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Summary record of the 34th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 6 November 2013, at 3 p.m.

Chairperson: Mr. Kedzia

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The meeting was called to order at 3 p.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Combined second and third periodic reports of Albania (continued) (E/C.12/ALB/2-3, E/C.12/ALB/Q/2-3 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Albania took places at the Committee table.*
2. **The Chairperson** invited the delegation to reply to issues raised by members of the Committee.
3. **Ms. Stillo Sila** (Albania) said that the jurisdiction of the three-tier administrative courts did not overlap with that of the other courts, as they examined only disputes arising from action on the part of the administrative authorities, including cases concerning health insurance.
4. **Mr. Jahjoli** (Albania) said that the International Organization for Migration and embassies in Tirana had been extensively consulted on the new law on aliens prior to its adoption four months earlier. The law, which had been aligned on the *acquis communautaire* of the European Union, regulated the entry, stay and departure of aliens. All the fundamental provisions of international human rights instruments applied to Albanian citizens and aliens alike.
5. **Ms. Rusha** (Albania) said that civil society had been widely consulted during the process of drawing up the country's second and third periodic reports, although it had not submitted a written contribution to the combined report. A number of policies and programmes in the spheres of education, employment and social protection were being implemented in order to promote the integration of the Roma. In 2012, almost 300 participants had attended courses aimed at reducing Roma unemployment, especially among the young people and women of that community.
6. **Ms. Kodra** (Albania) said that her Government would respond in writing to the question regarding the impact on human rights of the shortfall in budgetary resources.
7. Everyone was covered by the universal social assistance scheme. The old-age pension scheme was based on contributions during a person's working life. Employers and employees both contributed to social and health insurance. Non-contributory social aid was funded by central and local government. Most of the resources for it came from the central government, which also established the rules on the distribution of assistance. The social aid system was currently being reformed. A points system would be put in place for evaluating needy families' eligibility for benefits. Local government managed the social aid scheme and sometimes contributed to it, subject to availability of funds. It also evaluated applicants' needs and decided who would be entitled to draw benefits. A medical examination was conducted by specialized units in order to determine whether persons with disabilities were entitled to assistance and how much they should receive.
8. Her Government was trying to move from residential care of children to foster care and community-based support for families. The State budget included appropriations for social housing, school textbooks and special veterans' pensions. Some very poor strata of the population received inflation-indexed support. Unemployment benefit was paid for a maximum period of one year. Thereafter, someone who failed to find a job received social aid. Hence nobody was destitute.

9. Unemployment was higher among women. A recent time-use survey had shown that women did more of the household chores and devoted more time to childcare than men. Parental leave for men had been introduced in response to those findings. It was hoped that social attitudes could be changed by making provision for such leave in the Labour Code. Official statistics showing that the employment rate among women was lower masked the fact that many women worked, without being registered, in small family firms. That situation had an adverse impact on their pensions.

10. New school curricula and textbooks were successfully combating gender stereotyping. The Government was taking steps to deal with the high level of youth unemployment.

11. **Ms. Rusha** (Albania) said that the aim of social service reforms was to provide a sustainable network of decentralized high-quality care services dispensed in non-residential day-care centres and the home. Currently 28 day-care centres were addressing the needs of children, young people, women who were victims of trafficking, senior citizens and persons with disabilities. Pilot schemes to provide services to children in their own homes were being run in two towns.

12. Despite the fact that labour legislation required firms to employ 1 person with disabilities for every 25 able-bodied employees, only 2 per cent of persons with disabilities had jobs, mainly because they were poorly qualified and experienced difficulty in gaining access to the workplace. An action plan to improve their employment rate had been drafted in the wake of Albania's ratification of the Convention on the Rights of Persons with Disabilities, and free vocational training courses had been set up for those persons. It was hoped that the appointment of a woman with disabilities as Deputy Minister for Social Welfare and Youth would set a good example for other sectors.

