

Republic of Albania

**National Strategy
on
People with Disabilities**

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State Social Service
State Insurance Service
State Employment Service
Ministry of Justice
Ministry of Health
Ministry of Education
Ministry of Decentralisation and Local Government
Ministry of Territorial Adjustment and Tourism
Ministry of Culture and Sport
INSTAT
Municipality of Tirana
Albanian Disability Rights Foundation

- National Association of the Blind
National Association of the Deaf
National Association of People with Mental Disabilities
National Association of Labour Invalids
National Association of Women with Disabilities
National Association of Para- and Tetraplegics
National Association of Haemophilia
- Help the Life Association
MEDPAK, Librazhd
Association of young talented People with Disabilities
Independent Association for the Care of Children with Delayed Mental Development
Women and Children Association / Kombinat Centre
Association of Women and Children with Disabilities
“Love for Life” Association for the Support of People with Tumours
“Hope and Love” Association of Paraplegics and Tetraplegics
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Introduction

We live in a disabling society. The Albanian National Strategy on People with Disabilities presents a plan for changing this.

Disability is not something individuals have, what they have are impairments. These impairments may be physical, sensory, neurological, psychiatric, intellectual or of other nature.

Disability is the process which happens when one group of people create barriers by designing a world only for themselves, not taking into account the impairments other people have. The Albanian society – as others - is built in a way that assumes that everybody can move quickly over the road; that everybody can see all signs, read directions, hear announcements, reach buttons, has the strength to open heavy doors and has stable moods and perceptions.

Disability relates to the interaction between the person with the impairment and the environment. It has a lot to do with discrimination, and has a lot in common with other attitudes and behaviours such as racism and sexism that are not acceptable in society.

People and groups of people should not be judged by one particular aspect of their lives – whether it's their race, gender, age or impairment. Individual beliefs and assumptions, as well as the practices of institutions, mean that many people with disabilities are not able to access things that many non- people with disabilities take for granted.

The desire to break down the barriers that cause disability is also closely linked to ideas about the human rights of people with impairments. Without human rights nobody can live as full human being. people with disabilities are entitled to the same human and civilian rights as all other citizens. The first article of the Universal Declaration on Human Rights states: All human beings are free and equal in dignity and rights.

In order to achieve this goal, all communities should celebrate the diversity within their communities and seek to ensure that people with disabilities can enjoy the full range of human rights: civil, political, social, economical and cultural as acknowledged by a number of UN Conventions, the EU Treaty and by different national constitutions. (Madrid Declaration)

Apart from the Universal Declaration of Human Rights there are six core human rights conventions that relate to the rights of persons with disabilities. The International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR) ratified in 1966 are the two basic human rights treaties and together with the Universal Declaration of Human Rights constitute the International Bill of Rights. The other four core human rights conventions are the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1949); the Convention on the Elimination of All Forms of Discrimination Against Women (1979); the Convention on the Rights of the Child (1989); and the International Convention on the Elimination of All Forms of Racial Discrimination (1966). While all six conventions stipulate the principle of non-discrimination, the last mentioned treaties specify the general rights enunciated in the ICCPR and ICESCR. The provisions on anti-discrimination in the ICCPR have special relevance to rights of persons with disabilities. Another UN Convention that deals with the rights and dignity of disabled people is underway.

The National Strategy on People with Disabilities aims at presenting the factual situation of disabled persons in the Republic of Albania; highlighting the trends and defining the objectives and policies to improve their situation; defining active governmental policies; co-ordinating the activities of the state institutions, individuals and other organisations which work in the field of disability and rights of people with disability. The Strategy represents the decisive will of all parties involved to harmonise the Albanian policy on people with disabilities with the international framework of the United Nations, the Council of Europe and the European Union.

The Strategy measures comply with the overall objectives of the National Strategy for Social and Economic Development (NSSSED) and the deadlines set in the Strategy Action Plan will be put as priorities in the NSSSED by the ministries. Therefore, the measures and actions taken by the ministries will not only be monitored by the Disability Monitoring and Reporting Structure set forth in the Strategy but also through the NSSSED.

These monitoring structures ensure the reliable implementation of actual and future measures concerning disability issues and disability rights in the Republic of Albania.

The Strategy is designed to improve the living conditions of people with disabilities in the fields of education, employment, support services and free access. Thus, the strategy overcomes the gap between people with disabilities and the comprehensive policy-making process, by asserting the fundamental rights of the people with disabilities.

Furthermore the Strategy constitutes a paradigmatic shift in the policies on people with disabilities in several aspects:

1. According to international standards the definition of disability will be shifted away from a solely medical definition towards a more sociological definition on disability; therefore the focus is shifted away from the impairment, respectively reason of impairment towards a perspective, which puts the actual participation restriction of impaired persons in everyday life in the centre of the assessment and the concrete measures that should be undertaken to abolish, minimise or compensate these restrictions. At the same time the focus in policy making will shift from the disability towards the ability and competence of the individual impaired person.

2. Disability policies will not be understood any longer as policies for a minority but its objectives based on the principles of equality, non-discrimination, inclusion and self determination are an integral part of a civil rights approach towards politics, being aware that these policies do not only positively affect disabled persons but other groups in society as well e.g. elderly people. This policy challenges the whole society since it should be considered as the task of the society to build up structures which ensure the full inclusion of people with disabilities in all fields of daily life.

3. The Associations of people with disabilities in Albania are very advanced in their structural development and shall be considered as a highly important factor of competence. Furthermore they already play a precious part in several activities to increase the participation of people with disabilities in society. Therefore their input will be institutionalised in the monitoring and reporting structure of the strategy.

4. It is evident, that a civil rights policy does not separately affect political, social and economic fields but reaches its highest impact only as an overarching policy. This strategy will therefore mirror this insight and establish a holistic approach towards the individual disabled person and a system of disability mainstreaming in future legislation.

New Definition of Disability

In accordance with the United Nations terminology and concepts on Equal Opportunities for people with disabilities, and in accordance with the international categorisation of the World Health Organisation (WHO) 2001, the term 'handicapped person' is replaced by the term 'person with disability' (individually) and 'people with disabilities' (at the society level).

From now on 'disabled persons' are defined as persons whose physical function, mental capacities or psychological health are highly likely to deviate for more than six months from the condition which is typical for the respective age and whose participation in the life of society is therefore restricted.

This definition, which follows the WHO recommendations is not based on real or supposed deficits, it is the aim of participation in the different areas of life which is in the foreground. A deviation from the typical condition means the loss of or restrictions with regard to physical, mental or psychological structures, which are normally present at the respective age. A disability exists if this impairment leads to a participation restriction which affects one or several areas of life. The requirement of a probable duration of the restriction of six months does exclude temporary irregularities but not interventions to be taken as early as necessary in individual cases. This applies in particular if children are already disabled or in danger of becoming disabled.

