

Responses to Recommendations

ALBANIA

Review in the Working Group: 2 December 2009
 Adoption in the Plenary: 17 March 2010

Albania’s responses to recommendations (as of 01.04.2010):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
85 REC accepted; 2 rejected; 19 pending	No addendum	Out of the 19 pending, the delegation said that REC n° 3 is already implemented and n°4 is rejected and “that Albania will be accepting and has accepted already and it will look at it in the next years and coming months and years” REC n° 9, 11, 12, 14, 16. After a question by the United States, it clarified that it accepted REC n° 9, 11 and 13. All the other REC, including n° 12, 14 and 16 are still considered as pending.	Accepted: 88 Rejected: 3 No clear position: 1 Pending: 14

List of recommendations contained in Section II of the Report of the Working Group A/HRC/13/6:

“67. The recommendations formulated during the interactive dialogue have been examined by Albania and the recommendations listed below enjoy the support of Albania:

- A - 1. Consider signing the Convention on the Rights of Persons with Disabilities (CRPD) (Canada);
- A - 2. Sign and ratify CRPD and its Optional Protocol (Spain);
- A - 3. Ratify CRPD (Azerbaijan);
- A - 4. Consider ratifying CRPD and its Optional Protocol, and accomplish the human rights goals set by the Human Rights Council in resolution 9/12 (Brazil);
- A - 5. Consider accession to CRPD (Jordan);
- A - 6. Ratify the main international human rights instruments, particularly CRPD and its Optional Protocol (Chile);

A - 7. Envisage the possibility of adhering to CRPD, which offers an important frame of reference in the area of promotion and protection of the rights of persons with disabilities, without underestimating the cost of implementing the related norms (Algeria);

A - 8. Continue its efforts towards harmonization of its national laws with its international human rights obligations (Egypt);

A - 9. Continue to make every effort to ensure that its national legislation is in line with international instruments (Libyan Arab Jamahiriya);

A - 10. Continue to improve its legislation to bring it in line with international human rights standards (Senegal);

A - 11. Review compliance of its criminal and civil codes with provisions on freedom of expression in the International Covenant on Civil and Political Rights (Czech Republic);

A - 12. Adopt the Law on the Rights of the Child and the Law against Discrimination as matters of priority, as well as measures to ensure the implementation of laws on birth registration (Norway);

A - 13. Promptly adopt and amend when necessary the Law on Anti-Discrimination, already prepared with civil society, to comply with international standards and ensure its due implementation in close cooperation with all stakeholders (Slovakia);

A - 14. Pursue its efforts to bring national legislation into line with international human rights standards and take this element into account when adopting a law on the rights of children (Morocco);

A - 15. Take further concrete steps to ensure that existing human rights legislation is implemented and enforced (United Kingdom);

A - 16. Strengthen its policy for the full guarantee of the rights of the child, with attention to combating child labour and the implementation of the Guidelines for the Alternative Care of Children, in accordance with Human Rights Council resolution 11/7 and draft resolution A/C.3/64/L.50 of the General Assembly. (Brazil);

A - 17. Consider fostering policies on combating child trafficking and define the crimes of the sale of children and child pornography (Brazil);

A - 18. Fully implement the National Strategy on Gender Equality and Domestic Violence, intended to tackle violence against women (Chile);

A - 19. Provide human rights education and training to police officers corrections officers and judicial staff aimed at the protection of women, persons of minority sexual orientation and gender identity and national minorities (Czech Republic);

A - 20. Recognizing the work of the National Council for Disability Matters, intensify necessary measures to improve specialized services for persons with disabilities, in particular in disadvantaged areas; develop reliable statistics on persons with disabilities and their access to basic services (Spain);

A - 21. Undertake awareness-raising campaigns to ensure the effective implementation of and respect for the laws of the State, in particular by ensuring the effective investigation and prosecution of honour killings and cases of violence, including domestic violence against women and children (Austria);

A - 22. Create more social awareness-raising campaigns against gender-based violence, with particular emphasis on its condemnation by the highest levels of the Administration; and more human rights training programmes for employees in the security and justice sectors (Spain);

