

## **UNIVERSAL PERIODIC REPORT 2018**

**Submitted by:**

**SOS Children's Villages Albania**

**(SOS CV AL)**

This report is prepared and submitted by SOS Children's Villages Albania. SOS CV AL was established in 1995, it has been active in the field of social protection through provision of direct care services for children and young people without parental care, as well community based services for families at risk.

### **Overview of social welfare policies development in country**

A comprehensive system for child protection is a relatively new idea in Albania. As such, it should be recognized that noteworthy efforts have been made in recent years to establish such a system and develop proper child protection measures. There have been important reforms, like the Administrative-Territorial Reform and the Social Care Reform. These were meant to improve the efficiency of the social protection system in terms of the quality of social services for vulnerable groups, including children.

As regards social inclusion and protection, the national strategy on social protection for 2015-2020 is under implementation. The Law on Social Care Services entered into force in November 2016 and the Law on the Rights and the Protection of the Child in February 2017. The 2017-2020 national agenda for children's rights was adopted in April 2017, promoting stronger governance in the protection of such rights. In December 2016 the Council of Ministers approved the criteria, procedures, documentation and the amount of economic aid for offering more autonomy to local government units. The use of the Management Information System for disabled beneficiaries is already approved and is being implemented in a pilot phase.

Regarding the Social Inclusion Policy Document for 2016-2020, little progress has been made in setting up the necessary structures or clarifying arrangements for implementing the policy. The government should step up its efforts to ensure there is a comprehensive plan for building up the capacity of all line ministries and local governments to implement the actions in the document. In 2016, the government developed a social housing strategy but the budget allocated for (social) housing programmes is limited and does not provide for all proposed actions to be carried out. To address many of Albania's challenges identified by international bodies in the field of housing and forced eviction, the Council of Ministers approved a full-fledged draft social housing law in April 2017<sup>1</sup>.

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<sup>1</sup> EU Progress Report 2017 page 78

In 2017, after the parliamentary election the Prime Minister's initiative was to have a smaller and more efficient government. In frame of that reform some Ministries merged, one of them was former Ministry of Social Welfare and Youth. Its responsibilities, mainly social one are transferred at the former Ministry of Health which now entitled Ministry of Health and Social Protection. Other responsibilities shared with Ministry of Education, Ministry of Finance etc.

## **Family Environment**

There are approximately 700,000 children in Albania representing more than 24 per cent of the total population<sup>2</sup>. Many children live in social-economic difficulties in their family environment and are at risk of losing parental care, they face significant difficulties in their daily lives which often have long term implications into adulthood.

Law “On the Rights and Protection of the Child” establishes the standard that every administrative unit of a municipality, which has more than 3,000 children, should have at least one child protection worker. In cases where the administrative unit of the municipality has less than 3000 children, this task may be performed by one of the staff of the needs assessment and referral unit, which is defined in the job description, as a child protection worker.

The rate is very high to covered only by one Child Protection Worker for 3000 children, it is impossible to offered quality support. On the other side in the Units which have less than 3000 children this task will cover by other staff, which will not have appropriate competencies in children issues and would be challenges to respond cases in professional manner.

Within the deinstitutionalization process and policies, it is ensured that social care services are provided as much as possible, to the family or community, in order to ensure effective and efficient social services. As well the in the new law "On Social Services in the Republic of Albania" is foreseen: to have community services, which are services provided at local community centres or in other settings, such as day care services. The law also establishes prevention services, which include services that consist in information of beneficiaries, assistance to beneficiaries in determining their needs, initial assessment, support and further assistance to plan actions that best suits to the needs of beneficiaries.

Actually the new law is poor implemented especially for prevention services, for many reasons such as: lack of financial resources, insufficient human capacities and resources, lack of staff competencies, poor coordination and cooperation between public structures, lack of regular and professional monitoring and evaluations of children and families etc. In some areas/regions preventive services offered by local institutions are limited only to the distribution of economic assistance which is very low and does not cover even basic needs for survival. In many case the prevention services are offered and supported by non-public bodies, mainly by CSOs. Despite the fact on the law is foreseen to offered services by non-public bodies, no concrete developments

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<sup>2</sup> Albania Institute for Statistics (INSTAT) data, 2015

happened regard ensuring policy and standardized regulations for social procurement or social contracting that would facilitate the provision of diverse services among governmental and non-governmental stakeholders.

### **Alternative Care, Leaving Care and After Care**

The Government of Albania recognizes that poor quality institutional care does not meet the individual care, protection or development needs of children, deprives children of the opportunity to grow. National Action Plan for Child and Family Social Services in Albania was in place since December 2016, which have in focus replacement of institutional care provision.

One of the main development done in field of alternative care was the age extension of young people leaving care from 15 to the age of 18 along with the preparation of standards for youth care model and recognition of services. That change come as result of “I Matter” campaign, advocacy project developed by SOS CV AL for 5 years.

