

Evaluation on the approach and household use of social protection transfers



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Prepared by: Elira Jorgoni, Ardjana Shehi, Dritan Shano

Translated by: Language Solutions

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Abbreviations

SILC	Survey on Income and Living Conditions
HBS	Household Budget Survey
ADISA	Agency for the Delivery of Integrated Services
D	Disability
OP	Ombudsperson
AROPE	“At risk of poverty or social exclusion” indicator
SCA	State Cadaster Agency
WB	World Bank
EUROSTAT	Statistical Office of the European Union
IMF	International Monetary Fund
ECtHR	European Court of Human Rights
INSTAT	Institute of Statistics
EC	European Commission
ECHR	European Convention of Human Rights
MCWCA	Medical Commission for Work Capability Assessment
CPD	Commissioner for Protection from Discrimination
CPC	Civil Procedure Code
MoFE	Ministry of Finance and Economy
MoHSP	Ministry of Health and Social Protection
EA	Economic Assistance
PwD	Persons with Disabilities
GDP	Gross Domestic Product
UNDP	United Nations Development Program
SSS	State Social Service
PO	Protection Order
EPO	Emergency Protection Order
UNICEF	United Nations Children’s Fund
VDV	Victims of Domestic Violence
DCM	Decision of the Council of Ministers

1.

Executive summary

The program targeting poverty is the Economic Assistance (EA) defined in Law No. 57/2019 as “the payment made to vulnerable individuals and families set forth by law”. Regardless of the legal framework adoption, the economic assistance program implementation has proven to be challenging from the perspective of the EA payment beneficiary categories. The annual data and reports from national human rights institutions, such as the Ombudsperson (OP) and the Commissioner for Protection from Discrimination (CPD), raise the concern on access of vulnerable categories to the economic assistance program, starting from the reflection of their needs in the program drafting to the amount of support for dignified and independent living. According to the 2019 OP report, some complaints submitted by citizens related to the access and interruption of economic assistance, low level of payment amount, were recorded as an issue continuing for years now. The cases related to the exclusion or disqualification from benefiting the parallel payment of economic assistance are referred to the OP and CPD from the vulnerable groups in general, including the victims of domestic violence. The evaluation was conducted during the period July-December 2021 and was focused mainly on victims of domestic violence as a special category of EA beneficiaries and persons with disabilities.

The initiative to conduct such study was undertaken as a result of cases submitted to the two institutions, namely the OP and CPD, and was supported with technical expertise in the framework of “Expanding Free Legal Aid to Men and Women in Albania” project, implemented by UNDP Albania in cooperation with the Ministry of Defense and with the financial support of the Austrian Development Cooperation. More specifically, the study aims at evaluating the implementation of the legislation and economic assistance program into practice to identify the barriers affecting the access of families in need and individuals of a special status, as well as the use of economic assistance transfers. The study aims at boosting quality improvement and social protection effectiveness, highlighting the need for capacity-building of administration’s structures responsible for the implementation and periodic evaluation of social policies being implemented.

Albania remains the country with the highest at-risk of poverty rate in the region, with about 33% of the population living with less than 5.5 dollars per day (WB, 2021a) The 2021 economic recovery has had a positive impact on decreasing the poverty rate in Albania. As a result, the poverty at the end of 2021 is expected to amount to 30.8% of the population (WB, 2021b) compared to 31.8% in 2019.

The latest data from the Survey on Income and Living Conditions in Albania (INSTAT, SILC 2019) indicate that severe materially deprived persons make up 37.1% of the population. The social exclusion or poverty rate in Albania, meaning the at-risk of poverty or severe materially deprived persons, or persons with very low work intensity, represents approximately 46.2% of the population (INSTAT, HBS 2019). At-risk of poverty rate is higher among women with 23.8% compared to men with 22.2%. In addition, the at-risk of poverty rate is higher for households with dependent children, with approximately 27.2% of individuals compared to 14.2% for households without dependent children.

Any positive trend in decreasing poverty remains at risk and unstable due to the lack of fiscal space and state budget expenditure prioritization, higher public debt, low level of enterprise productivity, lack of market competition and weak institutions.

