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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
IN ACCORDANCE WITH ARTICLE 16 OF THE INTERNATIONAL
COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

REPLIES BY THE GOVERNMENT OF ALBANIA TO THE LIST OF ISSUES (E/C.12/Q/ALB/1)
TO BE TAKEN UP IN CONNECTION WITH THE CONSIDERATION OF THE INITIAL
PERIODIC REPORT OF ALBANIA CONCERNING THE RIGHTS REFERRED TO IN
ARTICLES 1-15 OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND
CULTURAL RIGHTS (E/1990/5/ADD.67)*

[17 July 2006]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

General Information

1. Convention for Economic, Social and Cultural Rights has been ratified by Albanian state on 4 October 1991 and it has entered into force on 4 January 1992. Development of human rights has generally gone through a difficult period in Albania during 15 years since the fall of communist regime.
2. Albania is committed to abide by the obligations stemming from the Convention for Economic, Social and Cultural Rights, experiencing progress moments, but also difficulty in their performance. First and foremost, the main principles translated into obligations for our country stem from the Convention to take arrangements in the economic, social and cultural field and they have been provided for in the Constitution of the Republic of Albania.
3. During this period there have been approved also legal and bylaw acts, which regulate in detail the main principles of observing the economic, social and cultural rights and freedoms of the individual.
4. The economic, political and social situation of Albania since 1992 has experienced moments of instability and crisis in the economic, political and social fields, and this has caused an insufficient performance of all the obligations.
5. Albanian economy is considered to be Market Economy in Transition. Private sector makes up the bulk of GDP. In the strategy of Economic Development of Albania for years 2000 – 2003 it is worth mentioning the general structural reforms according to the standards of the countries of a stronger market economy, privatization of strategic sectors and stabilization of macro-economic indicators to the effect of boosting investment through implementation of Public Program of Investments and absorption of direct foreign investments. There is a close cooperation with international organizations like: World Bank, International Monetary Fund, EBRD etc, which consist a guarantee for a steady economic development and ending of transition period.
6. At the same time Albanian society has inherited from the communist regime social problems of different dimensions connected to rights of women, children, national minorities etc, which are even today reflected in our reality. Albania is encountering different social problems which are characteristic for transition countries.
7. Cultural situation has also been conditioned through the previous political situation, but it has seen a more intensive development compared to the economic situation. Albanian government has as its priority the observation of human rights with the entire state apparatus, as well as in cooperation with the international community, with its civil society which is working for their improvement. There have been undertaken developments and there are in the phase of implementation arrangements in the economic, social and cultural field, which are deemed to facilitate the comprehensive performance of the obligation stemming from the Convention.

8. Albania has concluded the drafting of national strategies on:

- ❖ Rights of the child
- ❖ Rights of women
- ❖ Anti Trafficking
- ❖ Roma minority
- ❖ Education of minorities.

9. Ministry of Justice of Albania does not possess Court decisions which refer to the Convention, but it only possesses the decisions made by the Albanian respective courts in accordance with the provisions of the legal basis (respective articles) in the Annual Statistical Bulletin.

- In 1995, the Ministry of Education of Albania in cooperation with national and international agencies launched the initiative to develop curriculum guidelines that were introduced as cross-curricular and extracurricular activities for pupils in grades 1-8. These collaborative efforts led to the publication of about 500 000 pupils activities textbooks for all pupils of grade 1-8.
- Human and Children Rights are addressed as such in civic education of 6th grade.
- Human Rights are part of curricula of high profiled (oriented) education. They take up 30 % of the program "Citizenship 1" of the 10 grade. Some of the themes of this programs are:
 - Human rights are suggested to be addressed, every time there is room for that, while discussing different topics in civic education;
 - Human rights are part of the draft of new standards for civic education.

10. Albanian Human Rights Centre (AHRC) is the leading organization among the NGOs. AHRC has been involved or has been the initiator of a lot of HRE projects.

- Support of the piloting of the pupils activities textbooks on children rights in 1995-1996;
- Reprinting of the Human Rights textbook - a manual for primary teachers;
- Publishing of the Teacher Manual for Human Rights Education (1997);
- Setting up a network of HRs model school in different districts in Albania;
- Organizing a National Conference on Human Rights in December 2000;
- Joint project with Faculties of Education for introducing HRs modules in the curricula of pre-service teacher training (2000-2001);
- Organizing HRs workshops with primary head teacher etc.

11. In field of human rights, teacher training activities preceded other activities. Since 1993, 600 teachers from all over Albania participated in training seminars on the idea, concepts and the pedagogy of teaching and learning human rights.

12. In 1995 the publishing of student books were accompanied with teacher training workshops and other publications for teachers. Here are some of teachers' manuals for human rights:

- "Human rights" for primary teachers, co-operation with Norwegian ANA(later MIRA) Foundation (1994);
- "It's only the Right" (translation, co-operation with UNICEF);
- "Human Rights Education at school " - guidelines for teachers, (co-operation with Netherlands Helsinki Committee);
- "Human Rights Education at school" (manual for teachers, cooperation with Albanian Centre for Human Rights and the Netherlands Helsinki Committee), etc.

13. The publishing of the textbooks and other teaching materials in the field of Human Rights is accompanied with the training of a large number of teachers of civic education and other subjects. During 1995-1996, in national training sessions organized by Institute of Pedagogical Research, about 1000 teacher trainers of all subjects participated in a one day workshop dedicated to human rights education.

14. Currently, Human Rights Education is part of the teacher training program for 15 high school teachers who teach the human rights chapter in the framework of the new high school reform for the oriented (profiled) high school.

15. In addition to that a human rights module for teachers of civic education is also part of the national teacher training program developed by Institute of Pedagogical Research (year 2000-2001) for teachers that have served 5, 10 and 20 years in the teaching profession.

16. Yes, Albanian state has jointed the EU Statement pertaining to the support to the draft of an Optional Protocol to the Covenant.

II. Issues relating to General Provisions of the Covenant

Article 2(2) – Non-discrimination

17. In the way it has been explained in the report of Albania pertaining to the implementation of the Covenant (CESCR 2005), non-discrimination has been provided for in Article 18 of the Constitution of the Republic of Albania, approved on 21 October, 1998. This article provides for everyone to be equal to the law and no one may be discriminated against unfairly for such reasons like gender, race, religion, ethnicity, language, political, religious or philosophical conviction, economic, educational social education or parental affiliation; no one may be discriminated against for the reasons mentioned above, as long as there does not exist a reasonable and objective justification.

18. However, at the same time this article does not prohibit the positive discrimination. The content of the article allows the special treatment or the special protection and support which might be provided to special categories of individuals.

19. With regard to the above quotation, the Constitution would allow, in the framework of the positive discrimination, for instance stimulation for the best students, for vulnerable groups or families etc.

20. In the framework of observing the rights and fundamental freedoms of national minorities, laying the foundation for their non-discrimination, Article 20 provides for the full equality to the law: "...They have the right to express themselves freely, without prohibiting or imposing their ethnic, religious or lingual affiliation. They have the right to preserve and develop them, learn and be taught in their mother tongue, as well as unite in organisations and associations for the protection of their interest and identity...".

21. Albania is a Party to many International Conventions, which prohibit discrimination, such as: International Convention on elimination of all forms of racial discrimination, Convention on elimination of all forms of discrimination of women and additional protocol (Law no 9052, dated 17.4.2003 on accession of Republic of Albania into "Additional Protocol to Convention on elimination of all forms of discrimination of women).

22. Article 122 of Constitution of Republic of Albania sanctions the prevalence of acts in the Albanian legislation putting at the apex of the pyramid of legal power of acts the constitution, next to it the international agreements ratified by the Parliament and then the laws and respective bylaw acts.

23. Within the national domain there exists a complete legal basis which includes the laws regulating different fields where discrimination is prohibited.

24. Exclusively, the Constitution of Albania recognises the principle of positive discrimination, provided for in the first paragraph of its Article 54 with the following content:

"1. Children, young people, pregnant women and young mothers have the right to special protection from the state. 3. Every child has the right to be protected from violence, maltreatment, exploitation and use for labour, specifically under the minimal age for children labour, which can harm the health, moral or risk his life or normal development."

25. Family Code, approved through the law no 9062, dated 8.5.2003, in the cases of imposing the custody provides for the minor children to be put under custody and to enjoy special protection from the state if their parents are not able to perform their parental responsibilities, due to the fact that both parents have died or are not known, they have been declared as missing, they have been deprived of their parental guardianship or they have been deprived of their capacity to act, as well as for every other cause accepted by the court.

26. Labour Code, approved through law no 7961, dated 12.7.1995 provides for special protection and support in some of its articles, specifically for the minor employees or women etc.

Article 54 of Labour Code, in the cases of establishing the labour conditions, that (3) for pregnant women rest break shall be 3 hours. In the same place in Article 55 (loads), (4) Weightlifting for pregnant women shall be under 20 kg.

27. In determining the duration of working time, in Article 78 there is foreseen that (3) For employees under 18 years old daily working time is not more than 6 hours per day.

28. Chapter X of Labour Code, Section A, provides for special protection for minors and women determining the minimal age where employment of minors under 16 years old is prohibited, and with regard to easy jobs, there is foreseen that minors 14 – 18 years old may be employed in easy jobs, which do not harm their health or formation, only during the school vacations.

