



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women  
Sixty-fourth session**

**Summary record of the 1414th meeting**

Held at the Palais des Nations, Geneva, on Tuesday, 12 July 2016, at 3 p.m.

*Chair:* Ms. Hayashi

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(*continued*)

*Fourth periodic report of Albania (continued)*

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

**Consideration of reports submitted by States parties under article 18 of the Convention** *(continued)*

*Fourth periodic report of Albania* (continued) (CEDAW/C/ALB/4; CEDAW/C/ALB/Q/4 and Add.1)

1. *At the invitation of the Chair, the delegation of Albania took places at the Committee table.*

*Articles 7 to 9*

2. **Ms. Ameline** said that, while the State party had made progress in terms of increasing women's participation in political and public life, legislative reforms alone were not sufficient; a more systematic, methodological approach with clear objectives as well as awareness-raising campaigns was required. She asked what concrete measures had been taken to ensure that there was a gender balance on party lists at all levels of politics and in decision-making posts; whether a transparent, corruption-free appointment process for recruitment to the civil service was in place to increase women's representation at all levels of government; and what steps had been taken to foster the participation of Roma and Egyptian women, women with disabilities and rural women in political and public life.

3. **Ms. Xhafaj** (Albania) said that in general there had been an upward trend in terms of women's participation in political and public life in Albania, including in the diplomatic service and the police force, as was borne out by the information provided in paragraph 10 of the replies to the list of issues (CEDAW/C/ALB/Q/4/Add.1). The Government was committed to further increasing women's involvement in all sectors through the implementation of specific measures, in particular to facilitate rural women's contribution to political and public life. The possibility of introducing a quota of 50 per cent representation for each gender on candidate lists for the 2017 parliamentary elections, in line with the practice adopted for the recent municipal elections, was under consideration. While barriers to the participation of Roma and Egyptian women and women with disabilities admittedly remained, women from all walks of life had the right to join a political party and stand for election. The Government recognized, however, that more needed to be done to promote greater representation of minority groups.

*Articles 10 to 14*

4. **Ms. Ameline**, commending the State party's concerted efforts to reduce illiteracy, said she hoped that further measures would be implemented to take literacy rates higher still. In that connection, she wished to know what action the Government intended to take to ensure that Roma children were not left behind. She asked what steps had been taken, or were envisaged, to increase the education budget and reduce disparities in school infrastructures and the quality of teaching, particularly in remote, rural areas; what provision had been made to facilitate access to education for children with disabilities; and whether school fees were a barrier to education, particularly for children in situations of poverty, some of whom were living in State institutions, such was their family's dire economic circumstances.

5. In view of the new opportunities arising in Albania as a result of increased tourism and its expanding technology sector, she would be interested to know whether girls were being offered careers advice that enhanced their prospects of gaining employment in those burgeoning areas of activity. She was concerned that girls were still subjected to harmful practices, such as early and forced marriage, which prevented them from fully enjoying

their right to education, and she urged the Government to do more to ensure that all children were protected.

6. **Mr. Bruun** said that, while the State party was to be commended on the introduction of new labour-related legislation, he would appreciate the delegation's comments on reports that the legislation in question was not being fully implemented and that women were not receiving their full pay and entitlements. He also wondered whether there were plans to increase the minimum wage, which was well below the family poverty threshold. Noting the significant reduction in the gender pay gap achieved over the past decade, he asked how the State party had accomplished such a feat, given that the pay gap remained a major problem in so many countries, and what it was doing to remedy the situation in those sectors where considerable wage gaps persisted. Noting also that there continued to be a lack of data on women's employment, and that what data existed were often contradictory, he wondered what measures had been taken, or were envisaged, to improve data collection and ensure that minorities were properly represented in the figures.

7. He would like to know whether women working in the informal economy were entitled to basic social benefits and how the Government intended to facilitate their transition from informal to formal employment. He noted with concern that there had been an increase in the unemployment rate for women for the period 2014-2015, while men's unemployment had decreased. That trend was particularly troubling in view of the fact that women's participation in the labour force was already low, at around 50 per cent, and he wondered what measures were envisaged to promote women's employment. Lastly, he wished to know whether the contribution to the economy made by the large number of Albanian citizens working abroad had been analysed from a gender perspective.