In the framework of sector policies, the overall vision of the National Social Protection Strategy (2020-2023) is to build a social protection system to fight social and economic inequalities with policies and mechanisms protecting all the persons in need or excluded, through prevention and social reintegration programs combined with employment schemes. One of the policies the social protection strategy is based on is the poverty alleviation and mitigation, ensuring a better coverage of poor and extremely poor families and individuals. This policy aims at improving their targeting, increasing transparency and avoiding abuse in the economic assistance scheme, as well as linking it with employment schemes, integrated services for their social reintegration in the social life. Furthermore, like the National Strategy on Gender Equality (2021-2030) and Action Plan on Persons with Disabilities (2021-2025), this strategy shares the “leave no one behind” principle, focusing on equality, social protection and reintegration of victims of violence or persons with disabilities.

The social assistance program includes the economic assistance, disability allowance and immediate financial assistance for newborn babies, as well as other benefits guaranteed by Law No. 57/2019. The economic assistance consists of in cash support provided to families and persons in need. The social protection payments scheme is implemented through the use of the National Electronic Register of Economic Assistance and the National Electronic Register of Disability.

The category of victims of domestic violence represents only 0.2% of persons benefiting EA across Albania, whereas respective monetary payment amount is estimated to be around 0.5% of the total economic assistance fund for 2020. The monthly payment of ALL 3,000 for victims of domestic violence, tripled from January 2022 (DCM No. 868, dated 29.12.2021), is set out in legislation without an estimation of the proper amount needed for that category. This payment is not related or referred to any other payment, and as the victims of violence belong to vulnerable groups, in most of the cases, it is not sufficient compared to at-risk of poverty rate. The outcome of the estimation on average monthly expenses per household with 3.7 members is another indicator highlighting the insufficiency of the EA payment amount. The average EA amount for 2020 was ALL 5,161 on average, whereas the average monthly expenses per household with 3.7 members were estimated at ALL 82,235 (INSTAT, HBS 2019). Only the expenses on food and non-alcoholic beverages amount to ALL 33,952.

The budget allocations on social protection through economic assistance and disability allowance have reflected the difficult situations the country has encountered, in particular the management of Covid-19 pandemic, thus reflecting an increase by 27.9% in 2020 compared to the previous year (2019). Such budget allocations continued to increase by 17.9% in 2021 compared to 2020, but they shrank by 2.7% in the 2022 budget projections.

The legal framework provides for social care and protection of victims of domestic violence and their treatment with cash payments from social assistance payments (economic assistance payments and disability allowance) and other benefits addressing individuals/families in need and certain groups in the Republic of Albania. The legal framework is broad and complicated, and respective individuals, including victims of domestic violence, need legal guidance to effectively request and apply relevant legal

rights of those individuals and groups in need and vulnerable individuals and groups to social care and protection. With regard to parallel payments for victims of domestic violence, which are simultaneously qualified as a special category of families in need, legal provisions of the legal framework are not clear, thus limiting/preventing the same person to receive parallel payments, such as the cash economic assistance as a victim of domestic violence and the EA payment as a member/family in need. This legal provision is more unclear when it comes to the fact that the legal right to various payments is related to meeting conditions for certain legal statuses. Based on the legal framework in force, a victim of domestic violence can be both an individual or member/family in need and a PwD, etc., and the legal provisions limit/prevent the simultaneous support of each legal status in need or vulnerable with each or every payment of respective social care and assistance. Furthermore, this report presents an analysis of respective legal provisions to identify the reason why victims of domestic violence are not simultaneous beneficiaries of both payments of support due to their status as victims of domestic violence and social assistance payments (EA payment and disability allowance) and other social care benefits.

Some of the key identified findings are:

Information on the rights and opportunities for support provided to each category is insufficient. A common approach on sharing information with the public through institutions providing services and which are frequently accessed by categories in need is missing. Furthermore, special categories are not informed of the fact that they can benefit support through two modalities (as families in need and as a special category).

With regard to victims of violence who have left to another municipality, **the application to the municipality of origin where they are registered is an obstacle for them to access support.** In addition, persons accommodated in shelters financed by state budget cannot benefit economic assistance during the time they are placed in public social care institutions (Law 597/2019).

The limitation to apply within the first 10 days of the month results in delays in benefiting the EA; meanwhile, the system or municipalities themselves are not flexible in addressing emergency cases of special categories.

Furthermore, **challenges related to Protection Orders are identified,** more

specifically: the EA benefit depends on the availability of the Protection Order (PO), and that results in significant delays on receiving the support. Meanwhile, the Emergency Protection Order (EPO) is not recognized by social administrators as a valid document to initiate the EA application process.

