

**System, in support of children
without parental care in Albania**

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Albanian System, in support of children without parental care

ANALYTICAL REPORT

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I. Situation Analyses

The deep transforming reforms of last years, that involved our country, the privatization of economy, the opening towards the world and the free movement, brought significant changes in the social field, mentality, as well as, at life living style. The transition period toward free market economy installation and the building up of democratic institutions was accompanied with unknown, complex phenomena like unemployment, emigration, uncontrolled urbanization, crime and values crisis. The almost 50 years country isolation and the extreme poverty on one side and the aspirations for a better life and an easy and quick enrichment on the other side, stimulated great afflux of emigration mainly directed toward the nearby countries like Italy and Greece, but also at the other West European countries.

During this period the country has to deal with violence, mental health problems, the increasing of crime acts, use of drugs and alcohol, prostitution and human beings trafficking, as well as, children abuse and their involvement at worst form of work. The family, as first cell of society and prior care network, under the influence of poverty and social problems, has not yet the needed capacities to ensure a qualitative care for its members

The inequality in the distribution of income and unbalanced development between various areas/regions of the country has increased the polarisation of different levels in society. According to the data from the National Institute of Statistics (Living Status and Measurement Survey – 2002) about 25 % of the population lives in poverty while 5 % is in extreme poverty. Poverty has mostly affected:

- rural areas where poverty is there times greater than in the cities;
- the north-eastern part of the country, with limited access to infrastructure and services;
- families with many members;
- Young people and women.

Poverty is not only due to unemployment, but also lack of income and restricted access to benefit from programmes relating to health protection and environment and, to socio-cultural programmes. The consequences of poverty are manifested in malnourishment of the family and especially of children, school drop-out by children, involvement of children in various forms of labour (street children) or in trafficking of people and abuse of the individual, etc.

Poverty and limited access to social services has a direct impact on the living standards of the vulnerable groups of society and has deprived them of the right to live with dignity and has set up a special system of social protection to call a halt to these phenomena and mitigate the Consequences for all the groups in need. Currently, in order to protect the vulnerable groups, the following programmes are applied:

1. The Economic Assistance Programme

The Economic Assistance Programme supports, through monthly payments, families without income or with insufficient income. In the last years, a total of 4 billion lek has been set aside under this programme. From this amount about 125,000 poor families in cities and rural areas have benefited in comparison with about 150,000 in 2000. This means that about 16% of families continue to be supported with Economic Assistance (EA). 42 % of the distributed EA goes to urban areas and 58 % to rural areas.

2. The programme for disability entitlement

About 50,000 disabled persons (mental, physical and sensory disability, tetraplegics) in 2005 and about 335000, who have occupational disabilities, benefit from this programme. For these categories the amount of 5,8 milliard lek has been made available in 2005 compared with 2,3 milliard lek in 2000. As result of the extension of the legal base, an increase in the numbers of the disabled has been noted.

3. The programme of social services

The Social Services System is provided in 17 residential centres and 2 daily centres, which are financed by the state budget, for orphan children including those with social problems, and for disabled persons. Non-public social services are provided by NGOs. These services are delivered mainly in large cities, especially in Tirana, Shkoder, Elbasan, Durrës, and Korçë and, to a lesser extent, in the rural areas. These community services are mainly financed by foreign donors.

The difficulties of the transition period, the high scale of poverty and the unemployment have engrained the socio-economic situation of many Albanian families, by directly affecting and bringing consequences to children. In these conditions, children are represented as one of the most venerable group, besides the other social groups in need.

Before the 90 t he Institutions for orphan children, have been administrated from Ministry of Education, and didn't have the nature of those institutions where children are treated within the wide range of social services. The treatment of social services at its institutional form became at the moment of Ministry of Labour, social services setting up in 1992. In order to improve the state structures four years later was created the General Administration of Help and Social Services (today State Social Service), which offers help and social services, evaluates and treats the vulnerable groups, including here the social and biological orphan children and the disable ones.