8. **Ms. Chalal** said that she wished to know what measures had been taken, or were envisaged, to eliminate the disparities between women and men and between rural and urban areas in terms of access to health-care services, particularly sexual and reproductive health services. In that connection, she wondered what action the Government intended to take to remove the barriers to enjoyment of the right to health that were faced by Roma and Egyptian women, women with disabilities and women in remote, rural areas. She would also be interested to know the root causes of the State party's high abortion rate; whether the national strategy on securing contraceptives had been implemented; and, if so, what human and financial resources had been allocated. In the light of the increase in mother-to-child HIV transmission, she asked what resources had been assigned to the national preventive programme and whether the efficacy of the programme had been evaluated.

9. She would also like to know whether there were plans to increase the health-care budget, which was currently just 2.6 per cent of gross domestic product (GDP), in order to facilitate the attainment of women's health objectives; whether well-equipped geriatric centres were available in the State party and, if so, how many there were and where they were located; whether civil society was involved in the drafting of health policies and legislation; whether any monitoring activities had been carried out in application of Minister of Health Order No. 421/01.10.2014 on oversight of health-care institutions, and, if so, what the results had been; and whether any system had been established to monitor the situation of women victims of violence or trafficking who had mental illnesses.

10. **Ms. Xhafaj** (Albania) said that the country had recently implemented its first national plan of action for young persons, which would pave the way for improvements in various areas of life such as education, health and culture. The plan included concrete actions and measurable indicators for the empowerment of young persons, including, in particular, children with disabilities and Roma and Egyptian girls. Girls and young women were also encouraged to undertake volunteer work, which often entailed providing social services for vulnerable groups and people living in remote areas.

11. **Ms. Topulli** (Albania) said it was important to note that the illiteracy rate among children under 10 years old had dipped to less than 3 per cent, an achievement which underscored the Government's commitment and the effectiveness of its literacy strategies. Raising the quality of education was a priority area for the Ministry of Education, and the State had taken part in the Organization for Economic Cooperation and Development (OECD) Programme for International Student Assessment for the period 2011-2014 as a means of identifying areas for improvement. Efforts to facilitate access to education for children living far from their place of schooling included the payment of travel expenses, while measures to reduce the dropout rate among Roma and Egyptian girls included fee reductions, summer camps and a "second chance" programme that offered additional classes to girls to enable them to complete their compulsory education. Awareness-raising campaigns to highlight the risks associated with early marriage had also been carried out in Roma and Egyptian communities.

12. The number of children with disabilities enrolled in public schools for the 2015/16 academic year was 3,500, which represented an increase of 10 per cent over the previous year. The Ministry of Education and Sports had issued instructions for the recruitment of 115 special education teachers to assist classroom teachers with pupils who had disabilities. Although primary and secondary public education was free of charge, tuition fees were charged for university and other tertiary forms of education. University admission quotas for students from the Roma and Egyptian communities were decided each year by the Cabinet prior to the commencement of the academic year, and such students paid no tuition fees for bachelor's degree programmes and 50 per cent of the fees for master's degree programmes.

13. The subject of early marriage was included in the life skills modules of the secondary school syllabus, which also included sex education. A memorandum of understanding had been signed with the United Nations Population Fund to conduct a pilot project in several cities to train teachers in sexual and reproductive health, which, if successful, would be expanded to other cities in Albania.

14. **Ms. Xhafaj** (Albania) said that the Government was moving towards the deinstitutionalization of children deprived of a family environment, particularly those placed in residential institutions owing to their parents' indigence. Measures adopted included finding foster families for such children and offering biological mothers the employment and services they needed in order to take care of their children.

15. **Mr. Kuka** (Albania) said that the overall number of students enrolled in the 42 vocational training institutes in Albania had increased considerably in recent years. As of 2013, vocational training and education had been placed under the responsibility of the Ministry of Social Welfare and Youth. Efforts to improve the sector included restructuring vocational training institutes, updating curricula, improving school infrastructures and establishing closer ties with business and industry. Many institutes had been twinned with prestigious vocational training institutes in other countries, which had served to enhance their reputation and increase demand for enrolment. Such schools were free of charge for students from the Roma and Egyptian communities.

