



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Albania*

A. Purpose and general obligations (arts. 1–4)

1. Please explain whether the State party intends to review its legislation, criteria and procedures for the classification and certification of disability for the purpose of social allowances, which currently include such derogatory categories as “mentally disabled”, “labour invalid”, and “mentally retarded”, with a view to bringing them into line with the human rights model of disability. Please also inform the Committee about measures taken to guarantee the effective participation of organizations of persons with disabilities in the preparations for accession negotiations with the European Union.
2. Please inform the Committee about the National Action Plan on Persons with Disabilities 2016–2020 and explain the concrete results achieved thus far.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

3. Please inform the Committee about:
 - (a) The definition of discrimination on the grounds of disability in the Law on Protection from Discrimination and the Law on Inclusion of and Accessibility for Persons with Disabilities, and the sanctions and remedies available in case of violation of these laws;
 - (b) The decisions taken by the Commissioner for Protection from Discrimination, as well as in courts of law, on disability-based discrimination since the ratification of the Convention;
 - (c) The situation of Roma persons with disabilities, particularly women and girls, with a focus on their education, health and employment.

Women with disabilities (art. 6)

4. Please provide information on:
 - (a) The legal provisions on the multiple and intersectional discrimination faced by women and girls with disabilities;
 - (b) The relevant and explicit references and obligations regarding the rights of women and girls with disabilities contained in the National Action Plan for Persons with Disabilities (2016–2020), and the results achieved in that area;

* Adopted by the pre-sessional working group at its eleventh session (8–11 April 2019).



(c) The concrete measures taken to implement the recommendations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/ALB/CO/4, para. 39), insofar as they pertain to women and girls with disabilities.

Children with disabilities (art. 7)

5. Please provide information on the resources allocated, and the services provided, for children with disabilities under the Law on the Rights and Protection of the Child, and whether such services are free of charge. Please also describe how the child protection bodies operate in terms of legal procedures, and the avoidable relevant administrative burdens and legal barriers faced by parents of persons with disabilities.

6. Please inform the Committee about the concrete steps taken to improve the nationwide availability of adequate social and health-care services for children with disabilities, and provide statistical data, disaggregated by age, sex and type of impairment, on the number and percentage of children with disabilities who have access to a disability allowance.

7. Please describe the educational assessment procedures in the State party, whether reasonable accommodation is provided for children with disabilities in schools based on students' requirements of individualized support, and if these procedures follow a human rights model of disability.

Awareness-raising (art. 8)

8. Please provide updated information on the progress made to raise awareness throughout society, including at policymaking and administrative levels, on the rights of persons with disabilities, and measures taken to assess the impact of such activities in consultation with, and with the participation of, organizations of persons with disabilities.

Accessibility (art. 9)

9. Please inform the Committee on the implementation of the Law on Inclusion of and Accessibility for Persons with Disabilities and Decision of the Council of Ministers No. 1074 (2015) on removing environmental and infrastructure barriers in providing public services, and the number and percentage of public authorities who have complied with the obligations under this legislation.

10. Please provide further information on any adopted plan or road map, including on time-bound goals and measurable indicators, to ensure accessibility, and the complaints mechanisms in place. Please also provide data on the application of administrative and financial sanctions for non-compliance with accessibility standards, including for older buildings open to the public and information and communications services in rural areas.

11. Please provide information on the measures taken to ensure that information and communications technology and services are accessible, including the accessibility status given to the urban renaissance initiative.

Situations of risk and humanitarian emergencies (art. 11)

12. Please provide information on the involvement of organizations of persons with disabilities in the development and implementation of disaster risk reduction and management strategies, as well as on providing accessible information for persons with disabilities on situations of risk, humanitarian emergencies and natural disasters, in accordance with the Sendai Framework for Disaster Risk Reduction 2015–2030.

Equal recognition before the law (art. 12)

13. Please inform the Committee about the steps taken or envisaged to amend provisions of national legislation that deny or restrict the legal capacity of persons with disabilities, including the Civil Code, Civil Procedure Code, Family Code and the law regarding mental health, and on existing or planned mechanisms for supported decision-making.

Access to justice (art. 13)

14. Please provide relevant information on:

(a) The full accessibility of courts and police and prosecutorial authorities, including with regard to information and communication;

(b) The existing procedural, age-appropriate accommodations in national legislation in all areas of law, with special regard to remedies available in cases of violation;

(c) The law regarding State-guaranteed legal aid, including its implementation and the services introduced under this law;

(d) Capacity-building programmes relating to the Convention for judges, lawyers and other judicial staff.

Liberty and security of the person (art. 14)

15. Please inform the Committee about any legal measures allowing for deprivation of liberty, forced hospitalization and forced treatment, and steps to repeal them. Please also report on measures to end the use of physical restraints, particularly on persons with intellectual or psychosocial disabilities, including at home. Please also report on measures taken to oppose the adoption of the draft additional protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, entitled “The protection of human rights and dignity of persons with mental disorder with regard to involuntary placement and involuntary treatment”.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

16. Please provide more information on the procedure for conducting independent investigations of violations of the rights of persons with disabilities (CRPD/C/ALB/1, para. 101) and the effective safeguards and remedies available to them, in line with the Human Rights Committee’s general comment No. 20 (1992) on the prohibition of torture or cruel, inhuman or degrading treatment or punishment.