- Social Care System – Care and protection for children without parental care

There are too many children whom for different biological and social reasons remain orphans and ask for social help from state and society as well, which in reality for this group of children became “substitution” family. From the studies taken before results that the main reasons that “ produce “ orphan children are the instability of marriage, its destruction, whose greater consequence is a great number of confused children and without protection. The birth out of legal marriage, as a result of individual sexual freedom, the missing of appropriate culture and lack of knowledge for protected sexual relations, reduces the risk of undesired childbirth. The number of children remains orphans, for natural reasons such as the loss of both parents for natural disaster, accidents or different sickness, must be taken in consideration.

Our state and society have cultivated a contemporary concept to view this phenomenon and don't make differences for orphan children. Our social policies do not make differences for protection of orphan children, without considering at all the fact that this is a “product” of a temporal and non-functional marriage, or of an extramarital and premarital sexual relation for which the partners are not prepared and don t desire to have a child from this relation. The number of this kind of orphans, which comes from these types of relations, is increasing Nevertheless, state and society does not give importance to the “Origin” of orphan child. It doesn't matter if the child comes in life from a stable marriage, temporal marriage, uncontrolled sexual relation, or from an incest or rape.

For this social category its set up a wide network of social care, in which there are integrated in a institutional and obligatory modality the state institutions, starting from the maternity hospital, the first place where the biological abandon phenomena is faced till at special institutional care (children and kids houses) where they will stay temporally until the staff will find out a more stable social solution, as return to biological family, the setting under temporary custody or the performing of the realization of a final adoption in the adaptive family. Without any doubt, even it is not considered a good solution, the treatment of the orphans at the social institutions for a short period of time until another solution comes out, is necessary and undeniable.

During the last years, at all the residential institutions is noted progress at the qualities of offered services and all the indicators have changed for better, starting from the open strategies of institutions, staff qualification, integration at community, trying to aware them as much as possible with the abroad institutions improving their infrastructure . To fulfil this aim, all the institutions for children are integrated in their administration collaborating with the professional and financial support from some of foreign foundations of social services for children; such are ASED, Bethany Christian Services, SFI, Hope for the World, Hope for Albania, Hope and Homes for Children, etc. Without any doubt in the new

conception of all the institutional policy for children protection, UNICEF has given and is still offering a consistent contribution.

The compiling of a program with strategically objectives has been a necessity resulted from the need to develop and improve the children situation in Albania. *The National Strategy for Children (2001 – 2005)* compiled in support of Republic of Albania Constitution which at one of the articles determines that the children have the right of a specific protection from the state, as well as, a support to the *Convent on the Children's Right*, is an very important document which defines the strategic objectives of Albanian State policy at this very sensible field of our social development.

One of the main principles of the National Strategy for Children is the reduction of the residential treatment policy and its substitution with the new modern ones natural and flexible, such are community services, Family Houses, temporary custody, children adoption, etc. Through this action it's aimed to substitute the old policy in children institution with the fundamental principle of European Union "One family for each child".

On 28.04 2005 it was approved with RCM no. 265, document of the Social Service Strategy (2005 – 2010). This strategy was compiled as a need to reflect the requests of the intense reform that the Government has undertaken for the decentralization of the local government competencies and the new philosophy for the deinstitutionalization of the social services and bringing them next to the community and client.

In this strategy there are determined the new roles of the MOLSA and other dependant institutions. On the other side, it determines the competences and the responsibilities of the Local Government and NGO as managers, bidder or beneficiary of the social services.

- MOLSA is responsible for compiling the policies, standards and through its structures will control the implementation of the legislation from the municipalities/commune or the service bidder.
- The municipalities and the communes have the responsibility to management, financing, and insurance of stability and continuance of the social services required from the citizens under the jurisdiction of their territory.
- The non-beneficiary organizations and other private operators will buy the services through open competition from the municipalities and communes and will offer them to the beneficiary by implementing the new quality conditions and the standards. The beneficiaries and the community will be more active; will be included in the process of community plan, in

identification and evaluation of necessities, taking the decisions and mobilization of the community sources etc.