Fundamental Principles of the Strategy

The Principle of Civil Rights, Equality and Non-Discrimination which implies that disabled persons are equal members of their society, they can claim the same rights and are entitled to the same social benefits and types of assistance as all other citizens and must not be discriminated against in any field of social life. This includes social benefits which enable people with disabilities to live in human dignity. Legal action has to be taken, if these principles are violated.

The Principle of Self-Determination derives from the civil rights approach and implies that the environment of people with disabilities shall be built in such a way that enables them to lead an independent and self determined life. Self-determination also covers the right to manage personal / individual movement, time and property.

This principle also implies that each measure in rehabilitation should be worked out together with the disabled person. He / She shall never be forced to a treatment without his/her consent.

The Principles of Inclusion, Participation and Equal Opportunities underline that people with disabilities are already part of the society they live in and therefore do not have to be integrated and are entitled to the same opportunities as the “non disabled”. Furthermore they are entitled to benefits which enable them to full participation in all fields of social life, this includes medical rehabilitation, participation in working and community life. Barrier free access is the key precondition for participation.

The principles of Free Access and Barrier Free Environments mean that buildings and other facilities, means of transport, technical utensils, systems of information processing, acoustic and visual sources of information and communication facilities and other designed environments are defined as barrier free if they are accessible and usable for disabled persons in the usual way, without particular difficulties and, as a rule, without help by others.

The Principles of Prevention, Early Detection and Early Intervention imply targeted measures that are intended to avoid the manifestations of disabilities and chronic diseases in all age groups and areas of life as far as possible. Important fields in this respect are health protection, safety at work and accident prevention and environmental protection. These principles also include prevention from early childhood on such as vaccination and early detection of disabilities. This reflects the insight that the earlier in a child’s development an irregularity is perceived the better prevention or successful treatment is possible. This of course accounts for all age groups.

The Principle of Rehabilitation implies all measures that are provided in order to avert, eliminate, alleviate or compensate for a disability or prevent its aggravation or to avoid, overcome or alleviate reductions in earning capacity or the need for long term care or prevent an aggravation and to prevent the early receipt of social benefits or reduce social benefits that are paid.

The Principle of Finality according to which the necessary assistance must be offered to every disabled person and persons who are in danger of becoming disabled, regardless of the cause of their disability, even when responsibility for this assistance is held by different funds and institutions.

Objectives

The overall objective of the National Strategy on People with Disabilities is to ensure significant improvement in the status and life quality of people with disabilities in the Republic of Albania in accordance with UN Standards and Equal Opportunity Acts.

Objective 1: Encourage and educate for a non-disabling society

- Recognise that it is people with disabilities who are experts on their own experience.
- Recognise and honour the achievements of people with disabilities.
- Include the perspectives of people with disabilities in ethical and bio-ethical debates.
- Encourage ongoing debate on disability issues.

Objective 2: Ensure rights for people with disabilities

- Provide information for everyone on the rights of people with disabilities.
- Provide education to ensure that people with disabilities understand their rights, recognise discrimination and are able to be self-advocates.
- Educate agencies responsible for supporting children and families about the rights and abilities of disabled parents.
- Review Human Rights legislation to ensure the ongoing enhancement and strengthening of the rights of people with disabilities.
- Investigate, and if appropriate, support, development of a United Nations convention on the rights of people with disabilities.
- Investigate the level of access that people with disabilities have to independent advocacy, and address any shortfall in service provision.
- Evaluate Albania's performance on the rights of people with disabilities.

Objective 3: Provide the best education for people with disabilities

- Ensure that no child is denied access to their local, regular school because of their impairment.
- Support the development of effective communication by providing access to education in Albanian Sign Language, communication technologies and human assistance.
- Ensure that teachers and other educators understand the learning needs of people with disabilities.
- Ensure that disabled students, families, teachers and other educators have equitable access to the resources available to meet their needs.
- Improve schools' and universities responsiveness to and accountability for the needs of disabled students.
- Promote appropriate and effective inclusive educational settings that will meet individual educational needs.

Objective 4: Provide opportunities in employment and economic development for people with disabilities

- Provide education and training opportunities to increase the individual capacity of people with disabilities to get employment.
- Enable people with disabilities to lead the development of their own training and employment goals, and to participate in the development of support options to achieve those goals.
- Educate employers about the abilities and capacities of people with disabilities.
- Provide information about career options, ways to generate income, and assistance available for people with disabilities.
- Find ways for the reasonable adjustment of working places in accordance with the needs of people with disabilities
- Improve prevention in working places to avoid the development and aggravation of disabilities.

National Strategy on People with Disabilities

- Investigate longer-term incentives to increase training, employment and development opportunities for people with disabilities.
- Encourage the development of a range of employment options recognising the diverse needs of people with disabilities.
- Ensure people with disabilities have the same employment conditions, rights and entitlements as everyone else has, including minimum wage provisions for work of comparable productivity.
- Provide communication services, resources and flexible workplace options.
- Encourage staff and service organisations to appoint or elect people with disabilities as delegates and members of their executives.
- Ensure that the needs of people with disabilities are taken into account in developing more flexible income support benefits, to make access to work and training easier.
- Review income support provisions to ensure they provide an adequate standard of living.

Objective 5: Foster an aware and responsive public service

- Develop mechanisms to ensure that all government policy and legislation is consistent with the objectives of the National Strategy on People with Disabilities.
- Adapt public sector training to ensure that service development and service delivery are consistent with the National Strategy on People with Disabilities.
- Ensure that all government agencies treat people with disabilities with dignity and respect.
- Improve the quality of information available, including where to go for more information, the services available and how to access them.
- Make all information and communication methods offered to the general public available in formats appropriate to the different needs of people with disabilities.
- Ensure the locations and buildings of all government agencies and public services are accessible.

Objective 6: Support quality living in the community for people with disabilities

- Increase opportunities for people with disabilities to live in the community with choice of affordable, quality housing.
- Support people with disabilities living in rural areas to remain in their own communities by improving their access to services.
- Support the development of independent communication for people with disabilities.
- Ensure people with disabilities are able to access appropriate health services within their community.
- Require all new scheduled public transport to be accessible in order to phase out inaccessible public transport.
- Encourage the development of accessible routes to connect buildings, public spaces and transport systems.

Objective 7: Collect and use relevant information about people with disabilities and disability issues

- Ensure that guidelines for research funding take into account the need for research on disability issues, include people with disabilities in the development and monitoring of the disability research agenda, and enable people with disabilities to put forward their own experiences in the context of the research.
- Collect relevant and useful information about disability through all relevant surveys to inform the research programme.
- Use disability research, and analyse disability data to contribute to policy work, service development and monitoring.

Situation analysis of people with disabilities in Albania

Statistics

The statistical coverage of people with disabilities in Albania has not yet been sufficiently dealt with. The available information comprises the number of people with disabilities who are evaluated and certified by state disability assessment commissions. The total number of people defined as disabled is derived from the state budget funds allocated for them. These funds cover the state allowances for the disabled, and several support services provided to them in the community and at residential centres. Gender desegregated data is not available so far. Also problematic are statistics concerning the unemployment rate of people with disabilities. Their employment rate is very low and currently only 2.275 out of 9.533 people who are partially able to work found employment. In most cases this work is only subsidiary and unqualified.

