

Albania

Mid-term Implementation Assessment



*Promoting and strengthening
the Universal Periodic Review*
<http://www.upr-info.org>

Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created an update process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on, and implement their commitments. States should implement the recommendations that they have accepted, and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible, and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate index is described at the end of this document.

Geneva, 22 June 2012

Follow-up Outcomes

1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/albania>

We invite the reader to consult that webpage since all recommendations, all stakeholders reports, as well as the unedited comments can be found at the same internet address.

5 stakeholders' reports were submitted for the UPR. 4 NGOs were contacted. The Permanent Mission to the UN was contacted. The domestic NHRI was contacted as well.

8 NGOs/coalition responded to our enquiry. The State under Review did not respond to our enquiry. The domestic NHRI did not respond to our enquiry either.

IRI: 6 recommendations are not implemented, 16 recommendations are partially implemented, and 4 recommendations are fully implemented. No answer was received for 75 out of 106.

2. Index

Hereby the issues which the MIA deals with:

rec. n°	Issue	page	IRI
2	Women's rights, Rights of the Child,	page 6	partially impl.
7	Torture and other CID treatment, Rights of the Child,	page 7	not impl.
9	Rights of the Child	page 7	-
10	Rights of the Child	page 7	not impl.
11	Rights of the Child	page 8	-
12	Women's rights, Rights of the Child, Human rights education and training,	page 8	-
14	Rights of the Child	page 8	partially impl.
19	Minorities	page 5	partially impl.
20	Trafficking, Rights of the Child,	page 9	partially impl.
24	Rights of the Child	page 9	-
33	Women's rights	page 10	partially impl.

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35	Torture and other CID treatment, Rights of the Child,	page 10	not impl.
37	Rights of the Child	page 10	fully impl.
40	Women's rights, Sexual Orientation and Gender Identity, Minorities, Human rights education and training,	page 5	partially impl.
42	Justice	page 5	not impl.
46	Rights of the Child	page 10	partially impl.
57	Rights of the Child, Detention conditions,	page 11	fully impl.
60	Trafficking, Rights of the Child,	page 11	not impl.
64	Rights of the Child	page 11	partially impl.
65	Rights of the Child	page 11	partially impl.
66	Rights of the Child	page 12	partially impl.
68	Sexual Orientation and Gender Identity, Human rights education and training,	page 6	not impl.
69	Sexual Orientation and Gender Identity	page 6	partially impl.
70	Rights of the Child	page 12	partially impl.
71	Rights of the Child	page 12	partially impl.
76	Trafficking, Rights of the Child, Human rights education and training,	page 12	fully impl.
77	Women's rights, Trafficking, Rights of the Child,	page 13	fully impl.
84	Rights of the Child, Human rights education and training,	page 13	partially impl.
92	Sexual Orientation and Gender Identity	page 6	partially impl.
104	Rights of the Child, Labour,	page 14	partially impl.
106	Rights of the Child	page 14	-

3. Feedbacks on recommendations

Indigenous & Minorities

Recommendation n°19: *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* (Recommended by Bosnia & Herzegovina)

IRI: *partially implemented*

ILGAE response:

As I mentioned [in recommendation n° 69] the antidiscrimination law is approved by its implementation needs to be strengthened.

Justice

Recommendation n°40: *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* (Recommended by Czech Republic)

IRI: *partially implemented*

International Lesbian and Gay Association Europe (ILGAE) response:

A working group composed by a group of NGOs, police officers and American expertise had been created on revising the information on human rights and LGBT rights in the police academy school curricula. Also we have had police officers trained in the centre of Aleanca LGBT. Also I have to underline that these initiatives had not been taken by the government themselves but have been initiated and organised by the American embassy or other international institutions.

Recommendation n°42: *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* (Recommended by Czech Republic)

IRI: *not implemented*

ILGAE response:

When it comes to LGBT issues this recommendation is not implemented.