Our country isn't without experience in the field of new typologies implementation regarding children treatment, because with the support of non – governmental sector, new typologies, as well as, new models of services have been implemented successfully, trying to make a balanced distribution in territory aiming to fit the needs as:

- Source Centre for Family at Shkodra Children House – Red Barnet
- Family House for children with disabilities in Shkodra supported from the project HOPE and Madonnina del Grappa.
- It has been consolidated the developing reform for development centres for disable children from ASED, which has build up a branch of high studies to prepare pedagogues for disability.
- It's finished the 5-th year's plan of British Foundation called Hope and Homes for children aiming the transformation of Durrës Children House through the application of the model "Family House" preventing the abandonment of children and temporary care.
- It's functioning well and with social effectiveness the Polyvalent Centre for psychosocial treatment for adolescents, drug users, giving priority to prevention and rehabilitation.
- With the support of IOM is built up and is functioning The Reception Centre of trafficking victims, where children are also included
- The polyvalent Centre of Social services in Elbasan has set up the service at home for children with disabilities, as physiotherapy services , care for hygiene and preparation and feeding of a meal.
- Even in small number in our country, there are functioning Children Villages (SOS in Tirana and Betania in Fushe - Kruje).

These new implemented typologies are a powerful base to build up a contemporary Social Service.

II. Residential Social Care Institutions Network

At the social network of public care institution there are actually operating 17 residential public institutions and 2 daily development centres for children with disabilities:

- Orphanages (0-3 years): 6
- Infant homes (3-6 years): 2
- Child homes (6-14 years): 3
- Development Centers for Children with Limited Abilities: 6

- Daily Centre for Children from families with social-economical problems: 1
- Daily Development Centers for Children with Limited Abilities: 2.

The institutional treatment of children is offered mainly as a classic residential service. These centres offer services for children between 0 – 15 years.

The total number of children without parental care at public care centres for the year 2005 is 432 individuals. It's important to note that foster care, looking after or any other type of care is not applied in Albania. A more detailed explanation on this issue you can find bellow at section "Alternative Care".

Table 1. Number of clients in public care institutions

Institutions	1999	2000	2001	2002	2003	2004	2005
Orphanages (0-3 years)	154	168	165	154	159	118	124
Infant homes (3-6 years)	62	61	54	44	51	41	41
Child homes (6-14 years)	257	236	237	208	205	191	154
Residential care/ disabled	92	97	103	128	132	128	113
Total for residential	565	562	559	534	547	447	432
Daily center / disabled	57	54	59	27	28	28	28
Total	622	616	618	561	575	506	460

Source: Social State Service

If we will analyze the data for the children treated in public institution during 2005, we find out a smaller number (460 children) in comparison with 2000 (622 children) This difference can be explained with the fact that from 2000 till now, some NGO-s have started their activity, giving a great contribute for the care of orphans and with social problems.

If we refer to the figures of year 2005 (table 1), results that into the public residential institutions for 6 – 15 years old (154 children) there are more children than into public residential institutions for 0 – 3 years old (124 children), or those of 3 – 6 years old (41 children). These can be explained with the fact that children between 0 – 3 years old are more easy adopted as a result of their little age, but an other reason is that as a consequence of system change from totalitarian to a democratic one, a very huge number of children at "older age" with too many social problems is increased and they are put in public care institutions.

If we also refer to the tables, we find out that into the public care institutions for 0 – 3 years old children, the females make the 47,5 % of the total number of children of

this age, resident at these institutions. So, males are 2,5 % more than the females. If we compare the total number of females at all the institutions for the year 2005 with the total number of children for the same year, the females make 54,9 % of children, so there are 4,9 % more females than males. Even the differences are small, they can be explained the different number of adoptions, as well as, returns to the biological families. During 2000 – 2005 there are 332 children of public institutions adopted. For more, during the same period 230 children have returned to the biological families and from those 107 are females, or 3,5 % more of males.

As for the number of children with disabilities the number has oscillated (increasing and decreasing). The changes have happened because part of them has returned to their biological family, or has died for different illnesses.

Table 2. Number of disable children under 18 years old classified by disability

Kind of the disability	Year 2000	Year 2001	Year 2002	Year 2003	Year 2004	Year 2005
Mental retarded	79	80	92	86	92	79
Psychic disorder	1	1	8	10	8	9
Disorder of movement	2	2	7	9	7	10
Polyhendicap	15	20	21	25	21	15
Undetermined	0	0	0	2	0	0

Source: Social State Service

Referring to public residential institutional care, its necessary to explain that there are cases of disable children placed at development centres that are without parental care.