A - 23. Implement public education and awareness programmes on issues related to sexual orientation and gender equality and provide training to law enforcement, judicial and other relevant authorities with the same objective (Netherlands);

- A - 24. Elaborate State policies and establish mechanisms targeting discrimination against marginalized and vulnerable categories of children (Norway);
- A - 25. Develop further the National Strategy for Gender Equality and Domestic Violence adopted in 2007 in accordance with the recommendations made by the Committee on Economic, Social and Cultural Rights and the Committee against Torture (Israel);
- A - 26. Introduce and disseminate specific awareness-raising programmes for all relevant judicial and police personnel aimed at the protection of children from trafficking (Poland);
- A - 27. Take appropriate measures to improve the effectiveness and transparency of the strategies and actions to combat corruption (Belgium);
- A - 28. Further intensify the fight against corruption, especially the corruption of State officials (Slovenia);
- A - 29. Strengthen its national child protection system and ensure its full implementation; intensify its efforts to raise public awareness against trafficking in children for sexual exploitation and forced labour within its National Strategy for the Fight against Trafficking in Human Beings as well as other policies and programmes; and adopt appropriate rehabilitation and reintegration mechanisms for the victims (Slovakia);
- A - 30. Take further measures to promote and protect the rights of women and children (Afghanistan);
- A - 31. Continue giving priority and allocating adequate resources to the implementation of the national strategies on children and on combating child trafficking (Malaysia);
- A - 32. Follow up on the legal framework for gender equality and domestic violence, including its application to law enforcement and judicial authorities handling cases of domestic violence, by taking more effective measures for its enforcement and increasing public awareness about the law in smaller towns and rural areas (Norway);
- A - 33. Consider issuing a standing invitation to United Nations human rights special procedures (Brazil);
- A - 34. Extend an open and permanent invitation to the United Nations special procedures mandate-holders (Chile);
- A - 35. Consider extending a standing invitation to special procedures mandate-holders (Mexico);
- A - 36. Extend an open and permanent invitation to all special procedures (Spain);
- A - 37. Issue invitations to all special procedures to enable them to visit the country and look into developments in the area of human rights (Syrian Arab Republic);
- A - 38. Respond more regularly and in a timely manner to the questionnaires sent by OHCHR (Turkey);
- A - 39. Accelerate its efforts towards the adoption of anti-discrimination and children's rights laws (Egypt);
- A - 40. Continue and strengthen policies to combat all forms of discrimination, with special attention to discrimination against women, and establish a legal framework to combat domestic violence (Brazil);
- A - 41. Take further measures to ensure equality between men and women, including through facilitation of women's participation in public affairs and the labour market (Sweden);
- A - 42. Step up necessary measures to promote equality between men and women and strengthen the ongoing efforts for the prevention of domestic violence (Ukraine);

