

STATEMENT

UPR Pre-session on ALBANIA

Geneva, 4 April 2019

Delivered by: Child led Groups “Voice 16+”, Children Governments and children in street situation in Albania, supported by Save the Children in Albania.

Presentation of the children’ groups supported by SCiA: This statement has been prepared by three groups of children: the Child led Groups “Voice 16+”, Children Governments and children in street situation in Albania. It was also informed by a nation- wide survey about children’s views on certain issues collected in 2017 within the scope of the project “Young Voices”. YV reached 1200 children in 8 regions of Albania. Children addressed their main concerns like: participation, education, violence, bullying, safety, discrimination, exclusion, costs in schools, awareness on their rights, the future and etc.

National consultations for the drafting of the national report: A one day training (October 2017) on the UPR was organized for children of CGs, CLGs and in street situation, although some children were already familiar with this process. The training gave them information on the purpose of the UPR, the stages in the process, the value of their contribution and how to structure the submission of the report. In addition, on April 2018, 30 children part of CLGs, CGs and children in street situation from 8 regions of Albania divided into 5 working groups selected the topics of their report. Each of the groups analyzed all the addressed issues (in total 11) and identified the most critical ones (5 out of 11). Later each of the groups analyzed in detailed each of the identified issues and provided arguments regarding the challenges as well as the most pertinent solutions.

Plan of the Statement: This statement addresses the following issues: (1) Child Discrimination. (2) Child Participation with a focus on ensuring that children voice is heard. (3) Violence/economic exploitation.

Statement

CHILD DISCRIMINATION

A. Follow-up to the first review: Many countries during the previews review gave recommendations that Albanian government should fully implement the Law on Protection from Discrimination and launch a national awareness campaign on the issue of discrimination and racism, strengthen the measures to eradicate the trend and/or the dissemination of stereotypes that lead to discrimination on the grounds of sexual orientation and increase awareness-raising programmes and campaigns to promote tolerance and respect for cultural diversity.

B. New Developments since the first review: Measures have been taken to guaranty the rights of minorities. In October 2017, the Law ‘On the Protection of National Minorities in the Republic of Albania’ was adopted, providing for special rights and protection to national minorities. A network of seven focal points has been created among the key ministries responsible for education, civil registration, health, employment, social housing and vocational trainings. A database of 57 focal points at the municipal level that coordinate policies for Roma and Egyptians has been created. The electronic system RomAlb was developed - a web application allowing for collection and management of information on Roma and Egyptian minorities at all levels.

Gaps: Although the Albanian government has signed the Convention of the Rights of the Child and is committed to implement it, based on the findings of Young Voices, most children (86,3%) consider child poverty, exclusion and disability as areas of particular concern, in which the government should do more to stop discrimination and combat social exclusion, by tackling factors that condition it. Children are aware about social exclusion. For them, poverty and economic disparities are the root causes of exclusion with 86,3 % considering it as “very important” that Albania should do more to help children who live in poverty. Children consider “ethnic discrimination as a smaller factor contributing to the exclusion factor, although 65,6% of children acknowledge that Albania must do more to address ethnic disparities. Children also recognize that school is not yet able to identify excluded and discriminated children, to get them enrolled and included in social environment , while government is not yet capable of guarantying that all children have equal access to basic services. There is lack of collection, processing and publishing of statistics on disability in various fields such as education, health, and housing. Children identified several issues in the field of education, including school enrolment, distribution in schools and classes, segregation of Roma and Egyptian, provision of free textbooks for legally benefiting categories, and refusal to enroll in school children with disabilities or those from the Roma community. Other issues identified by children included protection of children from violence, insulting behavior of police officers towards Roma children, violence and negligent attitudes towards pre-school children, poor living conditions, and lack of timely and appropriate medical supplies. On the above issues the Commissioner for Protection against Discrimination issued several recommendations but many of them remain unaddressed, either partially or entirely.

C. Recommendations

- Ensure that child protection services are in place and accessible for marginalized and excluded children at local level, supported with the sufficient budgetary allocations.
- The government must guarantee the organizing of awareness campaigns aimed at sensitizing public opinion against discrimination practices and stereotypes.

2 CHILD PARTICIPATION

A. Follow-up to the first review

Many countries during the previews review gave recommendations that Albanian government must invest more to raise awareness of children’s right to participation in the family and Community. Unfortunately, in addition to information regarding children’s participation, evidence from YV brought about the issue of “institutional responsiveness”. Children have the right to express their views, but institutions-duty bearers have to take them seriously. This applies to all fields, for example, school, home or municipality. Although almost all children (88 %) acknowledge the importance of being listened to by the politicians and decision-makers on what they think about different issues, most of them admit that they lack opportunities (13 %) or have few opportunities (48 %). 81 % would prefer more influence on issues that concern them.

