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WOMEN'S RIGHTS IN ALBANIA

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Introduction to Brief

Within the Western Balkan country of Albania, Women have always taken a back seat to the men of the nation. For a long time, there has been mistreatment of a great number of Albanian women. This brief strives to examine the very basis of the women's rights violations and efforts to better the lives of women in Albania. Because Roma and Egyptian women are impacted differently by legislation, it is important that they are highlighted throughout. As a European Union candidate state, Albania has been under a magnifying glass for its lack of progress towards women's human rights. While there have been great strides in the policies that have been created to prevent abuse, violence and gender inequality, they have not been sufficiently implemented to the standards of both the European Union and specific United Nations conventions that Albania has signed onto.

Throughout this brief I will examine the differences in policy that Albania has attempted to use in order to better the lives of all women living within their country. Along with the country specific policy, we will look at what progress this means in terms of guidelines from both the European Union and The United Nations.

Overview of the situation of Albanian Women

Albania has made a great deal of social progress throughout the recent ten, twenty years, however it must be noted that this progress is not without its downfalls. While most of the policies and actions have advanced the lives of women to some extent, some still fail to have any influence on the situation. This can be attributed to societal norms that have been held up even while policy and constitutional remarks have been made to clear a path for gender equality. Within Albanian society women are seen to be the homemakers in charge of the family activities, while the husband is the breadwinner with a job that supports the family. Across the world, and mainly in southern Europe, women still feel the impacts of the detrimental stereotypes. These ideas of women are further reinforced in the education system, making it challenging for the next generation to make a new set of gender definitions.¹ Because of the stereotyping, women have less aspiration to break the norms that they have only ever known. Thus contributing to a mindset of depending on a husband to provide for not only herself but the family.

Financial independence for Albanian women can further explain the effects that the social norms have had. The result of women being seen as "less" than men within Albanian society has allowed for a lack of economic freedom for women. The important aspect of economic freedom that has caused many issues to come up is that men have been the ones to own property. Meaning women do not have their name on a deed to a house that they have cohabitated for the majority of their adult lives. As a result of this, when women apply for a loan, for example to start a business, they do not have any collateral to help increase their chances of being approved. Thus resulting in less mobility for them to support themselves rather than being dependent on their significant other. Another issue that comes as a result is that women are subjected to more domestic violence because they are unable to leave their abuser due to lack of resources. Gender Based Violence (GBV) is very prevalent and an issue that must be examined. GBV is perceived to be a problem that exists within the family and thus needs to be handled as a private matter.

¹ [CEDAW Shadow Report\(2006\)](#)

Currently there is no direct Penal Code against violence exerted by those within one's family.² There have been steps taken to combat both of these issues, but again, they have not proved to be implemented in a way that changes the mindset of Albanian people.

While women have proved to have fallen victim to some stereotypes, they have been increasing their numbers within the employment sphere. The amount of women who are employed has increased from 58.3 percent in 2016 to 61.6 in 2019.³ Of course there are negatives that come with the positives, and that is that the gender stereotypes come into play even when women are able to have a job. The negative aspect that is being referenced is harassment within the workplace. The patriarchal framework at play within the workforce in Albania has allowed for harassment to be an item that is again brushed under the rug and "handled privately" or not handled at all. There are policies in place that allow all persons the ability to sue for harassment at work. Again, women in most cases do not speak up and remain silent. While harassment is not necessarily taken seriously, discrimination is. The Albanian constitution states that it is a fundamental right of Albanian people to be free from discrimination in all aspects of life. In the case of the workplace, the constitution says that all aspects of employment must be free of discrimination based on gender. While there are unions in place that work on the protection of these rights, there is still a lack of confidence to report the discrimination or harassment without feeling scared.⁴

Women are not the only subject to a lack of protection, the LGBTQ+ community faces little to no protections. Within Albanian society, homophobia is rampant amongst all people. The result is almost no policies protecting those who identify beyond the boundaries of heterosexuality and the binary gender system. Moreover, law forbids lesbian/gay couples from having their own families or adopting children.⁵ A second example is that there is no legislation in place that recognizes same-sex marriage.⁶ This situation is again, a common occurrence not just in Albania but across southern Europe. Later in this brief there will be more information regarding the advancements made for LGBTQ+ communities, but these advancements are few in number and further show the lack of attention this group is receiving.