In order to fulfil the social needs for these categories of children at risk, besides the structures of Social State Service which are limited in capacities and typologies, a very significant contribute are giving the national and foreign NGO-s, which as brought qualitative changes not only at conception of services but also in the structure of these ones, encouraging so new social services forms and alternatives as well.

In our country there are about 40 NGOs offering services for children at risk, 31 of these NGO-s are licensed from MOLSA, and the others are under licensing process.

Table 3: Number of private institutions and the clients, year 2005

	Total	Daily centres	Residential	Family ¹ Houses	Children ² Villages
Private Institutions	31	13	10	6	2
Number of clients	1590	1347	100	15	128

Source: Social State Service

For the year 2005, the range of children treated at residential centres is 75 ones for 100000 children. The setting up of the Social Services Inspectorate (November 2006) is foreseen to contribute to complete a more reliable network of data and information on no-public social services.

The compiling and implementation of the *package of Albanian standards for residential service for children*, in accordance with the legislation in power, as well as, with the required international standards, that guarantee and further develop the rights of children, is an important step in the integration process of the country.

The setting up of standards for residential services for children is important for:

1. *To guarantee and further develop the children rights* sanctioned at the constitution , at Albanian legislation and at the international convents ratified by the Albanian Government, for example: UN Children’s Right Convent
2. *To measure and improve the quality of residential services.* In the conditions of development at private sector and also at NGO – s involved at residential services, its necessary that the government sets up some rules and standards for the quality of services, which must be respected from all the institutions that offers services even they are public, non – public or NGO –s.
3. *To fulfil the new functions of local government* to fit the social need of community.
4. *To increase the social capital.* From the practical point of view the social capital has to do with the development of collaborations and of social sources, which includes institutions, relations and norms that form the quality and quantity of social interactions in society.

¹ the family house are for orphan children with limited abilities

² Type of SOS villages

It's given a lot of attention for personnel preparation that works at public institutions of children care. There are determined criteria for their employment in these delicate sector that have to do with their professional and moral figure. Moreover, in continuance and accordance with some planes there are organized different seminars to update them with contemporary methods of children raising and education. The seminar are organized in collaboration with societies and foundations that work for this purpose, with the participation of experts from medical field, psychological and social ones.

Table 4. Number of staff in public care institutions

Institutions	1999	2000	2001	2002	2003	2004	2005
Orphanages (0-3 years)	164	148	135	129	132	130	118
Infant homes (3-6 years)	59	53	47	25	26	24	23
Child homes (6-14 years)	103	106	93	92	86	84	85
Residential care/ disabled	171	154	140	160	169	170	169
Daily center / disabled	37	32	31	35	19	21	20

Source: Social State Service

At public care institutions for children, live children up to 15 years old. When they attend the high school they can remain there until 18 years old, but in general, after the finishing of 9 – years school the orphan children of public residential institutions follows the middle schools with the state support and live at the convicts of these schools. After the finishing of middle school these young fellows are under the protection of Orphans Status. According to this law they profit economic help, accommodation and work from the municipalities until they find a house. Moreover the status ensures them free medical and dental service. The employment of Orphans is in priority from labour offices. They are excluded from taxes.

- Decentralization and deinstitutionalization of social services

The social policies in our country are policies orientated from social standards of European Union and European Council. The changes that will happen at social care policies for children are done with the help and financing of World Bank and other strategic partners, the same that are realizing the social reforms at all the levels of social care pyramid. Since 2000 up to 2007, under the care and guide of World Bank, we are working to re modelling of the social service for children and its transforming from closed residential service at other alternative of community services. The essence of the reform that government is supporting is a quick decentralization of social care for orphans to leave the management, administration and finance to the local authorities.

In the mean time, is at drafting phase and gradually it will be realized through the second column of actual reform the deinstitutionalization of social service for children by ensuring other forms and ways of the alternative service, reducing in a decisive way the extended residential service without return, as it doesn't brings about nothing needed to normal and overall growing up of orphans. Actually, the residential service has the main weight at children services , but this report very soon will change opening the road to new modern form of non – residential community service and to the quickly alternatives that ensure a family for the orphans as his undeniable and integrally human right.