The municipality is the closest political arena to children and where most of the decisions concerning them are made. However, less than 6 % have managed to influence decision making at local level out of 59 % who could give their views on important issues. Yet, while children’s participation is strongly encouraged as a basic right, unfortunately their voice cannot be heard because child-friendly accountability mechanisms of regular public hearings are still lacking at municipal level. Effective policy implementation at local level is challenged by children’s participation at all levels of governance.

Children try hard to make institutions hear their voice, utilizing pupils’ governments and other fora, however they are not always taken seriously, first of all by school.

B. New Developments since the first review

Increasing children's participation in decision-making at school and outside the school is a strategic objective of the National Agenda for Children's Rights 2017-2020. Law No. 18/2017 "On Child Rights and Protection" stipulates the right of the child to be heard and consulted. In full alignment with the agenda and the law, appropriate child rights instruments are established, while modalities to make this participation effective in several directions are also strengthened. Youth participation is encouraged also by the National Action Plan for Youth 2015-2020. In the education system sanctioned by Pre-university Law as Amended in 2018, the voices of children are also represented through bodies established in each school, including children government and the school board.

C. Recommendations

Whereas children's participation is strongly encouraged as a basic right, unfortunately their voice can't be heard because fora and mechanisms of regular public hearings are still lacking at municipal level. Effective policy implementation at local level is challenged by children's participation at all levels of governance. We urge the Government to:

- Establish Institutional structures and mechanisms which promote an on-going and regular dialogue between duty bearers and children, and guarantee that these mechanisms are functional.
- Undertake the responsibilities as per the Law No. 18/2017 "On Child Rights and Protection", to coordinate, monitor and report on the realization of the rights of the children.
- Give enough information and evidence on municipal plans that regard children's rights to facilitate their participation and engagement in municipal decision-making meetings.

3 VIOLENCE/ECONOMIC EXPLOITATION

A. Follow-up to the first review

Albania has to pay particular attention to the conditions of street children and other children, especially those coming from poor and socially marginalized families in the context of its national policy on providing adequate protection for children to protect them from all forms of violence or abuse, including trafficking and sexual abuse, to effectively eliminate the worst forms of child labour and the economic exploitation of minors, prevent them from violence at home and in all institutions in which children are present.

B. New Developments since the first review

In 2017, the Albanian Parliament adopted the Law No. 18/2017 "On Child Rights and Protection", which sets forth the rights and protection of children, and the relevant mechanisms and authorities involved and their accountability. The law is quite advanced compared to the previous law as it includes detailed measures to be taken by the relevant institutions in response to violence against children, as well as their roles and responsibilities.

New needs: Child labour remains a major concern, including in hazardous environments. Although employment of children is illegal, the prevalence of child labour is a major challenge. 7.7% of all Albanian children aged 5-17 work, and over 5% of all children aged 5-17 work in hazardous occupations such as agriculture, domestic work and illegal activities, for excessively long hours or under dangerous condition. (Common Country Assessment Albania, UN 2015). Even though the law is adopted and has entered into force, its effects are too early to measure.

The recent Young Voices study conducted in 2017 by Save the Children, shows that children are still affected by widespread violence in the Albanian society. 58% of interviewed children have seen someone get punched or hit in the past year. Public transportation and school bus, especially in the evening are the less secure places (only 1/4 of children feel safe). Of concern is the fact that not all children feel secure and protected in the classroom (one out of 10 children do not feel safe). Although majority of children consider “home” the safest place, (almost 86% feel always safe at home), there are some (4 %) who experience domestic violence, which is a long standing, complex social issue. Bullying is another serious issue according to children’s opinions. Almost 1/3 of children (34,6%) have felt bullied or harassed during the last two school terms . Girls in urban areas, nearly 40% have felt bullied and harassed as much as twice more than boys (20,3%) while the % of girls and boys that felt bullied or harassed in rural areas are almost the same (40,8% and 38,9%). Unfortunately, education system and the whole Albanian society are not prepared to cope with bullying. There is lack of data and research on teachers’ responses to bullying in schools. In addition, almost 40 % of children who participated in Young Voices reported that they don’t know or are unsecure on where to turn to when they feel violated or unfairly treated. Although the number of Child Protection Units has more than tripled, they are not established in all municipalities and administrative units with more than 3,000 children. Efficient functioning of the CPUs is also affected by high staff turnover and lack of compliance with the criteria for employment of the CPU workers, including the required education levels and professional training.

C. Recommendations

- Organize awareness raising programmes and campaigns against violence in all environments (family, schools and communities) and the promotion of good practices of family conflict resolution and positive parenting.
- Take concrete actions, including capacity building of relevant professionals, to prevent violence against children and to ensure identification and referral of child victims to the relevant structures, and to hold perpetrators accountable.
- Effectively implement and disseminate the Law No. 18/2017 “On Child Rights and Protection” to all institutions and schools.
- Guarantee that the issue of bullying is addressed in school curricula.