29. With regard to difficult or dangerous jobs (Article 100) there is sanctioned the obligation that Council of Ministers is obliged to establish special rules for the duration and conditions of accomplishing difficult and dangerous jobs for minors above 16 years old and for pregnant women. In this context there are not allowed to work during night shift employees under 18 years old and those who have been declared invalid based on a medical report in accordance with the law on social insurance.

30. In section B regulating special protection for women, Article 104 provides for: “Labour for pregnant women during the 35 days proceeding the day foreseen for birth and during 42 days after birth shall be prohibited; the first period shall be extended to 60 days if the woman is pregnant after her first child”.

31. Even in determining the reward (Article 114) there are foreseen special benefits through agreement among the parties and employer for a special reward on the salary at the end of the year, considering the quality of his work and progress in the enterprise.

32. In the cases of termination of employment contract (Article 147 and the following), there is foreseen the termination of the contract in inappropriate time if the employee is on temporary disability vacation for a period of not longer than one year, for as long as the employee benefits the allowance from the employer or Social Insurance.

33. In accordance with law no 7961, dated 1995 “Labour Code”, the decision of Council of Ministers no 397, dated 20.5.1996 “On special protection of pregnant women and maternity” provides for some conditions and criteria which facilitate and protect the position of women. In paragraph 1 of this decision there is foreseen the prohibition of employing women, as long as they are still capable of giving birth to children, in some specified activities in a list compiled by the Council of Ministers.

34. Based on the above mentioned decision, pregnant women benefit in the employment relations some rights, such as: pregnant women and mothers breastfeeding babies shall under no circumstances be obliged to accomplish activities which pose a risk through exposure to contamination or employment conditions, in accordance with the a list prepared by Council of

Ministers. Pregnant women and mothers breastfeeding the babies shall not be obliged to start the daily work earlier than five o'clock in summer (or six o'clock in winter) or continue working later than 20 hrs, etc. The evaluation of risks and protection against them, nature, scale or duration of exposure of pregnant women, women after birth or mothers breastfeeding the babies shall be done by the employer, as well as there shall be determined the measures which shall be taken, to the effect of taking into account every risk for the safety and health, as well as every consequence on the pregnancy and breastfeeding the babies.

35. Law no nr 7952, dated 21.6.1995 "On post university education system" regulates the education in the Republic of Albania, to the effect that Education in the Republic of Albania is a national priority, and it is developed in accordance with the principles sanctioned in the valid legislation; it relies on the traditions and achievements of our national school and shall be performed in accordance with the international agreements and treaties, ratified by the Republic of Albania observing the rights of children and the others, sanctioned in these documents.

36. In Article 10 of the above mentioned law, there are foreseen the rights of national minorities in the framework of benefiting from the positive discrimination "... 10.1 Persons belonging to national minorities shall be provided the opportunities to learn and be taught in their mother tongue, learn their history and culture in the framework of teaching syllabuses and curricula. 10.2 To the effect of ensuring an active participation in the economic, social, political and cultural life of the Republic of Albania, the state shall provide conditions for the persons of minorities at school age to learn the Albanian language, the Albanian history and culture. 10.3 Teaching syllabuses and curricula, as well as the proportions of using the mother tongue and official language in the teaching process shall be determined in separate acts of Ministry of Education. 10.4 Education for the persons of minorities shall be done in specific schooling units and educational institutions, the opening and functioning of which shall be done in accordance with the procedures determined by Council of Ministers."

37. Based on the law no 8492, dated 27.5.1999 "On foreigners" and its bylaw acts, the limitations which are foreseen for foreigners are connected to taking into consideration:

1. situation and developments in the labour market (Article 32: Labour permit for foreign citizens shall be granted taking into consideration the developments and needs of labour market in the Republic of Albania);
2. time period of their stay in the Republic of Albania (Article 25: Natural or legal entities, who are not Albanian citizens, wishing to work in the Republic of Albania for a time period longer than 3 months have to be provided with employment permit issued by Ministry of Labour and Social Issues);
3. time of commencing employment in the Republic of Albania (Article 31: With regard to initial employment relationship, employment permit shall be granted for a limited time period of one year and it shall be renewed for 3 years in succession);
4. Limitations of employment permits in time and according to the profession (Article 34: Employment permit may be limited for practicing a certain profession in a certain entity. Employment permit may be without limitations in practicing a certain profession in a certain entity.);

5. Conditions for renewing employment permit (Article 39: The application for renewing the employment permit, in addition to the season related employment permit, shall be done as long as the main circumstances for granting the previous employment permit have not changed.);
6. Proportion 1:2 (observation of obligation of employing two Albanians against one foreign citizen).

38. With regard to the above, we are committed to drafting a new draft-law “On foreigners” to reduce the above mentioned limitations.

39. The fundamental legal grounds for extradition have been established in the Constitution, which in its Article 39 provides for granting extradition only if it is explicitly foreseen in the international agreements where the Republic of Albania is a party, and only through a judicial decision.

40. Article 122 of Constitution provides for the prevalence of ratified international agreements (from the perspective of the context of extradition agreements) over the domestic laws which are not in compliance with them, which consist a constituent part of the domestic legal system following its publication in the Official Journal of Republic of Albania.

41. Through the law no 8322, dated 2.4.1998, the Parliament of Albania has ratified the Convention of Council of Europe “On Extradition” of 13 December 1957 and its two additional protocols, respectively of 15 October 1957 and 17 March 1978, through the declarations and reserves provided for in this law. It has been provided for in the ratifying law that the Albanian party does not recognise minimal limits for the imprisonment sentence to the effect of extradition. Albanian state recognises this statement as valid only under reciprocity circumstances.

42. In the framework of and for implementing this agreement, the Albanian state is party to a series of conventions and bilateral agreements for the extradition of persons with the list as follows:

43. European Convention “On protection of Human Rights and Fundamental Freedoms” ratified by the Albanian parliament through the law no 8137, dated 31.07.1996;
Protocol VI of European Convention “On Protection of Human Rights and Fundamental Freedoms” ratified by Albanian parliament through the law no 8641, dated 13.07.2000;
European Convention “On Suppression of Terrorism” approved through the law 9230, dated 13.05.2004 as well as its amending protocol;
European Convention “On Cyberspace Crime”, ratified by Albanian parliament through its law 8888, dated 25.04.2002.

UN Conventions where Republic of Albania is a Party:

UN Convention “On Cross-border Organised Crime” as well as its two additional protocols ratified by Albanian parliament through its law 8920, dated 11.07.2002;
National Pact “On Civil and Criminal Rights”.

Bilateral Agreements where Republic of Albania is a Party:

Bilateral Agreement between Republic of Albania and Greece “On reciprocal legal assistance in civil and criminal matters”, chapter IV of which contains the rules of reciprocal extradition of citizens of party countries;

Bilateral Agreement between the Republic of Albania and Macedonia “On extradition”, ratified by Albanian parliament through the law no 8299, dated 4.03.1998;

Bilateral Agreement between the Republic of Albania and Arab Republic of Egypt “On extradition, ratified by Albanian parliament through the law no 9214, dated 1.04.2004;

Bilateral Agreement between the Republic of Albania and United States of America “On extradition”;

Bilateral Agreement between the Republic of Albania and Slovenia “On Extradition”;

Bilateral Agreement between the Republic of Albania and Turkey “On reciprocal legal assistance in civil, criminal and commercial matters”, approved through the law no 8036, dated 22.11.1995;

Bilateral Agreement between the Republic of Albania and Rumania “On reciprocal legal assistance in the civil, criminal and family matters”;

Bilateral Agreement between the Republic of Albania and Hungary “On reciprocal legal assistance in the civil, criminal and family matters”.

44. In the extradition procedures there is observed that different persons who are apprehended in foreign countries as a consequence of committing criminal offences can not be extradited to Albania to be tried and imposed the concrete sentence, as long as for the alleged criminal offence there is foreseen a longer sentence than the sentence foreseen in the other country. Under these circumstances, the states which are sought by the Albanian state to grant the extradition can not, in accordance with Article 11 of the European Convention “On extradition”, grant extradition for such persons.

45. Criminal Code of the Republic of Albania approved through the law no 7895, dated 27.01.1995, and amended through the laws 8204, dated 10.4.1997, no 8279, dated 15.1.1998, no 8733, dated 24.1.2001, provides for in its Article 11 the cases of granting and implementing the extradition. Thus, in accordance with the provisions contained in the Code, the extradition may be granted only if it is provided for explicitly in the international agreements to which Republic of Albania is a party. The extradition shall be allowed if the criminal offence, consisting the subject matter of the request for extradition, has been foreseen as such simultaneously by the Albanian and the foreign law.

46. In the same article, there are foreseen also the cases of banning the extradition, such as a) if the person who shall be extradited is an Albanian citizen, unless it has been provided for differently

in the agreement; b) if the criminal offence consisting the subject matter of the extradition request has a political or military character; c) if there are reasons to doubt that the person sought to be extradited shall be persecuted, sentenced or sought due to his political, religious, national, racial or ethnic conviction; d) if the person sought to be extradited has been tried by a competent Albanian court for the criminal offence for which the extradition is requested.

47. Further to the domestic Albanian legislation, Criminal Procedure Code, approved through the law 7905, dated 21.3.1995, amended, has determined the rules for enforcing extradition in its Chapter XIV “Jurisdictional relations with foreign authorities”, Articles 488 – 525.

