



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

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**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

List of issues and questions in relation to the fourth periodic report of Albania

Legal status of the Convention

1. It is indicated in the report of the State party that subjects may only seek the direct enforcement of such articles of the Convention that do not require the creation of other internal mechanisms (CEDAW/C/ALB/4, para. 3).¹ With reference to the Committee's previous concluding observations (CEDAW/C/ALB/CO/3, para. 3), please clarify the existing mechanisms of enforcement for all provisions of the Convention and explain which provisions are directly applicable within the national legal order and whether the decision on direct applicability is made by the executive branch, Parliament or the courts.

Visibility of the Convention and the Optional Protocol thereto

2. In the report, there is a list of awareness-raising activities carried out in recent years, which appear to be ad hoc and not dedicated specifically to the Convention (para. 17). In this regard, please provide information on systematic awareness-raising and training activities dedicated specifically to the Convention and indicate whether there have been evaluations of the impact of such activities, especially on parliamentarians, law enforcement officials and judges. Please also provide examples of cases in which the Convention has been invoked before the courts.

Note: The present document is issued in English, French and Spanish only.

¹ Unless otherwise indicated, paragraph numbers refer to the fourth periodic report of the State party.



Access to justice

3. In its previous concluding observations ([CEDAW/C/ALB/CO/3](#), para. 14), the Committee raised a concern about the legal and practical obstacles faced by women seeking redress for acts of discrimination based on sex and gender under national legislation, as well as the lack of counselling and legal aid services available to women, especially women who were victims of violence and trafficking. Please provide information on measures taken to remove such impediments, provide legal aid and raise awareness of how to use legal remedies against discrimination based on sex and gender. It is indicated in the report that the Ministry of Social Welfare and Youth is considering removing the requirement of burden of proof imposed on women alleging discrimination on the grounds of sex in the Labour Code (para. 16). Please provide information on the status of such considerations and indicate whether such amendments are envisaged to other anti-discrimination legislation with similar requirements. Reportedly, the State party has frequently failed to execute court decisions, which in particular affects women in cases of divorce, obtaining children's alimony and reinstatement to employment. Please provide information on the scope of the problem of non-execution of court decisions and measures taken to secure the rights of women in accordance with court decisions.

National machinery for the advancement of women

4. It is indicated in the report that the Ministry of Social Welfare and Youth, along with gender officers at the central and local levels, is responsible for gender equality-related issues in the country (para. 31). Please provide information on the human, technical and financial resources allocated for gender equality-related matters to the Ministry and on the number of full-time gender equality officers in line ministries and municipal administrations. Please also provide information on the mechanisms in place for the coordination of implementation and monitoring of gender equality concerns at the central and local levels and in the justice system. Furthermore, please provide information on the implementation and continuing evaluation of the national strategy on gender equality, reduction of gender-based violence and domestic violence (2011-2015).

Temporary special measures

5. It is indicated in the report that temporary special measures are provided for in the law on protection from discrimination and the law on gender equality in society (paras. 40-41). In addition to the measures indicated in paragraph 42 of the report, please provide information on existing temporary special measures to promote substantive gender equality in areas in which women are underrepresented or otherwise disadvantaged and their impact on the situation of women in all areas covered by the Convention.

Stereotypes and cultural practices that are harmful to women

6. In its previous concluding observations ([CEDAW/C/ALB/CO/3](#), para. 24), the Committee raised a concern about the persistence of gender stereotypes in the family, the media and society at large. Please provide information on measures taken to strengthen efforts to address gender stereotypes discriminating against women, including through education and the media, and on the impact of such measures. The Committee also raised a concern about the limited measures that the

State party had taken to challenge harmful practices violating the rights of women and girls under the Convention, including child and/or forced marriage, the practice of the family choosing the husband and the payment of a bride price or dowry, prevalent in rural and remote areas of the country and among minority communities, as well as about the re-emergence in some northern areas of the country of traditional concepts of justice (*kanun*) and codes of conduct condoning killings in the name of so-called honour. Please provide information on measures taken, including legislative measures, to eliminate customary laws and traditions that discriminate against women, especially killings in the name of so-called honour. Please also provide data and information on the reports, prosecutions and convictions relating to such killings. Furthermore, please provide information on measures of protection to women at risk of falling victim to harmful traditional practices. Reportedly, women are also subjected to discrimination in inheritance, and there is a general preference for boys in all areas. In this regard, please provide information on the efforts being made to prevent such practices.