People with disabilities by category

| Description | Total | Urban | Rural | Caretakers |
|----------------------------------------------------------------------------------|--------------------|---------------|--------------|-------------------------|
| <i>I. People with disabilities, (inborn, or through later injuries) under 21</i> | 44794 | 19669 | 25125 | 7288 |
| a) mental, physical, senses | 35547 | 15166 | 20381 | 3593 |
| b) blind | 8621 | 4197 | 4424 | 3142 |
| c) para-and tetraplegic | 626 | 306 | 320 | 553 |
| <i>II. Disabled</i> | 30 250 | 26 274 | 3976 | 1462² |
| a) of Labour | 29676 ¹ | 25904 | 3772 | 1500 |
| b) of War | 574 | 370 | 204 | |
| Total | 75044 | 45934 | 29101 | 8788 |

At present, 75,044 people with disabilities are accounted for. This figure includes only those, who are considered as subject to payment of allowances. The actual number of people with disabilities should be significantly higher. The first group of people with disabilities includes 44,794 persons who became disabled after the 21 years threshold by causes other than labour. The legislation in force does not address these people with disabilities.

Labour invalids fall into the following categories:

- 3289 people incurred disabilities owing to incidents at work, out of which 26,2% have fully lost the ability to work, whilst 73,8% have partially lost ability to work.
- 26,378 people incurred disabilities owing to a general disease.

According to the disability level, the people with disabilities are grouped as follows:

- 888 persons are heavily disabled and need constant assistance
- 14.527 persons are unable to work
- 9.533 persons are partially unable to work
- 4728 persons have reached the retirement age² and benefit from the law on social security that provides that these persons may enjoy the rights stipulated in the Status of Labour Invalids.

¹ Statistics of the first semester of 2003

² 1462 people with disabilities who need caretaking services receive an additional 15% on the baseline allowance

In addition to the disability allowance, and to the rights and benefits included in the Status of Labour Invalids, labour invalids benefit from following statuses:

- 30,250 labour invalids receive an additional payment on their entitlement of retirement based on Council of Ministers Decree Nr.204, dt 16.4.2004. These people account for 33.1% of the general number of labour invalids.
- 1.935 labour invalids receive additional allowances through the Status of the Blind
- 258 labour invalids receive allowance through the Status of Paraplegics
- 328 labour invalids are equipped with mobility means and get their fuel reimbursed.

During the last ten years, the disability allowances were increasing, mostly in the towns, which implies that the social security schemes are involving more and more people in the rural areas. This is related to the fact that contributes paid to the social security schemes from the private farmers are recognized in the same way as the contributes paid by a state employee.

Recommendations

- Concrete measures have to be taken to gather exact data on people with disabilities in Albania concerning service and allowance provision and employment rate.
- Data needs to be gender desegregated to reflect the special needs of girls and women with disabilities.

Disability Assessment

Disability assessment is carried out by the Medical Commission on Work Capability (KMCAP) and the Medical Blindness Assessment Commission (KMPV).³

Both commissions operate under the supervision of the Ministry of Labour and Social Affairs (MoLSA) based on agreements and regulations approved in co-operation with the Ministry of Health (MoH).

The KMPV, as a specialised commission to assess people with limited or no eyesight, is situated in Tirana. The KMPV decides whether blind people get an allowance based on the contribution paid during their working years, a special payment as blind people and support through a caretaker if necessary, as well as other facilities such as housing, and communication facilities.

Currently the KMCAP is directly supervised by the Institute of Social Insurance (ISSH), which belongs to the MoLSA. The KMCAP has branches in 26 districts of the country with mobile units to meet the needs of people with disabilities at the local level. The KMCAP headquarters is situated in Tirana and deals with all citizens' complaints about local KMCAP-s.

The KMCAP groups people with disabilities into two main categories, namely persons disabled since birth or those who became disabled until they reached their 21 year and labour invalids covered by social insurance. The first group is provided for with welfare payments for limited disability, other facilities, custody and different services. The disabled war veterans make up for an additional category.

These categories are then split into further groups of people with disabilities, such as persons with sensorial disability, including persons with limited optical and acoustic abilities; people with physical disability, including mainly people with limited moving capabilities such as paraplegics and tetraplegics, work disabled, war disabled and others; persons with mental disabilities, including with mental disorders of chronicle mental diseases.

³ Commission members are medical doctors, pediatricians and others.

The KMCAP considers labour invalids as entitled to full disability benefits, if the disabled person was bereaved of more than 67% of the ability to work. Otherwise, the disabled are entitled to partial disability benefits.

If the KMCAP comes to the conclusion that people with disabilities of both groups are not capable of taking care of themselves, they have the right to get a caretaker who is paid out of state funds for the services provided.

Despite the existence of a legal framework on people with disabilities, which regulates the payment of allowances and the rendering of services, the number of people with disabilities, who need treatment is assessed by all stakeholders to be much higher than the number of those actually benefiting from social services.

Several reasons explain this current state of affairs, such as unclear definitions on disability, unsuitable mentality and approach towards disabled, which results in many cases not being reported to the pertinent institutions. Furthermore the existing legislation is not always clear and people with disabilities and their relatives and caretakers lack understanding and knowledge on it. Many people, though, fall through the roster, because they became disabled while working without being member of the social security scheme. The before-mentioned commissions do not identify all of the disabled in their area of operation.

Recommendations

- As a matter of fact resulting from the principles of free access and self-determination the assessment branches of the KMCAP should be built and reconstructed according to the norms of free access.
- Effective remedies against the decisions of the assessment institutions should be established
- As far as hearing impaired persons are assessed, a sign interpreter or an adequate communication aid must be provided by the KMCAP.
- Additionally the idea that disabled persons can decide, whether they will be accompanied by a representative of an association of people with disabilities, should be considered in the procedure.
- Naturally the assessed person has the right to have an insight in the assessment of the commissions and is entitled to get photocopies. The commissions are obliged to enlighten the assessed person about the whole range of his/her rights. Blind people are entitled to get the decision of the KMPV and on their demand the assessment report in Braille script.
- Information and awareness-raising measures should be considered on how the number of assessed persons and the information about existing legislation can be increased.
- The actual situation with assessment and annual reassessment focus too much on the impairment itself and the medical aspect of disability.
- Social aspect and lack of participation in society should be considered more by future institutions, which provide an individual consultation, including all different aspect of special needs and the lack of participation.