16. According to official statistics, the wage gap between men and women had decreased from 35 per cent in 2005 to 6.9 per cent in 2015, the latter figure being based on gross wages registered by the tax service and obtained from the structural survey carried out by the Institute of Statistics. The main explanation for the decrease was that wages in the education and health sectors, where women accounted for 70 per cent of workers, had increased by more than 200 per cent in the past four years, whereas wages in other sectors had gone up by only 70 per cent during that period. Another factor was the higher number of women in management and policymaking positions and the corresponding increase in their wages. The methodology used to determine the 6.9 per cent figure had been based on

a comparison of the average gross salaries of men and women in various economic sectors throughout the country.

17. The Government had set up a number of mechanisms at the ministerial level to ensure compliance with its obligations under the International Labour Organization (ILO) Equal Remuneration Convention, 1951 (No. 100). In calculations to determine work of equal value within the public sector, the Government used a method approved by ILO that was based on job descriptions prepared by a special government body. Many large private sector corporations also used that method, but smaller businesses were unable to do so because they lacked standard job descriptions. No structure for making such calculations had been set up in the private sector.

18. **Ms. Galanxhi** (Albania) said that the Government would provide the Committee with information on women's employment based on quarterly labour force surveys and the annual labour market report produced by the Institute of Statistics. Although the Institute had collected updated information on Roma women in the latest household census, its current methodology did not allow for disaggregation of the data on that basis and a new statistical programme would need to be developed for that purpose. The Government would also provide information concerning remittances from Albanian female migrant workers.

19. **Mr. Barjaba** (Albania) said that a range of new health-care policies and programmes and a major reform of the health-care system had improved access to health care for women and girls. Progress had also been made in eliminating corruption in the health sector, as well as in reaching the goal of universal health-care coverage. In the past two years, a mobile mammography unit had made it possible to screen around 2,500 women in rural areas. All women and girls in the country had access to free contraceptives through the public health-care system and from certain civil society organizations.

20. The total number of abortions in Albania had decreased steadily in recent years. Abortions could be carried out only in public or private maternity hospitals, as private clinics were no longer licensed to perform them. The Ministry of Health had prepared a protocol on safe clinical abortion practices. Although there was no direct data on the level of selective abortion in Albania, figures showed that the ratio of boys to girls had consistently decreased in recent decades and was now reasonably balanced.

21. Health expenditure in 2016 was at its highest level for 25 years, accounting for approximately 12.8 per cent of GDP, and funds allocated to HIV/AIDS programmes would be increased by \$5 million over the next three years. Women from minorities were the direct beneficiaries of free primary health-care programmes and services and received medication at discounted prices, while uninsured women received all health-care services at discounted prices. Representatives of civil society and professional organizations contributed to the preparation of legislative proposals and budgeting policies. In order to improve their efficiency, hospitals were required to undergo an accreditation procedure and to implement drug protocols and clinical management guidelines. One reflection of improved efficiency was that waiting times for certain hospital procedures, notably those for cardiac patients, had been reduced.

22. **Ms. Galanxhi** (Albania) said that the Institute of Statistics was planning a demographic health survey whose results would be included in the State party's next periodic report.

23. **Ms. Xhafaj** (Albania) said that amendments incorporated into the Social Insurance Act in July 2014 provided for the payment of a special pension to all persons above the age of 70, irrespective of gender, who had resided in Albania for the past five years and who did not satisfy eligibility conditions for the receipt of a regular pension. In 2015, 1,628 elderly women had received such pensions.

24. **Ms. Ameline** asked whether the harmful practice of blood feuds, which prevented certain children from attending school, still existed.

25. **Ms. Topulli** (Albania) said that the blood feud phenomenon still existed. In the 2014/15 school year, 16 schoolchildren had been affected, while, in 2015/16, only 5 had been affected. The Ministry of Education, in cooperation with regional authorities, had developed a programme whereby a team of 10 university-trained teachers homeschooled children whose families had been isolated as a result of a blood feud.

26. **Ms. Pomeranzi** said that she would like to have more information on the criteria used to provide social assistance services in the 61 municipalities of the country, and in particular, on the criteria used to provide social housing for women belonging to vulnerable groups. She requested an explanation and a critical analysis of the practices of the Aluizni Agency (the Agency for the Legalization, Urbanization and Integration of Informal Zones and Buildings), which reportedly stood in clear violation of laws that required property to be registered in the names of both married spouses, and not only in that of the male spouse. She asked what measures the State envisaged taking to remedy that situation, including action to monitor implementation of the law at the local level and organize campaigns, especially in rural areas, to make women aware of their rights.