13. **Ms. Misha** (Albania) said that some 540,000 persons, or 48.3 per cent of the working population, were employed in agriculture. Job diversification and boosting the rural population's income were regarded as high priorities.

14. **Ms. Kodra** (Albania) said that her delegation had no data on salaries in rural areas because farmers were regarded as self-employed. Approximately 100,000 persons, or 5.5 per cent of employees in the civil or public service, received the minimum wage. All the others received higher wages or salaries.

15. **Mr. Bejtja** (Albania) said that primary health care was available for the Roma and other marginalized communities in every commune. A campaign had been mounted to ensure that more than 95 per cent of Roma children had been immunized against childhood diseases. All pregnant Roma women were entitled to free health care irrespective of whether or not they were insured. A pilot scheme of home visits by teams of nurses, doctors, therapists, psychologists and social workers had been tested in two towns and might possibly be expanded to other areas of the country. It was expected that free health care for everyone resident in Albania would be funded through general taxation within four years.

16. **Ms. Misha** (Albania) said that the flat income tax rate of 10 per cent did not apply to the lowest wage earners.

17. **Ms. Shin** reminded the delegation that it had not answered her question regarding implementation of the principle of equal pay for work of equal value. She asked when parental leave for fathers had been introduced and how many men had taken such leave.

18. **Ms. Kodra** (Albania) said that recent studies had shown that the wage gap between men and women was due to gender stereotyping and occupational segregation. That wage disparity was being tackled through a strategy to bring about the economic empowerment of women and train them to become entrepreneurs. Women were being encouraged to enter

typically male occupations and to participate more in the political life of the country. The amendment introducing provision for parental leave for fathers into the Labour Code was currently before Parliament. As it would probably prove difficult to implement that clause, thought was being given to the introduction of a rule that, if such leave were not taken, the corresponding number of days of holiday would be forfeited.

19. **Mr. Sadi** asked what mechanism was available to enforce compliance with the statutory minimum wage level, especially in the informal sector. He also wished to know if the Albanian authorities had been successful in combating child labour among the Roma.

20. **Ms. Bras Gomes** enquired whether the Albanian Government would be prepared to replace the multiplicity of benefits currently available with a single benefit providing a guaranteed minimum income for all residents of the country.

21. **Mr. Abdel-Moneim** drew attention to the impact of indirect taxation on lower- and middle-income groups and urged the Albanian Government to consider the introduction of progressive taxation with higher brackets for the very wealthy as a means of overcoming income disparity and curbing losses in tax revenue.

22. **Ms. Kodra** (Albania) said that the National Labour Council and the Consultative Commission on Salaries were responsible for setting the minimum wage. Income revenue offices and the Labour Inspectorate helped to check on compliance with that wage.

23. As her Government was aware that the right to a decent standard of living was a human right it was striving to ensure that everyone had a minimum level of income.

24. **Mr. Jahjoli** (Albania) said that the exploitation of children had been criminalized and measures had been taken to protect children from various forms of abuse. At least 30 street children had been taken into care in a social services centre in the capital. The relevant ministries were about to approve and put into effect an action plan to protect exploited children.

25. **Ms. Rusha** (Albania) said that a living standards measurement study conducted in 2012 by the National Statistics Institute (INSTAT) had yielded fresh data about poverty in Albania. Poverty, including extreme poverty, had grown during the period 2008–2012. The coastal areas had seen the largest increase, possibly because of population shifts. No data had been provided on poverty among the Roma and other minority groups.

26. **Mr. Bejtja** (Albania), citing statistics relating to teenage pregnancies, said that, while the birth rate among girls aged 15 to 19 had risen in recent years, abortion rates among girls in that age group had fallen. Albania had an extensive family planning programme. Contraceptives were available free of charge through the national primary health-care system and were relatively cheap in the private sector. Family planning education was included in the health-care services offered in schools with the technical support of the World Health Organization.