Sexual Rights

Recommendation n°68: *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* (Recommended by Netherlands)

IRI: *not implemented*

ILGAE response:

Until now no public education, awareness and training programmes have been implemented. Only a draft plan on these issues has been elaborated by the Ministry of Labour and a working group with the participation of different ministries and LGBT NGOs. This action plan needs to be approved by the government and then we will monitor the implementation of it.

Recommendation n°69: *Introduce for adoption a comprehensive, all-inclusive antidiscrimination law that includes protection against discrimination on the grounds of sexual orientation and gender identity* (Recommended by Netherlands)

IRI: *partially implemented*

ILGAE response:

The antidiscrimination law had been approved in March 2010. It includes sexual orientation and gender identity and covers different fields like education, goods and service and labour. Little progress has been achieved as regards do sexual minorities, despite the approval of the anti-discrimination law and the appointment of the anti-discrimination Commissioner proper work needs to be done to train the law authorities, politicians and to educate the public about sexual minorities rights, to stop hate speech and episodes of violence and discrimination against LGBT persons. The Commissioner needs to take proactive measure to act against cases of discrimination. Also, her staff capacities and leverage should be stronger.

Recommendation n°92: *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* (Recommended by Spain)

IRI: *partially implemented*

ILGAE response:

Sexual orientation and gender identity as mentioned [in recommendation n° 69] is included in the antidiscrimination law. The Albanian government is not aware on the existence of the Yogyakarta Principles.

Women & Children

Recommendation n°2: *Take further measures to promote and protect the rights of women and children* (Recommended by Afghanistan)

IRI: *partially implemented*

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Bashke per Kujdesin Teresor te Femijeve-All Together Against Child Trafficking, Partnere per Femijet, Save the Children, World Vision, ARSIS, SOS Children Villages (BKTF-Coalition) response:

The Albanian Government approved the child rights law in November 2010. To the present we have received some informal information that the first 5 bylaws were approved in the Parliament thus hoping that the law will start to be implemented. A State Agency for the Protection of the Rights of the Child has been established and the members of the National Council for the Protection of the Rights of the Child have been appointed. However, the Council has yet to become operational. Child Rights' Units are now established and Child Protection Units in 28 municipalities and communes. Secondary legislation related to the Albanian Adoption Committee has been approved by the Council of Ministers and the pilot project on foster care involving 80 children continues to be implemented. A juvenile justice strategy addressing neglected aspects, such as the protection of child victims and witnesses of crime, and measures concerning offenders below the age of criminal responsibility, is pending.

Recommendation n°7: Prohibit by law the practice of corporal punishment of children as a disciplinary method (Recommended by Argentina)

IRI: *not implemented*

BKTF response:

Violence against children is prohibited by the Domestic Violence Law. But it only refers to cases of identified violence in the family. Corporal punishment in other settings such as education institutions, public etc. is not regulated by legislation and what is more there is no functional referral mechanism for children victims of corporal punishment. There are no cases of punishment of a teacher, parent or else due to physical violation of their children, even though children report violence at schools and in the family through the child help line or CRC report or others.

Global Initiative to End All Corporal Punishment of Children (GIEACPC) response:

There has been no change in the legality of corporal punishment of children: today, as in 2009, it is unlawful in schools and the penal system but it is lawful in the home and in most forms of alternative care. In June 2010, a draft "Law On Child's Rights Protection", intended to harmonise domestic legislation with international standards, was passed by the Council of Ministers and as at November 2010 was due to be submitted to parliament; we do not know if prohibition of corporal punishment was included in the draft.

Recommendation n°9: 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 (Recommended by Austria)

IRI: -

BKTF-COALITION response:

Children at risk also need to include children with disabilities, who are always looked at as a separate group and need to be included in the main framework.

Recommendation n°10: 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

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leaving care, in particular with regard to access to education and vocational training
(Recommended by *Austria*)

IRI: *not implemented*

BKTF-COALITION response:

There is no change in increasing the age of leaving care. Initiatives in establishing community based services in Albania, but there is no monitoring on the result of preventive work. No progress about integration of children in families of origin.