Legal framework for people with disabilities in Albania: rehabilitation and integration Services

The legal framework for the improvement of the social and economic status, which aims at offering the guarantee of equal opportunities for people with disabilities in the Albanian society, is improving gradually. This comes as a result of the lobbying of persons with disability, the pressure exercised by civic groups and organisations that protect and represent their rights and interests. The improvement is also a result of the higher public awareness and of the gradually improving economic conditions; it reflects the will of the Albanian Government to support people with disabilities in order to include them in the community they live in.

The state is starting to spend more on people with disabilities. In 2003, the overall state disbursements towards people with disabilities amounted to 4.2 billion lek. In 2004, the state disbursements amounted to 4.7 billion lek.

However, so far the initiatives aimed at the rehabilitation of disabled persons were sporadic and short-term. Usually, and out of economic reasons the state funding for these issues has been modest. NGOs have tried to fill the gap and provided some rehabilitation services. Despite the undertaken efforts, the services offered are fragmented rather than integrated.

The state supports the organisations of people with disabilities and considers them party in drafting and approving the legal acts, policies and programs for disabled persons.

Furthermore the Albanian Government accepts the necessity to institutional reforms in order to develop a system of disability mainstreaming to secure, that all legislation considers the rights of people with disabilities. Qualification and sensitisation of the responsible staff in the government is also an issue the authorities will focus on and will develop concrete projects on conscience raising and growing of competencies.

The rights of people with disabilities are sanctioned 1) in the Albanian Constitution 2) in the overall legislative framework:

1) Constitutional rights of people with disabilities

Article 25 of Albanian Constitution guarantees the rights and fundamental freedoms of People with Disabilities. In Chapter V of the Constitution, at the Social Objectives section, article 59 point (e) and (f) set out as follows: *“The Albanian State, shall, in compliance with its constitutional competencies and its means, and in concert with the private initiatives and responsibilities, provide for (e) care and support for the old persons, orphans and disabled”* and (f) *rehabilitation, vocational training, and social integration of Disabled, and the continuous improvement of their living condition”*. Article 52, point 1, sets out: *“Each person is entitled to social insurance after the retirement or in case of a disability by law”*. Point 2 sets out: *“Each person that loses his job because of causes independent of his will, is entitled to social welfare allowances by law, if this person has no alternative subsistence means”*.

Article 49 of the Constitution provides for equal employment: *“Everyone has the right to earn the living through a legal work that he/she has chosen or accepted himself/herself. He/She is free to choose the profession, position of work and also the system of qualification for his/her profession. The employees have the right of social protection of the work”*. The employment of People with Disabilities, according to their capabilities, is provided in the statutes of groups of people with disabilities, such as labour invalids, blinds, para- and tetraplegic persons and the subsidiary acts applied to them.

2) Rights of people with disabilities as stated in the overall legislative framework

Social Security System

Law No. 7703, dated 11.05.1993 “On Social Security in the Republic of Albania” provides for allowances for those who have become totally or partially disabled during the period while they were insured, because of accident at work, or through a professional or a general disease. The Albanian Social Security system provides following benefits to the people with disabilities:

I. Full disability allowance (monthly entitlement)

a. Full invalidity because of a general disease

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| - Allowance | 7266 lek |
| -5% of the baseline retirement allowance for each of his/her children but in any case not more than 20% according to law 7703, 11.05.1993 (Art 39) | 1120 lek |
| - Compensation per capita per family | 414 lek |
| - Compensation for the energy | 350 lek |
| - Compensation for the bread basket | 150 lek |
| -Additional allowance (ComD 204) | 3000 lek |
| Total | <u>12 300</u> lek |

b. In case of a disability caused by an incident or by a professional disease

Total **12300** lek

c. In case of a full invalidity because of a general disease that requires additional services by a caretaker the benefits are as follows:

| | |
|-------------------------------------|--------------------------|
| -Allowance | 7266 lek |
| -Allowance for caretaking | 1600 lek |
| -Compensation for the children | 1120 lek |
| -Compensation per capita per family | 414 lek |
| -Compensation for the energy | 350 lek |
| -Compensation for the bread basket | 150 lek |
| -Additional allowance (ComD 204) | 3000 lek |
| Total | <u>13 900</u> lek |

II. Partial Disability Allowance (monthly entitlement)

a. Partial invalidity because of a general disease

| | |
|-------------------------------------|------------------------|
| Allowance | 3633 lek |
| -Compensation for the energy | 350 lek |
| -Compensation for the bread basket | 150 lek |
| -Compensation per capita per family | 414 lek |
| Total | <u>4547</u> lek |

b. Additional allowance for a partial invalidity caused by an incident at work or by a professional disease.

| | |
|------------------------------|------------------------|
| according to ComD, 16.4.2004 | 2000 lek |
| Total | <u>6547</u> lek |

Labour Invalids

Law No. 7889, dated 14.12.1994 “On the Status of Labour Invalids” amended by law no. 8052, dated 21.12.1995 “On some amendments to law No. 7889”, dated 14.12.1994 and Law 7821, dated 26.12.2000

The status of invalids stipulates the following services: 100% reimbursement of medical treatment for full invalids and 50% for those who have partially lost the ability to work, provision of mobility means, exclusion from direct taxes and custom taxes for different rehabilitation devices including vehicles, public transport is free, while private transport is 50% of the value.

The law provides compensation for persons with the status of invalidity who were employed before, for electricity bills and for the cost of a minimal food basket. There is a monthly extra payment on top of the invalidity pensions of 2000-3000 Lek regarding three categories of disability. There is an increase of 15% for those who have benefited by the Council of Minister’s Decree No. 381 and a refund for fuel of 4000 Lek is paid

Invalidity retirement allowances in the village

In case the invalids live in the village the allowance amounts at 2980 Lek, with a compensation of 200 lek. The total amount is 3180 Lek. The allowance does not change in case the recipient changes his/her residence.

War Veterans

Law No. 7663, “On the status of war invalids during the war against Nazi-fascists”, dated 21.01.1993 provides benefits to war veterans according to the groups of invalidity depending on the level of deformation or wounding.

They receive extra money apart from the invalidity pension or the average of the pension of the invalid in case they have no pension, which is applicable according to the group of invalidity.

The invalids of the first group are entitled to a caretaker, who is paid by the local government structures. In addition they receive medicines and medical treatment free of charge. When necessary war invalids are treated in clinics abroad. Free urban transport and inter-urban transport for half the price are provided for.

The Blind

The Law No. 8098 “On the Status of the Blind”, dated 28.03.1996 regulates the evaluation of the ability to see, the integration into normal life and sets forth appropriate living and working conditions and also favourable conditions for medical treatment.

In addition the Council of Minister’s Decree No. 227, dated 18.06.1997 “On obtaining the status of the blind” establishes the commissions for blinds at the State Social Service.

The Council of Minister’s Decree No. 671, dated 15.12.2000 “On the establishment of medical commission of blinds” provides favourable telephone tariffs and also compensation of electricity bills.

The Council of Minister’s Decree No. 83, dated 26.02.2001 “On telephone tariffs” and the Council of Minister’s Decree No. 573, dated 22.10.2001 “On the amendments of telephone tariffs” provide further details on the matter.

