**Information provided by Albania**

**on**

**the commitments with respect to children’s rights, in the frame of the 30th anniversary of the Convention**

**The Rights and Protection of the Children**

The Ministry of Health and Social Protection, is the main institution responsible for the issues of the rights and protection of the children.

The main policies, programs, laws and laws for children are governed by the principle of the best interest of the child and determine the right of the child to be heard. The rights of the children have undergone significant improvements through legal and institutional initiatives and reforms, bringing them closer to international standards. At the same time, we have had very positive results in increasing cooperation between institutions in identifying and managing cases in need of protection, in complementing the legal framework and in establishing child protection structures.

**1. Legal and institutional framework**

The new Law 18/2017 “On the rights and protection of the child” has marked a very important innovation, which includes the provision of the obligation to report cases of children in need of protection, as well as cases of violence against children. This obligation is mandatory for all employees working with children. Following the adoption of the Law No.18 / 2017, “On the Rights and Protection of the Child”, in February 2017, the process of drafting bylaws have been drafted and are being finalized, as an obligation for the implementation of this law. There are a total of 18 bylaws, out of which 13 are by the Decision of the Council of Ministers and 5 are guidelines. There are 13 normative acts, 13 Decisions of the Council of Ministers that have already been adopted, aimed at establishing an effective child protection system, guaranteeing their rights and ensuring their protection against all forms of violence in accordance with the principles of intersectorial cooperation.

Law on Services Nr. 121/2016 “On Social Care Services in the Republic of Albania” paves the way for a reform of the social care services system, promoting the well-being and social inclusion of all people in need and their families in social care. The focus has been on supporting and empowering the individual / family as close as possible to the place of residence.

For the first time, there is talk of integrated social-health services from early treatment, thus preventing aggravation of the situation, until full reintegration of the individual / families in need.

This service is detailed in the DCM of Service Basket, approved September 2018, and entered into force in March this year.

In order to address budget allocations for child structures and services at the local level, Law no. 121/2016 “On Social Care Services” provides for the creation of a special fund at the municipal level. This fund will serve as a new financial mechanism for providing higher quality social services and responsive to the needs of individuals. The fund will make it possible to access social services from interest groups or civil society. It is expected to improve budgeting for the provision of services locally required, including in the area of ​​child protection.

For the first time, measures for parental rehabilitation are envisaged, aimed at returning children placed in alternative care to the family, through family empowerment and support, or intervention to improve family relationships if the child still lives with them.

Given these normative acts, as well as the Open Call, in May 2019, for proposals to be submitted by Municipalities for funding, under the Social Fund, it is time for them to foresee the establishment of community-based services to provide the social integral of children These projects should be an integral part of local, budgeted social plans in order to obtain financial support from the Ministry of Health and Social Protection.

This call comes in the context of the adoption of Decision No. 150, March 2019, on the methodology of financing social services, where the novelty is that services at the local level will be financially supported by the central budget at 90% for the first year, at 60%. % in the second year and to 30% in the following years.

The first call for application under the Social Fund, April 2019, where 23 municipalities applied with concrete projects, out of these 10 social projects for the integration of children in need in 2020.

A very important document is Decision No. 636, dated 26.10.2018 “On determining the types, manner of exchange and processing of information and statistical data required by the State Agency for the Protection and Protection of Children at the responsible state structures. , at central and local level ”. This decision determines the type and manner of exchange and processing of information and statistical data required by the State Agency for the Protection of Children at the responsible state structures at central and local levels. Indicators / statistics from various fields such as demographics, health, nutrition, violence, migration, work, poverty, education, child justice present an overview of areas of child rights and protection.

Decision no. 136, dated 7.3.2018 "On the operation and administration of the National Electronic Register of Social Care Services", in point 7 states that: The National Electronic Register of Social Care Services includes: a) Families and any children, and the child enjoying international protection in the Republic of Albania, according to the asylum legislation in force; b) Children and persons with disabilities; c) Adults with social problems, victims of violence, trafficking, drugs and alcohol addiction; d) Pregnant girls or single parent of a child up to one year of age; Minors and juveniles in conflict with the law who have completed their sentence and need social care services for the purpose of reintegration into society, as well as those enjoying international protection by the decision of the authority responsible for asylum and refugees in the Republic of Albania; dh) Elderly in need.This Register is an innovative case management solution for every citizen who provides social services, interacting with all stakeholders, from administrative units, districts, child protection units, central State Social Service and regional, NGOs and non-public centers providing residential and day care services. This register will serve to have a clear picture of each beneficiary of community and residential services, public and non-public, their number, the type of services provided and the timing of their benefits. We are currently working on extending this register to 61 municipalities.