The application of parallel payments is not the same in many municipalities of the country. Due to uncertainties of a clear interpretation of the law, **the implementation of protection programs is guided by the most frequently used practice.**

A victim of domestic violence can apply as a family in need only if they are proceeding with the dissolution of marriage process; meanwhile, the obligation of paying for the psychologist service at the initiation of dissolution of marriage process represents considerable costs for that category. **The verification of the situation as a category in need is at the expense of citizens,** meaning that it will be translated into costs when they request free legal aid; thus, the system turns into a vicious circle once specific support is mobilized.

The well-coordinated services needed to be provided to beneficiary categories are essential to ensure cross-sector support and to allow the social reintegration of individuals and families in need. **The sheltering, employment and access to educational institutions for the children of victims of domestic violence remain priority needs**

The EA payment amount is too low and does not help in exiting the vicious circle of poverty, thus keeping vulnerable groups in the same conditions, with no opportunity for education or development to exit the circle of poverty.

Some of the main recommendations are as follows:

The legal framework should aim at supporting individuals in need and vulnerable individuals to ensure a dignified life according to the international standards and respective constitutional rights. The legal framework should aim at simultaneous support of each status of the same individual in need and it should be clearly and explicitly written to ensure legal guarantees on effective benefit of parallel cash payments, from the social assistance payments (EA payments and disability allowance) and other relevant benefits of social care and protection.

It is also suggested to address the challenges related to access and implementation of economic assistance, such as ensuring the application of victims of violence registered as residents in another municipality, or the clarification of law on recognition of EPO in the EA application process. In case of delays in transcription of orders, a binding practice based on relevant legal provisions of the Criminal Procedure Code (CPC), Article 308, should be adopted.

The Ministry of Health and Social Protection (MoHSP) must consider the opportunity of providing EA payments to victims of domestic violence for cases of emergency beyond the first 10 days of the month set as the deadline for applications, either through the system or budget (6%) administered by municipalities on EA.

It is necessary to make legal amendments to allow not only parallel payments within the social assistance scheme (EA and disability allowance) but also parallel/simultaneous benefits in kind and services, more specifically to clarify the content of Article 11, paragraph 'dh', and Article 12, paragraph 6 of the Law on Social Assistance.

It is recommended to draft a sub-legal act/special instruction on social administrator with the aim of avoiding the existing discretion in granting/benefiting the economic assistance benefits and payments. This must be preceded by a legal amendment to the Law on Social Assistance (Articles 23 and 32).

Guiding local structures on law implementation related to parallel/simultaneous payments is necessary, so that special categories can benefit from different protection measures provided by the system in case of multiple vulnerability. The local structures should be informed on programs and amount of benefit, thus ensuring the avoidance of deducting the amount for the victim of violence and calculation of the amount only for dependent children or other family members, who are not included in the protection order.

Following the legal amendments, the form and National Electronic Register must be reviewed, so that the system accurately reflects and verifies the provisions and requirements of the applicable law.

Strengthening the capacities of responsible structures at local level, to ensure the clarification of the legal framework, its proper implementation and provision of the necessary legal information on categories in need. Drafting a **plan on capacity-building for all the municipalities** on rights and instructions related to access and application for the economic assistance payments of different categories, based on specific cases, to illustrate the steps needed to be taken, in accordance with the legal framework, is necessary. **The capacities of main actors, who are part of the social assistance system administration, as well as of service providers, public and non-public (NGOs), and other institutions, part of the referral mechanisms**, must be strengthened. It is suggested that **Legal Aid Offices** are involved in information and empowerment activities on the rights and access of different groups to social protection system.

The capacity-building should be performed periodically for all the structures ensuring that all responsible staff is updated on relevant legislation and adopting working practices, which allow the correct application through the electronic system (National Electronic Register) and the system implementation. The lessons learned periodically from various practices in EA program management at local level should be used to feed the policy-making, so that the social protection approach can be improved to guarantee equal, informed and discrimination-free access for all individuals and families in need to social protection programs.

The enhancement of cooperation between the police and violence coordinator at the moment of risk assessment would maximize access of eligible individuals to economic assistance program.

Improvement of information and access to social protection programs. The referral mechanism members, local units, as well as social administrators and Case Assessment and Referral Unit teams, should include periodic communication activities, through various communication and information channels on social protection programs and their access, in their work plan. Information on rules of benefit must be easily understandable and accessible through every local office, as well as in other public spaces, in cooperation with responsible authorities at local level.