The Council of Minister's Decree No. 632, dated 21.11.2001 "On benefits from national department of the residence". Instructions of Ministry of Labour for the implementation of law No. 8098, dated 28.03.1996 provides special treatment concerning sheltering.

The blind receive the following services, which are not depending on the family income: free urban transport, 50% reduction on private transport together with their caretaker, telephone tariffs of the first level and 700 impulses without VAT and only 20% of the monthly telephone bill have to be paid. Blind persons are excluded from custom tax for their vehicles and when they are self employed, they pay only half of the taxes. Only 20% of the electric bills per month have to be paid.

The minimum payment for blind persons is 6400 Lek. Currently there are 8715 blinds who are receiving the above mentioned services. They are classified according to the scale of the benefits they get:

- 8235 blinds benefit 100% of the payment of disability (6400 Lek)
- 408 blinds benefit 150% of the payment of disability
- 45 blind benefit 200% of the payment of the disability
- 27 blinds benefit 300% of the payment of disability

At the moment 3451 persons receive payment as caretakers to the amount of 5306 Lek/month. They are also entitled to 14 square metres living space free of charge.

Para- and Tetraplegic Persons

The Law 8626, "On the status of the para- and tetraplegics", dated 22.06.2000 and in addition the Council of Minister's Decree No. 31, dated 20.01.2001, "On the benefits from the status of para- and tetraplegic invalids", the Council of Minister's Decree No. 83, dated 26.02.2001 "On telephone tariffs and electric bills", the Council of Minister's Decree No. 387 "On exclusion of para- and tetraplegic invalids from taxes and tariffs" and the Council of Minister's Decree no. 687, dated 15.12.2000 regulate all benefits and service for para- and tetraplegic disabled persons.

Law No 8626 deals with paraplegics and tetraplegics who suffer from spine diseases, as a result of an accident and regulates their treatment by the medical commissions (KMCA) and the amount of payment the persons receive. Special rooms for the treatment of paraplegic and tetraplegic persons have to be provided, also medicine free of charge and services at home. Favourable tariffs for telephone and electricity bills are comparable to those concerning the blinds. Further stipulations regulate the exclusion of these disabled from 11 kinds of taxes and also from customs taxes for the import of equipment for personal use. Furthermore they receive refunding of the cost for buying fuel and lubricant oil and they benefit from the disability payment.

The paraplegics and tetraplegics who benefit from this status are labour invalids and as such they are entitled to the same services as the labour invalids. Therefore, these persons receive an extra payment of 10.612 Lek/month. The total payment per month is 17.412 Lek. Caretakers receive 6000 Lek per month.

Day care centres and community services are provided mainly by NGOs. However, around 1000 persons benefit from services in public institutions. The annual average cost for one person is 260.000 Lek, provided from the budget of these institutions.

Assistance and Social Care Legislation

The economic aid provided to persons with physical, mental and sensor handicap, inborn or through incidents before reaching the 21 year, the blinds, para- and tetraplegic work invalids is regulated through the Law No. 7710 “On Assistance and Social Care”, dated 18.05.1993, the Council of Minister’s Decree No.307, dated 24.05.1994 “On services of social care”, the Council of Minister’s Decree No. 311, dated 11.07.1994 “On obtaining disability benefactions” with some amendments in the Council of Minister’s Decree No. 457, dated 21.08.1995 and the Council of Minister’s Decree No. 304, dated 27.06.2002. Further rules are laid out in the Council of Minister’s Decree No. 510, dated 24.11.1997 “On the criteria of the treatment at the care institutions”, the Council of Minister’s Decree No. 786, dated 24.11.2003 “On the commission and payment for people with disabilities”.

This law and the Council of Ministers Decree lay out the blueprints of service provision for the disabled, the assessment, the rules of payment and its increase during the years. Stipulations are made for the treatment at care institutions, both public and private ones and for payment for disabled pupils and students. Middle school pupils receive 200% of the minimum payment, students get 300%. The caretaker receive 5000 Lek in case the family has no incomes. The para-and tetraplegics receive 110 Lek per month for the refunding of the electricity bills.

Health Insurance System

Law No. 7880, dated 13.10.1994 “On the health insurance in the Republic of Albania” includes those persons who have paid health insurance before they became disabled.

Mental Health

Law No. 8092 “On mental health”, dated 21.03.1996 protects persons with mental disability.

Employment Situation

The Labour Code prohibits any kind of discrimination in employment and professional training of people with disabilities. They have the right to work in appropriate jobs according to the evaluation of the Medical Assessment Commission that defines their ability to work. According to the Code the employer should provide appropriate jobs and facilities for persons with disabilities. Working hours for the disabled employees are reduced to 6 hours per day.

Law No. 7995 “On the encouragement of employment”, dated 20.09.1995 provides and supports employment, advise and professional qualification for people with disabilities. Article 15 sets forth that out of 25 employees, one should be a person with disabilities able to work. An employer can chose to employ one person with an aggravated disability instead of five persons with light disabilities. Every employer who does not fulfil his employment quota for the disabled shall pay to the National Employment Fund an amount equal to a minimal pay for each of the persons with disabilities he ought to have employed. Article 16 sets out incentives for employers of people with disabilities: “An employer of people with disabilities may ask for subventions from the Labour Office for the suitable equipment of the disabled person. The payment for the people with disabilities is exempt from taxation as stipulated by the Acts of the Council of Ministers.”

An assessment showed that in particular this law was implemented poorly in Albania, out of several reasons. Small businesses with less than 25 employees dominate in the country, sanctions and practices

for the proper application of the pertinent law do not exist and alternative mechanisms have not been found so far. There also exists a need to sensitise the society, the tax authorities and the employers to comply with the law.

In the recent past, protected businesses for employment of disabled have been established and are functional. Organised by NGOs and supported financially by the State, some initiatives for the production of mobility means were set up by people with disabilities themselves. There are successful initiatives for employment of people with disabilities and other groups in need; it is a state responsibility to provide sustainability and to promote the employment of disabled persons.

Education and Vocational Training

Law No. 7952 “On the pre-university educational system”, dated 21.06.1995 recognises the right to education for all citizens, regardless their social status, nationality, language, sex, religion, race, political background, health situation and economical level.

The opening of schools or special classes is made possible through his law, also the qualification of staff to work with disabled persons. To this end a special branch was opened in Vlora for the qualification of specialised educational staff. Persons with disability may study in normal schools, in special classes next to normal schools, or in special public schools.

The national institutions accomplish 80% of needs for this kind of schooling and 2% for daily schooling in districts.

The education of children with special needs is free of charge at public educational institutions, in case this is the wish of the parents and the right professional choice. The state undertakes measures to guarantee the necessary conditions to integrate children with disabilities gradually in normal schools. (Article 40)

At present there are 760 children attending special classes. The two main institutions covering the needs of the blind and deaf children fulfil approximately 80-90% of the demand. As to the other specialised institutions, they cover less than 2% of the demands for treatment.