Each of the aspects mentioned thus far are important when looking more in depth into the lives of Albanian Women and the issues that they face.

European Union and United Nations on Women's Rights in Albania

The enlargement of the European Union (EU) involves the many steps that country candidates must take in order to be at the standards as required by the EU and its many institutions. When working on meeting the requirements laid out, a country must sign on to different conventions and ratify them. While ratification means that it is put into practice within the country, countries still continue to fall short on the promises made within that convention. In the case of Albania,

² [Albania: Gender and Women's Human Rights Issues](#)(2002)

³ [Fifth Periodic Report by Albania to the Committee on Elimination of Discrimination against Women](#)(2021)

⁴ [The Albanian Legal Framework on Non-Discrimination and Gender Equality in Employment Relationships](#)(2012)

⁵ See Footnote no. 1

⁶ [Albania 2021 Report - European Commission Communication on EU Enlargement Policy](#)(2021)

they are well on their way to becoming a member of the EU, however they still have much to improve on before they are one-hundred percent eligible. Signing onto conventions put forth by the United Nations (UN) can help boost the standards that are assessed by the EU. Therefore Albania has signed onto many conventions that promote a society that will be in line with the standards of the EU.

Because Albania is assessed on a yearly basis by both the EU and the different committees within the UN, they are held accountable for their actions that they have or have not taken. Albania has signed onto many conventions and resolutions for both the EU and UN, however the focus of this section will be the main documents that govern a better country for women. The documents that will be examined are the following: UN Convention on the Elimination of Discrimination Against Women (CEDAW) and the Albania 2021 Report - 2021 Communication on EU Enlargement Policy done by the European Commission. Through analysis of these documents, as well as evaluations completed by the UN and EU, it can be concluded that Albania is on a good track for both EU membership and remaining in good standing with the UN.

CEDAW

The first document that shows the progress within Albania is the CEDAW. This convention was ratified by the Albanian Parliament in 1993. The aim of this convention is for nations to implement measure to eliminate all forms of discrimination within the workplace and throughout daily life. Through this document, women have a better chance at gaining full equality amongst their peers. Specifically the document defines discrimination in Article no. 1 as:

“any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”⁷

The committee who governs using this definition as their main guiding tool (the Committee on the Elimination of Discrimination against Women) requires that states who are signed onto the convention submit a report at least every 4 years to be evaluated. The committee goes through each of the articles within the convention and analyzes what the country has reported to them, then the committee gives recommendations to work on. The most current report for Albania is the most helpful tool in analyzing how well the country is meeting the convention’s standards. This report was sent to the UN in January of 2021. The committee responded in March 2022 with a list of questions and issues. This document will help to understand the current situation at which Albania is presently in.

Throughout the document there are many recommendations, but one of the more notable things that is continuously brought forward is that Albania is lacking in providing information to the public about the actual policies and mechanisms available to them. This issue is nothing new as the public has always lacked knowledge of what their government is doing and what their government has available to them. As illustrated in the section “Gender Based Violence” Albania lacked proof that there had been substantial steps taken to increase the number of GBV reports

⁷ [Convention on the Elimination of All Forms of Discrimination against Women](#)(1981)

that were actually followed through. This could be a sign that Albania has not been successfully following through with their claims made in their report. Meaning, protection orders that were filed were potentially not enforced or processed in a timely manner to protect the victims.⁸ A failure like this could mean that women are put at risk of being in contact with their abuser. The state has a responsibility to act in a timely manner to protect their women, and the Albanian government has shown to not be responsive. While the timeliness of the actions taken by authorities is lower than expected by the committee, Albania did show progress in that there were more cases of domestic violence and discrimination reported.⁹ This is good news for Albania because in the past the stigma that surrounded a report caused many victims to stay silent. For Albanian society this is a step in taking down the patriarchal stereotypes that continue to be detrimental to the lives of Albanian women. During the COVID-19 pandemic the situation of GBV was only exacerbated as women did not have the resources to leave their housing with their abusers. The Committee recommended that there be an increase in social services accessibility for women and girls. This would mean an increase in things like safe accommodations and programs for the empowerment of women and girls in Albania.