It is important to conduct **open technical consultations on EA suitability in our country**, especially in the framework of implementing the road map drafted for that purpose. Part of discussion must also be linking the EA amount to the poverty rate or minimum wage. **The lack of a reference escalates the arbitrariness and affects the goal of mitigating poverty and securing a dignified life so that no one is left behind.** Determining the level of economic assistance compared to the minimum wage would allow the transparent approximation of such minimum income with the country's economic development (EC, 2019). In addition, EA and other benefits should be part of periodic indexing, together with the minimum wage. Discussion focused on sufficiency of support through social protection and the level of minimum wage must be encouraged to the interest of reviewing the suitability of economic assistance amount.

The measurement of the impact of measures on poverty mitigation must be an integral part of actions in the framework of implementing the political framework on social protection. The success of measures cannot be evaluated by an arbitrary increase to the EA amount, but through a periodic measurement of the impact and other analyses on economic development and lifestyle of individuals with special needs and families in need. The outcomes from these analyses must inform policy-making. The amount of payments, and the entire social protection system in Albania in general, would have been harmonized and would have been more coherent should the **EA amount was based on concrete references, such as the minimum wage or minimum subsistence level, which should be also defined in the legislation.**

2. / Introduction /

Study purpose and objectives

The Economic Assistance (EA) is defined in Law No. 57/2019 as “the payment made to vulnerable individuals and families set forth by law”. Regardless of the legal framework adoption, the economic assistance program implementation has proven to be challenging from the perspective of the EA payment beneficiary categories. In addition, the annual data and reports from national independent human rights institutions, such as the Ombudsperson (OP) and the Commissioner for Protection from Discrimination (CPD), aiming a reasonable living standard compliant with the human dignity and human rights, indicate that the criteria on benefiting the economic assistance are contradictory to the needs of vulnerable categories and do not consider the poverty threshold, which has led to further exclusion of such categories from social protection.

According to the 2019 OP report, some complaints submitted by citizens related to the access and interruption of economic assistance, low level of payment amount, were recorded as an issue continuing for years now.

In 2013¹, the CPD reviewed the issue of parallel payment, as a result of a complaint submitted by a complainant who was a person with disability and a victim of trafficking at the same time. The complainant was a beneficiary of the disability allowance, but the municipality had rejected her payment as a victim of trafficking, arguing that the complainant was a beneficiary of disability allowance and as a result she could not benefit economic assistance as a victim of trafficking. The Commissioner identified the discriminatory situation and ordered the municipality to recognize her the right to benefit two payments, the payment as a person with disability and the payment as a victim of trafficking.

In 2021, after an investigation conducted mainly upon the receipt of information related to the issue encountered by victims of domestic violence,

1 Decision No.108, dated 24.10.2013.

who did not have parallel access to the economic assistance scheme, while being simultaneously victims of domestic violence and individuals/families in needs, the CPD sent a recommendation on taking measures to review paragraph 6, Article 12 of Law No. 57/2019 “On social assistance in the Republic of Albania” and paragraph 12, Chapter III, of the Decision of the Council of Ministers No. 597, dated 4.09.2019, “On determining procedures, documentation and monthly amount of economic assistance benefit and use of additional fund on economic assistance conditional fund”, with the aim of ensuring parallel access to victims of domestic violence, as victims of domestic violence and as a category in need, due to the lack or insufficiency of income. This recommendation was sent to the Parliament, the Council of Ministers and the Ministry of Health and Social Protection, as a measure to address and prevent sector discrimination, which is faced by persons due to their multiple vulnerabilities.

Earlier, during the consultation process for the Law “On social assistance in the Republic of Albania”, the Commissioner has recommended to remove the provision of Article 12/6, according to which no economic assistance amount is calculated to the structure of the economic assistance amount for the family to the member of a family in need who is a person with disabilities.

The cases related to the exclusion or disqualification to simultaneously benefit the payment of economic assistance are referred to the OP² by vulnerable groups in general, including victims of domestic violence. Based on such cases, conducting an evaluation on the implementation of the legislation on economic assistance and economic assistance program in general was considered necessary, with the aim of identifying the main issues/obstacles affecting access of families and individuals in need and individuals of a special status , as well as the use of cash transfers of economic assistance. The evaluation aims at boosting quality improvement and social protection effectiveness, highlighting the need for capacity-building of administration on evaluation of social policies being implemented.

