

September 2013

World Vision Albania

Submission to the UN Committee on Economic, Social and Cultural Rights on the occasion of the consideration of the second – third periodic reports of Albania during the Committee's 51st session.

Introduction

World Vision is a child focused relief, development and advocacy organization working in more than 100 countries, including in ten EU countries and a number of countries of the EU Neighborhood and Enlargement Policy area. World Vision has worked in Albania since 1999, when thousands of Kosovars flooded in to Albania's territory to flee Serb military advancements; some 450,000 Kosovars sought refuge in Albania.¹ After the crisis response, WV developed its program based on the needs of the Albanian community with a development and advocacy approach initially covering only a few areas of the country. Soon the World Vision program in Albania grew to cover 10 districts (Elbasan, Vlora, Lezha, Kurbin, Tirana, Durres, Shkodra, Librazhd, Dibra and Korca) employing 300 staff and impacting the lives of 32.000 children with its specific programs on education, child protection, health, economic development and youth. At the national level the organization is an active advocate for child rights in the education and child protection areas, operating whenever possible in partnership with other NGOs and agencies, as well as through the National Coalition for Child Rights (BKTF) being one of its most active members.

World Vision welcomes this periodic review and would like to report to the Committee on three main areas: social protection and child protection (Articles 9 and 10), and the right to education (Article 13) of the International Covenant on Economic, Social and Cultural Rights.

(A) Social Protection

In November 2012, Albania ratified² the United Nations Convention on the Rights of Persons with Disabilities (CRPD) which seeks to protect the civil, cultural, economic, political and social rights of persons with disabilities. The CRPD asks States Parties to the Convention to take actions to avoid discrimination and promote inclusion and equality of persons with disabilities. In addition, the Convention identifies areas that States must develop progressively over time in order to improve the living standards and rights of persons with disabilities. All efforts following the post-communist period to improve the Social Protection situation in the country have been critically important for Albania's social development, but to date they have not been sufficient to take up issues like: Mainstreaming of disability in all sectors and governmental programs with a specific focus on participation and protection of children. Problems that Children with Disabilities (CWD) face are caused by multiple factors such as

¹ www.icg.org

² http://www.qbz.gov.al/botime/fletore_zyrtare/2012/PDF-2012/157-2012.pdf

stigmatization and discrimination, lack of capacity and weak collaboration among professionals and government bodies, lack of transport and other access related services. In addition to this, the lack of preventive, early identification and reporting mechanisms of abuse cases of CWD need to be revised and integrated with the existing CP system in Albania. Systematic research conducted by Liverpool John Moores University and World Health Organization, identifies that children with disabilities are 3 to 4 times more at risk of being abused compared to other children³. The problems are especially acute in rural areas, where stigma and discrimination against CWD is strong.

In light of the recent ratification of the UN CRPD by the Albanian government, which next steps will be taken to implement the UN CRPD to ensure inclusion and equality now that the Albanian government ratified the UN CRPD?

The existing social policies should specifically target the most vulnerable children and families. The Albanian Social Inclusion Strategy does not have a budget for the implementation of the strategic objectives or provision of specific social services targeting the Roma and Egyptian families. Roma and Egyptian children, especially the ones who have migrated, still have difficulties with birth registration procedures.

On August 5, 2013 the huts of around 70 Roma families in Tirana "Kavaja" street were demolished because of a new construction project that is going to be implemented in that area, and around 100 children remained in the street with no shelter, protection, education or health services. This is a repeated situation for which the government of Albania needs to take holistic and long term measures. Social housing solutions for Roma and Egyptians have not been adequate, and not easily accessible to them, making this community automatically miss the opportunity of being helped by the governmental schemes.

Child rights centred policies and meaningful participation of children and youth in the development of the policies that affect them is lacking in urban and rural areas.

Recommendations

- Implementation of the UN CRPD with adequate budget attached should be a priority for the government reflected in all sectors/governmental programs.
- The actual Child Protection system should foresee procedures to identify refer and manage cases of disabled children, whilst recognizing their particular needs and higher risk of being abused.
- The new government needs to prioritize and take urgent measures, adopting an appropriate budget for the National Roma Inclusion Strategy, as well as the adoption of timelines, indicators and targets linked to the budget.⁴
- Exempt poor and vulnerable families from payment of birth registration and fees for identity documents.

³ The State of the World's Children 2013, Children with Disabilities

⁴ In alignment with UN CRC Committee on the Rights of the Child, page 4, point 16 d.

- The provision of free assistance and legal services to families unable to go through the required steps of the registration process (use some existing good practices in this field such as those used in Romania).
- The development of mechanisms that allow children and youth to become active and meaningful participants in processes affecting their lives.

(B) Child Protection, Child Labour

Violence, abuse and exploitation for labour and sexual purposes are the most critical child protection issues in Albania, particularly in the remote areas of the country. Despite the progress with the legal framework⁵ violence and abuse are often hidden and very difficult to identify through surveys and research. However, there have been some recent studies that demonstrate very alarming indicators in the field. A recent study conducted in 2012 by CRCA⁶ as part of a Balkan study on violence, "Violence against children in Albania", shows that out of around 3330 children interviewed in schools, 70% stated they have experienced psychological violence, and 60% of the children reported to have been victims of physical violence in the family. In addition, 11% of the children reported to have experienced sexual harassment. Children especially in rural areas lack access to a Child Protection Unit (CPU), a key building block of the national Child Protection system where they can refer abuse cases and seek support. However, even in areas where the CPU exists, the structure is lacking adequate budget to be able to operate efficiently and offer the necessary services for abused children as recommended by the UN Committee on the Rights of the Child, 17 October 2012.⁷

In addition, the most recent data of the ILO-IPEC and INSTAT survey shows that 54 thousand children aged 5 to 17 years are involved in hard work⁸; this constitutes 7.7% of the children in the whole country. 2.5% of these children (mostly male) work in mines and construction. Almost 3% sell or work in the streets. The rest works on farms and other sites. The youngest children (aged 5-6) and oldest children (16-17) represent the majority of out-of-school children who work⁹. Yet, it is estimated that the number of children who work is much higher, as the survey was commissioned only for children living in a family, excluding all Roma children who constitute a considerable percentage of children working in Albania (bagging, garbage recycling, washing car windows etc.).