48. In this chapter, the extradition rules are contained in Section 1 “Extradition abroad” and Section 2 “Extradition from abroad”. In Section 1 there is provided the meaning of extradition which is: “...Handing over of a person to a foreign state for enforcing an imprisonment sentence or of an act which proves his criminal prosecution due to a criminal offence can be done only through extradition”. In the same section there is foreseen: Extradition request and the elements of its form, and conditions of extradition determining that the extradition shall be granted only upon the condition that the extradited shall not be persecuted, shall not be sentenced or handed over to another state with regard to another criminal offence which has been committed prior to the request for delivery and which is different from the one for which extradition has been granted; cases where these conditions are not observed.

49. In addition to the prohibiting cases provided for in the Criminal Code, the Criminal Procedure Code provides for that extradition shall not be granted in the following cases:

- a. for a criminal offence of political character or if it turns out that he is sought for political purposes;
- b. if there is reason to believe that the person sought shall be subject to persecution or discrimination due to the race, religion, sex, citizenship, language, political convictions, personal or social situation or to savage, inhuman or humiliating treatment or acts which consist a violation of a fundamental human right;
- c. if the person sought has committed a criminal offence in Albania;
- ç. if proceedings are hanging or he has been tried in Albania although the criminal offence has been committed;
- d. if criminal offence is not foreseen as such in the Albanian legislation;
- e. if the criminal offence has been amnestied by the Albanian state;
- f. if the person sought is an Albanian citizen and there is no agreement containing a differing provision;
- g. if criminal prosecution or sentence has been foreseen in accordance with the law of the requesting state.

50. In the same section there are foreseen even a) acts of prosecutor, b) Coercive measures, c) sequestrations, where upon a request of the Ministry of Justice, forwarded through the prosecutor, against the person, whose extradition has been requested, there can be taken coercive measures and

ruled the sequestration of material evidence and thing belonging to the criminal offence, with regard to which the extradition has been requested, and ç) temporary implementation of coercive measures.

51. In addition to the acts committed by the prosecutor, there are foreseen the cases of arrest by judicial police which makes even the sequestration of material evidence of the criminal offence and the things belonging to it and judicial police is obliged to inform immediately the prosecutor and Minister of Justice. Within twenty four hours the prosecutor makes the arrested person available to the court in the territory of which the arrest has been performed, sending also the respective documentation.

52. With regard to this procedure, Criminal Procedure Code recognises and sanctions the principle of protection of the right of the person to be heard and be defended foreseeing that the court informs the interested person about his right to have a defence lawyer and in his absence appoints a defence lawyer *ex officio*. The defence lawyer shall be informed at lest twenty four hours in advance with regard to the above mentioned acts and is entitled to attend them.

53. The following articles 497 – 503 provide for a) consideration of the extradition request; b) court decision, sanctioning the principle of '*res judicata*' – "... If the court rules against the extradition, extradition can not be implemented..."; c) Disposal on extradition; ç) suspension of delivery; d) extension of granted extradition and re-extradition; dh) Transit transfer; as well as e) expenses of extradition.

54. In section II there are foreseen the same rules for the cases of extradition of citizens from abroad, determining that the Ministry of Justice has the competence to request from a foreign state the extradition of a person who has been criminally proceeded against or sentenced, who has to be subject to a measure restricting his personal freedom. To this effect, the prosecutor at the court within the territory of which proceedings are pending or the conviction decision has been announced, makes a request to the Ministry of Justice, attaching the necessary acts and documents. If Ministry refuses the request, it informs the requesting authority. At the same time, Ministry of Justice is competent to decide granting extradition with regard to the conditions imposed eventually by the foreign state, as long as these are not at variance with the fundamental principles of the Albanian legal order. The proceeding authority shall be obliged to abide by the accepted conditions.

55. *As regards the implementation of the right to education of **foreign children**, we would like to clarify that:*

56. The bylaw "Normative provisions of School", article 13 of the Chapter on Albanian Students (asylum seekers and foreign nationals) coming from abroad, provides all modalities of their education in the Republic of Albania.

57. Below, please find enclosed the article in question.

[1] The pupil aged to secondary school, who has followed studies abroad and comes to Albania to continue this school, on the basis of the school documentation of the country he comes from, translated and certified before a notary public and signed in the Educational Department, is enrolled:

- a) in the upcoming class, when he comes at the beginning of the academic year;
- b) in the respective class, when he comes in the course of the academic year.

[2] The pupil aged to secondary school who does not prove by the school documents of the state he comes from, the follow-up or the termination of a class, is tested on the level of knowledge by an ad hoc commission established in the Educational Directorate. The Commission drafts the relevant minutes signed by all of its members (three people).

Based on the minutes deposited in the Educational Directorate, the director of the Educational Directorate issues the certification for the enrolment of the pupil in the class approved by this commission.

The school in which the pupil is enrolled, keeps in its records book the above mentioned certification.

[3] a) The pupil who has completed eight grades of school and comes from a country other than Albania, where the compulsory education is eight grades or somewhat longer, has the right to be enrolled in the first grade of high school or to be subject to competition for entering a high school on this basis.

b) The pupil who has completed nine grades in a country other than Albania, where the compulsory education is over 8 grades, has the right to be enrolled in the second grade of high school after the equivalence of the grades' certificate of the 9-th grade on the basis of the specific directive of the Ministry of Education of Albania, regarding the equivalence of school documents of the country coming from, with PM of the school where the enrolment is to be effected.

c) The pupil who has attended different classes of a high school abroad, when coming in the course of the academic year, may be enrolled in intermediate classes of high school, after making the grades' certificate equivalent.

d) As regards items a), b) and c), the pupil presents in the Educational Directorate the school grades' certificate (grades' certificate) of the state where he comes, translated and certified before a notary public.

In the case of the item a), the Educational Directorate bears the signature on the grades' certificate.

In case of items b) and c) the Educational Directorate makes the standardization and equivalence of grades' certificate in accordance with the directive of equivalence of the Ministry of Education of Albania.

In all cases, the Educational Directorate sends the documents to the school where the pupil goes, where they are deposited and maintained in the records book of the school.

58. Education is one of the priorities of the Albanian government. In the framework of the integration of higher education in the European area: high quality, standards, equal opportunities, the framework program of cooperation between the Secretariat of the Council of Europe (the Directorate of Higher Education) and the Ministry of Education and Science is in an implementation process.

59. Pursuant to the article 102 of the Constitution of the Republic of Albania and the articles 31 and 42 of the Law No 8461, dated 25.02.1999 “On Higher Education in the Republic of Albania”, (amended), in the state official bilateral and multilateral treaties between Albania and respective Parties and the respective decisions of the Council of Ministers issued by this law, **the rights of studying for foreign students and lecturers** in Albania is implemented via the direct application of the foreign eligible candidates, observing the respective procedures and the number of acceptance quota approved by the Council of Ministers.

Currently the Republic of Albania has welcomed:

1. Albanian students from Kosovo, Macedonia, Montenegro and Diaspora, enrolled in our Universities;
2. Students, foreign nationals, enrolled in Albanian Universities, with or without agreement;
3. Lecturers and experts, foreign nationals, who work in Albanian Universities and educational institutions on the basis of bilateral treaties;

On Education of National Strata and Minorities

60. In accordance with Article 20 of the Constitution of Republic of Albania, education of national minorities shall be guaranteed in the mother tongue.

61. Citizens of the Republic of Albania enjoy equal rights to be educated in all education levels provided for by this law, regardless of the social situation, nationality, language, sex, religion, race, political beliefs, health situation and economic level (Article 3).

62. In accordance with law no 7952, dated 21.06.1995, “On pre-university education”, (Article 10), persons belonging to national minorities shall be provided the opportunity to learn and be taught in their mother tongue, to learn their history and culture within the framework of the teaching syllabuses and curricula.

63. Ministry of Education and Science and its depending institutions are taking continuous measures to include as many pupils for all the schooling categories without any differentiation or discrimination of respective different zones and categories.

Administrative and Civil Legal Measures

1. Ministry of Education and Science has drafted the National Strategy of Development of Pre-University Education 2004 – 2015, approved by the Council of Ministers of Republic of Albania through the decision no 538, dated 12.08.2004, where there is ensured the education of all the strata of Albanian society.
2. Ministry of Education and Science has sent for implementation to all the Regional Education Directorates and Education Offices the strategy “On improvement of living conditions of Roma community”, and through the Instruction no 24, dated 27.08.2004 of the Minister of Education and Science, they are asked to report in writing twice a year with regard to implementing this strategy.

3. There has been issued the Order no 321, dated 11.10.2004 “On experimenting the psychological service in the pre-university education system”, as well as the Instruction no 30, dated 11.10.2004 “On implementation of Order no 321, dated 11.10.2004, of the Minister of Education and Science on experimenting the psychological service in the pre-university education system for the academic years 2004 – 2005 and 2005 – 2006”, which shall ensure the opportunity of offering the psychological service to all the pupils and specifically to the Roma pupils.
4. Ministry of Education and Science has issued the Instruction no 34, dated 08.12.2004 “On implementing the project “Second Chance” on the education of pupils who have abandoned school and of pupils who have been isolated due to blood feuds”.
5. Ministry of Education and Science has, in Article 13 of the Chapter III of Normative Provisions, prepared the respective part of the legislation for the education of Albanian pupils (asylum seekers and foreign) coming from abroad, a category which is not mentioned in the Draft-Report.
6. Ministry of Education and Science has accomplished a survey with regard to the work done with the disadvantaged children and it has drafted a plan for training the teachers working with Roma children.