This evaluation is an initiative of the OP and CPD supported by technical expertise in the framework of “Expanding Free Legal Aid to Men and Women in Albania” project, implemented by UNDP Albania in cooperation

2 OP, Annual Report 2019

with the Ministry of Defense and with the financial support of the Austrian Development Cooperation.

Methodology

Some research methods were combined in the drafting of the evaluation methodology, thus combining qualitative and quantitative data to verify the research questions and to cross-check final findings.

The evaluation was conducted during the period July–December 2021, based on data available for the period 2019–2020 focusing on victims of domestic violence and persons with disabilities. To facilitate the research at local level, in cooperation with the OP and CPD, three municipalities were selected, namely Tirana, Korça and Mat, based on criteria such as size, geographical location, and the cases most frequently submitted to both institutions.

The research consisted in three main phases:

- (i) **Desk review and legislation analysis:** review of available reports, studies and data, as well as the analysis of the applicable legal framework on social protection. The mapping of relevant legal framework on economic assistance and other payments for vulnerable groups was also conducted in that phase. Part of such duty was the development of a legislation inventory and other relevant documents, which were used as a basis for the legal framework mapping. Another element was the quantitative analysis based on administrative data provided by the State Social Service (SSS) and municipalities, data available through INSTAT's Surveys on Income and Living Conditions and other budgetary and economic indicators.
- (ii) **Onsite work,** in support of quality evaluation, was focused on three selected municipalities, namely Tirana, Korça and Mat. For this purpose, semi-structured interviews and focus groups with officials from MoHSP, SSS, Free Legal Aid Directorate, Regional Directorates of the State Social Service, representatives from municipalities and civil society organizations providing advocacy services on the rights of victims of domestic violence were organized. The interviews and focus groups were used to further analyze different policies applied during the implementation of criteria and procedures on benefiting from the economic assistance program, barriers and perspective of beneficiaries.

(iii) **Synthesis, analysis of information and drafting of the evaluation report.**

The evaluation report includes the legal analysis, documentation of data and practices in implementing economic assistance focused on issues of information and access, barriers related to parallel/simultaneous payments and support and reintegration of economic assistance beneficiaries as families in need or special categories in focus. The report includes specific recommendations on interventions based on the findings of the first two phases.

3.

Main findings of the evaluation

3.1. Legal and economic framework, and social protection

3.1.1. Economic framework and poverty

• Economic perspective

The Albanian economy has been resilient in the face of two major shocks, such as the earthquake of November 2019 and Covid-19 pandemic throughout 2020. The negative impacts on economy were minimized through fiscal incentives, doubling of the EA amount, extension of benefits, wage subsidy, and sovereign guarantee in support of businesses. In total, the packages to cope with Covid-19 impacts amounted to 1.4% of the GDP³, the lowest level among the countries of the region. Once the Albanian economy recorded a 4% shrinking in 2020, the government projected a powerful recovery with an increase by 7.2 per cent until the end of 2021⁴. This expectation is based on the reconstruction activity, reduction of people movement restrictions, energy production, a good tourist season, and on increase of budget expenses during 2020 and 2021, which reflect a very high budget deficit to the level of 6.8% of the GDP, whereas it was at 1.9% of the GDP in 2019 and 1.6% of the GDP in 2018.

For 2022, the government projects to normalize the economic increase to a level of 4.1%. Such moderation is mainly a result of public expenditure slowdown related to post-earthquake recovery - the budget deficit for 2022 is projected to shrink to about 5.4%. For the mid-term period 2022-2024, the economic growth is expected to remain at a level of 4%. The inflation for 2022 is projected to be 2.8%, higher compared to the 2.2% for 2021 or 1.6% it was in 2020. Despite the expectation for the prices increase even in 2022, the IMF

3 <https://www.imf.org/en/News/Articles/2020/04/10/pr20148-albania-imf-executive-board-approves-us-in-emergency-support-to-combat-covid-19-pandemic>

4 Law No. 115 dated 25.11.2021 "On 2022 State Budget" (OJ 197 dated 21.12.2021)

notes that fiscal spaces that could have been created by the moderation of public expenditure would need to partly ensure support for the groups most in need⁵. The government projects that the unemployment rate for 2022 will decrease to 10.3% from 12.2% it was in 2020. The sustainability of these projections is based on an economic growth boosted by governmental and consumption expenses more than the restructuring of the Albanian economy and its productivity increase.