The Ministry of Education, working jointly with other institutions has done commendable work to sensitise schools to accept children with disabilities in the normal classes. At any rate, schools lack basic infrastructure and the teachers themselves lack training to support this process.

Law No. 8872 “On education and vocational training in the Republic of Albania”, dated 29.03.2002 includes the rules for education and professional training, and persons with disabilities are among the main beneficiaries of this law. One of the stipulations is that people with disabilities may attend programs of professional training free of charge at public centres and receive payment for private courses.

Transport and Accessibility

Law No. 8308 “On Road transport”, dated 18.03.1998 and the Minister’s instruction No. 1649, dated 16.08.1999 provide facilities for people with disabilities in transport issues. They are entitled to free urban transport and reduced prices for inter-urban transport.

The approval of town planning and architectonic rules and norms to abolish the barriers for persons with disabilities, elaborated by the Ministry of Territorial Adjustment and civil society organisations (ADRF Advocacy Group, Engineering Institute, National Association of Constructors) through the Council of

Ministers in June 2004 made it legally binding that all building activities have to avoid barriers for people with disabilities.

Recommendations

- As it was shown in this chapter, the legislative framework on disability in Albania is quite scattered. Therefore measures should be taken to analyse the existing legislation and combine it in one law on disability for the Republic of Albania.
- This will be undertaken by the Ministry of Labour and Social Affairs, as the leading ministry in close co-operation with the Ministry of Justice and the respective disability civil society organisations. Timeframe: 2 years.
- People with disabilities have the right to get informed on their rights and entitlements. Governmental and non-governmental institutions have to join to organise a public awareness campaign and compile information brochures, in which all rights, allowances, reimbursements and services are summarised in an understandable language.
- The Republic of Albania has ratified the Revised European Social Charter, has left aside the ratification of Article 15. It is strongly recommendable to catch up on this setting a clear sign towards the Council of Europe that the Government of the Republic of Albania has the decisive will to implement a non-discrimination and inclusion policy.

Fields of Intervention / Action Plan

An analysis of the existing disability policies in Albania revealed two major challenges:

- 1) Improvement of the policy framework, which should be harmonised with international standards and:
- 2) Effective implementation of existing laws and regulations.

It is crystal-clear, that the overall goal of full inclusion of people with disabilities in the Albanian society will require a long term process and will need strong efforts by the Government and the civil society in Albania. The Albanian Government fully commits itself to this obligation and has a devoted ally in the disability NGOs.

The main objective of all policies and projects shall be to improve the overall living conditions of people with disabilities in Albania and to achieve lasting results in including them in all aspects of life as self determined citizens, who enjoy the full range of civil and human rights.

Therefore the Albanian Government and the representatives of people with disabilities in Albania have decided to start their efforts in the key fields of 1) accessibility for people with disabilities, 2) services for people with disabilities 3) education, vocational training, employment for people with disabilities, 4) institutional capacity building 5) research and legal framework on Disabilities. The aims and principles of the strategy outlined in chapter II shall be implemented in all policies and projects, with a continuous emphasis on the self determination of people with disabilities.

By increasing the inclusion grade of people with disabilities progressively there will also be progress in sensitising and awareness raising in the whole society, thus reaching at the same time a general agreement on the inclusion efforts for people with disabilities.

Special attention will be paid towards the designing of an effective monitoring and reporting structure, which enables all stakeholders, including international donors, to measure the progress in implementation of the National Strategy on People with Disabilities.

1. Accessibility

The building of a barrier free environment is definitely a key issue for the inclusion chances of people with disabilities in all sectors of social life including their integration into all education and employment fields.

Both, the Council of Europe and the European Union have been focussing on this issue in the last years and their efforts have lead to a number of resolutions, lining out the definitions, standards and measures of the current understanding of accessibility and universal design. The United Nations have set out this principle in the UN standard rules as well.

Buildings and other facilities, means of transport, technical utensils, systems of information processing, acoustic and visual sources of information and communication facilities and other designed environments shall be considered barrier free if they are accessible and usable for disabled persons in the usual way, without particular difficulties and as a rule, without help from others. Accessibility is therefore a precondition to the full and equal enjoyment of civil rights and for the access of people with disabilities to all services on equal terms with all other citizens.

The Albanian Government and all other stakeholders are keeping this in mind while mainstreaming all future legislation and standards concerning the built environment.

Therefore it will only be a starting point to abolish visible and physical barriers in everyday life of people with disabilities. First efforts have been undertaken already by the town planning and

architectonic regulations for people with disabilities, elaborated by the Ministry of Territorial Reform and Tourism in co-operation with civil society and approved by the Council of Ministers in June 2004.

The proposed projects of the national and local government institutions and the civil society organisations have decided to focus on this out of two main reasons:

1. Considering the actual conditions of public infrastructure in Albania this is the most striking barrier problem prohibiting people with disabilities to take part in everyday life. It is at the same time the greatest barrier for education, employment and access to training facilities for people with disabilities.
2. Bringing people with disabilities into the “sight” of the society is seen as an important factor in the awareness raising process in society and will built the basis for a greater sensitiveness of lawmakers and all members of society.

Future steps shall also be undertaken:

- In building up structures to enable people with disabilities to take part in all sectors of social and cultural life. Major stress should be put on political life, especially national and local elections since participation is an indispensable civil right, which people with disabilities are entitled to enjoy.
- By abolishing information-, communication- and transportation-barriers and mainstreaming the standards, bearing in mind that the right to information is a genuine civic right. People with disabilities shall therefore become entitled to get information on all services in Braille, sign or easy language.
- By implementing disability issues as a compulsory element into the curricula of studies as e.g. architecture, design, media and computer professions.

The institutional responsibilities, the measures to be taken regarding Accessibility and their deadlines are stated in Appendix 1, Point 1, of the National Strategy on People with Disabilities.

2. Services

The Draft Law on Social Services institutionalises the practice that experienced and advanced civil society organisations offer a large number of services for people with disabilities on the communal level. The local government orders these services at the NGOs and pays for them. This system was established out of the Albanian Government’s commitment to the reduction of employees in the public sector in order to reduce the public spending. At the same time this draft law reflects the high esteem of the Albanian Government for the services provided by the organisations of people with disabilities, among others.

This system is again something that has developed out of the current Albanian history and could be assessed as the best model under the existing circumstances. Nevertheless the Albanian Government is responsible for all kinds of health services. This field can hardly be covered by the Albanian civil society organisations. Therefore the national and local authorities will set a priority in improving measures for early prevention and the delivering of medical and rehabilitation services to prevent the deterioration of the disabled health state.