The Albanian government concluded in their report that Women's participation in decision making was almost completely implemented. Meaning women have more voices when making decisions that have a wide impact. A step that has been taken to improve this was changing the Electoral code in 2015 to increase gender quotas from 30 to 50 percent for candidates running for Municipal councils. Another step taken to further this goal is that women have been a bigger part of peacekeeping missions as well as more involvement within the police force. However there is still a lack in actually empowering young women to aspire to hold these positions. This could prove to be detrimental in the future.¹⁰

While empowerment is lacking in the youth sphere, Albania's strategic goal no. 3 of economic and social empowerment of women and men is almost completely implemented. This result comes about because there have been training programs put in place to enhance the skills needed to be a part of the workforce. Women have also gotten improved loan assistance programs, helping them be able to start endeavors independently. Empowerment is important because it allows for equal competition amongst both men and women.

The last section within the CEDAW report that must not be ignored is the section pertaining to the lives of women who are in vulnerable groups. These groups would be women who have disabilities and/or are of Roma or Egyptian descent. These vulnerable populations are the ones who have consistently been victims discrimination and have been subject to unfair justice for the actions taken against them. The CEDAW report highlights that Roma women specifically do not have adequate access to housing opportunities, especially those who live in rural areas. As a result, these women are left in dangerous and even sometimes life threatening circumstances. The situation for women with disabilities is not any more positive than the previously mentioned situation. As Albania has failed to meet the specific measures laid out in the CEDAW General Recommendation no. 18 to protect the disabled women across the country. Thanks to this recommendation, countries are required to provide information on the measures that have been

⁸ [Committee on the Elimination of All Forms of Discrimination against Women: List of Issues and Questions for Albania\(2022\)](#)

⁹See footnote no. 3

¹⁰See footnote no. 3

taken to protect this vulnerable population. Albania however did not meet this standard and is thus questioned on how they have been protecting their disabled women populations.¹¹ While vulnerable groups do have specific protections in place to better their lives, Albania has failed to provide real proof of their own measures taken.¹²

European Union Report

By being a membership candidate for the EU, Albania must meet standards set forth by the EU. The EU assesses each candidate on a yearly basis to see what progress has been made and to recommend further actions to help their candidacy. While this report is very extensive and informational, the relevant portions to women are Gender Equality, Healthcare, domestic Violence, governmental actions, and lastly harassment and discrimination in the workplace. Overall the EU evaluated Albania in 2020 as having a gender equality index of 7.4 points below the EU average.¹³ It is important that Albania improves this position as Gender Equality is a main component of the social and human rights framework of the EU.

Under the Gender Equality section of the report on Albania, it is highlighted that domestic violence continues to affect the women of Albania at a higher rate than any other group in the country. Along with this gender-based violence continues to be prosecuted at less than favorable numbers. In 2020, of the 4,701 cases of domestic violence that were identified and processed, only 535 perpetrators were arrested. Another statistic to further this theme is that there were 7 murders identified within families, 6 of the 7 victims were women. These harrowing statistics shed light on the actions taken by Albania to improve this situation. They have not only increased public funding for victims of these crimes, but they have also created shelters and a national helpline specifically for victims of domestic violence. Another important action that makes their situation good is that 61 municipalities have local mechanisms for reporting the GBV, which is an increase from the previous year.¹⁴ The EU feels these actions have helped contribute to a better environment for women, but there is still room for improvement.

Other important areas of improvement as mentioned by the EU report are healthcare policies and procedures, and lastly the actual actions taken by the government to improve legislation for women. The legislation aspects go hand in hand with the main recommendation that implementation strategies must be improved to have actual results. The EU has more information regarding the places of improvement but these are not as relevant to the nature of this brief.

Both the UN and EU help to shed light on the situation currently affecting Albanian women, and how Albania has done work to improve this situation. The steps taken will ultimately help their chances at becoming a member of the EU sooner than later.

Current Policy and Mechanisms in place

Albania has truly come a long way in the last 20 some years, and that can be reflected in the policies and mechanisms that have been created and implemented in that time. Of the Laws in place to protect women, Law no 9970 titled “ On Gender Equality in Albania” has had the

¹¹ [General recommendation No. 18: Disabled Women](#)(1991)

¹² See footnote no. 8

¹³ See footnote no. 6

¹⁴ See footnote no. 13

biggest impact on the environment in Albania for women. To further explore this law Article no. 2 gives the greatest overview of the main ideas present in the law:

“a) To ensure effective protection from gender discrimination as well as any other form of behaviour that encourages gender discrimination; b) To define measures guaranteeing equal opportunities among men and women to eliminate gender based discrimination in any of its forms; c) To define the responsibilities of central and local state authorities for developing and enforcing laws and policies in support of encouraging gender equality in the society.”