• **Poverty**

Albania has the highest at-risk of poverty rate in the region with about 33% of the population living with less than 5.5 dollars per day (WB, 2021a). During the period 2016-2018, the poverty rate declined from 40 to 32.4% of the population. The earthquake of November 2019, followed by the Covid-19 pandemic, increased the poverty rate again. At the end of 2020, the poverty rate returned to the 2018 levels, or it increased at least by 1 percentage point (pp) - the equivalent of 28,000 young poor; a more conservative estimate projected a poverty increase with about 4pp or 112,000 young poor in 2020 (WB, 2021a).

The economic recovery recorded in 2021 had a positive impact on poverty reduction in Albania. By the end of 2021, it is expected that poverty rate amounts to 30.8% of the population (WB, 2021b) living with less than 5.5 dollars per day, while this indicator was 32.4% in 2018 (WB, 2021b). Severe materially deprived persons represent 37.1% of the population. The social exclusion rate in Albania - meaning the individuals who are at-risk of poverty or severe materially deprived or living in a household with very low work intensity - is nearly 46.2% of the population (INSTAT, SILC 2020). Apart from those under the poverty threshold, Eurostat confirms that the number of people at-risk of poverty in Albania was 659,000 persons in 2019⁶.

The groups most vulnerable of at-risk of poverty are those under 17 years old, with the highest rate for women with 31.7%. For all the age groups, women experience higher rates of poverty than men, 23.8% and 22.2% respectively. In addition, the at-risk of poverty rate is higher for households with dependent

5 <https://www.imf.org/en/News/Articles/2021/10/12/mcs101221-albania-2021-article-iv-consultation-concluding-statement>

6 <https://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do>

children, with approximately 27.2% of individuals compared to 14.2% for households without dependent children.

Table 1: Risk of poverty by age group and sex

At-risk of poverty by age group and sex (in %)									
Age group	2017			2018			2019		
	M	F	Total	M	F	Total	M	F	Total
0-17	27.7	31.8	29.6	28.7	30.6	29.6	27.9	31.7	29.7
18-64	24.0	23.4	23.7	23.2	23.3	23.2	22.3	23.3	22.8
65+	13.0	13.7	13.4	12.5	15.4	14.0	12.9	14.8	13.9
Total	23.5	23.9	23.7	23.0	23.8	23.4	22.2	23.8	23.0

Source: Survey on Income and Living Conditions, 2017, 2018, 2019 INSTAT

Regardless of the economic recovery, Albania remains the poorest country in the region, also impacted by the slow recovery of labor force and employment (WB, 2021b). It is worth-mentioning that such positive trends in poverty reduction, which are proven by the economic recovery, are at risk and unstable in the face of a lack of fiscal spaces, higher public debt, low level of enterprise productivity, lack of market competition and weak institutions.

Meanwhile, for the mid-term period 2022-2024, the economic growth is projected to be moderate to the levels from 4.1 to 3.9%, the expected prices increase as a result of the Albanian economy being exposed to the European economy and governmental policies on energy price is expected to increase the living costs and vulnerability of groups in need. This would not have a positive impact on all the indicators related to the living standard, employment and income on one hand, and would increase needs to secure minimum income for poor groups in need on the other hand.

3.1.2. International standards, constitutional and legal guarantees on social protection

The Universal Declaration of Human Rights (UN) provides for (Article 1) that all human beings are born free and equal in dignity and rights. Article 22 of the Declaration stipulates that everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality. One of the principles of the United Nations 2030 Agenda is progress towards the Sustainable Development Goals, paying attention to special families and individuals in need.

Article 9 under the International Covenant on Economic, Social and Cultural Rights⁷, entitles every human being with the right to social protection.

Similarly, the United Nations Convention on the Rights of the Child and Convention on the Rights of Persons with Disabilities recognize special rights to social protection.

Human dignity and freedom are the essence of ECHR⁸. Without prejudice to the sanctity of life principle protected by the ECHR, the ECtHR is of the opinion that the notion of life quality assumes its significance exactly from the perspective of Article 8 of ECHR.

