



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### List of issues in relation to the combined fifth and sixth periodic reports of Albania\*

1. The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 February 2023. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

#### Part I

2. Please describe the measures taken to:

(a) Address the adverse impacts of the coronavirus disease (COVID-19) pandemic on children;

(b) Effectively implement legislation on children's rights, including Law No. 18/2017, Law No. 37/2017 and the Family Code, in line with the Convention;

(c) Clarify the mandate, budget and capacity of the State Agency on Child Rights and Protection, as well as its relationship with the National Council on Children's Rights and Protection, and coordinate activities related to the implementation of the Convention and the follow-up to the Committee's concluding observations on the combined second to fourth periodic reports of Albania;<sup>1</sup>

(d) Identify the proportion of the budget allocated to children and increase that budget, in particular the allocation for social services and education;

(e) Raise awareness about and assess the impact of Law No. 18/2017, as well as disseminate it in local languages and provide training for the officials responsible for its implementation;

(f) Implement pathways to justice and raise awareness about the Optional Protocol to the Convention on a communications procedure.

3. Please provide updated information on the implementation and impact of the national agenda for children's rights for the period 2017–2020 and the social protection strategy for the period 2015–2020 and on the steps taken to provide adequate human, technical and financial resources for the effective implementation of all national strategies relevant to children and to strengthen anti-corruption systems. Please also specify measures taken or envisaged to:

(a) Amend legislation in order to remove all exceptions that allow marriage for those under 18 years of age, raise awareness of the harmful consequences of child marriage and establish a monitoring and response mechanism;

\* Adopted by the pre-sessional working group on 30 September 2022.

<sup>1</sup> CRC/C/ALB/CO/2-4.



(b) Assess the implementation of laws and policies related to the prevention of and protection of persons against discrimination, including children belonging to ethnic minority groups, children with disabilities and lesbian, gay, bisexual, transgender and intersex children;

(c) Report on the mandate of and the resources allocated to the Section for Children's Rights Protection and Promotion and the Commissioner for Protection from Discrimination, including information on the services provided to child petitioners and on related administrative or judicial proceedings;

(d) Ensure that the best interests of the child are properly assessed and applied in decision-making and, in particular, in administrative, legislative and judicial proceedings;

(e) Assess the impact of the national action plan on blood feuds and of any other measures taken to address blood feuds affecting children;

(f) Expand mechanisms for the participation of children in decision-making in all matters that affect them and address barriers to their active participation within the family, in school, in society and in judicial and administrative proceedings.

4. Please provide information on measures taken or envisaged to address the current challenges regarding the registration of children and on the steps taken to ensure that children who are not registered can enjoy their rights under the Convention, including those related to health and education, without discrimination.

5. Please provide detailed information on the measures taken to improve the capacity for a multidisciplinary approach to case management, in particular by the protection networks at the municipal level, increase the number of trained social workers and adequately cover the costs of case management by municipalities.

6. Please indicate how children who are victims of violence are guaranteed their right to be heard by professionals in the social, medical and health-care sectors, whether they are interviewed by trained interviewers in child-friendly facilities, how the child's narrative is preserved (e.g. audiovisually) for evidence purposes and if children can give testimony for legal proceedings during the pretrial stage and if such testimony is accepted as evidence.

7. Please explain the measures taken to:

(a) Enforce the ban on corporal punishment in the family and alternative care settings and enforce other measures aimed at tackling domestic abuse and violence in schools and in the online environment;

(b) Provide targeted interventions to combat all forms of violence against children, in line with the European Union strategy for a more effective fight against child sexual abuse, and ensure appropriate psychosocial services and recovery for children who are victims of sexual abuse;

(c) Set up child-friendly confidential complaint mechanisms and raise awareness concerning access to counselling and redress, child-friendly justice procedures and access to legal aid;

(d) Improve routine data collection on children who are victims of or witnesses to any forms of violence and the disaggregation of data on such children by sex, age, disability, national origin, ethnic origin and whether they live in rural or urban areas.

8. Please provide updated information on the impact of and follow-up to the national strategy on justice for children for the period 2017–2020 and any measures taken to prohibit the use of torture or other cruel, inhuman or degrading treatment of children in State institutions.

9. Please inform the Committee about:

(a) The implementation and outcomes of Law No. 121/2016 and any other measures relating to the social protection programme, as well as the implementation and outcomes of the law on local social services with regard to enhancing parenting skills and providing psychosocial support for children and parents;

(b) The progress of and follow-up to the national action plan for deinstitutionalization for the period 2020–2022, in particular with regard to children in vulnerable situations and facilitating alternative care by foster parents;

(c) The measures adopted to prevent children being removed from their families, the gatekeeping mechanism in place to ensure the suitability of placements, measures to regularly monitor the establishment and functioning of institutions for the care of children and pathway plans to ensure reintegration into a family setting.