- A - 43. Introduce for adoption a comprehensive, all-inclusive antidiscrimination law that includes protection against discrimination on the grounds of sexual orientation and gender identity (Netherlands);
- A - 44. Amend the economic aid law and the property law so that they in no circumstances discriminate against women (Netherlands);
- A - 45. Consistent with the recommendation of the Committee against Torture, strengthen the fight against impunity and look into all allegations of torture and ill-treatment committed by law enforcement authorities and prosecute those responsible for such acts (France);
- A - 46. Investigate all allegations of torture or ill-treatment, prosecute those responsible and take all measures to ensure that impunity does not prevail (Denmark);
- A - 47. Treat acts of torture by law enforcement officials according to the seriousness of their offence in line with previous recommendations of the Human Rights Committee (Germany);
- A - 48. Intensify efforts to combat ill-treatment by police authorities (Norway);
- A - 49. Improve the conditions of prisoners and pre-trial detainees and prevent any kind of abuse of prisoners by security personnel (Slovenia);
- A - 50. Continue efforts to improve prison conditions (Russian Federation);
- A - 51. Improve the conditions of detention for those held on remand and for convicted persons (Denmark);
- A - 52. In light of the recent report by the Council of Europe's Committee for the Prevention of Torture, continue investments in prison and detention facilities, with a particular focus on improving material conditions for suspects held in police establishments and pre-detention centres (Norway);
- A - 53. In light of the priorities established in the fight against domestic violence, take those effective measures that it deems appropriate for the realization of the emancipation of women, in particular through education and integration in the labour market, and extend them to rural areas (Algeria);
- A - 54. Adopt and implement robust measures to better address domestic violence (Canada);
- A - 55. Continue efforts directed towards protection of the rights of women and children (Russian Federation);
- A - 56. Strengthen efforts against all forms of violence against women, including domestic violence (Sweden);
- A - 57. Remain vigilant on the issues of blood feud and domestic violence; develop and support programmes to provide help to victims of domestic violence (Slovenia);
- A - 58. Intensify efforts to combat sexual violence and ill-treatment against women and children, including by providing specific training to law enforcement officers and judges (Malaysia);
- A - 59. Pursue its efforts to diligently combat the smuggling and trafficking of persons and envisage appropriate channels for sharing its experience and its knowledge with countries that may wish to benefit from them (Algeria);
- A - 60. Adopt and implement robust measures aimed at addressing human trafficking (Canada);
- A - 61. Continue pursuing efforts to combat human trafficking, with emphasis on protection of victims (France);
- A - 62. Continue efforts aimed at combating trafficking of human beings (Russian Federation);
- A - 63. Further develop specific measures and rehabilitation programmes directed at the long-term reintegration of victims of trafficking (Poland);

A - 64. Bolster its efforts to address the issue of trafficking in persons, especially women and girls, in a more comprehensive and systematic manner that includes all aspects of prevention, protection and prosecution (Republic of Korea);

A - 65. Adopt further measures to fight human trafficking and assist its victims (Slovenia);

A - 66. Ensure that the Ministries of Labour, Social Affairs and Equal Opportunity take further steps to eliminate the worst forms of child labour, that they address the informal sector in these measures, and that they receive adequate training to detect and prevent unlawful child labour, improve the quality of and increase the number of workplace inspections in both formal and informal sectors, and work with the courts to effectively prosecute perpetrators (United States of America);

A - 67. Adopt the necessary reforms to improve the capacities and effectiveness of the national judiciary system (Belgium);

A - 68. Implement effective and comprehensive reform of the penitentiary system (Canada);

A - 69. Establish detention facilities for juvenile detainees (Italy);

A - 70. Take effective measures to accelerate the consolidation of property rights (Canada);

A - 71. Adopt further measures to ensure birth registration of all children (Czech Republic);

A - 72. Facilitate and ensure registration of all children born in Albania (Mexico);

A - 73. Take appropriate measures to promote the registration of all children, paying particular attention to the most vulnerable and marginalized groups (Azerbaijan);

A - 74. Investigate and punish attacks and threats against journalists (Czech Republic);

A - 75. Continue the efforts to ensure full respect for freedom of expression and of the press, in accordance with Albania's international obligations (Sweden);

A - 76. Step up efforts to address the problem of unemployment, in particular in the rural regions, including through specially targeted programmes to stimulate economic growth and development in the poor and rural areas (Malaysia);

A - 77. Intensify efforts to reduce the infant mortality rate (Chile);

A - 78. Foster equal and unconditional access for all inhabitants of the country to health care and education (Chile);

A - 79. Adopt further measures to ensure protection of the human rights of children leaving care in particular through the provision of education, health and psycho-social support (Czech Republic);

A - 80. Fully implement its action plan to improve the living conditions of minorities, especially Roma (Canada);

A - 81. Increase the involvement of local authorities in the National Strategy on Roma and equip the Strategy with adequate financial means and evaluation mechanisms (France);

A - 82. Intensify its efforts to promote ethnic tolerance and adopt a strategy for the integration of persons of a different ethnic origin (Germany);

A - 83. Further strengthen its efforts to address minority issues with the aim of overcoming the remaining obstacles to the full implementation of the human rights of minorities as one of the most vulnerable groups within society (Bosnia and Herzegovina);

A - 84. Continue fostering educational attainment of Roma children as indicated in the 2004 common country assessment report (Israel);

A - 85. Ensure that all members of ethnic and linguistic minorities, recognized as such or not, should enjoy all social rights and should be protected from any forms of discrimination (Argentina).