The project will contribute at the development of living standards and the re – integration of groups and marginalized social categories, through stipulation of community services and their participation in determining the priorities and decision taking.

The role of civil society (mainly of NGOs and private legal persons) will further increase as a provider of social services and as a defender of the rights and interests of groups in need, drafters of the recommendations for the improvement of social services legislation, conducting preventative and awareness raising interventions through education and informing the public about negative situations and their consequences on the individual, family and society.

In order to insure partnership relations work has focused on drafting agreements and contracts to establish links with NGOs on three levels:

- Signing of co-operation agreements with them;
- Signing of co-operation contracts;
- Licensing.

III. The alternative care system

Foster care, as an alternative of social services has started in 1999, as a pilot project from the British foundation called “European Children Trust” Now days, an Albania NGO “ Every Child” supported financially from European Children Trust, is offering foster care for those children who are abandoned male treated children of Tirana City (17 children in 2005). The families that accept children from temporary care, are supported financially from this NGO-s with 60 \$/month. The service is applied successfully but is still at its experimental form. Even a working group from ministry and members of NGO – s had prepared the Draft – Law for foster care, it's not yet approved from the Albanian parliament. As a result these kinds of services are limited.

Guardianship is applicable at very limited cases as a legally based form of social care for orphan children. The article 263 of Family Code keep under control the

guardianship, but often its applied the formal way of this one where the children are taken under guardianship from their relatives (the relatives decides by their own to take care of a child without performing any legal procedure) . In these cases they are not supported from the state with any child allowance.

IV. The functioning adoption system in Albania

The care for orphans has increased. It has increased the number of orphans and abandoned children who have found a social family through adoption. In these last four years, in average there have been adopted: within the country 32 children, abroad 33 children, within the family 28 children. From these a) 42 children with limited abilities, b) 39 children over the age of 3 years old and c) it has started the care service, from the foundation Every Child.³

With all this progress, the system and social programmers that are implemented actually, the necessities of children in risk are not fulfilled.

The institution of adoptions in the Albanian Justice system is regulated form the new Family Code (Law nr. 9062, dated 8.05.2003) and Law nr. 7650, dated 17.12.1992 "On adoptions of the minors from the persons with foreign nationalities, and about some changes on the family code".

Those two key laws on the field of adoptions are prepared in accordance with the basic principles of the ONU conventions about the rights of the children, ratified from the Albanian government in February 1992.

In the Family Code (article 240) as well in the Law (article 1) is sanctioned the principle, that the adoption is legitimate only if it is in the high interest of the minor and guarantee the respectability of the fundamental rights, making evidence of the first paragraph of article 21 of CRC.

The law defines mainly the administrative procedures of the adoptions process, domestic and inter-country of the Albanian children, which is performed by the Albanian Committee of Adoptions. Some of the core competencies of this National Committee are as follows:

- Compile the lists of the children that can be adopted in the country and abroad.
- Accept the requests of the Albanian couples or foreign ones who wish for an adoption in Albania and offer to them the appropriate support for the completion of the folders in accordance with the low specifications.
- Prepare the folders for children in adoption and for the adoptive family.

³ Strategy of the Social Service

- Collaborate with the public authorities and the private ones in the country and abroad in order to ensure the child protection (this is related with the post-adoption period).
- Take measures to avoid the failure of adoptive process, taking into account that the adoption process is irrevocated.

The regulation of the NCA, in conformity with the law and the Family Code foresee in a detailed way the administrative procedures of the adoption and the required documentation, which is, based on psychological, social, spiritual, medical analyses because this committee is going to perform a preparatory work.

Especially, when the child is not at early age, the NCA should apply counselling in order to make the child aware about the concept of adoption and to give detailed explanation for the adoptive parents accompanied with photos, videos, letters and even direct contacts with them.

Albanian also has ratified one of the most important international acts related to adoption, the Hague's Convent "On child protection and collaboration about the inter-adoptions", dated 29 May 1993.

In the new Family Code was included also the content of this low, where in an explicit way is explained when the inter-adoption procedure is not allowed to be executed (article 257 ICF). Adoption is not legally valuable in the country where are living the adoptive parents, in accordance with the abovementioned Convent.