In summary, the law aims to give men and women equal access to participation in all aspects of life regardless of their gender.

Within the law itself, Article no. 7 lays out how and why the government agencies and other groups must implement and incorporate the items provided within the law to better the environment for both genders. Interestingly enough, it has been noted by many that there is a lack of actual mechanisms that help this law be implemented in day-to-day life for Albanian citizens.¹⁵

However, the mechanisms in place have been fairly effective and have contributed to the great change seen in Albanian society. One of the most notable of these mechanisms is “The People’s Advocate” or also known as “Ombudsman”(PA). Established in 2000, this mechanism “defends the rights, freedoms and lawful interests of individuals from unlawful and incorrect acts or omissions of public administration bodies as well as third parties acting on its behalf”. Created as a part of the rebuilding that took place from 1991 to 2000. This institution is split into five bodies: Administration and Citizens, Special, General, Children Rights Protections, and lastly, the National Mechanism for Prevention of torture (NPM). This office acts on the basis of complaints or requests submitted to their office. The PA then makes recommendations to the administration body who caused the victim's suffering. Through these recommendations the PA hopes to promote transparency and accountability of governmental organizations, as well as, using their power to help Albania integrate into the EU. While this institution can help women immensely in most cases, they are limited to protections of women only when the complaint has to do with public institutions.¹⁶

Another body within Albania that is working towards a better Albania for all is the National Council on Gender Equality. Created in 2017, it is “the advisory body for leading, determining and developing state policies on gender equality, as well as for coordinating, implementing, monitoring and evaluating policies and measures to prevent and combat all forms of violence covered by the Istanbul Convention.” This group is composed of nine representatives from line ministries, as well as three representatives from civil society that are selected on the basis of criteria determined by the council members.¹⁷ The council is important in coordinating measures from one institution to another and to push policies forward that would otherwise sit at the bottom of the list.

¹⁵ [Law No. 9970 “On Gender Equality in Albania”\(2008\)](#)

¹⁶ [The People’s Advocate\(2022\)](#)

¹⁷ [Report on the Implementation of Recommendations Addressed to Albaniaa by the Committee of the Parties of Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence \(Istanbul Convention\)\(2021\)](#)

Many smaller scale actions that have been taken by Albania have had great impacts on the furthering of gender equality. Firstly, many of the actions are aimed at the reduction in GBV amongst Albanian women. One of the actions taken was the creation of awareness events. Albania took part in the 16 days of activism against gender-based violence since 2016, starting November 25 and lasting until December 16. Within these 16 days, the Commissioner for Protection from Discrimination organized specific awareness events that shed light on the discrimination felt by the minority group of Roma and Egyptian women. Another important mechanism that was previously mentioned was the National counseling line. This is a 24-hour service that was still active during the COVID-19 Pandemic. Next there has been legal aid made free for any citizen to call and receive legal assistance. Whether it be “allocation of state funds, raising the community’s awareness or increasing access to legal clinics”. Each of these different mechanisms have helped to alleviate issues in Albanian society.¹⁸

The area of healthcare is also of concern for creating an equitable country for men and women. There still exists some differences in the healthcare system for men and women, but the actions described next have helped to semi-solve this discrepancy. The creation of integrated healthcare for women across all health centers within the country. “The service aims to reduce maternal and perinatal diseases and mortality, decrease the number of unwanted pregnancies, unsafe abortions, early pregnancies, premature and under-weight births, and to provide safe abortion services and STD controls.” Through these services, Albanian women aged 35-70 can receive health checks for free, resulting in increased accessibility to healthcare. Sexual and reproductive health is also a major part of the equation. There has been an increase in quality Sex Education programs by the name of “ The Life Skills and Sex Education Programme”. This program makes women more prepared for safe sexual relations through the teachings of highly trained persons.¹⁹