27. **Ms. Kodra** (Albania) said that her country had ratified the various International Labour Organization (ILO) conventions dealing with unemployment, the minimum wage and the social security system.

28. **Ms. Peci** (Albania) said that her delegation would provide written information about how the Labour Code regulated the right to strike.

29. **Ms. Andoni** (Albania), replying to questions about housing and related issues, said that a 2004 law on social housing had been amended in 2012 to extend its scope to rural areas. The country's first-ever social housing was being built, initially in eight municipalities. Since 2009 there had been mortgage subsidies for middle-income households, and in 2008 a pilot project had been conducted to improve the living conditions of the Roma.

30. Citing a project to register informal settlements, she said that some 270,000 such settlements had been registered but that the process was proving problematic.
31. In her Government's view the legislation concerning forced evictions was comprehensive, but implementation mechanisms needed to be reinforced.
32. **Mr. Jahjoli** (Albania) said that domestic violence was a high-priority issue for the Ministry of the Interior. The Criminal Code had recently been amended to make domestic violence a criminal offence. The number of cases referred to the prosecutor's office had been rising dramatically since 2009 (even before the amendment), and the numbers of people arrested and detained in such cases had also increased. Marital rape was now also a criminal offence, though only one case was under prosecution.
33. Facilities for detaining minors who were to be interviewed in connection with domestic violence cases had been renovated in several regions with support from non-governmental organizations (NGOs) and the French embassy in Tirana.
34. Albania had ratified an international agreement with the Swedish International Development Cooperation Agency to implement a countrywide community policing project.
35. **Ms. Kodra** (Albania) noted that efforts to combat domestic violence in Albania were an example of successful cooperation between the Government and civil society.
36. **Ms. Rusha** (Albania) briefly described the system of institutionalized care for orphans and other children at risk and said that children could now benefit from such care until the age of 18.
37. **Mr. Martynov** wished to know why the ILO Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117) did not appear in the list of conventions to which Albania had acceded, and why the date of accession was missing for the ILO Equality of Treatment (Social Security) Convention, 1962 (No. 118).
38. **Ms. Kodra** (Albania) said that her delegation would provide a written reply to the question.
39. **Ms. Kamani** (Albania), replying to questions about the education system, said that school drop-out rates were low and were similar for boys and girls. Regarding instruction in minority languages, she said that students from minority groups could in principle opt for instruction in their native language, though minimum thresholds were set for the number of pupils required to open a minority-language section.
40. She said that there were ongoing efforts to improve the quality of education. All national curricula below the tertiary level had been revamped, and 80 per cent of schools had been renovated.
41. The publication and distribution of schoolbooks had been reformed and they were available in minority languages. Around 50 per cent of students in basic education received full or partial reimbursement for schoolbooks. Among students completing compulsory education in 2012, 92 per cent had progressed to secondary education. Additionally, 85 per cent of students in the first year of primary school in 2012 had received at least one year's preschool education. Students from minorities and disadvantaged backgrounds were supported through various strategies, such as free schoolbooks and study grants for Roma, Egyptian and disadvantaged students. Human rights were studied within a range of subjects, from preschool to secondary school, and were part of cross-curricular activities. Basic education was offered in rural areas; secondary education was being improved through the clustering of high schools in those areas. Minority students were not segregated from the rest of the school population.