Recommendation n°11: *Take measures to prevent the unnecessary admission of children to institutional care and to support the reintegration of children into their biological families* (Recommended by *Austria*)

IRI: -

BKTF-COALITION response:

Children with disabilities are one of the highest groups of children in institutional care due to the lack of early intervention, rehabilitation services or inclusive education.

Recommendation n°12: *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* (Recommended by *Austria*)

IRI: -

BKTF-COALITION response:

Children CRC Alternative Report delivered to the UNCRC Committee in November 2011, still report blood feud as one of the factors that put children in vulnerable situations, keeping children outside education, or accessing other state services. We do not have a clear number of children who are obliged to stay isolated due to honour killings, but there is a considerable number of children being locked in their homes, and not able to go outside. Instead for the government to implement proper legislation it stimulates this isolation, by trying to provide schooling for these children or other services in cooperation with some peace making organisations. Instead the phenomena should not exist and leave children socially excluded.

Recommendation n°14: *Take appropriate measures to promote the registration of all children, paying particular attention to the most vulnerable and marginalized groups* (Recommended by *Azerbaijan*)

IRI: *partially implemented*

BKTF-COALITION response:

The government in collaboration with the CSOs has amended the Civil Registration Law, by taking away the penalty for the parents for not registering their children within a pre-decided timeline. Nevertheless the problem still remains due to the difficult procedures a family has to face in the case a child and the parents themselves are not registered and there is lack of facts to prove their birth and family relation. In this case the Justice Court Decision is needed but the procedure to go through the court is very expensive and many families cannot support it. Sometimes the DNA test is needed in court procedures and TLAS does provide for this service but still in a limited number and only for those communities they are working with or they have identified. In the case a parent does not have knowledge of this NGO and has no information where to find support, the service is not provided thus living the child unregistered and going through long bureaucratic court procedures. One

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problematic issue is also the lack of a mechanism which follows birth registration case by case. A maternity hospital worker is not legally obliged to register a child. They have a guideline to inform every Monday the civil registration institutions on a new birth, but this is not done. As a result when a parent does not register a child at the state institutions the child remains without an identity. There is a lack of awareness among people working in maternities in the need to register a child, thus this should be regulated by law in order to make it a legal responsibility rather than left to the will of the workers. Also there is a need to computerize the maternity hospital registration procedure in order to be in line with the civil registration institutions and upload data automatically in their servers. In this way would be simpler to inform regularly on birth registration and monitor the process by avoiding children to remain unregistered. Even though the law entered into force in 2009 it is not that functional yet. There are still unregistered children born in 2009, 2010 due to several reasons, such as lack of will from the parents or responsibility from the health structures. There is still an unclear number of unregistered children all over Albania. Even those cases identified are done by CSO not state institutions. Most of the registered cases of children during this time are reported by CSO. In case a person is not affiliated to any NGO and does not know the responsibilities to register a child or the necessity to do so a child remains without identity. The state local structures should take more proactive role especially the health structures and ensure that no child will leave their institution without having an identity.

Recommendation n°20: Consider fostering policies on combating child trafficking and define the crimes of the sale of children and child pornography (Recommended by Brazil)

IRI: *partially implemented*

BKTF-COALITION response:

Child trafficking is already regulated by law in Albania, and recently the Anti-Trafficking National Coordinator's Office has started to implement the Standard Procedures for the Identification and Referral of Victims of Trafficking. The issue remains with Internal Trafficking which is not yet officially recognised by the Albanian Government, and consequently no measures are undertaken to reduce it. It is mainly CSO which work to reduce child internal trafficking. The establishment of a national child protection system is key to progress in Albania. Although coordination between central, regional and local levels, and with NGOs, has improved, divisions of tasks and responsibilities of relevant bodies are not clearly defined. Further training is required for police and social services in order to properly identify victims of abuse and trafficking.