68. Albania considers that recommendations Nos. 8, 9, 10, 11, 12, 13, 14, 16, 19, 20, 21, 22, 24, 27, 28, 29, 30, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 58, 59, 61, 63, 64, 67, 68, 69, 72, 73, 78, 79, 81, 82, 84, 85 above are either already implemented or in the process of implementation.

69. The following recommendations will be examined by Albania, which will provide responses in due time. The response of Albania to these recommendations will be included in the outcome report to be adopted by the Human Rights Council at its thirteenth session:

P - 1. Ratify those treaties which have not yet been ratified, such as the Optional Protocol to CESCR and CRPD and its Optional Protocol (Argentina);

P - 2. Increase the age of leaving care to 18 years and enact and implement legislation aimed at improving support for children in care as well as after leaving care, in particular with regard to access to education and vocational training (Austria);

NC - 3. Include in the relevant legal framework the definition of the crimes of sale of children and child pornography (Mexico);

R - 4. Consider establishment of a national human rights institution in accordance with the Paris Principles (Egypt);

P - 5. Adopt a comprehensive national action plan that (a) includes clear objectives and tangible measures to implement all human rights; (b) allocates financial and human resources for each measure envisaged; and (c) establishes an evaluation mechanism for regular monitoring of the measures (Belgium);

P - 6. Implement measures to eliminate the practice of customary law and traditional codes of conduct discriminating against women (Germany);

P - 7. Include sexual orientation and gender identity specifically in antidiscrimination legislation, and consider using the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity (Spain);

P - 8. Strengthen measures to eliminate customary practices leading to violence, in particular vendetta and honour killings and domestic violence, and ensure effective access of potential and actual victims to protection (Czech Republic);

A - 9. Take effective measures to guarantee the independence of the judiciary and to put an end to infringements of judiciary independence through rapid, in-depth, independent and impartial investigations into allegations of interference as well as prosecutions and sanctions against the perpetrators (Belgium);

P - 10. Take measures to prevent the unnecessary admission of children to institutional care and to support the reintegration of children into their biological families (Austria);

A - 11. Prevent any kind of political or other pressures against the independence of the judiciary system and bodies (Slovenia);

P - 12. Take steps to tackle the current "culture of impunity" and ensure that high-level cases of alleged corruption are brought to court and processed appropriately (United Kingdom);

A - 13. Follow the recommendations in the final report of the Organization for Security and Co-operation in Europe on the 28 June elections to minimize the politicization of the Media Monitoring Board and to facilitate training for the Board members in quantitative and qualitative media analysis (United States);

P - 14. Strengthen protection of journalists against intimidation, death threats and attacks (Czech Republic);

P - 15. Improve the legal definition of children at risk of losing parental care, take measures to systematically identify children at risk, and provide adequate support and other services to prevent separation of children from their families (Austria);

P - 16. Take measures to create and strengthen the system of public care for boys, girls and adolescents who need such care, to ensure that they stay in the system until the age of 18 years as needed and that they are prepared for successful reintegration into society (Uruguay);

P - 17. Take action to improve both the legal framework and the overall climate in which the media operate, in order to safeguard freedom of expression and independence of the media (United Kingdom);

P - 18. Seek technical assistance from OHCHR and UNICEF, among others, on juvenile justice as recommended by the Committee on the Rights of the Child (Afghanistan);

P - 19. Request technical assistance from OHCHR for the harmonization of domestic legislation with the international human rights standards (Senegal).

70. The following recommendations did not enjoy the support of Albania:

R - 1. Prohibit corporal punishment as a method of admonishing children and adolescents (Chile);

R - 2. Prohibit by law the practice of corporal punishment of children as a disciplinary method (Argentina).

71. With regard to the two recommendations above, Albania offers the following comment:

“The Albanian legislation provides necessary measures to address domestic violence including violence against children. The Law on Measures against Domestic Violence (article 10) provides a set of protective measures for victims of domestic violence. Domestic violence is included as a penal offence in the Penal Code of the Republic of Albania.”

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