Participation in education, participation of Roma children

To the effect of ensuring the boosting of participation of Roma children in all the education levels, Ministry of Education and Science has focused its work in the following aspects:

- Reconstruction of schools where there are groups of Roma children, such as in Berat, Elbasan, Korçë, Fier, Lushnjë, Shkoder, Tirane, etc;
- Through the implementation of the Instruction “On implementation of project “Second Chance”, there has been reduced considerably the abandoning of schools from 2% which was in the academic year 2003 – 2004, it is presently 0% in Permet, Sarandë, Delvinë etc, and on country scale it is 1.2%;
- In further cooperation with various associations and foundations for reducing poverty in the Roma families, with regard to the awareness to take their children to school as well as in the education of their children, where we can mention the cooperation with the Foundation “Help for Children”, with its seat in Korce and its branches in Berat, Elbasan and Tirane, and the Association “Refleksion” in Shkoder;
- In education of Roma children opening classes or kindergartens specifically for them, such as the kindergartens of Roma people in Korce, school of Roma people in Moravë of Berat, class in Llakatund and Novosele of Vlora, the depending school “Together” close to school Cajupi in Gjirokastër, school “Liria” in Shkoder, class in school of Roskovec in Fier. There have been opened separate classes at the schools in the districts of Elbasan, Berat, Pogradec, Korce, as well as courses against illiteracy in Zhupan of Fier etc.
- There have been considered with priority the opening of non-public institutions for educating Roma children, such as the school “Amaro Tam” in Pogradec and the school for Roma children in Kruja;
- In training of teachers working with Roma children to the effect of increasing the awareness of parents to send their children to the school such as the districts Gjirokastër, Berat, Korce, Elbasan, Durrës etc;

- There has been done the registration of the educators and teachers from Roma community and there has been affected their involvement with priority (although this number is very low) in these zones in order to respond better to the needs and mentality of this community, where we can mention the Director of the Cultural Centre of Fier, who was selected in reflection of the implementation of “Strategy for improvement of the living conditions of Roma people”;
- There have been a warded fellowships to Roma children;
- Ministry of Education and Science in cooperation with ISP and non-profit organisations, have performed various activities for promoting and observing human rights and specifically rights of children;
- With regard to introducing Roma language as a second language in the schools where there are Roma children, Ministry of Education and Science has not received any request from the Roma communities or such an act.

Lingual Education of Minorities

64. In the Republic of Albania there has been and is being shown special and continuous attention with regard to the education of national minorities, evaluating the right to education if the mother tongue as one of the basic elements of the identity of national minority. The Constitution of the Republic of Albania, law “On human rights and fundamental freedoms”, law no 7952, dated 21.06.1995 “On educational pre-university system”, amended through the law no 8387, dated 30.07.1998, On some changes in the law no 7952, dated 21.06.1995 “On educational pre-university system”, and a series of decisions of Council of Ministers as well as instructions of Ministry of Education and Science, issued for implementing the Albanian legislation, are indicators ensuring the guaranteeing, protection and furthering of educational rights of national minorities.

65. In the schools of Greek national minority, the proportion pupil/teacher is approximately 6/1, while on country scale this proportion is 18.3/1. Thus, the education cost of one minority child is approximately 3 times higher than the cost of education of an Albanian pupil. While in the schools of the Macedonian national minority, the report pupil / teacher is approximately 12/1. Even here the education cost of a minority pupil is approximately 65% higher than the cost of educating an Albanian pupil.

66. In the town of Gjirokaster, in the secondary pedagogical school there functions the branch “Teaching” for the Greek minority, where there are trained teachers for the schools of the Greek minority. This school, even though it has a small number of pupils, has remained functional. Here there are trained teachers of the school of the Greek National minority. At the same time, in the University “Eqerem Cabej”, in Gjirokaster (year 1993), there was opened the Greek language branch. In 1997, in Tirane University, in the Faculty of Foreign Languages, there was opened the branch for Greek language.

67. In the education of the **Greek and Macedonian national minorities in Albania**, there have been marked in the recent years obvious and concrete achievements. These achievements are reflected in the structure of the education of the minority in the teaching syllabuses and curricula, as well as in the specific texts of these schools. In the minority schools, there have been introduced

new subjects: “Knowledge on Greek/Macedonian people history” in the 8-year education and “Greek / Macedonian language” for the first and second year of the middle school.

68. Implementing the Instruction of Ministry of Education no 12, dated 13.08.1996, in the towns of Saranda, Delvina and Gjirokaster, where teaching is held in Albanian language, for the persons of Greek minority there function even classes where teaching is held in their mother tongue.

69. In the recent years, there has been introduced as final exam in the eighth grade in subjects of the mother tongue and reading (written and oral).

70. In the new draft-syllabus of the obligatory 9-year education of minorities, differing from the existing syllabus, there has been foreseen as a new subject even the teaching of national geography.

71. In the teaching curricula and syllabuses, there are created possibilities that the minority pupils in these schools study the history, traditions and culture of their nation.

72. In accordance with the Albanian legislation, there functions also an non-public school for the children of Greek national minority (since 1998). This school is in Tirane and is called “Arsakeio” (Albanian – Greek College of “FILEKPEDHEFTIQI” Foundation). In this school, along with the teaching syllabus and programs in Albanian, there are also taught subjects in Greek, such as: Greek language, study of environment / geography, health education, mythology / history, theatre play, popular tradition. This school is not just for children of Greek national minority, but there have been registered also many Albanian children.

73. Ministry of Education and Science has received a request from the association “MORACA – ROZAFA” for opening a school in the Montenegrin language. For this we explain:

1. The opening and closing of schools of pre-university system in a region shall be done in accordance with the Decision of Council of Ministers no 396, dated 22.08.1994 “On 8-year education in mother tongue for persons in national minorities”. In accordance with this decision, there has been issued the respective Instruction from the education institution no 14, dated 03.09.1994.

2. In paragraph 6 of this decision, there has been provided for the practice which shall be followed for opening the separate classes in community centres where there are different minorities. The teaching of the mother tongue by representative of national minorities shall be allowed as a voluntary subject, however, there must be observed the respective procedure, where the most important is the continuous preservation of contingents of pupils. The decision for opening these classes or schools shall be made by the prefect who has the region under his jurisdiction. Ministry of Education and Science does only the approval, following the respective decision.

Article 3 – Equal Rights between Men and Women

74. The state mechanism pertaining to the gender equality in Albania is the Committee for Gender Equality (CGE). This committee is the main authority for promoting the gender equality. Presently it is in the Ministry of Labour and social Affairs and Equal chances and it is under the authority of the Council of Ministers. The activity of Committee for Gender Equality is led by an Inter-Ministerial Commission.

75. It is recognised that the impact of the Committee for the improvement of the situation connected to the gender equality is limited due to the political and state limitations as well as capacity related restrictions.

- Although legally CGE is under the authority of the Office of Premier, it has been transferred to different ministries or offices, thus downgrading its status each time and consequently also its ability to influence policies and programmes.
- It is not part of the civil service, and consequently, their staffs is not paid adequately.
- Presently the Committee does not have a clear mandate or a description of its functions and role. In the meantime, in Albania there exists a National Platform for Gender Equality (2002 – 2005) – however, this has not yet been approved by the Government and it has not been financed appropriately – and this is an indicator of insufficient commitment of the Government with regard to gender related issues.
- Capacity of Committee to lead and influence the gender related analysis and gender mainstreaming in the public sector is still restricted.

Contact points in each of the sector ministries

76. Each of the sector ministries has a contact point connected to the gender issues, which is responsible for the integration of policies and gender issues in the ministry. Although these have been trained during the project period, they are still incapable to perform their activity. Generally they are in low positions, or they have a limited time or status to work with gender related issues. CGE does not have jurisdiction on the contact points – thus, it does not have the influence to ask them act or to evaluate their performance.

Regional contact points

77. They have received trainings, however, they do not have the expertise to perform gender related analysis in order to support the gender mainstreaming in the local policies and programs. They are working voluntarily, since they have been employed fulltime in the administration of local government.

78. In 2001, Committee for Gender Equality has developed an action platform for women (2001 – 2003) in order to promote gender equality between women and men in politics, decision making, financial capacity, social problems, health and education. In 2004 – 2005 there have been implemented a 1 year programs based on the international obligations which stem from DEDAW Convention and Millennium Summit, which have been ratified by the Albanian state.

79. To the effect of drafting a middle term strategy 2006 – 2010, CGE has submitted to the Government and donors (UNDP+OSCE as supporters of gender related programs in Albania) a

project for the organisation of the work in support of the above mentioned idea, thus being supported by the civil society and women networks.

II. Issues Relating to Specific Provisions of the Covenant (Articles 6 – 15)

80. According to the data reported by the National Employment Service, the unemployment rate at national level, by the end of the year 2005 was 14.1 % or 153 thousand job seekers and unemployed registered in the employment offices.

81. As regards the measures taken to reduce unemployment in the north-eastern areas of Albania, it has been recently drafted the Order No 645 dated 20. 03. 2006 “On priorities of the program for fostering employment for the year 2006”, of the Minister of Labour, Social Affairs and Equal Opportunities, where inter alias, in the areas of employment promotion program implementation, priority will be given to the areas of mines, digging and processing industry, which are characteristic for the Albanian north-eastern areas.