10. Please update the Committee on measures taken or envisaged to:

(a) Reduce neonatal and infant mortality rates;

(b) Prevent malnutrition and stunting among children;

(c) Reduce out-of-pocket payments and ensure access to high-quality health care for children in vulnerable situations;

(d) Address child poverty and strengthen social protection measures, in particular for children belonging to ethnic minority groups, children in street situations and unaccompanied children;

(e) Provide full access to and raise awareness of the health-care services available for adolescents, including reproductive programmes, HIV testing and treatment services, counselling services and access to safe abortion and modern contraceptives without parental consent;

(f) Address the negative impact of air pollution and climate change on children, including their health, and improve the waste management system.

11. Please indicate the measures taken to improve the level of education and ensure that all children receive an adequate education and have access to the necessary educational materials, programmes and the Internet at school, in particular in rural areas and during the COVID-19 pandemic. Please inform the Committee about the resources allocated to and the progress made in the implementation of Law No. 69/2012, Law No. 96/2017 and Law No. 93/2014 with regard to inclusive education, in particular for children from Roma and Egyptian minority groups.

12. Please provide information on the measures taken to develop a comprehensive child justice system, in particular, to:

(a) Ensure that sufficient budget and resources are allocated for the implementation of the child justice normative framework, including the free legal aid legislation and the juvenile criminality prevention centre;

(b) Inform children in conflict with the law about their rights in a child-friendly manner and allow them to participate meaningfully at all stages of criminal justice proceedings;

(c) Ensure that deprivation of liberty happens only as a measure of last resort and for the shortest possible period of time, that children are not detained with adults and that the conditions of detention allow for the full respect of the rights of the child.

13. Please provide information on the measures taken to implement the Committee's concluding observations on the initial report of Albania on the Optional Protocol on the sale of children, child prostitution and child pornography<sup>2</sup> and on the plans to provide clear definitions related to the sale and exploitation of children and criminalize online child sexual exploitation and abuse. Please also assess the functioning of the national referral mechanism and the implementation of the national anti-trafficking plan for the period 2021–2023, in particular with regard to prevention measures targeting children from Roma and Egyptian minority groups.

14. Please provide information on the measures taken to implement the Committee's concluding observations on the initial report of Albania on the Optional Protocol on the

<sup>2</sup> CRC/C/OPSC/ALB/CO/1.

involvement of children in armed conflict.<sup>3</sup> Please also update the Committee on the implementation of the inter-institutional action plan on the reception and treatment of Albanian citizens who have returned from Iraq and the Syrian Arab Republic.

## Part II

15. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions and their mandates or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information

16. Please provide consolidated information for the past three years on the budget lines regarding children and the social sectors, indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographical allocation of those resources.

17. Please provide, if available, updated statistical data for the past three years, disaggregated by age, sex, disability, ethnic origin, national origin, geographical location and socioeconomic status, on the following:

- (a) Children who are registered at birth or at a later time;
- (b) Cases of abuse and violence against children, including domestic violence, corporal punishment, child sexual abuse in and outside the home, bullying and online and sexual violence and abuse, including data on investigations conducted and the outcome of trials, such as sentences imposed on perpetrators and redress awarded to victims;
- (c) Children who are victims of trafficking, including data on investigations and prosecutions conducted, sentences handed down to perpetrators and reparations afforded to victims;
- (d) Children trafficked for purposes of labour or sexual exploitation;
- (e) Children under the age of 18 married or living in de facto unions;
- (f) Children and adolescents who are out of school;
- (g) Children working in the informal sector and children in street situations;
- (h) Children living in poverty.

18. Please provide data for the past three years, disaggregated by the criteria set out in paragraph 17 above, regarding the situation of children deprived of a family environment, on the number of children who are or who have been:

- (a) Separated from their parents;
- (b) Living with relatives;
- (c) Placed in institutions, whether public or private;
- (d) Placed with foster families.

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<sup>3</sup> CRC/C/OPAC/ALB/CO/1.

19. Please provide data for the past three years, disaggregated by the criteria set out in paragraph 17 above, on the number of children with disabilities who are or who have been:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary schools;
- (d) Attending regular secondary schools;
- (e) Attending special schools;
- (f) Out of school;
- (g) Abandoned by their families.

20. Please provide, if available, updated statistical data for the past three years, disaggregated by the criteria set out in paragraph 17 above and by type of offence, on children in conflict with the law who are or who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) Held in pretrial detention;
- (d) Serving a sentence in detention, further disaggregated by the length of the sentence.

21. Please provide information on how the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals integrate a child rights-based approach, including with regard to child participation and data collection, and how those measures promote the realization of children's rights.

22. Please provide the Committee with any updated data or information on other new developments.

23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

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