Regarding the definition of the sale of a child and child pornography it is considered a crime by the Penal Code but only in the case where the process happens for child sexual exploitation. In no other cases this is considered a crime, even when a parent sells a child to another parent who do not necessarily abuse a child, even when a person is holding pornographic images of a child and makes them public etc.

Recommendation n°24: 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. (Recommended by Brazil)

IRI: -

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BKTF-COALITION response:

A workshop was organized on June 2011 about consideration and of UN Guidelines for Alternative care as part of social care reform in the country. Event was organized by Ministry of Labour, Social Affairs, supported by UNICEF and SOS Children's Villages. No further progress

Recommendation n°33: *Fully implement the National Strategy on Gender Equality and Domestic Violence, intended to tackle violence against women* (Recommended by Chile)

IRI: *partially implemented*

BKTF-COALITION response:

Some efforts were made in regard of awareness and measures to address the domestic violence, but government does not provide security measures for the victim and long term solution (such as integration programs in the society, employment opportunities etc.)

Recommendation n°35: *Prohibit corporal punishment as a method of admonishing children and adolescents* (Recommended by Chile)

IRI: *not implemented*

BKTF-COALITION response:

Although the Law on Protection of the Rights of the Child foresees the protection of children from physical and psychological violence, concerns remain regarding the exertion of violence against children, including use of corporal punishment

GIEACPC response:

See recommendation n° 7

Recommendation n°37: *Adopt further measures to ensure birth registration of all children* (Recommended by Czech Republic)

IRI: *fully implemented*

BKTF-COALITION response:

In October 2011 the Ministry of Foreign Affairs signed a Memorandum of Understanding with Tirana Legal Aid Society (TLAS) which is an organisation which provides free legal service to vulnerable communities, especially on birth registration issues. The MoU is based on two important pillars: TLAS will refer cases of child birth registration to the Ministry and they will provide the necessary birth documents from the respective country. Secondly the MoFA will legalise the documents in order to avoid the payment of the documents requested by the NGO. Still there is one problem with this, even though the procedure is somehow facilitated the consular offices do not monitor birth registration of Albanian citizens abroad. They provide documents only for the cases referred by NGOs rather than identifying birth cases themselves. In case a parent is not conscious to register a child and has no information about the support a consulate offers they will not register the child. There is a need to make the role of the consulates more active and take more responsibilities in ensuring birth registration of all Albanian citizens born abroad.

Recommendation n°46: *Accelerate its efforts towards the adoption of anti-discrimination and children's rights laws* (Recommended by Egypt)

IRI: *partially implemented*

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BKTF-COALITION response:

Children with disabilities are discriminated against and as yet have not seen their inclusion or participation improved since the passing of the Anti-discrimination Law. Their exclusion exists in education, at preschool and at mandatory levels.

Recommendation n°57: *Establish detention facilities for juvenile detainees* (Recommended by *Italy*)

IRI: *fully implemented*

BKTF-COALITION response:

A law on alternatives to detention and legislation on probation was approved in 2008. While the system for protection of children between 14 and 18 years of age has improved in terms of legislative provisions, knowledge of professionals, and the use of alternative sentencing, the juvenile justice system lacks responses and referral mechanisms for children under the age of 14 who commit a crime.

Recommendation n°60: *Continue giving priority and allocating adequate resources to the implementation of the national strategies on children and on combating child trafficking* (Recommended by *Malaysia*)

IRI: *not implemented*

BKTF-COALITION response:

BKTF coalition has no information whether the Strategy for Children was finalised and approved in the Council of Ministers. The Ministry of Labour Social Affairs and Equal Opportunities is supposed to report on the 1st of June on the implementation of this strategy and its plan of Action. We are looking forward to see what they will present and which is the Strategy for Children 2012-2015 regarding the allocation of adequate resources for the implementation of the national strategies to the present we can say that we have never received any information by the responsible institutions working on child protection on the budget they allocate to implement children issues, and the human resources they put for implementing specific activities. Based on the Child Rights Law it is supposed that a Child Protection Unit has to be established in every commune or municipality, but due to lack of financial support it is not implemented and even in those areas where there is a CPU it is not sustained financially and there is a possibility of closing some of them.