The new Family Code and specifically in the second paragraph, article 252, is clearly mentioned that: NCA is an independent body, whose activity is regulated by a special low. Actually the Ministry of Justice is working on the final draft of the project low "On the organisation of the activity of the Albanian Committee of Adoptions".

For the period 1994 – 2004 the statistical data declares that, there have been adopted 1060 Albanians children in the domestic and inter- country adoptions.

Referring to the year 2005 in the committee there are transmitted 53 requests for adoptions from public and private national institutions and 25 from the Albanian families. In the lists of the NCA, there are registered for adoptions 48 Albanian children, which were declared abandoned based on a Court decision. In 2005 there are 52 domestic adoptions including those with blood relations and 38 inter-countries.

V. The analysis of the quality of the care system in terms of protecting children from violence

- Institutional framework and resources to respond to violence against children

There is at present no particular structure, either at central or local level that specifically addressed the problem of violence against children, though there are a number of governmental structures that deal with children's problems in general and so on occasion address the problem of violence.

The following are two structures set up at central level to deal with children's issues: the Interministerial Committee, with coordinates child-related initiatives of different Ministries, and the Committee for Equal Opportunity. Aside from these, there are a number of other top-level state institutions that deal with children, including the Ministry of Education and Science, the Ministry of Labour, Social Affairs and Equal Opportunity, the Ministry of Health, the Ministry of Justice, the Ministry of Interior, the Ministry of Local Government and Decentralization, the Ministry of Culture, Youth and Sports, the General Prosecutor's Office, and Ombudsman. Several of these institutions have created offices that are responsible for addressing the problem of violence against children.

Irrespective of these useful pectoral initiatives, the problem of violence against children is that it is not the sole responsibility of any institution, either at central or local level. This holds true for the Ombudsman. With assistance from the NGO, Save the Children, a sub-sector focused on children's rights has been set up within the ombudsman's office, with the prospect of turning it in the long run into an independent institution of the Children's Ombudsman. Even though it is not exclusively tasked with addressing violence against children, it does have the powers to handle complaints concerning violence against children.

Nor are there parliamentary structures specifically responsible for violence against children. Issues surrounding violence against children are taken up, on occasion and in the context of other issues, by the Standing Parliamentary Committee for Social Affairs, the Standing Parliamentary Committee for Education, and the Standing Parliamentary Committee for Health. Further, no comprehensive parliamentary initiatives have been undertaken to specifically address violence against children. Instead, legislation has been amended here and there to address the protection of children from violence. Albania does not have specialized institution for the rehabilitation of child victims of violence, or child witnesses of violence. Efforts for the organization of a psychological service and clinical social work are at an initial stage.

The juvenile court has not yet been set up, even though criminal legislation has been modernized. The public financial resources allocated for activities directly concerning violence against children are negligible. International donors have been the main supports of activities in this area.

- Policies and programmers to address violence against children

Albania does not have a comprehensive and harmonized multi-sectoral policy

concerning violence against children, supported by adequate legislation and financial and human resources, and with the appropriate implementation, monitoring and assessment structures in place. Nonetheless, there are a number of other important instruments, including the National Strategy for Children, and the National Strategy for Social Services. The National Strategy against Trafficking in Children and the Protection of Child Victims of Violence has also been drafted. The National Strategy for Children is a very ambitious if somewhat unrealistic instrument. It has a detailed action plan, but the plan is not binding for certain sectors, and structures are not in place to facilitate its implementation. The National Strategy for Social Services has similar difficulties. A common striking feature of these strategic documents is that they do not provide for the funds to implement. Neither do the Ministries dealing with child-specific issues set aside a budget for these issues. Still, these documents are a first step towards developing a framework for a comprehensive policy concerning violence against children.

Many governmental and non-governmental sectoral policies on issues relating to children, including violence, also have been developed. Over the past decade, international donors have made numerous investments in the area of human rights, including the protection of children from violence. Yes they are limited by the lack of a comprehensive national policy on violence against children. A better coordination and organization of the various actors involved in the framework of a national policy aimed at protecting children from violence would see a more effective and efficient allocation of human and financial resources.

Many governmental and non-governmental sectoral policies on issues relating to children, including violence, also have been developed. Over the past decade, international donors have made numerous investments in the area of human rights, including the protection of children from violence.