All stakeholders are aware that the policy in economically more advanced countries develops towards supplying the disabled with an individual budget, which enables them to decide for themselves which services they need and want to buy. The Albanian Government will follow up this objective to implement the principle of self-determination. However, the economic situation of most families of people with disabilities in Albania bears the danger, that cash might not be used to fulfil the needs of the disabled person, but to supplement the family’s budget. Therefore the short and middle term focus will

be set on providing qualified services but on doing so always taking into account the needs expressed by the disabled person him/herself.

The Albanian Government and the disability NGOs will give high priority to bringing caretaker services to the homes of people with disabilities. Qualification and securing of high quality services shall be included in all aspects. Disabled persons shall have the right to decide on the person who is the respective caretaker including the right to decide for a person of the same sex.

Determination over people with disabilities, especially if it is enforced, violates their human and civic rights. Therefore a timeframe shall be developed to abolish all kinds of institutionalised treatment of disabled persons and replace it by daily commune based care centres respectively home services.

High quality social services are very important for the inclusion and integration of people with disabilities. It is recommended to put emphasis on them in the implementation of the strategy and to take into account the decrease in access to social services from urban to rural areas of the country.

On the local level there shall be community based Social Service Centres in addition to the assessment centres. The staff in these centres shall work closely together with the local disability NGOs and shall advise the disabled person with a holistic approach and develop together with him/her an individual inclusion plan, which takes into account his/her individual disability and participation needs. The plan shall include measures on medical rehabilitation, education, vocational training and employment.

It is evident that the staff in these Social Service Centres must be highly qualified in all fields of disability policies and must be trained inter-disciplinary. A concept on qualification and on logistics to establish a nation-wide network of these centres is one of the backbone projects within the strategy. The idea of mobile units should also be considered to fulfil the needs of disabled persons in remote areas.

As far as the housing of the centres is considered it is recommended to situate them in the municipality buildings and to take care that they are access free. For hearing impaired persons a sign interpreter or other appropriate measures shall be provided.

The key principle shall be that the provision of social services should follow the individual instead the other way around. At present this holistic support and service is already carried out by a number of centres run by the associations of people with disabilities or self help groups. The state initiative should not replace them but amend these services. While building up the state service centres people with disabilities should be employed in these centres to the utmost extent, practising the idea of peer counselling (the consultation of people with disabilities by people with disabilities).

The institutional responsibilities, the measures to be taken regarding Services and their deadlines are stated in Appendix 1, Point 2, of the National Strategy on People with Disabilities.

3. Employment, Education and Vocational Training

Unemployment among people with disabilities in Albania is considered as one of the main problems. People with disabilities have hardly any chance to earn their own living and to participate fully in society. It also goes along with the priorities set out in the European Union: The Action Plan of the European Commission to promote equal opportunities and fight discrimination puts a major stress on the employment of people with disabilities in 2003. Working places shall be designed barrier free and shall be adjusted the needs of people with disabilities. They also shall be supported in starting their own businesses.

Despite the Law No 7995 “On the encouragement of employment”, dated 20.09.1995 there is a lack of successful state effort in Albania to integrate people with disabilities into the open labour market.⁴

⁴ The law mentioned is a commendable effort, which stipulates that out of 25 employees, 1 should be a person with disabilities able to work. After the changes in the 90ies, however, big enterprises nearly ceased to exist and the smaller businesses normally have less than 25 employees.

Therefore the NGOs have to play a decisive role on a self help basis and should receive support not only by donors but also by the Albanian Government itself. This has already started through the Ministry of Labour and Social Affairs, which supports several NGO employment projects.

Albanian disability NGOs have so far contributed remarkably with their expertise to train people with disabilities and support their integration into the labour market. However, it should also be kept in mind, that capacity building in state institutions shall have the aim of supporting the chance, that the State Employment Agency will be more and more effective in bringing people with disabilities into open or alternative forms of employment. Even then, a close co-operation with the disability NGOs shall be guaranteed in the status of the State Employment Agency.

The Ministry of Labour and Social Affairs shall take concrete measures to ensure the implementation of the already existing Law "On the encouragement of employment".

Since people with disabilities themselves often have a lack in qualification and skills due to the exclusion from education and vocational training systems it is important to initiate major efforts in this sectors starting from the kindergartens, proceeding to all levels of schools, university education and vocational training, enabling people with disabilities to build up capacities on equal basis.

The NGOs shall receive an outstanding support of the Albanian Government in their efforts to provide vocational training for people with disabilities but the Albanian Government itself is also aware of the obligation to offer vocational training for people with disabilities in their training programs as well.

The declared aim is to create a system of integrated kindergartens and schools on the elementary and secondary level. The Ministry of Education is already working on a progressive policy on integrative education including accessibility and capacity building elements.

To abolish physical barriers in schools, universities and vocational training centres is an important step but can only be seen as an indispensable precondition to an integrated concept in learning at all levels of education, studying and training. Given the status quo in Albania a mixed system of integrated schools and special schools is considered the best short term solution. Both, the Albanian Government and civil society organisations will co-operate closely to built up an education system, where integrated schools will be the rule. The special needs of all kinds of people with disabilities should be met in special classes in these schools only if considered necessary. The social life in itself and all cultural activities shall take place on an integrated basis.

To increase the knowledge within the staff in this sector the disability mainstreaming of all curricula of schoolteachers, doctors, architects, social workers, psychologists etc. shall also be a major objective.

The institutional responsibilities, the measures to be taken regarding Employment, Education and Vocational Training and their deadlines are stated in Appendix 1, Point 3, of the National Strategy on people with disabilities.

4. Capacity Building

Capacity building is considered as a further key issue. As mentioned above, the knowledge on existing disability legislation and policy making is only fragmentarily developed in Albanian Government institutions. Even in specialised disability NGOs a lack of knowledge on the legal framework and the rights of and services for people with disabilities could be detected.

The Albanian Government, however, commits itself fully to good governance on disability issues and the establishment of disability mainstreaming in policy making. All actors involved are also aware of the need of a working monitoring structure for the implementation of the National Strategy on People with Disabilities.

This requires special training including the acquaintance with best practice examples. A certain need for human resources with expertise arises from countries where disability policies are more advanced than in Albania.

Specialised capacity building is needed for staff, who is dealing directly with people with disabilities when it comes to assessment, vocational training and employment, medical and rehabilitation services. To set certain quality standards caretakers shall also be included in all capacity building measures. To train and sensitise judges, prosecutors and lawyers on disability issues is important to implement already existing remedies for people with disabilities.

The institutional responsibilities, the measures to be taken regarding Capacity Building and their deadlines are stated in Appendix 1, Point 4, of the National Strategy on People with Disabilities.

5. Legal Framework and Research

There is already a legal framework on people with disabilities existing in Albania, including assessment and legislation on allowances, rights and services. However, the analysis of the current situation has shown that it is quite scattered and that therefore a lack of knowledge on it both at the state level and within individual persons with disabilities prevails. Implementation and development of remedies of the existing legal framework have to be priorities.

In order to harmonise the Albanian legislation with international standards and based on the principles outlined in chapter I, to implement a new definition on disability in Albania and to built up effective monitoring structures it is necessary to get an extended overview on existing data, statistical gaps and missing links within the legal framework.