Child Trafficking and Exploitation for labour purposes remains an area of concern, though the government has made significant progress in developing the Standard Operating Procedures and enacting the National Referral Mechanism (NRM) for victims of trafficking. A new trend has been identified since early 2011: children (mostly Roma) leave Albania for 3 month periods to work on the streets of Kosovo. It is estimated that around 120 children from Albania, mostly of Roma communities, are exploited for this purpose on a daily basis¹⁰. These children vary from 1 month to 15 years old, and

⁵ November 2010 Albanian Parliament approved a specific Law on the Protection of the Rights of the Child defining the CP framework system in Albania

⁶ Children's Human Rights Center of Albania (CRCA)

⁷ UN CR Committee on the Rights of the Child, Legislation section, page 3, October 2012

⁸ 2010 National Child Labour Survey, pg 24

⁹ 2010 National Child Labour Survey, pg27

¹⁰ KOMF (Kosovo NGO coalition for Child Protection) Who Speaks Out for Me, KOMF's Position on Child Protection, January 2013. Idem Terre Des Home Delegation in Kosovo 2011

they are exposed to neglect, mistreatment, physical and emotional abuse, and, at times, lack of registration, lack of access to education and shelter. There are discrepancies between countries in the way children from Albania begging in the streets of Kosovo are treated or offered services and this leads to major incentives for migration and trafficking including child trafficking.

In addition, no legal provisions exist for in-country trafficking. World Vision and other INGOs, like Save the Children and Terre des Hommes, have indications that this may be a widespread phenomenon, sometimes leading to the most serious forms of child labour.

Recommendations

- CPU services should be mandatory and available all over the country, 7 days per week, offering an adequate referral and access system for contacting the CPU in an emergency by all children. Adequate budgeting for the needs of children should be allocated as per the UN CRC recommendation¹¹;
- Strengthen the monitoring mechanisms for child labour within the country and develop similar mechanisms with neighbouring countries;
- Strengthen prevention and reintegration programs that focus on family empowerment and elimination of the exploitation of children for labour purposes;
- Positive parenting programs for vulnerable communities that raise awareness on protecting their own children from different forms of abuse.

(C) Education

The vast majority of Children with Disabilities are excluded from public education in Albania. Lack of reliable statistics on the overall country situation for Children with Disabilities (CWD) remains a problematic issue to address the phenomenon. The Ministry of Education and Science (MoES) unofficially reports to have 2,123 CWD enrolled in basic education, out of whom 736 are attending special schools. According to MoES, the official drop-out rate for CWD is very high (7%), which in our interpretation is normal considering the high level of discrimination, poor physical and programmatic infrastructure.

In addition, education of Roma and Egyptian children remains a critical concern. 61% of Roma and 57% of Egyptian families say that they face difficulties in the education of their children¹². Roma and Egyptian parents list a number of reasons, most of which are poverty-related. Among the main obstacles to their children's education are unaffordability of books and school items, lack of suitable clothing, poor living conditions and lack of infrastructure, and the expectation that children must contribute to the family income. Out of 211 RAE children interviewed in Shkodra, Peshkopi, Kukës, Tirana and Gjirokastra, 195 did not go to school.¹³

Recommendations:

¹¹ Committee of the Rights of the Child, on Albania, page 4, point 16 a, October 2012

¹² A Needs Assessment Study on Roma and Egyptian Communities in Albania. Tirana, 29 February 2012, UNDP, pg

¹³ Mapping Roma Children in Albania, Centre for Economic and Social Studies, 2011, page 26

- The Ministry of Education and Science (MoES) needs to make budget reservations for the capacity building of teachers on inclusive education and the establishment of the multidisciplinary groups in each Regional Education Directorate in the 14 Qarks¹⁴ in Albania as well as adapt the physical infrastructure for children with disabilities.
- Intersectoral collaboration should increase between Line Ministries for capacity building of teachers, social workers and health personnel.
- Monitoring systems measuring access of CWD in mainstream education should be strengthened.
- Revise the actual reimbursement scheme 15 and/or guarantee free text books for vulnerable children (Roma and Egyptian). Even though by legislation these groups are entitled to the reimbursement scheme, they lack the initial capital or lack this information.
- Encourage the participation of Roma/ Egyptian children in education by providing alternative schooling options such as catch up classes, talents development courses, VET education and other relevant incentives that are appropriate to the context.

On behalf of World Vision Albania, I want to thank you in advance for considering this input and we look forward to contributing further to Albanian developments related to Economic, Social and Cultural Rights.

Yours Sincerely,
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Dr. Rein Dekker

If you have any question or require additional information, please do not hesitate to contact:

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¹⁴ Albanian Administrative Unit

¹⁵ Reimbursement Scheme established by a council of Minister's order in 2010 to make possible the full reimbursement of text books costs for vulnerable families who are treated with the Economical Aid by the government.