**2. The process of deinstitutionalization**

1. This process has started in June 2018 with launch of the “Children First” initiative

The Ministry of Health and Social Protection in partnership with UNICEF and Save the Children in the framework of a formalization of a general systematic approach to the creation of the Deinstitutionalization and Alternative Care system, as well as the specific and immediate measures envisaged in initiative # The children first signed in November 2018 a Memorandum of Understanding on the achievement of the objectives of the first phase of this process during the period September 2018 - September2019.

This initiative is an impetus towards a functioning social care system as a sustainable investment in the social development and protection of children and their families.

2. Forming teams of experts, psychologists and social workers

The organisation Save the Children Albania has contracted the organizations ARSIS and Bethany to evaluate children in these institutions: Orphanage 6-18 years old Saranda, Orphanage 0-6 years old, Shkodra, Orphanage 6-16 years old, Shkodra 0-6 years old child "Hannah and Rozafa" Tirana, as well as the orphanage "6 Zyber Hallulli" Tirana.

UNICEF Albania has contracted the Arsis Social Change Initiative for the evaluation of children in these institutions: Orphanage 0-6 years old, Vlora, Orphanage 0-6 years old, Durres, Orphanage 16-18 years old, Shkodra, Orphanage "Little Flowers", Korça.

3. The Ministry of Health and Social Protection has facilitated the access of (sub) contracted parties to all relevant institutions, documentation and cases of persons / children awaiting evaluation; Authorization no. 6706 prot, dated 22.11.2018.

4. Periodic reporting by teams on the progress of the process. There were organized a workshop on process progress in March 12, 2019.

3. A thorough inspection of the 9 Child Care Institutions has been carried out and a preliminary assessment of their physical conditions and safety has been made possible, as well as the opportunities for transforming their internal spaces and structures in accordance with the model organization. house - family.

Teams of technical experts are completing draft engineering projects for infrastructure transformation of institutions to create specialized care centers.

They have been realised nine engineering projects with appropriate infrastructure interventions.

4. They have been realisation a number of trainings by State Social Service and different organizations for the social care inspectorate staff.

5. During February-March 2019, field monitoring of this process was carried out by the State Social Service.

6. During June 2019 - UNICEF Report concludes that final evaluation report and individual deinstitutionalization plans for about 230 children in public residential institutions are being finalized, from which the findings and recommendations for the development of the action plan will be drawn.

Following the de-institutionalization process, the MHSP has foreseen until December 2019 an emergency policy document with a costly action plan is foreseen, which will be approved by the Council of Ministers Decision.

**Number of centers for children in need, number of beneficiaries and researchers for care services by April 2019.**

NONPUBLIC CENTERS

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| EMERTIMI | total | residential | daily | female | 0-6age | 6-15age | 15-18age | 9 year education | secondary | With family | Without family |
| Number of centers | 51 |  18 | 34 |  |  |  |  |  |  |  |  |
| *Number of beneficiary clients total* | 3,315 | 317 | 2,998 | 1,508 | 654 | 2,144 | 517 | 2,141 | 306 | 3,224 | 91 |
| of these: -a) disabled | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

PUBLIC CENTERS

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | total | residential | daily | female | 0-6age | 6-15age | 15-18age | 9 year education | secondary | With family | Without family |
| Number of centers | 27 | 9 | 19 |   |   |   |   |   |   |   |   |
| Number of beneficiary clients total | 1163 | 220 | 943 | 495 | 391 | 657 | 115 | 646 | 54 | 1019 | 144 |
| of these: -a) disabled | 93 | 7 | 86 | 52 | 5 | 88 | 0 | 88 | 0 | 91 | 2 |

**3. The level of policies**

The strategic document, National Agenda for Children's Rights 2017-2020 has been adopted and is being implemented. This is the first policy document consulted with children. The law has taken into account the principle of the best interest of the child and specifies the child's right to be heard and, in addition, the Agenda provides for measures to increase their participation.

Eliminating all forms of violence against children is a strategic pillar of the Agenda. Special attention is given to this document as prevention as a key strategy for protecting children from all forms of violence, including promoting positive non-violent parenting.

A draft National Action Plan for the Protection of Children against Economic Exploitation, including children in street situation, is currently being drafted (2019-2021). This draft plan was implemented with the support of the OSCE and consulted with relevant stakeholders during 2018. The purpose of the draft plan is to guarantee the rights and protection of economically exploited children, including children in street situation through prevention, service provision. and strengthening the enforcement of legislation, ensuring the protection of children victims of economic exploitation.