Pursuant to Article 52 of the Constitution of the Republic of Albania, everyone has the right to social insurance in old age or when he is unable to work, according to a system set by law, and everyone, who remains jobless for reasons independent of his/her volition, and has no other means of support, has the right to assistance under the conditions provided by law.

In its Decision No. 65, dated 10.12.1999, the Constitutional Court has considered human dignity and the right to life as “a source from which all other rights

7 Law No. 7511, dated 8.8.1991, “On accession of the Republic of Albania on the International Covenant on Economic, Social and Cultural Rights”.

8 Law No. 8137/1996 “On Ratification of European Convention for the Protection of Human Rights and Fundamental Freedoms”.

derive as absolute fundamental rights”.

The Constitutional Court has made a distinction between the economic and social rights and freedoms and social objectives⁹. The content of social and economic rights, which are positive rights in their nature, should be interpreted closely related to the state obligation to be active and to secure citizens the proper means for their living needs in cases of disasters, diseases, disability, old age and unemployment. The state, in order to guarantee human dignity of an acceptable living standard, as well as maintaining the interests of all society groups, can change the mechanism of realizing such rights, in particular when no financial opportunities are available for a proportionate redistribution of available funds, or when such measures are dictated by needs to eliminate or prevent real risks to economic security. In any case, such restrictions must not affect the essence of the right and must observe the constitutional requirements provided for in Article 17 of the Constitution. Therefore, in any case, since the social and economic rights are fundamental rights, these enjoy all the constitutional guarantees, even though legal amendments that adversely affect the amount of their benefit can be dictated by the economic crisis or lack of funds. According to the consolidated stance of the Constitutional Court jurisprudence¹⁰, and based on the Constitution of the Republic of Albania, social protection is ensured in two ways: through social rights and social objectives. Social protection is ensured through meeting the social objectives that state aims to fulfil, within the constitutional competences and available means, as well as through fulfilling the private initiative and responsibilities. Among other things, they include the health rehabilitation, specialized education and integration of disabled people into society, and continual improvement of their living conditions. The conditions and amount required to fulfil the social objectives belong to the absolute legal reserve, meaning the regulation by law adopted by lawmakers¹¹.

Pursuant to the constitutional and international standards, the right to human dignity means a package of rights, whose protection is necessary to preserve human dignity.

9 Decision of the Constitutional Court No. 34/2012.

10 Decision of the Constitutional Court No. 33/2010 and Decision of the Constitutional Court No. 34/2012.

11 Paragraph 23 of the Decision of the Constitutional Court No. 34/2012.

In this framework, the Government of Albania, based on National Strategy for Development and Integration and policy documents on social inclusion, has undertaken a social protection system reform by investing in drafting a new legislation in this field and establishing mechanisms to ensure an effective social protection system.

The main legal framework, based on which social assistance payments are made, consists of the following:

- Law No. 57/2019 “On social assistance in the Republic of Albania”.
- Law No. 8098, 28.03.1996, “On the status of the blind persons’, as amended.
- Law No. 7889, dated 14.12.1994, “On the status of the invalid”, as amended.
- Law No. 8626, dated 22.06.2000, “On the status of the paraplegics and tetraplegics”, as amended.

The above-mentioned laws are accompanied by relevant sub-legal acts, which contain implementing provisions and aim at effective implementation of relevant laws.

Law No. 57/2019 “On social assistance” aims at determining the rules and mechanisms on social assistance benefit, the authorities responsible to guarantee such right, as well as relations on financing the provision and benefit of such right. Furthermore, this law defines social assistance, which includes, but is not limited to, economic assistance, disability allowance, immediate financial assistance for newborn babies and other benefits guaranteed by the Law on Social Assistance.

The Law on Social Assistance and its relevant sub-legal acts form the legal basis on financial support and other benefits for individuals and families in need, who are unable to provide for their basic life necessities, develop their personal skills and abilities, and preserve their integrity and social inclusion, due to limited economic, physical, psychological and social circumstances. This legislation aims at mitigating poverty and social exclusion for individuals and families, as well as creating opportunities for their integration, through securing a system of financial support, interventions and services for their life improvement, and well-organization and well-functioning of state institutions responsible for the social assistance provision and administration.