82. The Order No 645 dated 20. 03. 2006 “On priorities of the program for fostering employment for the year 2006” of the Ministry of Labour, Social Affairs and Equal Opportunities, the employment promotion program in pursuance of the Decision of the Council of Ministers No 632 dated 18. 09. 2003 “On the employment of female unemployed job seekers” is given precedence to the other programs. Additionally, 50 % of the funds of these programs has been allocated for the implementation of female- oriented programs.

83. By the end of 2005, due to the activity of nine Public Vocational Training Centres, 7004 course participants have been certified, out of which 4388 are females. Ninety one persons (out of which eleven women) have benefited (being enrolled free of charge) from the Order No 394 dated 23. 02. 2004 “On tariffs of the vocational training system” of the Ministry of Labour and Social Affairs. 6863 persons, out of which 5422 females were trained by the private licenses centres in 2005.

Article7-The Right to just and favourable conditions of work

84. In accordance with the International Convention for Economic, Social and Cultural Rights and concretely its Article 7 “Right to fair and favourable conditions of employees connected to prevention of accidents in work station”, the Labour State Inspectorate operates based on the existing legal package, supplementing and improving it to the effect of approximating it to EU legislation, concretely the Decision of Council of Ministers no 742,dated 06.11.2003, with regard to the medical service in enterprise, and this decision has been accompanied with an instruction signed by the Minister of Labour and Minister of Health. The aim for drafting this decision is for this service to be close to the employee starting from the moment of recruitment and regulating also the

measures which have to be taken in the work station by the employer in order to avoid the accidents at the work stations and the professional diseases.

85. Through the controls performed by the local inspectorates at different entities, there has been paid special priority to the employment relations, security and health at work, which have to do with the preservation health of employees in general and prevention of accidents at work specifically. We explain that the priority of Albanian labour inspection for the period 2006 – 2007 remains the drafting of the comprehensive legal package of “Safety and health at work”, approximated through the recommendations of EU.

86. System of salaries of civil employee

The system of salaries for civil employees from the perspective of structure and elements of salaries has started with its implementation through the piloting phase in 1999, through two decision of Council of Ministers, respectively: Decision no 194, dated 22.04.1999, “On approval of salaries structure of teaching personnel in the pre-university education”, for the employees of pre-university education and Decision no 358, dated 28.07.1999 “On approval of the salaries structure of customs employees”, for the customs employees (as priority sectors).

87. Law no 85459, dated 11.11.1999, “Status of civil servant” approved, through its Article 18, the salaries structure and remuneration for civil service. In a second phase, which has already been foreseen and piloted, there was drafted the system of salaries for the civil employees through the approved by the Council of Ministers of the Decision no 711, dated 27.12.2001, “On structures and levels of salaries of civil employees in institutions of central administration, administration of President and Assembly and some addenda and amendments in the Decision no 726, dated 21.12.2000, of the Council of Ministers, “On salaries of employees of budget institutions”, amended through the respective decisions”, and some amendments of this decision through Council of Ministers Decision no 589, dated 22.11.2002, no 560, dated 01.08.2003 and no 215, dated 16.04.2004.

87. Structure of salaries for civil employees consists of the following elements:

1. Group salary,
2. Seniority allowance,
3. Qualifications allowance,
4. Work station allowance.

88. At the same time, the civil employees are entitled to benefiting an allowance due to their annual allowance. This is not a part of their salary.

89. Civil employees benefit also and allowance for their work beyond office hours, which shall be granted under the conditions provided for in the legislation on civil service, as well as in the respective decision of Council of Ministers regulating the working and resting time.

- *Group salary* – corresponds to the education level which is required by the position. Practically the decision determines the same group salary, since all the civil employees are with higher education¹; this component has a value of 9 306 lek.
- *Seniority allowance* – this allowance shall be calculated in percentage based on the group salary (it has been preserved as a concept, but its weight has been reduced as a result of reduction of the base on which it shall be calculated *from Basic Salary in Group Salary* to the effect of reducing its weight in the total of the salary per person). It shall be calculated 2% each year (at the end of the year) up to 25 years of seniority and after this the salary shall remain the same as the last year.
- *Qualifications allowance* – this component rewards the service experience and qualification of employees (in addition to the qualification needed for accomplishing the work) gained through trainings and experiences which aims at developing the “horizontal career” for professions, which do not have managing positions. For the moment this component is not applicable, thus it is at zero level.
- *Work station allowance* – this new component of salaries rewards the specific weight of every work station (thus it is a non-personal component of the salary) relying on the complexity of the work, responsibility it poses, education and necessary qualifications it needs for the performance. This component is absolutely one of the main ones representing increasingly 50% of the salary of each individual up to 80% of the total salary in the highest hierarchical positions. Setting of salary per position, which in its essence differentiates the salary of the civil employee, relies on the description of the work for that work position.
- *Performance status* – rewards good performance results. This allowance shall be provided once at the end of the year and shall be based on the results of the evaluation of individual performance results, based on the system of performance evaluation in civil service.

90. Categorisation of positions in civil service.

New system of salaries for the civil service is simpler and breaks all the employees down into 9 categories, as follows:

three categories of specialists:

- first specialist (or senior level);
- second specialist (medium level);
- third specialist (or junior level which are simply executors of acts);

two levels of sector heads:

- sector head of senior level;
- sector head of junior level;

two levels of directors:

- general department director;
- department director

¹ With regard to group salary, the payment has been determined definitely for all the positions of civil service.

two levels for general secretaries, as well as department director:

- General secretary in the Council of Ministers/Presidency/Assembly;
- General secretary in ministry; department director in Premier's Office, as well as Director of Public Administration Department.

91. The basic principle on which this system of salaries relies is the categorisation of civil employees in accordance with the job description, which is done according to the approved methodologies for the jobs description and listing of jobs in the civil service, in the Instruction no 1, dated 13.06.2000, of the Council of Ministers "On structure and listing of jobs in the civil service, respective methodology and generalising description of the role of the General Secretary in this service".

92. This system has in its essence the "work station allowance", which represents the allowance due to complexity of the job and responsibilities. The system presumes that based on the methodology for the description and listing of jobs in the civil service, all the job positions, with regard to which this system is effective, are included in one of the approved categories and consequently they shall be rewarded through the work station allowance pertaining to the specified category.

93. With regard to the categorisation in itself, it is a process which is implemented in two basic ways at the moment of approval of the structure of institution by name, determining the organisational rank of the internal unit, director general or director, as well as through categorisation, in accordance with the job description for the positions of the sector head or specialist.

94. The implementation of this system is complete following the categorisation of the sector ministries.

95. Scope of application of the system of salaries for civil servants

Upon the approval of the Decision no 711, dated 27.12.2001, of Council of Ministers, "On structures and levels of salaries of civil employees in the institutions of central administration, administration of President and Assembly, and some addenda and amendments in the Decision no 726, dated 21.12.200 of Council of Ministers, "On salaries of employees of budgetary institutions", amended through respective decisions", this new system of salaries was made applicable for all the civil employees in Premier's office, sector ministries, administration of Assembly and that of President of Republic and Central Elections Commission.

96. Through the approval of some special decisions, this system of salaries (in a more simplified form) extends its scope of application even to employees in

- independent institutions;
- some institutions under the authority of Council of Ministers,
- some institutions under the authority of ministries.

97. **System of salaries for local government**

In the framework of the strategy of Government of Albania concerning the reform in the field of salaries, as a result of cooperation with the Ministry of Local Government and Decentralization, Ministry of Labour and Social Affairs and Department of Public Administration (in 2004), to the effect of performing the legal obligation which stemmed from Council of Ministers Decision no 240, dated 28.04.1999, "Strategy of Government for Restructuring Salaries in Public Administration", as well as for ensuring uniformity of salaries in the entire Albanian public administration, there was drafted the structure of salaries of local government units, which was made concrete through the approval of the Decision no 551, dated 07.11.2002, of Council of Ministers. The decision regulates the setting of salary for all the employees and elected persons in local government authorities. Concretely, the approved systems of salaries are:

- For civil employees there was approved the salaries structure according to Article 18 of the law no 8549, dated 11.11.1999, which had started to be applied earlier for the pre-university education and civil employees in the central administration institutions as well as a part of independent institutions. In the decision, for each class or category of positions of civil service there have been determined the minimal and maximal levels of salary, leaving it at the discretion of the respective councils of the local government authorities (and this is in accordance with the law on organisation and functioning of local government) to determine for each employee the salary within these limits. As minimal value of the classes and categories of the position of civil service there were determined the values of the actual salaries of these employees at that period (year 2002).
- For elected people and their cabinets, within the logic of determining the minimal and maximal level of salaries for each of them, there was determined the definite system of salaries.
- For the other auxiliary personnel (not elected and not civil employees), there was determined the system of definite salaries and simultaneously the decision determines the maximal level of the salary in general and not for every position separately.
- At the same time, the decision shall determine the obligation of the councils of local government authorities to determine the levels of salaries for employees of economic units and dependant institutions, with the exception of the cases when it has been foreseen differently by law.

98. State is working for determining the minimal salary.

99. In the framework of the implementation of the National Program "On the elimination of child labour in Albania" by the Children's Work Unit as the implementation agency of this program in the Ministry of Labour and Social Affairs due to the technical and financial support of ILO/IPEC, a series of programs have been applied and followed aiming at:

- The establishment of an institutional framework for the implementation of the national program on "Child labour elimination".
- Enhancement of capacities and training of labour inspectors and the representatives of partners and institutions related to child labour, in terms of expansion of required

knowledge and skills for the identification, monitoring and handling of child- oriented issues, to be treated effectively and monitoring children's labour issues.