Close to 0.12 per cent (1.2 per 1,000) of the child population lives in institutional care, as reported by the State Inspectorate for Social Services in June 2016<sup>3</sup>. In frame of DE-I, progress is done in reduction of children in public institutional care, figures come by Social State Service report of 2017 show that: Year 2013 – 306 children; Year 2014 – 246 children; Year 2015 – 223 children; Year 2016 – 179 children, Year 2017 – 193 children. Compared with 2013, over the years there has been a decrease in the number of beneficiaries in institutional care centers by 14%, which is explained by the fact that more and more attention is paid to avoiding institutional care provision by replacing and offering alternative services at the local level for persons and families in need.

One of the main challenges of the public institution is that, in some cases children are placed far away from their previous locations/school/city, because the public institutions are located in few cities of Albania. When sibling children are placed in institutions, they are mostly separated from each other due to the fact that care institutions remain organized according to the age of the children.

There are no suitable life skills preparation for leaving care during the time in care and very short notice is given to a child leaving care. After care programs missing at all so leaving the young people without any further monitoring, suffering from poor education, psycho-social difficulties, lack of financial resources, lack of mentoring from adults. In many cases young people are accommodated for the whole life in boarding schools in very miserable conditions. They face stigma & discrimination; being different or not suitable for their peers and society. Many young people have difficulties to find employment and appropriate housing after leaving care. The majority of young people in care do not benefit Orphan Status<sup>4</sup> and benefits come from the

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<sup>3</sup> Data provided by the Director of the State Inspectorate for Social Services

<sup>4</sup> <http://www.infocip.org/al/?p=3366>

status/law. Main reason is the insufficient and inadequate criteria defined by law, which recognizes only some categories of children/young people as status beneficiaries (such as: born out of wedlock, not having any of the parents, by a final court decision have been deprived of the parental right of both parents or have been deprived of parental right for one parent and the other parent does not live; abandoned by both parents and their identity is not recognized), actually those categories does not concern most of the children/young people in care so they are nonprofits of the law.

The number of families included in the foster care scheme has increased, the figures coming out by Social State Services for 2017 indicate that: Year 2013 - 67 children; Year 2014 - 103 children; Year 2015 - 247 children; Year 2016 – 226 children; Year 2017 – 271 children. Foster care was promoted by the state social services but needs to be further developed and regulated. More than 90% of foster families have with blood relations. There remains a problematic interaction with the court on cases of placement of children in foster families, as a more optimal solution for child development compared to placement in the institution. The preparation of procedures to be a foster families take time and the society have lack of information regard foster care. There is a lack of foster care register.

### **Reunification with the family of origin**

Reintegration in family of origins remains one of the main challenges of the system, despite the fact the reunification of children with the biological family is a priority of the work of both public and non-public service providers.

There is not enough funding to support reunification, no clear legislation and guidelines for each step of the reunification process (starting with gatekeeping guidelines), and lack of necessary training for the staff pursuing such cases. Child Protection Units have lack of the resources to provide support and monitoring of families after reunification. Services to meet the main needs that may have led to the separation of the child from the biological family as services for family economic empowerment are inadequate.

A network of actors should involve in the reintegration process, including children, families, communities, local government structures, CSOs, etc., but this co-operation works better in the capital and less in other regions/cities where mapping of various stakeholders that may be involved in the process, in most cities, is missing or not performed in a qualitative manner. Problematic remains inter-institutional communication, official cooperation protocols in cases of reunification, are not available.

Full assessment of the child and family to determine whether reintegration is in the best interest of the child is carried out by institutions, but does not clearly identify the risks associated with reintegration as well as the sources in which the child and the family can rely.

## **Recommendations**

- Strengthen community based supportive services for families in order to prevent children from losing parental care, family centers, family strengthening programs, and counseling. It is necessary to undertake concrete measures for the sustainable strengthening of the biological families. In the frame of the new policies in place, there should be increase the financial resources, human capacities for social services to be applicable in practices.
- Develop appropriate policies and standardized regulation and implement in practices for procurement of social services or social contracting at the local level.
- Establish package of individualized aftercare provisions for young people who have left care.
- In the alignment with the recently standards approved for children in institutional care of the age 16 to 18, clear policies with proper budget allocated of leaving care and after care to increase the quality of care should be considered.
- Expand the target group definition and the benefits deriving from the status of orphan (not only for young people who have neither of the parents) but taking into consideration all the children and young people in alternative care.
- Increase the information of young people regarding their rights, available services and provisions in the area especially of housing, accommodation, education, child protection, etc.
- Organize peer-to-peer support to counsel young people preparing to leave care and to provide advice about life.
- Improve gate-keeping to prevent unnecessary admission of children in alternative care, in all cases, but with particular reference to poverty as a decisive factor.
- Expand and develop in practices alternative forms of care such as short term care, foster care, emergency centers etc. Raising awareness of community to contribute as foster families.
- Creation of guidelines and policies at national level for reintegration/reunification of children in accordance with the UN Guidelines for Alternative Care of Children;
- Building staff capacities that work directly with cases that are for reintegration into the family of origin;
- Creation of a clear case management system at each stage of the reintegration process at the national level;
- Family re-unification should be considered and encouraged only if it is in the best interests of the child/young person. The cooperation with the family of origin should be carefully considered and thoroughly planned.