At the same time, the first mid-term monitoring report of the National Agenda for the Director of Children 2017 - 2020 (adopted by DCM No. 372, dated 26.4.2017) has been completed and is expected to be adopted at the next meeting of the National Council for the Rights and Protection of the Child.

5. **The cases management by Child Protection Units for the period 2013- first quarter of 2019**

Based on the legislation in force, the State Agency for Child Rights and Protection requests periodic information every three months to Child Protection Units throughout the country on the management of cases of children at risk.

The table below shows the number of managed cases of children in need of protection in the period 2013 -2018:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Year 2013** | **Year 2014** | **Year 2015**  | **Year 2016**  | **Year 2017** | **Year 2018** |
| Number of Child Protection Units | 154 | 196 | 202  | 218  | 223 | 235 |
| Total managed cases | 1321 | 1407 | 1403  | 1352  | 1650 | 1897 |

Source: State Agency for the Rights and Protection of the Child

From the data on cases identified for children in street situation and economically used for the years 2015-2018, it results: 304 cases for 2015; 431 cases for 2016; 362 cases for 2017; 349 cases for 2018.

Identifying and referring children in street situation at the Child Protection Unit is only the first step of working for children in street situation. Once identified, work begins on managing the case and providing the services needed to remove it from the road and improve family life.

For 2018, 32 field teams have been functioning in the municipalities - Tirana, Durres, Elbasan, Vlora, Shkodra, Korca, Kruja, Kavaja, Saranda.

Local plans have been finalized and approved through a joint order of the Mayor, Regional Education Directorate, Labor Office and Regional Police Directorate, in 6 municipalities: Durres, Fier, Elbasan, Korça, Vlora and Shkodra. Joint Orders engage institutions to assume the responsibilities foreseen in the implementation of local plans for street children.

**For the January-April, quarter of 2019** Child Protection Unit has reported the managing of 1115 cases in total, of which 274 were new cases.

For the period January-July there are 165 cases identified in the street situation in the country, 158 of which are under management. 8 cases were identified as trafficking victims / potential victims of trafficking and were protected under the new procedures for the protection of victims of trafficking. For the purpose of protecting children and removing them from exploitation situations, protection measures have been applied to 17 children under Law 18/2017 “On the Rights and Protection of the Child”. During the handling and handling of cases, 4 cases of parents who economically abused their children were sent for criminal proceedings.

**5. The establishment and functioning of structures responsible for child protection.**

According to Law No. 18/2017 “On the Rights and Protection of the Child”, in Article 49, it is stipulated that the Child Protection Unit in the municipality is established and functions as a separate unit within the structure responsible for social services at the municipal level. The State Agency for Child Rights and Protection monitors the establishment and operation of Child Protection Units , which are set up throughout the country.

Currently, Child Protection Units are set up in all municipalities in the country, so these structures are set up and operate in 61 municipalities. Number of child protection workers in 2018: 236, who are placed as Child Protection Units in 61 municipalities and child protection workers into administrative units

Child Protection Units in the municipality are responsible for supporting, monitoring and collecting information from child protection staff in the administrative units of the municipality.

Pursuant to Article 50 of Law 18/2017 “On the Rights and Protection of the Child”, in every administrative unit of the municipality, which has more than 3000 children, at least one child protection officer is required. They cannot be engaged in other tasks within the needs assessment and referral unit. In cases where the administrative unit of the municipality has less than 3,000 children, one of the staff of the needs assessment and referral unit, which has the function of child protection officer, can perform this task.

**6. The improvement of the protection system for the children**

a.In the context of fulfilling international obligations in the field of human rights, a national periodic report on the implementation of the UN Convention on the Rights of the Child, ratified by Law 7531, dated 11.12.1991, as well as two protocols has been drawn up. Optional: On the sale of child prostitution and child pornography, as well as on the involvement of children in armed conflict.

b. The strengthen of the Child Protection Units work and professionals working with children, while also enhancing the quality of services provided.

c. A friendly version of Law 18/2017 "On the Rights and Protection of the Child" is also being prepared, a document to be drafted in the language of the children. The distribution of the Child Friendly Version will be made available to different age groups of children, schools and community centres, and through outreach activities.

d. During November every year activities are organized in Albania in the framework of the International Children's Day. In connection with these activities, the Ministry of Health and Social Protection, line ministries, State Agency for the Right and Protection of the Children, in cooperation with international and NGO partners, compile a calendar of activities planned as early as September. This planning, coordination and organization focuses on the Convention on the Rights of the Child.