- The increase of general awareness regarding the phenomenon of child labour, with the view of its prevention and progressive elimination.
- The review of the legal framework on child labour for its harmonization with the relevant international standards.

Institutional framework

- The Steering National Committee of the ILO-IPEC Program "On the elimination of child labour in Albania", directed to the integration of child labour issue in the national policies and strategies.
- The Child Labour Unit attached to the Ministry of Labour and Social Affairs, as national and coordination focal point of activities related to child labour, through a broad alliance of partners, in close cooperation with the IPEC Program Office in Albania.

In the framework of this program, we may mention the following activities:

- Contribution to the review of the national legislation regarding child labour, for its harmonization with the international standards, which was finalized with the Study "Child Labour and national legislation", published in May 2005.
- The National Report on child labour in Albania is in a finalization process, as a national document related to national policies on child labour, the current situation and recommendations of the action plan proposed that will facilitate the implementation process of these policies through the involvement of a wide range of stakeholders and active institutions in addressing child labour related issues, both at central and local level.

Currently, work is being focused on the implementation of the Project "Monitoring system of child labour in Albania", aiming at the institutionalization and monitoring of child work, by piloting three regions, Tirana, Korçe and Berat, by properly addressing this problem at three levels: the strengthening of capacities at central level; piloting on community basis in three regions and drawing up positive practices regarding this issue. The Strategy of the Program on the Monitoring System of Child Labour in Albania shall incorporate the following elements:

- Identification and evaluation;
- Alienation from labour and prevention of trafficking and the referral of relevant cases.
- Reporting and verification through a close cooperation with the partners at central and local level.
- The system shall also ensure information that will foster the enforcement of legislation, policies and existing regulations.

Article 8 – Rights of Trade Unions

100. Striking by civil servant shall be prohibited.

1. Striking shall be prohibited in special situations, and as long as this situation prevails.

Special situations:

- a. natural calamities,
- b. state of war,
- c. extraordinary situation,
- d. cases when freedom of elections is at risk.

2. Striking shall not be performed in the service sectors of essential importance. In this case, the collective conflicts shall be resolved finally and bindingly by the court of arbitration.

Service sectors of essential importance are:

- a. medical or hospital indispensable services,
- b. service of water supply,
- c. service of electrical power supply,
- d. service of controlling air traffic,
- e. service of fire fighting,
- f. services in penitentiary institution.

3. Striking shall be prohibited for civil employees.

101. Procedure for mediating conflicts lasts up to thirty days prior to starting striking.

Article 9 – Right to Social Security

102. The social protection scheme is implemented via the program of economic assistance, program of payment of persons with limited skills and potentials and social care services.

Pursuant to the article 5 of the Law No 9355 dated 30. 03. 2005, the scheme of economic assistance is operational, which represents an economic program in the form of cash transfers to support families that fully lack incomes or have insufficient incomes. 120 urban and rural families benefit from the said economic assistance program.

In application of the Decision of Council of Ministers No 747 dated 14. 12. 2005 “On determining criteria, procedures and economic assistance measures”, the selection of applicant families and the identification of the measure of economic assistance for each family, the local government units, in addition to the general criteria determined in the legislation, apply specific criteria in accordance with the social situation of the families on health issues, women headed families, families with sick members, handicapped people etc.

Pursuant to the article 7 of the Law No 9355 dated 30. 03. 2005, persons with limited skills and potentials, blind persons and disabled and tetraplegical persons are supported by cash payment.

By decision of ad hoc medical commissions, this category of people is selected for special care and a paid custodian. Through this scheme, about 60 thousand persons with limited physical and mental capacities, blind people, disabled and tetraplegical persons are supported.

The social protection schemes are supported by the funds of state's budget. Their implementation is under the responsibility of the central and local government structures.

Pursuant to the article 9 of the law No 9355, the following persons do not benefit from these programs:

- i) Albanian nationals living abroad as immigrants, with the exception of persons and their families tasked to work at the Albanian diplomatic representation facilities and at international bodies;
- ii) Asylum- seekers who have not received the asylum status yet;
- iii) Albanian nationals, foreign nationals or persons with no citizenship, who need emergent aid, due to natural disasters and wars.

Article 10 – right to Social Security

103. There are no official figures available regarding the employment of adolescents from 14 to 16 years old.

104. In Conventions and other international instruments pertaining to this field. Ministry of Justice does not possess statistical data connected to the problem of domestic violence, while with regard to sexual exploitation of minors, during the first nine months of 2005, according to the statistical data in our institution, there turns out to be two persons sentenced for violent sexual relations with minors, according to Article 101 of Criminal Code. With regard to trafficking of minors, there are no criminal offences during this 9 month period.

105. With regard to the measures taken for fighting these phenomena, we'll mention:

Amendments in Criminal Code:

There have been foreseen special provisions with regard to the above.

Thus, in an important provision connected to exploitation of prostitution under aggravating circumstances with minors, there has been provided for the entirety of Section on "Prostitution", determining even the penalty from 7 to 15 years imprisonment (Article 113 of Criminal Code).

At the same time, there has been foreseen in the Criminal Code that production, distribution, advertisement, importing, sale or publication of pornographic materials in environment with minors consist criminal contravention and shall be sentenced through fine or imprisonment up to two years (Article 117 of Criminal Code).

With regard to trafficking of children, as a phenomenon appearing recently and taking up relatively increasing proportions in the Albanian reality, there was considered to be necessary to work out a new provision in the Criminal Code.

Initially, in 2001 in the Criminal Code, there was classified as a criminal offence the trafficking of children to the effect of material profit or any other benefit, providing also for the imprisonment sentence from 10 to 20 years.

The same criminal offence committed in complicity and accompanied with maltreatment or exercise of physical violence against the minor shall be sentenced to a higher penalty from 15 years to life imprisonment (Article 128çb of Criminal Code).

The subsequent amendments aimed at extending the scope and other ways performed to the effect of achieving the illegal trafficking of minors.

Thus, there was evaluated and determined as punishable such phenomena as: recruitment, transporting, transfer, hiding or reception of minors to the effect of exploitation of prostitution or other forms of sexual exploitation, of forced labour or services, slavery or other forms similar to it, utilising through transplanting organs, determining the penalty from 7 to 15 years imprisonment, accompanied with a fine of 4-6 million lek.

At the same time, in the same provision there is foreseen the imprisonment sentence from 10 to 20 years imprisonment accompanied with a fine of 6 – 8 million lek for persons, organising or leading financing and trafficking of minors.

To the same extent important and punishable is also the case of committing this criminal offence in complicity, bringing about serious consequences for the health of the minor or his death. In this respect, the provision has aimed at aggravating the penalty up to life imprisonment and in addition to that a fine from 6 to 8 million lek.

Another feature of this provision is foreseeing the perpetration of this criminal offence through making use of a state function or public service. (According to the statistical data in our institution for 2004, there turned out to be sentenced 8 persons with regard to this criminal offence).

National Strategy for Trafficking where Ministry of Justice is involved

From this perspective, Albanian Government has, through its decision no 171, dated 11.2.2005, approved “National Strategy against Trafficking of Children and Protection of Children, Victims of Trafficking”. For the implementation of this strategy there has been tasked the State Committee for Combating Trafficking of Human Beings, and specifically for following up, controlling and accomplishing the tasks set in this document.

Accession into important international instruments specifically dealing with the phenomenon of trafficking of children, Optional Protocols

In addition to the development of domestic legislation in the field of rights of children, Ministry of Justice is maximally committed to preparing the respective acts which have been considered and approved by Council of Ministers connected to the accession of Republic of Albania.

Among them we mention the Decision of Council of Ministers no 287, dated 28.04.2005, on approving and signing the Optional Protocol of “Sale of children, prostitution with children and pornography with children” in accordance with the Convention “On protection of children rights”.

This important document imposes on the states a broader commitment for taking measures to the effect of guaranteeing the protection of children from sale, prostitution and pornography with children. The outcome of this commitment was the development of the abovementioned legal framework in accordance with the Convention “On the rights of the child”, regardless of the fact of the approval of protocol lately. The Optional Protocol of UN Convention “On the rights of child” pertaining to the sale prostitution with children and pornography with children, consists in strengthening the international cooperation in combating these phenomena. The signing of this Protocol by the Albanian government is another progressive step in the framework of multilateral and international cooperation in this field to the effect of protecting children and boosting effectiveness in combating these phenomena.

Convention civil aspects of international kidnapping of children

At the same time, Ministry of Justice, sent for consideration and approval to the Council of Ministers the draft-law “On Accession of Republic of Albania to the Convention “On civil aspects of international kidnapping of children”, signed in the Hague, on 25 October 1980”. It is worth mentioning the fact of approval of this important document by Council of Ministers.

This convention is one of the most important acts of international private law, where an important attention shall be paid to the protection of interests of children and specifically the international protection of children from the harmful consequences of taking them away of keeping them unfairly, as well as implementing certain procedures, to the effect of returning these children immediately to the countries of their permanent residence.

With regard to domestic violence, the latest data from the Ministry of Health have been ensured through the reproductive health survey of year 2002. Its outcome is that there is a relatively low prevalence of physical violence. Only 5% of interviewed women confirm to have experienced physical violence during the last year. Verbal violence (last year) is very widely spread, with 23% of women confirming it.

