

## ***Oral Statement to the CEDAW Committee***

**Country:** Albania

**Session:** 46<sup>st</sup>

**Venue:** Headquarter of the UN

**Date:** July 19, 2010

**Time:** 6 minutes

**Speaker:** Mirela Arqimandriti – Executive Director – Gender Alliance for Development Center

### **The speaker represent the following NGOs:**

1. Gender Alliance for Development Centre, Tirana;
2. The association for Women with Social Problems, Durrës;
3. The Psychosocial Centre “Vatra”, Vlora;
4. The association “Agritra-Vision”, Peshkopi;
5. The Women’s Forum, Elbasan;
6. The association “Women to Women”, Shkodra;
7. The association “Me the Woman”, Pogradec;
8. The association “Jona”, Saranda;
9. The Center for Legal Civic Initiatives (CLCI);
10. The Counselling Center for Women and Girls (CCWG);
11. The “Refleksione” Association;
12. The Shelter for Women and Girls in Tirana (the “Shelter”).

### **Priority Issues**

1. Violence against women
2. Trafficking in Women
3. Participation of women in decision making
4. Employment
5. Social and economic benefit
6. Rural women

Thank you Madam Chair,  
Honourable members of the CEDAW Committee

I will speak on behalf of the network of the twelve non-governmental organizations, which have submitted the shadow report for Albania.

I will talk about some of the most critical areas that needs intervention by the Albanian Government.

### ***Domestic Violence***

1. Every day we hear terrible cases of Domestic Violence. The count of the victims easy comparable to that of war. One out of every three women experiences domestic violence in her life.
2. While the Law “On Measures against Violence in Family Relations” was put in place in 2006, its implementation remains problematic, especially in the remote areas;
3. Further, the legislation itself needs improvements as there are entire areas of violence, including physical hurt and marital rapes that are not addressed and not covered by Criminal law either.
4. The law has also not been harmonized into the legal system, leading to absolute lack of clarity on part of the implementations of different actors role. Thus, in at least one case, led to the murder of the woman, who had filed a complaint with the police, but was turned back, and later killed by her husband.
5. There are no safe spaces for women in extreme danger. There are only five shelters, of which only one is run by the state – which is primarily for trafficked women, and the others are NGOs. The state has been using the shelter for trafficked women for victims of domestic violence as well. The shelters do not have adequate services for both categories of victims, even though their needs are different.
6. The absence of trained lawyers and of adequate free legal aid makes it impossible for women to access to legal knowledge and representation. Even the available lawyers have little or no understanding of gender issues and even violence against women.
7. The situation is made worse as there no support for victims who are forced to withdraw their petitions by the perpetrators. The courts and the system continue to ignore the social context of the victims, whose position as dependants of the perpetrators does not allow them to protect themselves.
8. The state must ensure economic independence for the survivors, in order to ensure their access to justice. The state must build a strong partnership with civil society in order to ensure an effective implementation of the laws that have been formulated to protect women’s human rights.

### ***Trafficking in Women***

9. Trafficking of Albanian women and girls and their exploitation outside Albanian borders has been decreasing because of the strong measures. Nevertheless, it is still a concern that the government is failing to acknowledge the true scale of internal trafficking and the exploitation of prostitution within the borders. It is possible that this trafficking may also

involve children. Only in 2009, 94 victims of trafficking in human beings were identified, referred and assisted in rehabilitation and reintegration centres.

10. We think that structures, both governmental and judicial, have been effective in preventing and suppressing trafficking-related crimes. However, it is important not to rest on laurels and think that the phenomenon is heading towards its elimination, because that would negatively affect the role and effectiveness of these structures.
11. We encourage the better implementation and improvements in legislation in order to strengthen the fight against traffickers and provide improvements in the status of victims in the criminal process and avoid punishment of victims of trafficking in all cases. The issue of compensation for victims of trafficking must not be regarded as a personal property issue, but as an integral part of the administration of justice, by also providing for tax exemptions in such cases.

### **Employment**

*We believe that economic empowerment of women is of great importance and a guarantee for women human rights. The problems that still exist and should be considered by the Government are:*

12. *The level of unemployment* has either increased or is at the same level as in the previous state report. These means that measures taken by our state apparently have no proper and expected effect on changing the situation of unemployment and informality. *Women with Disabilities* are even more deprived as far as employment is concerned.
13. *State employment programmes* are very short term. Thus, it is common that women remain unemployed again after completion of a short work contract. Women in both public and in the private sectors are the first to be affected by any reforms and reconfigurations (cases of the reform in the Ministry of Justice and case of women in Kucova).<sup>1</sup>
14. Regarding *legal frame*, Albanian legislation does not envisage paternity leave for fathers. There are differences between men and women regarding their pension age. Sexual harassment in the work place in the context of relations of subordination or labour relations needs to be introduced as criminal offence in the Criminal Code.
15. *Examining the state report we did not find any information regarding Hazardous Jobs.* While one flagrant case is that of Gërdec (explosion occurred in March 2008) where many of the workers were women and children performing very hazardous jobs with great exposure to imminent danger. But this is not the only one.<sup>2</sup>
16. *Implementation of the principle of equal pay is not sure* and calculation of the value of unpaid work, mostly done by women, is a matter of great urgency.
17. *Level of women Awareness of Fundamental Rights and Access to Justice is really low:* until now there are no cases brought to court with the request of discrimination occurred in different aspect of work relations. Women are not familiar enough, if at all, with the legislation and CEDAW standards.

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<sup>1</sup> Albania NGO Shadow Report to the UN CEDAW Committee Page 14, no 56.

<sup>2</sup> Albania NGO Shadow Report to the UN CEDAW Committee Page 44, no 227

18. Regarding *Budget* we have to make evident that one of the problems generally encountered in the laws and strategies adopted in Albania is that, although they meet the specific standards on paper and in the way they are formulated, *their adoption does not necessarily come with a calculation of its financial impact*. The point is that budgetary funding should be allocated in an adequate and diversified manner, and not as a lump sum lost in one of the major budget entries.
19. Statistical data are generally lacking or fragmentary. This is highlighted in the State Report, but also in other documents that were consulted in the preparation of this Shadow Report.
20. Institutional Development and Capacity Building need to be strongly and better addressed

*Reaching the standards set by CEDAW is an ongoing process. We base the recommendations on Albania's possibilities and perspectives, taking care to be realistic rather than utopian.*

*In this process we consider that civil society and state must be more responsible.*

**Thank you!**