The last mechanism to be talked about is the Ministry of Labor and Social Affairs who created the Equal Opportunities Directorate. This department focuses on “formulating and developing policies to promote equality in areas such as gender equality, equality / inequality in skills, problems of ethnic, linguistic and ethno-cultural, age disparity, the generational of racial, etc”. Through these focuses, they hope to increase women’s participation in the labor force, as well as increasing their presence in political and cultural aspects of Albania. Their duties consist of formulating, proposing, drafting, supervising, cooperating, and coordinating policies and projects. This mechanism has helped increase the amount of policies pertaining specifically to women.²⁰

Movements Fighting for Women’s Rights

The Albanian government would not be where they are with gender equality without the organizations advocating for the deserved rights. The majority of Non-Governmental Organizations in existence within Albania are fighting for women and children.²¹ Of the many organizations working for women, the three that will be focused on are the following: The

¹⁸ See footnote No. 3

¹⁹ See footnote No. 3

²⁰ See footnote No. 4

²¹ See footnote No. 1

Albanian Women’s Empowerment Network, Gender Alliance for Development Center, and Association of Women and Girls with Social Problems.

The Albanian Women’s Empowerment Network is one of the key players in the advocacy sphere for women. It was created in 2009 with the aim to strengthen the connections between other NGOs working on women’s rights advancement. It is a network of organizations across the entire country. The mission of this overarching network is to “focus on protection and promotion of women’s rights and advancement of gender equality issues in Albania”. Their main thematic areas include: violence against girls and women; socio-economic empowerment of girls and women; participation of women in politics and decision making. Important research done by this organization has been conducted on Intimate PARTner Violence and Sexual violence among young people. This research uncovered that women and girls feel the most threatened by violence. It also shed light on the mentality that many women have that men are superior to women. They lastly uncovered that the perception of gender-based violence has worsened during the pandemic. This network has made communication amongst organizations possible and has strengthened the advocacy network.²²

Next, the Gender Alliance for Development Center is another key player in the advocacy sphere. Established in 1994, this group's mission statement is “GADC acts to advance human rights from the perspective of gender equality and equity through gender actions, policy development and gender analysis”. The main avenues through which this organization works is research and advocacy. They are also a part of many national organizations fighting for women’s rights. Some examples of their work are institutionalizing quality rehabilitation and integration services for violence survivors, as well as, empowering women working in the garment and footwear industry.²³

Finally, the Association of Women and Girls with Social Problems, one of the most important organizations. Established in 1990 in the Durrës Region of Albania (midwest area of the country), AWGSP “aims to promote gender equality in society and protect the rights of the marginalized women in this region”. Their advocating and lobbying in the past has led to improvements in the legal, social and policy areas within Albania. Some of their work includes supporting victims of GBV through different opportunities. Their biggest work was when they helped draft Albania’s National Action Plan on Women, Peace, and Security in accordance with resolution 1325 passed by the UN security council and later adopted in 2018. This resolution calls for women to participate in peacebuilding, be protected from human rights violations and have access to justice. The resolution also requires nations to create National Advancement plans to meet the standards set out within the articles of the resolution. AWGSP helped Albania draft their own plan for this.²⁴

Analysis and Conclusions

While this brief just barely touches the surface on the current situation that Albanian women are facing and have faced, it is important to recognize that the progress made while impressive still is lacking in order to meet countless standards. The COVID-19 pandemic as well as the 6.4

²² [Albanian Women’s Empowerment Network](#)(2022)

²³ [Gender Alliance for Development Center](#)(2022)

²⁴ [Association of Women and Girls with Social Problems](#)(2022)

magnitude earthquake of 2019 have only exacerbated and prevented the country from making larger progress. Albania does have the framework to have an equal society for both men and women, however the societal norms may prevent this from happening at a fast rate. There must be changes within the deep-rooted views of women and their place in society. Currently women are still viewed by themselves and society as less than men. Change must start from the beginning of life, in the education system. The foundational programs and mechanisms will not work if the mindsets are stagnant and stuck on old values that are no longer relevant or promoting a successful society.

The Albanian government should continue to follow the recommendations from the UN and the EU on areas of improvement. Most importantly they need to create mechanisms that ensure effective implementation of policies in real life and not just on paper. Through these actions, the government can create realistic expectations of institutions and organizations to uphold standards to reflect the conventions and resolutions they as a country are signed onto. A wide range of persons who are knowledgeable on the aspects of these documents is also important in supporting the implementation.

The overall situation for Women in Albania is looking up but must be improved even more if the country wants a real chance at successful integration into the EU.