Ministry of Health, in cooperation with Faculty of Social Sciences, has started undertaking some acts with regard to evaluation of knowledge and attitude of health personnel in the country to the effect of organising the training of family doctors with regard to this problem

Article 11 - The right for an adequate standard of living

106. Before 90-s, during the period arch of 40 years, a number of Albanian nationals have been accused, tried, sentenced and imprisoned, deported or persecuted for infringements of political nature, thus violating their civil, social, ethical and economic rights.

107. The Parliament of the Republic of Albania has established a legal system with the view of finding the former prisoners and politically persecuted people not guilty. The Law No 7514 dated 30. 09. 1991 "The plea of not guilty, amnesty and rehabilitation for the politically sentenced and politically persecuted people", amended with the law No 7660 dated 14. 01. 1993 and the Law No 7719 dated 08. 06. 1993 in terms of the law enforcement area, has found the beneficiaries not guilty and not sentenced due to ethical, political, social and economic effects, all persons who have been sentenced of:

- a. propaganda against the state,
- b. escape,
- c. sabotage,
- d. establishment or adherence to political organizations,
- e. failure to reports crimes against the state,
- f. those who have been sentenced of libel and offences against senior bodies of the state and the Party of Labour,
- g. violation of the decree No 7459 dated 22. 01. 1991 "On observation and protection of monuments related to national history and state symbols",
- h. violation of the decree No 7408 dated 31. 07. 1990 "On rallies, meetings and manifestations of nationals in public places",
- i. all Albanian nationals who left Albania during war or after country's liberation until 8 may 1990 due to their political convictions or their political activity, excluding those who have committed terrorist or sabotage acts, when those offences caused death or other serious consequences.

108. The Law No 7748 dated 29. 07. 1993 "On the status of the former sentenced and politically persecuted persons by the communist regime", amended with the Law No 8665 dated 18. 09. 2000 has been approved with the view of guarantying the status of persons who have served sentences according to the above mentioned specifications.

109. Pursuant and in application of the said laws, several bylaws have been approved as follows: The directive of the Council of Ministers No 12 dated 16. 09. 1993 "On the procedure of granting the right of status to the former sentenced and politically persecuted persons by the communist regime"

110. The decision of the Council of Ministers No 504 dated 18. 10. 1993 "On the emission of state bonds for the compensation of the former owners and politically persecuted persons".

111. Pursuant to the Law No 7748 dated 29. 07. 1993 "On the status of the former sentenced and politically persecuted persons by the communist system", the competent state body for the

observation of the rights emanating from this status is the State Committee of the Politically Persecuted Persons (Article 21).

112. Additionally, the Institute of Politically Persecuted People, a body under the subordination of the Ministry of Labour, Social Affairs and Equal Opportunities has drawn up the lists of persons bearing the status of the former sentenced and politically persecuted persons by the communist system and due to the assistance of the Judicial Records Office attached to the Ministry of Justice, it has been identified the accurate number of the politically persecuted persons in nominal lists, determining the type and sentence term served from July to August of the year 2003.

113. The Bureau of the World Food Program has continued to operate in Albania, and in cooperation with the central and local government structures has ensured food assistance to certain groups of the population facing difficulties of various natures as far as access to food is concerned. The Ministry of Health in cooperation with UNICEF continues to conduct a series of activities at national level concerning the promotion of breastfeeding activity.

114. The Ministry of Health and the Ministry of Education and Science in cooperation with UNICEF have elaborated a promotion program, including a healthy nutrition program for 9 grade school students. Educational materials have been prepared and several training activities have been undertaken for the teachers.

115. The Public Health Institute has conducted for the first time in Albania the monitoring of behaviours regarding the nutrition among young people from high schools and it is constantly estimated the prevalence of malnutrition in children ranging from 0 to 5 years old. A large body of data report that malnutrition has declined with rapid paces. Although there might still be problems regarding the access to the adequate amount of foods for certain groups, malnutrition and unhealthy diets have become a concern to the majority of the population.

116. Additionally, except the interventions regarding the promotion of a healthy diet among school children, monitoring studies in expanding knowledge about this diet, have been conducted. The outcomes are promising.

117. The categorizations for the “homeless” persons in the Republic of Albania have been identified as follows:

1. Families which do not own any lodgings.
2. Families that own residential surfaces below housing standards
3. Families that have remained homeless as a result of natural disasters
4. Families that benefit from one of the conditions ranging from 1 to 3 and have low incomes, which are estimated in accordance with the questionnaires that are stipulated by the Law No 9232 dated 13. 05. 2004.

118. Of these, priority is given to those families which meet the provision No 4 and one of the conditions from 1 to 3 and which bear the following specifics:

1. Families which prove that have not benefited from the Law No 7652 dated 23. 12. 1992 “On the privatization of state dwellings”,
2. Families, where the breadwinner is a widow or divorced woman,
3. One parent families with children,
4. Elderly people who have turned the required age of retirement and who are not selected to be sheltered in public institutions of social care,
5. Individuals with limited skills, enjoying the status of the blind of first category, paraplegical and tetraplegical crippled persons, labour disabled persons of the National Liberation War,
6. Families that have changed their residence due to employment effects
7. Young couples with an overall age up to 55 years old.
8. Families with a big number of children
9. Individuals bearing the status of orphans since the moment of leaving the orphanage or foster centres, until 30 years of age.

119. According to the Albanian legislation in force, the law on asylum in the Republic of Albania No 8432 dated 14. 12. 1998, article 30 “On the refusal and eviction of foreign nationals, whose application for asylum is ultimately refused , this foreign national may be immediately evicted from the Republic of Albania after the Directorate for Citizenship and Refugees notifies the competent authorities of the ultimate decision of the rejection of application for asylum. Competent authorities imply the Directorate General of the State Police via the Boarder or Public Order Police. To date, the Albanian state authorities have not witnessed any cases of evictions of the rejected cases.

120. Numerous water natural resources are available in Albania. Situated in the southern part of Europe, facing Mediterranean Sea, the Albanian climate is characterized by hot summers, and mild and wet winters. The amount of waters at national level is abundant and the underground natural resources are numerous and of a high quality, both from organoleptic and physiochemical point of view. Actually, in the biggest part of the country, the quality of natural underground waters complies with the World Health Organisation (WHO) and national standards, hence, it has not arisen any needs for any kind of special treatment, except for the chlorine process.

121. Due to above mentioned reasons, Albania, as regards the supply with drinkable water is fully dependent on underground waters for drinking purposes, besides the area of the capital city, where the drinkable water is obtained from the treatment of surface waters only for its half.

122. The hydrographical basin of Albania has a total of 43.305 km out of which only 28.748 km or 67% are within the borders of Albania. The country is crossed by different rivers, part of six main basins, a number of natural lakes etc.

123. The situation of water supply system in Albania is critical, considering the too outdated networks, massive losses, illegal connections, uncontrolled migration to urban areas and the lack of maintenance due to lack of funds. The recovery of water supply varies from 90 % in urban areas to 50 % in the rural ones. On average, water is available only 3 to 4 hours per day and in some certain areas, water supply is even scarcer.

124. In the rural areas, where the water supply is not available, the population basically relies on the natural resources and the household wells to meet their needs.

125. Currently, the infrastructure related to drinkable water ensures the treatment of prevalently urban areas. The ordinary pressure in the transmission tubes is less than 1 bar whereas in the apartment buildings, the water in general rises with pumps installed in locations where there are buildings higher than two stories.

126. The canalizations network is even more outdated than the situation on waters. That happens because the improvement of the canalizations system has not been conducted on an ongoing basis with the improvements in the infrastructure and the materials and technology applied have not been improved.

127. Most of urban areas have sewerage systems which are discharged in the vicinity of the surface in water systems. The canalizations which in general are under-dimensioned are blocked in many places, causing outfalls out of the network, leading to the contamination of drinkable water.

128. Urban areas have often showed negligence in terms of the establishment of the infrastructure of water supply systems and canalizations, locating them closer than specified in the technical standards. In majority of cases, canalizations have been built above the water supply tubes, enabling the entrance of sewerage inside them, when there is no decrease in the network.

129. In most of the rural areas, there are individual systems of canalizations, basically simple septic tanks without discharge tubing system. The rural people themselves are responsible for the construction of those tanks and in general they build them based on no technical criteria and for this reason, there are expected problems out of them.

130. It is a hard task to apply the rational and appropriate use of the water resources by ecological point of view, including the prevention, control and reduction of water contamination. This policy starts with a comprehensive specification of the drinkable water quality standards.

131. The Albanian drinkable water quality standards represent an expression of the advanced European and WHO guidelines. Their application has been mandatory since 1998, when the previous standards were abandoned. Those standards were approved with the Decision of the Council of Ministers No 145 dated 26. 02. 1998. The strict observation of those standards is too important as it offers the opportunity to ensure the quality of drinkable water in the long term run, with no need of potential updates.

132. The Ministry of Health through the State Sanitary Inspectorate and the Public Health Institute, based on the Law No 7643 dated 02. 12. 1992 "On the State Sanitary Inspectorate" and the Decision of the Council of Ministers No 145 dated 26. 02. 1998 On the Hygienic Sanitary Regulation On the Control of the Quality of Drinkable Water, conducts the monitoring of the quality of drinkable water. This process is understood as a sequence of activities connected with each other, which starts with the identification of information needs and ends up with the use of information

products. The process of the monitoring of the quality of drinkable water is basically composed of five elements:

- Water administration
- Monitoring strategy
- Monitoring procedures
- Data management
- Institutional arrangements

133. Out of 37 Public Health Directorates, the samples of drinkable water are taken both in the source and in the bottom ends (according to a scheme specified in cooperation with the water supply enterprises), which are analyzed in the relevant laboratories of the regions where the examinations are conducted both by the physical- chemical point of view and the situation of residual chlorine. The data is sent on the fifth day of each month to the Institute of Public Health, where their processing is effected, drafting the bulletin of drinkable water. The bulletin is sent respectively to the Ministry of Territory Adjustment and the Tourism and the Local Government of each district to intervene in those cases where the quality of drinkable water had not met the required standards. The scheme of the monitoring of drinkable water has included 47 Albanian towns, which are supplied through the water supply systems.