27. **Ms. Jahan** asked what concrete measures the State party had taken to ensure the incorporation of a gender perspective in all agricultural and rural development policies, strategies and programmes, including the rural development programme for the period 2014-2020, and thus to allow rural women to become stakeholders, decision makers and beneficiaries, notably through the use of targeted benchmarks for specific minority groups. Had any evaluation been carried out, using data disaggregated by gender, age and ethnic background, in order to assess the programme's impact?

28. She would be interested to know whether the ILO Decent Work Country Programme for Albania 2016-2020, which would include a gender component in the strategy for addressing undeclared work, placed special emphasis on rural women. She asked how subsidy evaluation schemes that provided support to farms managed by women were monitored, and whether women had sufficient information about such schemes to enable them to access the benefits. What efforts had been made to assist rural women in setting up and promoting production cooperatives and commercial enterprises and to make advisory services available to them?

29. The delegation should explain how the 50 per cent quota for each gender on candidate lists for the recent municipal elections had been implemented, and how compliance with the quota had been monitored, in the light of reports that political parties took advantage of the relevant provision of the Electoral Code by putting women candidates in positions on the list where they had no prospect of winning. She asked what steps were being taken to strengthen the mechanism used to sanction political parties that failed to comply with the law; whether an awareness-raising campaign had been organized to highlight the legal rights of women in rural areas in relation to access to land and property since the issuance of the Committee's most recent concluding observations (CEDAW/C/ALB/CO/3); and what measures had been adopted to improve the collection and reporting of sex-disaggregated data on the implementation of rural development schemes and the impact of temporary special measures to support rural women.

30. **Ms. Xhafaj** (Albania) said that the Government had recently undertaken a major reform of its economic and social assistance services. The legal framework had been strengthened and a computerized registration system had been established to streamline the provision of assistance. An integrated management system had also been set up to verify the data provided by applicants, and both systems would soon be operational throughout the country. Economic grants for families were now paid directly to women, as they were

better placed to manage the family budget. Spouses in the process of divorce could apply for assistance separately. Children also received assistance for school supplies, school fees and vaccinations, *inter alia*.

31. **Ms. Meko** (Albania) said that the Ministry of Urban Development was headed by a woman who had been a noted activist for gender equality and the eradication of gender violence and that 75 per cent of the Ministry's staff members were women, and 50 of them occupied senior management positions. Gender was a key factor in decision-making and two important strategic documents on social housing recently adopted by the Ministry — the social housing strategy and social housing bill — accorded special attention to women heads of households by providing for special bonuses and immediate grants. Housing conditions for Egyptian and Roma families would also be improved and a project to help orphans, implemented in conjunction with local governments, was envisaged.

32. As far as she was aware, families registered directly with the Aluizni Agency under the name of one family member only. Thus, should a family decide to register its property in the name of the male head of the family, the Agency was obliged to follow its wishes. However, should the family wish to register the property in the name of the female head, the Agency was likewise obliged to do so.

33. **Ms. Xhafaj** (Albania) said that, with support from UN-Women and civil society organizations, the Government had been reviewing legislation governing property rights with a view to facilitating access to ownership for women. The challenges identified as a result of that exercise included a need to amend both the Family Code and the Civil Code in order to guarantee equal ownership rights for women. Once enacted, the amendments would necessitate corresponding changes in the practices of the Aluizni Agency.

34. **Ms. Pomeranzi** asked whether the State party envisaged incorporating a definition of hate crime into the Criminal Code, particularly with a view to protecting lesbian, gay, bisexual and transgender women; whether it intended to draft legislation on the third age; whether it planned to introduce provisions to the Code of Criminal Procedure or the Code of Administrative Procedure that would bring national law into line with the provisions of the Convention on the Rights of Persons with Disabilities; and what standards were applied for the treatment of women in Albanian prisons. She would also like to know whether the Government had monitored the impact on migrant women of the national strategy for the reintegration of returnees and repatriated Albanian nationals, and what legal arrangements were in place for asylum seekers attempting to join relatives in countries of the European Union.

35. **Mr. Manohasa** (Albania) said that the recent amendments to the Labour Code had made its provisions easier to implement. For example, it had been decided that converting annual leave into a salary payment should no longer be possible. Other amendments that had served to simplify gender equality provisions had included improvements to maternity and paternity leave entitlements; the introduction of a clause giving women the option of working reduced hours in the period following childbirth; an express prohibition of discrimination against persons with HIV/AIDS; a ban on sexual harassment; and the transfer of the burden of proof from the complainant to the accused in cases of workplace dispute.