In default of a comprehensive policy and programme concerning violence against children, the Albanian Government has provided direct support to those agencies offering programmes aimed at preventing and responding to violence against children. This enables these agencies to register their activities with the count, to report to its bodies, and to join efforts with the Government to coordinate their activities. Likewise, these agencies have been allowed to implement their own projects in state-run institutions, with the space or materials of the institutions being made available to them, if necessary. In this regard, the Government and its bodies have proven to be highly supportive.

The Government has not yet been able to monitor the observance of the obligations of public institutions laid out in the National Strategy for Children, as monitoring structures are not in place. Similarly, the programmes concerning violence against children implemented by non-profit agencies have not been monitored. These agencies are obliged to provide information on their activities. However, this does not seem to be working properly because of a lack of clarity

about reporting procedures. International and local civil society organizations monitor on their own the programmes and projects they implement.

Important note: The statistical information system regarding social care issues in general is weak. Specially, the information regarding private institutions activities, which are working with the children in social risk, is very limited.

For the purpose of this analytical report and since the information about the activities of non-public institutions, was very partial, we tried to build up a simple data base, but, our attempt was unsuccessful, because of the short time on our disposal and because the information collected from non-private institutions was not correct (due to their low level of data reporting). So we decided to refer only to those data that we dispose who are provided from the State Social Service.

ANNEX:

The Legal Base for the Social Services

Since the '90 and in continuance, in the politics-social developments became possible the creation of a whole legal base, base on which started the transformation and the reconstruction of a new protection and social care system and the social care for categories, groups, and individuals in need.

The desire and the sensibility of politics to change through the right way and according to the contemporary principles of the service it was the fact that the parliament and the Albanian Government during these years have rectified many international convents in the field of social protection as it is the Convent for Children Protection, which was rectified from the Albanian Parliament in the 1992.

Besides the legal changes in the Albanian Government Constitution, Family Code, Labor Cod, Civil Code and that of the Civil procedure, Penal Code and that of the Penal procedure, and the legislation for the social protection has undergone important improvements. It has been approved the new Law for “ **For the Economical Assistance and Social Service**” with RCM, no. 9355, dated 10.03.2005, that substituted the previous law no. 7710, dated 18.05.1993 “For the Economical Assistance and Social Service” as a result of the changes that occurred in the country and the needs for the new social services. The new Law has been fulfilled with a considerable number of sub legal acts as:

- **RCM no. 564**, date 12.08.2005 “About the licensing of the of the service offers on the filed of social care”, who is completed with two normative of MOLSA”.
 - **Directive nr. 90**, date 16.01.2006 “About the set up of the license

commission for the services on social care”;

- **Directive nr. 90/1**, date 16.01.2006, “About the procedures of the organization of the license commission”.
 - **RCM no. 563**, date 12.08.2005 “About the definition of the responsibilities of the local government on delivering social services”.
 - **RCM no. 209**, date 12.04. 2006, “About the definition of the criteria and required documentation for the registration of the individuals on the residential care institution, public and private social care.
 - **RCM no. 419**, date 19.06.2003 “For the treatment (coverage) of the orphans with health service and medicaments”.
 - **RCM no. 512** dated 31.05.2006 “For procedures making the control of the Economical Assistance, of payment of limited abilities persons and social services”.
- Law no. 8788**, date 07.05. 2001 “About the non-governmental organizations”.
- **Directive no. 687**, date 24.03.2006 “About the administration of the humanitarian aid that profits the residential. And daily care centres of social care”.

The lack of a legal base, (exist the Family Code, where it is mentioned the temporal custody, but it does not exist any sub legal act for determining who will support financially the family, which will be the way for the selection the custody family etc), **for the temporal custody of the children**, and because of this it has resulted that, even though directed by the society Every Child, it has not continued further as a new alternative and beneficiary for the orphans care.

- List of acronyms:

MOLSA: Ministry of Labor and Social Affairs

SSS: Social State Service

NCA: National Committee of Adoptions

CRC: Convention of the Right of the Child

FC: Family Code

IOM: International Organization of Migration

NGO: Non Governmental Institutions

RCM: Ruling of Council of Ministers