Recommendation n°64: *Facilitate and ensure registration of all children born in Albania* (Recommended by *Mexico*)

IRI: *partially implemented*

BKTF-COALITION response:

Information already provided in the previous questions. Some procedures are already facilitated, nevertheless there is a need to establish a strong mechanism which monitors and follows very child birth and registration step by step ensuring no child is left without being registered regardless of the parents knowledge or else.

Recommendation n°65: *Include in the relevant legal framework the definition of the crimes of sale of children and child pornography* (Recommended by *Mexico*)

IRI: *not implemented*

BKTF-COALITION response:

Not yet changed. Even with the new changes of the penal code in 2012, this was not considered.

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Recommendation n°66: *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* (Recommended by Morocco)

IRI: *partially implemented*

BKTF-COALITION response:

The state does make efforts to ratify international legislations as it has already done with the CRC or other documents, but without considering the Albanian context or trying to improve it or also collaborating with CSO while elaborating new legislation or ratifying international legislation. For example although the first 5 Bylaws for Child Rights law were approved and finalised, they were not transparently consulted with Civil Society till the finalisation process. Also, there is still confusion on how the Child Protection referral mechanism will function in practice. There is a need too for clarification and coordination of roles and responsibilities of designated structures to deal with Child Abuse in Albania. This is why we request more transparency and collaboration with CSO.

Recommendation n°70: *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* (Recommended by Norway)

IRI: *partially implemented*

BKTF-COALITION response:

The Albanian Government adopted the Child Rights Law on November 2010. The GoA should ensure that there are adequate medical and social services to support the early intervention with infants and children with disabilities in all regions of the country. To ensure that children with disabilities participate in all areas of society and are not prohibited by peoples' prejudices and lack of awareness. Inclusion of all children in rural areas, with disabilities or from ethnic groups in education must be a priority.

Recommendation n°71: *Elaborate State policies and establish mechanisms targeting discrimination against marginalized and vulnerable categories of children* (Recommended by Norway)

IRI: *partially implemented*

BKTF-COALITION response:

The [UN Convention on the Rights of Persons with Disabilities] needs to be ratified and then state policies need to be implemented to ensure the overall welfare of all children with disabilities from the earliest intervention to health, rehabilitation and education and social integration. World Vision has undertaken a National and Regional Study on Children with Disability in Albania, and the best practices in the Region for all inclusive education. The Ministry of Education and Science and the Ministry of Labour have agreed to collaborate and support this initiative. The study will be launched soon and the recommendation will be used to advocate with the government on policy change and adaption for children with disability

Recommendation n°76: *Introduce and disseminate specific awareness-raising programmes for all relevant judicial and police personnel aimed at the protection of children from trafficking* (Recommended by Poland)

IRI: *fully implemented*

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BKTF-COALITION response:

This information is reported by the Office of the National Anti - Trafficking Coordinator: The Schools of Magistrates has included in its training curricula for second year the subject of "Trafficking of Human beings". Trainings were also conducted by the Office of the National Anti-Trafficking Coordinator in the 12 regions of Albania where 50 representatives from state police, social service, health institutions, labour inspectorate etc. participate in each training. Specialised trainings for the police officers and prosecutors will take place during 2012 on the theme "National Policies and Legislation on Anti-Trafficking". The General State Directory has included in the training curricula for the Border Police themes related to trafficking in persons and the interviewing techniques. In collaboration with the National Coalition United for Child Care and Protection they have organised awareness raising activities on child protection from trafficking and exploitation in 8 regions in Albania, raising awareness among local government representatives, teachers, parents and children on child protection issues. The Office of the Anti-Trafficking Coordinator in collaboration with OSCE has started a project which tends to build capacities of labour inspectorates and promotion of social entrepreneurs. In order to ensure reintegration of victims of trafficking the National Anti trafficking coordinator has established a working group to offer free health service to victims of trafficking. World Vision and Terre Des Hommes in the frame of JTIP program are organising a set of trainings in 5 regions in Albania for Juridical and Police personal on Child Trafficking. This project is done in close collaboration with the Ministry of Interior office of the Anti-Trafficking Coordinator.