36. **Ms. Grezda** (Albania) said that the number of women entrepreneurs in the agricultural sector had increased by 5 per cent, which was an important indicator of their growing economic power. Support was provided through subsidy schemes, and the grants disbursed to women applicants were generally 10 to 15 per cent higher than those awarded to men. However, with a study by UN-Women having revealed gaps in policies for women and rural development, work was under way to develop a special development programme for rural women which the Ministry of Agriculture, Food and Consumer Protection hoped

to launch in 2017, adding to several existing projects benefiting women in that category that were already administered by the Ministry. The Ministry also provided advisory services for women and was considering establishing a guarantee fund for which women would again be the main target beneficiaries.

37. **Ms. Omuri** (Albania) said that the Ministry of Economic Development, Tourism, Trade and Entrepreneurship ran a support programme for women entrepreneurs and was working to improve the investment climate for women. A national action plan to support women entrepreneurs had been launched, a policy gap analysis had been undertaken with a view to amending relevant legislation and funds had been set up to promote creativity and competitiveness and provide start-up financing for women entrepreneurs. In addition, the Italian Development Cooperation Agency (Cooperazione Italiana allo Sviluppo) was providing support for the creation of small and medium-sized businesses, while the European Bank for Reconstruction and Development had organized a seminar for business women in Tirana, which it planned to repeat in other Albanian cities.

38. **Ms. Xhafaj** (Albania) said that, following recent amendments to the Criminal Code in which sexual orientation had been added to the list of protected characteristics, discrimination on the basis of gender, race, sexual orientation, religious or political affiliation, health status or disability, inter alia, constituted an aggravating circumstance for criminal offences. The dissemination of homophobic materials was also now defined as a crime in the Code.

39. The Government was not currently considering legislation on the third age, since it had recently concluded a reform of pension legislation that covered the same territory. However, it had participated in regional talks regarding the feasibility of formulating a United Nations convention on the rights of older persons. The Ministry of Justice set standards for the treatment of women in Albanian prisons, and the Ministry of Social Welfare and Youth had recently established a framework under which psychologists and social workers were available to assist women detainees.

40. As for women migrants returning from European countries to rejoin their families, the Government believed that economic empowerment was key and that job training was the best means to improve the labour opportunities available to them.

#### *Articles 15 and 16*

41. **Ms. Leinarte** said she wished to point out that, as a result of discriminatory legislation, only 8 per cent of property owners in Albania were women. She would like to know in that regard how a woman's right to own property was protected in a de facto union; how property was divided after the dissolution of such a union; and whether the children of a dissolved de facto union benefited from the same protection as children born to married parents. She would also like to know of any steps being taken to abolish discriminatory patriarchal laws which dictated that wives should inherit only half of the common property upon the death of their husband.

42. She also wished to know what steps had been taken to eliminate early marriage in Albania, which was especially common among the Roma. Since, in accordance with the Family Code, local courts could override the minimum age for marriage, it would be useful to know whether a minimum age in fact existed. More information about Albanian women forced to live in social isolation under the medieval code of Kanun customary law would likewise be appreciated, as would details of any action being taken to put an end to acts of violence and other practices prejudicial to women.

43. **Ms. Xhafaj** (Albania), acknowledging the need to review and amend the Family Code to bring its provisions on marriage, cohabitation, inheritance, property rights, divorce and child custody, inter alia, into conformity with the terms of the Convention, said that

certain elements of current legislation had been introduced during the Communist regime, which had undoubtedly favoured men. However, she was unable to provide further information on those issues at present.

44. In closing, she wished to highlight that the Government of Albania would welcome all recommendations issued by the Committee and undertook to make all necessary amendments to laws that did not reflect the spirit or intent of the Convention. The delegation had sought to provide transparent and open answers to all questions raised and had worked hard to prepare for the dialogue, including by taking part in a mock session with representatives from the various ministries that had been organized in Tirana by the gender equality coordinator of the Ministry of Social Welfare and Youth. All additional information and clarifications promised would be transmitted to the Committee within the 48-hour time limit.

*The meeting rose at 5.30 p.m.*