134. The sewage standards in Albania were set out in 1974. The Ministry of Health ensured those standards as provisional but in fact they had never become permanent. Presently, the Ministry of Environment has prepared and approved in conformity with the law new standards in accordance with the European Directives of the year 1991 for the sewage of urban canalizations.

135. The new law on urbanization was approved by the Parliament of Albania bearing No 92323 dated 13. 05. 2004 and is undergoing the first stage of application. In 16.02.2006 the Parliament approved the law “for legalization, urbanization, and integration of constructions without permission”.

Article 12- The right of physical and mental health

136. The reform of the pharmaceutical service has been associated with the drafting of a contemporary legal framework, the enforcement of which regulates, controls the entire service and it always ensures an increasing level of production, import, trading of more quality, safer medicaments, facing all contemporary needs and requirements of the ambulatory and hospital health service.

137. The majority part of the dental service resulted privatized after the 1995, excluding only the service of dental urgency and preventive and curative dental service attached to the 9 grade and high schools, which remain a responsibility of the state.

138. The needs for dental services for the neediest groups of the population could be filled with the part of dental service, which has remained public and under state's responsibility. Anyway, this service is carried out in urban areas, whereas in rural areas it is still uncompleted.

1. Albania has a national strategy for the prevention of the proliferation of HIV/AIDS infection in Albania, which deems as highly important the informing of the overall population, young people, women and vulnerable groups such as intra-vein drug users, prostitutes, Roma population and movable population. Additionally we may state that as a part of this strategy, it is enabled the review of 9 grade and high school curricula regarding the sexually transmitted infections and HIV/AIDS in particular.
2. Ongoing awareness raising campaigns have been organized for the population and vulnerable groups. Due to those campaigns, posters, leaflets have been distributed, films have been broadcasted regarding HIV/AIDS and solidarity marches have been conducted in terms of the fight against AIDS. Those campaigns are organized each 1-st December (the international day of AIDS) and each trimester of the year via media. Also, campaigns have been conducted regarding the promotion of voluntary blood donation, as a prerequisite for the blood sufficiency and safe blood.
3. Training sessions have been carried out with the assistance of educators and damage prevention programs by the association due to the assistance of the national program of HIV/AIDS.
4. The National Program has recently undertaken an awareness raising campaign in the penitentiary system and the military environment to enable the prevention of the proliferation of HIV/AIDS in those categories and the awareness building of forces under uniform so as to provide assistance in this common struggle.
5. The national program has been seriously committed to establish and step up the counselling centre and the confidential voluntary testing, in order to upgrade the level of access of the population to preventive services and to offer more services for the vulnerable groups.

Articles 13-14 The right to Education

139. Pursuant to the article 102 of the Constitution of the Republic of Albania, the article 44 of the Law No 7952 dated 21. 06. 1995 "On the Pre- University Educational System" amended, the Ministry of Education of Albania has granted a considerable number of permits for exercising private activity, meeting all the requirements that the educational process strives to offer.

140. There are 333 private educational institutions of the pre- university system available in Albania, divided in accordance with the cycles and supplementary private educational institutions, according to the respective profiles, which are approved to be operational by the decision of the Council of Ministers or the Order of the Ministry of Education and Science. Also, 73 supplementary private educational institutions and 7 non- public Universities are operational.

141. The Law "On higher education in the Republic of Albania" No 8461 dated 25. 02. 1999, amended with the Law No 9120 dated 28. 07. 2003 and the Law No 9206 dated 17. 06. 2004 sets the criteria, the way of functioning and procedures for granting permits for the establishment of private

higher educational schools and are specified by this law and by other bylaws issued by the Council of Ministers in terms of its enforcement. The permit for establishing a private higher educational institution, conducting studies of University, non- university or postgraduate private studies is granted not earlier than 3 months after the date of the deposition of the application in the Ministry of Education and Science and not any later than one year from the date of its deposition in this Ministry. The opening of new branches, faculties or private non- university schools that shall be extended within the higher school established by the decision of the Council of Ministers, is effected by a request from the concerned legal entity and with the consent of the Ministry of Education of Albania. The request should be submitted not any earlier than two years from the functioning of the school (article 13).

142. Presently, the following schools are operational in the higher non- public education:

"New York University-Tirana"	DCM No. 397 dated 15.08.2002
"Luarasi" University	DCM No. 611 dated 11.09.2003
"Ufo Dental" University	DCM No. 197 dated 10.04.2004
"Zoja e Këshillit të Mirë" University	DCM No. 567 dated 27.08.2004
The Higher Educational Institution "Marubi"	DCM No. 652 dated 30.09.2004
"Marin Barleti" University	DCM No. 571 dated 12.08.2005
"Kristal" University	DCM No. 761 dated 06.12.2005

143. The higher public education (free of charge) was introduced in the Republic of Albania when the first public institution was established in 1946. Until 90-s, the higher education has been entirely public. After 90-s, only a minor part of the students (2 %) attend non- public higher education (private education) whereas the remainder follow studies at public schools.

The ratio of the participation in public and non- public institutions in the higher education for the period 2005- 2006, is presented as follows:

Higher education		
Participation ratio	Public institutions	Non- public institutions
	98%	2%

144. Taking into consideration that their operation lasts about 4 years (the University of New York is the first to be established in August 2002), a clear definition in terms of the quality of the educational and teaching work in those Universities cannot be carried out. Those institutions still have not graduated the first generation of students.

145. Ministry of Education and Science is presently in the process of reforming the curriculum. It has drafted the curricula for the new 9-year education system; it has drafted the curricula of the first and second form of this education, and it is working for drafting the curricula of the third and seventh form. It has drafted the texts of the first form of 9-year education, and it is presently working for the texts of the second and sixth form. It is also working for drafting a new teaching plan for 9 year education for minorities in cooperation with the representatives of these

communities. We highlight that for drafting this Draft-Plan, Ministry of Education and Science has already organised meetings with teachers, school directors, local specialists of the minority, as well as it has consulted the State Committee of Minorities in the Council of Ministers. For the academic year 2005 – 2006, the minority schools are going to operate in accordance with the new 9-year education system, which is going to start for the first form, and subsequently with the other forms.

146. In order to avoid the problems which are mentioned in the Draft Report, Ministry of Education and Science, the Instruction no 16, dated 29.08.2003, of the Minister of Education and Science addressed to all the schools and educational institutions has required that in all the teaching topics, dealing with the attitudes to the neighbouring countries and the region connected to our country, the teachers have to transmit to the pupils the message of understanding, harmony, tolerance and cooperation in the relations among the nations and countries of the region. There have been provided instructions even with regard to specific topics and subjects. The full reformation of these texts shall be done parallel to the introduction of the new structure of obligatory 9 year education.

147. Concerning the statistics of school abandonment level among street and minority group children, the school abandonment rate for the academic year 2004- 2005 is 0,9 %. The school abandonment figures are presented by the end of the academic year, namely 2005-2006. Gjirokastra, as a district displays a 0 % level of school abandonment, thus demonstrating that the vast majority of minorities attend school on a regular basis. Minority group pupils from Korça, Saranda, Devoll have not reported school abandonment.

148. Referring to the statistics, the number of female students entering Albanian Universities and higher education system is significantly higher than the number of male students. Hence, the situation of the involvement of female students is better than the one related to males.

1. Accordingly, the total of students entering University on a full time basis is 50567, out of which 29826 are females.
2. 13843 part time students, out of which 8295 are females.
3. 8055 correspondence students out of which 4263 are females.

Article 15- Cultural rights

Mass- media in the languages of the national minorities in Albania:

Pursuant to the article 22 of the Constitution of the Republic of Albania, guarantying the freedom of expression, the freedom of press, radio and television access to everyone, even for national minorities, forbidding the preliminary censorship; and pursuant to the Law No 8239 dated 03. 09. 1997, “The act of freedom of press”, the following print media are available in Albania:

Press:

Greek minority: “Laiko Vima”, Voice of Omonia (weekly), “2000” (in Greek, English and Albanian languages), “Oasis” and “Progress”, tabloids.

Macedonian minority: “Prespa” (once in every two months), “Mir” (published until 1996).

Vllah linguistic minority: “fratia” (monthly), “Aremeni di Albanii”.

Roma minority: “The star of caravan”, “Amaro Dives” (currently not published due to lack of funds).

Egyptian linguistic minority: “Papyrus”.

Radio:

2. Radio station “Gjirokastra” broadcasts 45 minutes in Greek language on a daily basis.
3. Radio station “Tirana” broadcasts a program twice a week (with a duration of thirty minutes) in Greek language;
4. Radio station “Korça” broadcasts a program five days a week (with a duration of thirty minutes) in Macedonian language;
5. The private radio station in Gjirokaster and in Prespa broadcast programs in Greek and Macedonian languages respectively.