7. Please provide information on the distorted sex ratio at birth and its possible connection to sex-selective abortions linked to discrimination against women, including in inheritance, and son preference. Please clarify whether the State party has taken measures to prevent sex-selective abortions.

Violence against women

8. In the report, some improvements are indicated in the legislation against gender-based violence against women in the domestic sphere, including the introduction of domestic violence and marital rape as crimes in the Penal Code, but the report lacks data on such cases (para. 51). Please provide up-to-date data on reports, prosecutions and convictions regarding the crimes of domestic violence and marital rape, and measures taken to prevent any forms of gender-based violence against women, which reportedly remains prevalent in the country, as well as to support victims of such violence. Reportedly, sexual abuse in family relations often goes unreported owing to the stigma attached to victims. In this regard, please provide information on measures taken to encourage women to report cases of sexual abuse and other forms of abuse in family relations and eliminate the stigmatization of women who are victims of sexual abuse. Please also provide information on efforts made to prevent suicide among victims of domestic violence, as recommended in the Committee's previous concluding observations ([CEDAW/C/ALB/CO/3](#), para. 27).

Trafficking and exploitation of prostitution

9. There are indications in the report (para. 68) of amendments to the Criminal Code (Law No. 144/2013) in 2013, which have introduced significant improvements in response to the Committee's previous recommendation ([CEDAW/C/ALB/CO/3](#), para. 29), as well as the adoption of a national strategy to combat trafficking in persons (2014-2017) and its action plan. Please provide information on measures taken to implement such laws and policies against trafficking in persons, as well as on the status, scope and content of and resources allocated to the above-mentioned action plan. Please also provide information on the mechanisms in place to identify victims of trafficking, as well as on preventive measures taken by the State party, especially among marginalized and disadvantaged groups of women and girls.

Participation in political and public life

10. The report contains information about the increasing number of women participating in political and public life and the establishment of a 30 per cent quota by the Electoral Code of 2012 (paras. 87-97). Please provide information on the effective implementation of laws and regulations establishing quotas (para. 42) and indicate whether incentives, sanctions and/or enforcement mechanisms are included to ensure compliance with the quotas. Please provide examples of where the quotas established by various legislative acts, including the Electoral Code, have been achieved, as well as examples of when sanctions for failure to implement quotas have been applied. Furthermore, please provide information on measures taken to raise awareness of the importance of the participation of women in political and public life. Please provide information on measures taken, including temporary special measures, to increase the number of women in decision-making positions both in the public (the judiciary, public administration, the Government, etc.) and private sectors.

Education

11. Measures taken to address dropout of girls, including a national plan for zero dropout rates and subsidies for school textbooks for pupils from vulnerable groups, are indicated in the report (para. 103), but there is no mention of the root causes of dropouts, including early marriage, traditional gender-role stereotypes and involvement in income-generating activities as a consequence of poverty. In this regard, please provide information on measures taken to address those factors and their impact on improving the participation of girls in education. Please also provide information on the efforts made to include mandatory age-appropriate education on sexual and reproductive health and rights, including responsible sexual behaviour, in school curricula.

Employment

12. It is indicated in the report that the Labour Code is being revised and the proposed amendments are in line with the European Union directives on equal treatment in the area of employment (paras. 114 and 126). Please provide information on the status of the draft and measures envisaged for its enforcement. Please also provide comprehensive data on women employed in the informal sector and at home and measures taken to provide them with access to full-time and permanent employment with adequate social benefits. Furthermore, please provide information on measures allowing for the reconciliation of family and professional responsibilities, especially in rural areas, and to promote the sharing of domestic and family responsibilities between women and men, as recommended in the Committee's previous concluding observations ([CEDAW/C/ALB/CO/3](#), para. 33).

13. It is indicated in the report that the new draft of the Labour Code contains several provisions for the enforcement of the principle of equal pay for work of equal value (para. 126). Please clarify the nature of the provisions, state whether they have been accepted and indicate the time frame for the Code's adoption. Reportedly, the wage gap is substantially bigger in the private sector. Please provide information on measures taken to ensure respect for the principle of equal pay for work of equal value in the private sector. Please also provide information on measures taken to increase employment opportunities for women in traditionally

male-dominated areas such as engineering, construction and technical agriculture studies. Furthermore, please provide information on measures taken to prevent and combat sexual harassment of women in the workplace.

