d) payment of the wages exclusively through bank transactions

Fight against trafficking

National cooperation on the fight against trafficking constitute a key component in order to achieve major success in the processes of identification, investigation and the trial of the cases concerning trafficking. Albania has implemented the regional projects on the establishment of the nationals referring mechanisms for the trafficked persons in Southern Europe, as well as the project to establish the transnational mechanism on the referring for the victims of trafficking from the country of origin and destination countries.

The right to an adequate standard of living- article 11

Social housing is one of the new government's priorities. The legal framework for social housing programs is complete, however the evaluation of some problems faced during the implementation of social programs, may require further legal intervention, which will be verified and addressed in a legal way during the year 2014.

Food Security

The Government has taken institutional, financial and economic measures to increase food security and improve nutrition. It consist in the approval of a set of laws and bylaws in compliance with the EU acquis, setting up new institutions as recommended by European Commission, increase direct support to farmers and agro-businesses, construct rural roads, with the aim to increase farmers production and income, increase access to food for entire population and assure the nutrition especially for children. The direct support of the Government to farmers has been increased since 2007. The design of the country nutrition paper and action plan for 2014-2020 is one of the concrete steps in this respect.

The right to education-article 13

- The expenditure in education (public and private resources) is estimated 4.24% of the GDP. The government program on education aims at raising the figure to 5% of the GDP, in view of providing quality education for all children, without discrimination to origin, family or economic background.
- The Information and Communication Technology (ICT) has spread all through the education system, as the most powerful means for the modernization of the Albanian education.
- 92% of the students who completed the basic education entered the upper secondary education in 2012, compared to 77% in 2005.

85% of the students admitted in the primary education in 2012, have received at least a year of per-school education. The government has set

the objective to consolidate the pre-school education and provide access to this cycle for all children up to 5 years old.

Vocational education

- The increased share of the vocational education in the secondary education remains a priority for the education sector. In the course of the last four years, there has been an increase in the number of the students who are in the vocational education. In 2012, it increased by 23% compared to the previous year.
- The government's vision regarding the vocational education is: to double the number of the vocational schools, and, to coordinate with the centers of vocational training, in order to establish a much wider network of vocation formation. In addition, it aims to make new qualification program and courses, also adjusted for the disabled people,

The right to health

- One of the main indicators of child health, infant mortality has shown a steady decreasing trend over the past 20 years, from 35.4 infant deaths for 1000 live births in 1993 and 14.7 infant deaths for 1000 live births in 2004 to 7 infant deaths for 1000 live births in 2013 according to the operational data from Ministry of Health. The absolute number of maternal deaths is at an average of 2 fatalities per year in the years 2010-2013 as compared to 9 fatalities in 2005.
- Immunization continues to be one of the main public health programmes, being offered free of charge to all the target population residing in the country and being expanded with new vaccines such as Hib vaccine, Pneumococcus vaccine (2011). The coverage rate of the target population is above 98%.
- The basic level of care for mothers and children is offered through a network of 421 primary health care centers all over the country, based on a well defined Package of Services.
- Besides well established programs such as Family Planning, Abortion Surveillance, Baby Friendly Hospitals Initiative, Integrated Management of Childhood Illnesses, Breastfeeding Education, other programs are in the way of being consolidated such as Healthy Nutrition, Sexually Transmitted Infections control, Reproductive Health Cancer Screening and Early Detection.

Culture

The protection of immaterial heritage, one of the priorities of the government together with the material heritage, under the albanian law, are guaranteed with a specific law on the protection of material and immaterial heritage, which ensures the applicability of both UNESCO and Paris convention on the

perservance of the immaterial cultural heritage. Such provisions are reflected in the stracture of the new Ministry of Culture, at the level of a directorate, aiming to better implement the obligations of the albanian state at domestic and international level.

Honorable Mr. Chair,
Honorable members of the Committee,

The Albanian authorities will continue to fulfill the obligations in the human rights field, by attaching priority to the continued increase of public awareness, inclusion and harmonization of work among actors from the civil society, the Government and private sector.

Albania will continue to promote human rights based approach through a better integration of human rights issues, both in the decision-making process and policy implementation.

On behalf of the Government of Albania I would like to express the commitment that the Government of Albania will continue to work for the protection and the implementation of human rights and namely the economic, social and cultural rights.

The protection of human rights will continue to be a priority of the new Government of Albania and the programs in the future will also be oriented in the direction of policies and measures concerning the implementation of provisions of International Covenant on Civil and Political Rights.

The recommendations of the Committee on Economic, Social and Cultural will be another professional drive to improve the existing situation and to enhance the implementation of economic, social and cultural rights in Albania.

Thank you!