To increase the knowledge of people with disabilities on their rights, the Ministry of Labour and Social Affairs will publish together with the disability NGOs a brochure, in which all services, allowances, benefits and remedies for the disabled are summarised, in order to keep the disabled but also the responsible staff in state institutions and the civil society informed.

Irrespective of the outlined projects the Albanian Government will undertake measures to set clear signs towards the international community, the Council of Europe and the European Union and towards the society in Albania itself underlining the decisive will for a policy of non-discrimination and inclusion of people with disabilities by:

- Ratifying Article 15 of the Revised European Social Charter (RESC) within one year
- Giving the strategy a secure legal framework by proofing positively, how the principle of non-discrimination of people with disabilities can be amended to the Albanian Constitution Human rights Art. 25. Furthermore, the drafting of an Albanian Act on Equal Opportunities, again in close co-operation with civil society shall begin at the earliest possible time.
- Engaging actively at the ongoing process of the drafting of the 'United Nations Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities' including the communication with the member states of the European

Union. In recognition of the expertise of the disability NGOs there shall be a close exchange of views between the Albanian Government and civil society including regular briefings of the public and consultations of the line Ministries and the Albanian Foreign Office with the NGOs on the UN Human Rights Convention.

The institutional responsibilities, the measures to be taken regarding Legal Framework and Research and their deadlines are stated in Appendix 1, Point 5, of the National Strategy on People with Disabilities.

Monitoring Structure of the National Strategy on People with Disabilities

1. National Council on People with Disabilities

Members: Deputy Prime Minister (chair)
Ministers of MoLSA, MoEaS, MoH, MoJ, MoF, MoTAaT, MoTaT, MoLGaD
4 National Disability NGOs

Time of meetings: at least 3 times per year

Tasks: ☒ Policy making based on recommendations of Administrative Council of State Social Service
☒ Securing of disability mainstreaming in the Republic of Albania
☒ On recommendation of the National Council the Council of Ministers can prepare decrees
☒ Creation consolidated report on disability in Albania⁵

Needs: Statute of the National Council

2. Technical Secretariat

Members: 3 full-time employees of State Social Service

Support by: Directorate of Social Services
Focal Points in Ministries

Needs: Selection criteria for the 3 employees⁶ + job descriptions
By-law of the Secretariat (empowered by a CoM decree)⁷
Reporting guidelines and template

Capacity building:

- all aspects of disability with emphasis on services and legal remedies, accessibility, employment, education and vocational training
- project cycle management
- office management
- IT
- English language

Office space and equipment

Tasks: ☒ Information collection and dissemination
☒ Liaison with all focal points in the ministries
☒ Liaison with Disability NGOs represented in the National Council and the Administrative Council

⁵ The report is submitted to the Albanian Assembly as the highest democratic representation body. The report shall be published and sent to all governmental and non-governmental institutions in Albania and also to international donors. For the first 3 years after the publication of the National Strategy a report has to be made every year. After that a report shall be published every 2 years.

⁶ One of the main selection criteria: age and experience, pure medical experience is not enough

⁷ The Technical Secretariat has the right to receive reports on a regular basis from the line ministry focal points, the Regional State Social Service Offices and the local government. On demand all information shall be made available by the above mentioned institutions, by INSTAT and the civil society organisations.

- ☒ Liaison with the 12 Regional Offices of the State Social Service
- ☒ Preparation of meetings of National Council and the Administrative Council
- ☒ Reports to Administrative Council⁸

3. Administrative Council of State Social Service

Members: MoLSA minister (chair), Director of State Social Service (deputy chair), Director of Social Service Directorate, Director of State Insurance Service, Director of State Employment Service, Deputy MoLGaD, Deputy MoH, Deputy MoEaS, Deputy MoTaT, Deputy MoTAaT, Representative of Budget Directorate Ministry of Finance, Tirana Municipality, + ADRF + 7 big national Disability NGOs + 3 regional NGOs

Support by: Technical Secretariat, Focal Points in line ministries

- Tasks:
- ☒ Oversees the implementation of the National Strategy
 - ☒ Reports to National Council on People with Disabilities
 - ☒ Gives Recommendations to the National Council
 - ☒ Passes guidelines for and direct supervision of Technical Secretariat
 - ☒ Gives guidelines to 12 Regional Offices of State Social Service
 - ☒ Gives guidelines to local government units

Needs: By-law: timeframe of meetings⁹, voting procedures¹⁰, organisation of identifying 3 NGOs for representation in the National Council¹¹, guidelines and templates for reporting to National Council

4. Focal Points in line ministries

Members: One designated person per ministry (MoEaS, MoH, MoJ, MoTAaT, MoTaT, MoLGaD) – if possible full-time

Support by: All departments of respective ministries (by CoM decree)
Information and support through Technical Secretariat

Needs: Selection criteria and job description
Capacity building

- disability aspect of the respective ministry
- project cycle management
- office management
- IT

Reporting guidelines and template
Office space and equipment

Tasks: ☒ Reports to Technical Secretariat

⁸ Reports are due every 2 months 10 days before the meeting of the Administrative Council.

⁹ For the first 2 years of its existence the Administrative Council shall meet 6 times per year. After 2 years the Council revises the meeting schedule. The Administrative Council has to meet 3 weeks before the meeting of the National Council takes place.

¹⁰ Governmental and non-governmental institutions have the same vote. One institution has one vote.

¹¹ Regional NGOs need to be human rights based, work on cross-disability issues and have a working experience of 5 and more years.

- ☒ Reports to respective deputy ministers in Administrative Council
- ☒ Liaison with respective local government units
- ☒ Liaison with the NGOs represented in the Administrative Council

5. Regional Offices of State Social Service

Members: staff of regional offices, 1 designated person / Social Service Centres (project of State Social Service)

Support by: Technical Secretariat, Administrative Council

Needs: Selection criteria and job description

Capacity building

- disability aspect
- project cycle management
- office management
- IT

Reporting guidelines and template

Office space and equipment

Tasks: ☒ Implementation of the Strategy on regional level
☒ Rendering services to people with disabilities (see program of State Social Service)
☒ Payment of social welfare
☒ Reports to Technical Secretariat, copied for information to respective line ministry

7. Local Government Units

Members: 12 Regional Councils, 36 Municipalities, 373 Communes: 1 local focal point on disability

Support by: Regional Offices of State Social Service, Technical Secretariat, Focal Points in Ministries

Needs: Selection criteria and job description

Capacity building

- all aspects of disability with emphasis on services and legal remedies, accessibility, employment, education and vocational training
- project cycle management
- office management
- IT

Reporting guidelines and template

Office space and equipment

Tasks: ☒ Implementation of Strategy
☒ Reports to Regional Offices of State Social Service
☒ Refer people to State Social Service Offices
☒ Regular consultation meetings with local NGOs