Health

14. In its previous concluding observations, the Committee raised a concern about unequal access to health care for women and men in rural areas compared with urban areas, in particular in relation to family planning and reproductive health services (CEDAW/C/ALB/CO/3, para. 34). In the report, it is merely mentioned that, in rural areas, health care, including family planning services, is provided at rural health centres and by midwives-nurses (paras. 137 and 150). Please provide data and information on whether such services respond to the needs of women in rural areas. Reportedly, the number of abortions in urban areas remains high and in rural areas is continuously increasing. In this regard, please provide information on the underlying causes of high levels of abortion, including in rural areas, and the reported limited access to safe abortions. Acknowledged in the State party report is the increasing tendency of mother-to-child transmission of HIV (para. 158). Please clarify measures taken to prevent such transmission, including early testing in pregnant women.

Social and economic benefits

15. Please provide information on the implementation of laws and policies providing access to social and economic aid, including the action plan in support of women entrepreneurs (2014-2020), mentioned in the report (para. 172). Given that women's awareness of such laws and policies is reportedly insufficient, please provide information on awareness-raising measures taken. It is acknowledged in the report that men possess and administer property to a much larger degree than women (para. 171). Please inform the Committee of measures taken to address gender inequality in ownership of property. It is also acknowledged in the report that women have limited access to credit, which is an obstacle to their opportunities in business (para. 171). Please inform the Committee of steps taken to eliminate any such barriers and provide women with easy access to credit and loans.

Older women

16. In its previous concluding observations (CEDAW/C/ALB/CO/3, paras. 38-39), the Committee raised a concern about the lack of disaggregated data on older women, but this matter is not mentioned in the report. Please provide information on the situation of older women, including sex-disaggregated data for all areas covered by the Convention, and sex-specific and gender-specific measures taken to eliminate discrimination against women based on their age.

Roma and Egyptian women

17. The report does not provide comprehensive information on the situation of Roma and Egyptian women. Reportedly, Roma and Egyptian women face significant difficulties in gaining access to benefits from the social system, such as housing, civil registration, economic aid, education, employment and health care, that are available to ethnic Albanians. Please provide information on the implementation of the laws and policies that provide for equal access to the above-

mentioned services to Roma and Egyptian women and girls. Please also clarify measures taken to assist and support, including financially, Roma and Egyptian women who have been abused and trafficked or who are single mothers and live in poverty. Please provide data and information on enrolment and attendance at the primary, secondary and high school levels, indicating the type of school (special or regular), by Roma and Egyptian girls. Please provide overall data on Roma and Egyptian populations, including women and girls, in all areas covered by the Convention.

Women in detention

18. According to information before the Committee, women detained in penitentiary institutions face difficulties in meeting their children hosted in social care institutions and in gaining access to products for basic needs, such as hygiene products. Please provide data and information on the overall situation of women who are detained in penitentiary institutions or police stations, including their access to basic services and products.

Women with disabilities

19. Please provide information on the situation of women with disabilities who face multiple discrimination owing to their gender and disability and are abandoned by husbands when they give birth to children with disabilities and have limited access to services, the labour market and legal aid. Please inform the Committee of measures taken to prevent discrimination against women and girls with disabilities and provide equal access to all services available.

Secluded women

20. There is no mention in the report of the situation of secluded women, who reportedly live in isolation imposed by blood feuds, which has an impact not only on males, but also on women and children who are subject to home confinement. Please provide information on measures taken to help the members of such families to gain access to their rights, not only to freedom of movement, but also to education, childhood development, social security and access to health care and to vote.

Asylum-seeking and refugee women

21. The State party apparently lacks procedural guarantees in relation to the refugee status determination procedure, including insufficient notification to asylum seekers and barriers in communication with the authorities in a language that he or she understands. Please provide information on measures taken to address such procedural guarantees and indicate whether the State party's legislation and/or regulations include a gender-sensitive approach to addressing the needs of refugee and asylum-seeking women and girls.