Freedom from violence and abuse (art. 16)

17. Please provide information on the concrete results of the implementation of the law on measures against violence in family relations, insofar as they relate to persons with disabilities. Please also provide information on the steps taken to improve the quality and availability of data and statistics on violence against women with disabilities.

Living independently and being included in the community (art. 19)

18. Please provide information on measures to ensure the right of persons with disabilities to choose their place of residence and where and with whom they live. Please also provide statistical data on accessible social housing settings and the types of assistive equipment and technologies available for independent living.

19. Please provide information on in-home, residential and other community support services, and measures for the deinstitutionalization of persons with disabilities and for the support of independent living and inclusion in the community. Please also provide disaggregated data on the number of persons with disabilities still living in institutions, including in large and small institutions.

20. Please provide information on the implementation of the Law on Inclusion of and Accessibility for Persons with Disabilities, in particular in terms of personal assistance, and data on the number of persons with this status.

Personal mobility (art. 20)

21. Please inform the Committee about action plans or strategies to strengthen the individual security of persons with disabilities on public transport.

Freedom of expression and opinion, and access to information (art. 21)

22. Please provide information on action plans or strategies to strengthen the availability of accessible public services and information including media services and the Internet in, inter alia, sign language, captioning, Braille, Easy Read and plain language, as well as to increase access to sign language interpretation services and other means and modes of communication for persons with disabilities.

Education (art. 24)

23. Please inform the Committee about the findings of the 2018 study carried out by Save the Children and World Vision. Please also indicate the amount of public resources allocated for inclusive education in schools and higher education institutions.

24. Please provide information on the measures introduced and applied to promote and facilitate inclusive education, in particular with regard to the professional involvement of trained pedagogical assistants in classrooms, and the use of sign language and Braille in mainstream schools, as well as the attendance of children with disabilities, especially those with more intensive support requirements, in mainstream schools.

25. Please describe the steps taken to decrease the rates of functional illiteracy in children and adults with disabilities and how the criteria for assessing the eligibility of children with disabilities to enrol in inclusive education can be in line with the Committee's general comment No. 4 (2016) on the right to inclusive education.

Health (art. 25)

26. Please inform the Committee about the concrete achievements of the national health strategy and the National Action Plan for Persons with Disabilities (2016–2020), including with regard to the early identification programme, to autistic persons and to persons with disabilities living in rural areas. Please also provide information, including disaggregated statistical data, on the legislation and safeguards in place for persons with disabilities with regard to reimbursement for prostheses, hearing aids, wheelchairs and other medical aids, devices and equipment.

27. Please provide information on measures taken to ensure access of persons with disabilities, particularly women and girls with disabilities, to comprehensive health-care services, including concerning sexual and reproductive health and rights, on an equal basis with others.

Habilitation and rehabilitation (art. 26)

28. Please inform the Committee about the results achieved to date of the Action Plan for the Development of Mental Health Services in Albania (2013–2022), any observed improvements in the provision, quality and availability of habilitation and rehabilitation services, and whether rehabilitation centres are easily accessible for persons with disabilities.

Work and employment (art. 27)

29. Please describe how the medical commission for work capability assessment performs its procedure and monitoring tasks, making reference also to its standards or criteria for assessing workplaces, to ensure that reasonable accommodation is provided to employees with disabilities in the workplace.

Adequate standard of living and social protection (art. 28)

30. Please provide to the Committee any reports published by the national housing authority on its activities, and results achieved, in rendering buildings open to the public

accessible for persons with disabilities, and statistical data on the number of persons with disabilities who have benefited (CRPD/C/ALB/1, paras. 186–187).

Participation in political and public life (art. 29)

31. Please inform the Committee about:

(a) The policy for ensuring that persons with disabilities, including those with physical and intellectual disabilities, and persons who are blind or deaf can exercise their right to vote, and the accessible voting schemes available for them;

(b) Measures taken to ensure the full participation of all persons with disabilities in public consultations;

(c) The available safeguards and remedies for persons with disabilities under the Law on notification and public consultation and the Law on the Right to Information.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

32. Please provide more information on the systematic collection of disaggregated data on persons with disabilities, and clarify whether the State party has adopted the methodology of the Washington Group Short Set of Questions on Disability.

National implementation and monitoring (art. 33)

33. Please explain how the State party coordinates the implementation of the Convention, including through the officially appointed focal point(s).

34. Please inform the Committee on:

(a) The measures taken to establish an independent monitoring framework, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

(b) The role of organizations of persons with disabilities in the implementation and monitoring of the Convention and the resources allocated to such organizations to guarantee their meaningful participation in national monitoring mechanisms.