42. **Ms. Misha** (Albania) said an investigation carried out in 2013 in primary schools in Tirana had found that Roma pupils were not segregated.
43. **Ms. Kamani** (Albania) said that children who were not registered in Civil Status Offices were no longer turned away from schools; once they had been enrolled at school, a registration process began.
44. **Mr. Jahjoli** (Albania) said that in April 2012, the General Director of the Police had approved a standard procedure for registering children in Civil Status Offices. In August 2013, an agreement had been concluded between the ministries and authorities responsible for enrolling children that had come into force the previous week.
45. **Ms. Kamani** (Albania) said that in 2010, the State Education Inspectorate had been established to assess the quality of regional educational facilities and staff.
46. **Ms. Kokona** (Albania) said that the Ministry of Culture no longer dealt with tourism, youth or sport and was therefore able to focus on cultural rights through its dedicated directorate. The use of public funds in cultural activities would be made more transparent and individuals and communities would be able to use them to support their cultural activities. Public funding for intangible heritage activities would increase, given that the matter was a priority for the Ministry. Efforts had been made to preserve minority languages; nevertheless, more activities and initiatives would take place, falling into two categories: activities relating to written language and those preserving minority cultural rights and languages. Activities focused on a specific group of communities, including the Roma, and included publicly funded festivals, cultural rights days and the publication of books. The number of communities benefiting from such activities would increase in the future. Lastly, each ministry would have a unit monitoring the Government's priorities and strategies in order to better focus the country's reports to treaty bodies.
47. **Ms. Peci** (Albania) said that minorities were either national or ethno-linguistic. A census on ethnicity and religion had recorded a number of people declaring themselves as Egyptians and the Government was considering recognizing them as a minority community.
48. **Ms. Kamani** (Albania) said that the Ministry of Education and Sport supported private teaching at all levels, although it was too expensive for most families. The Government estimated that basic education for one student cost \$150 per month. The law prohibited physical, psychological or emotional violence at schools and there were clear procedures punishing staff using such methods. Significant progress had been made to make education friendly and supportive for children and parents through a national programme.
49. **Ms. Kodra** (Albania), referring to the impact of austerity measures on economic, social and cultural rights, said that while Albania had been affected by the global economic crisis, the Government had increased salaries, benefits and pensions.
50. **Ms. Rusha** (Albania) said that the Minister of Social Welfare and Youth had visited the 37 Roma families evicted from their settlement in Tirana in order to monitor the situation and had expressed a willingness to find a solution. After extensive consultations with the families and other actors, arrangements had been made for emergency shelter, support with material, financial and human resources, and a process for a long-term solution in cooperation with the Ombudsman. A former military site had been made available to accommodate them and, after renovation, would become an emergency transit centre providing various services to at-risk Roma families. The first families had moved to the centre in October 2013. The needs of the families' children would be assessed and each family member would receive medical checks.
51. **Mr. Sadi** asked whether any private schools were religious.

52. **Mr. Abdel-Moneim** said he hoped that the “supply for private services in the educational system” mentioned in the report did not refer to private companies charging citizens for services provided in State schools, which would jeopardize the idea of free education. The report described private education as an alternative to public education; however, it should be subsidiary and follow the same rules and systems, in accordance with article 13 of the Covenant. Additionally, although education should be adjusted to the needs of the labour market to some extent, its principal function should be promotion of the human being, human identity and democratic society. It was commendable that the education budget had grown four-fold between 2005 and 2009 and he hoped that increase would continue.

53. **Mr. Mancisidor** asked for answers to his earlier questions relating to political science, women in science and the return of Albanian scientists to the country.

54. **Mr. Abashidze** (Country Rapporteur) asked whether the Government used clear criteria to define minorities and whether they were in line with international standards. What minority did Egyptians belong to?

55. **Ms. Kodra** (Albania) said that written information on science in Albania would be provided.

56. **Ms. Peci** (Albania) said that the recognition of Egyptians as a minority had been recommended by other committees and in the framework of other international instruments. The matter was being considered and she hoped to be able to provide written information on the decision in the near future.

57. **Ms. Kamani** (Albania) said that the few religious schools in Albania had been opened after approval from the Council of Ministers. A detailed report on development strategies for the scientific field was available.

58. **Ms. Kodra** (Albania) said that the Government would await the Committee’s recommendations, which would be incorporated in future legislation on economic, social and cultural rights.

59. **Mr. Abashidze**, commending the high number of women in the delegation, requested that any additional written information should reach the Committee promptly.

60. **The Chairperson** said that the Committee was able to provide assistance if needed by the State party.

The meeting rose at 5.40 p.m.