Recommendation n°77: 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 (Recommended by Republic of Korea)

IRI: *fully implemented*

BKTF-COALITION response:

As above mentioned in [recommendation n°] 76, the training module produced and that will start delivering in late May, addresses child trafficking in a system approach, starting from the Wellbeing of Children, Protection Trafficking and the referral between different local actors of child trafficking cases.

Recommendation n°84: 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 (Recommended by Slovakia)

IRI: *partially implemented*

BKTF-COALITION response:

Elaboration of the National Action Plan of Action against Child Trafficking: Led by the Ministry of Interior, the Government has passed in 2011 the National Action Plan for the Fight against Human Trafficking and the Action Plan for the Fight against Trafficking in Children and Protection of Children Victims of Trafficking (2011-2013). This establishes clear result targets, monitoring and evaluation mechanisms and the roles and responsibilities of Government, international organizations and civil society

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in the prevention, protection, and reintegration of victims of trafficking. Standard Operating Procedures (SOPs). The Government established the Standard Operating Procedures for the Identification and Referral of Victims of Trafficking in 2011, following a long process of negotiations with civil society working groups where World Vision also contributed actively. SOPs serve to implement the Strategy against Trafficking and Action Plan by establishing appropriate methods for identifying, referring, protecting and reintegrating victims of trafficking including children. Awareness raising on child protection issues is usually done by civil society organisations, such as the awareness raising campaign of BKTF coalition Childhood is NOT Child labour. There is no functional referral mechanism for children victims of abuse and exploitation. In case a child is exploited by a parent there are no programs to ensure empowerment of the family and reduce child labour and ensure the child goes to school and enjoys his/her rights.

Recommendation n°104: 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 (Recommended by United States)

IRI: *partially implemented*

BKTF-COALITION response:

To the present the only measure we are familiar with the establishment of the State Agency for Child Protection which is responsible for ensuring protection of Albanian children. We have no information whether this Agency has drafted any plan to work on the reduction of child labour in Albania. BKTF has already raised this issue with the Ministry of Labour, specifically with the Agency to offer its support to prepare this plan.

Recommendation n°106: 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 (Recommended by Uruguay)

IRI: -

BKTF-COALITION response:

Development of alternative forms of non-residential care for any child that cannot remain with his or her family including foster care or emergency care. There are 80 foster families at the moment which does not respond to the needs in entire Albania.

Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we applied the same procedure for data collection about all States:

1. We contacted the Permanent Mission to the UN either in Geneva (when it does exist) or New York;
2. We contacted all NGOs which took part in the process. Whenever NGOs were part of coalitions, each NGO was individually contacted;
3. The National Institution for Human Rights was contacted whenever one existed.

We posted our requests to the States and NHRI, and sent emails to NGOs.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation were not contacted, and those stakeholders' submissions were not taken into account.

However, since the UPR is meant to be a process which aims at sharing best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing the recommendations

The persons we contact are encouraged to use an Excel sheet we provide which includes all recommendations received by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split up among recommendations we think it belongs to. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention neither that the recommendation was "fully implemented" nor that it was "not implemented", UPR Info usually considers the recommendation as "partially implemented", unless the implementation level is obvious.

UPR Info retains the right to edit comments that are considered not to directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

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C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for the recommendations received at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation will be given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views, and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.

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Newsletter "UPR Trax"

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