Based on Article 7,¹² the economic assistance beneficiaries are categorized in

- a) *families in need, families with no or insufficient income;*
- b) *orphans who are not placed in social care institutions;*
- c) *parents with 2 or more babies who are born simultaneously belonging to the families in need;*
- d) *victims of trafficking after they have left the social care institutions until they are employed;*
- e) *victims of domestic violence for the period of validity of the protection order or immediate protection order that are not treated in the social care institutions.*

Meanwhile, Article 8¹³ stipulates the beneficiaries of disability allowance, who are:

- a) *paraplegics and tetraplegics, declared as such by decision of the Medical Commission for Work Capability Assessment (MCWCA), who have developed such a condition irrespective of its cause or age;*
- b) *persons with disabilities, who are declared disabled persons by decision of the Medical Commission for Work Capability Assessment, as well as disabled persons, who according to the Medical Commission for Work Capability Assessment do not meet the legal conditions on benefiting the invalidity pension pursuant to the Law on Social Insurance in the Republic of Albania;*
- c) *persons with disabilities, declared as such by decision of the Multidisciplinary Commission for Work Capability Assessment;*
- d) *persons who have been declared work invalids by decision of the Medical Commission for Work Capability Assessment (MCWCA) shall benefit invalidity pension and a monthly supplement under the status of work disabled persons.*

Furthermore, Article 9 of the Law on Social Assistance stipulates the beneficiaries of the immediate financial assistance for newborn babies (baby bonus). Meanwhile, Article 10 of the Law defines the categories of persons benefiting personal assistance. The last two benefits are not the focus of this Report, but we are mentioning them for clarity purposes for the following

12 Law No. 57/2019 “On Social Assistance”

13 Law No. 57/2019 “On Social Assistance”

analysis related to the types of payments and benefits, pursuant to the Law on Social Assistance and its other main relevant sub-legal acts.

3.1.3. Social Protection

• Policy framework

The National Social Protection Strategy (2020-2023) integrates the measures for the empowerment and support of persons living in poverty, persons with disabilities, children, women, elderly, youth, ethnic minorities and other vulnerable categories. The overall vision is to build a social protection system to fight social and economic inequalities with policies and mechanisms protecting all the persons in need or excluded, through prevention and social reintegration programs combined with employment schemes. One of the policies the social protection strategy is based on is the **poverty alleviation and mitigation**, ensuring a better coverage of poor and extremely poor families and individuals. This policy aims at improving their targeting, increasing transparency and avoiding abuse in the economic assistance scheme, as well as linking it with employment schemes, integrated services for their social reintegration in the social life. Furthermore, like the National Strategy on Gender Equality (2021-2030) and Action Plan on Persons with Disabilities (2021-2025), this strategy shares the **“leave no one behind”** principle, focusing on equality, social protection and reintegration of victims of violence or persons with disabilities.

• Responsible actors and their roles

The central government is responsible for drafting and supervising policies in the field of social protection, including economic assistance, pension schemes and employment programs. The Ministry of Health and Social Protection (MoHSP) is responsible for social protection, whereas the Ministry of Finance and Economy (MoFE) is responsible for the pension scheme and employment policies.

The State Social Service (SSS) is the institution in charge of implementing policies, legislation on economic assistance, payment for persons with disabilities and social services all over the country. This mission is accomplished through the administration of social services for individuals at national level; programming of economic assistance funds and payment for persons with disabilities; check of legislation implementation and budget funds use; administration of the National Electronic Register for applicants and beneficiaries of the economic assistance, payments of disability allowance and social care services, as well as monitoring of social services standards at national level. The SSS role and responsibilities have gradually evolved, from focusing on service provision to a technical supervisory, monitoring and supportive role for municipalities, although it is still responsible for providing some services at national level.

Local government bears a series of responsibilities related to social protection, starting from the implementation of programs on poverty mitigation (Economic Assistance) and disability allowance benefits; as well as planning, financing and provision of social care services. The role of local government in managing the economic assistance program has turned into that of a payment agent for the central government. The social administrators have no more supervisory roles, neither discretion in decision-making on eligibility, which is directed through a computerized system based on a relatively transparent assessment formula, nor in the benefit amount after determining the suitability of EA benefit. The local government is responsible to manage the application process, as well as following up applicants and/or beneficiaries through household verifications. The disability allowance scheme reform, currently being gradually expanded throughout the country until the end of 2022, is expected to reflect mainly the same allocation of responsibilities as in the case of poverty mitigation program.

The implementation of reintegration program through employment or similar instruments remains a challenge. Recently, the government has been engaged in policies related to labor market and vocational education, with the aim of strengthening relationships between the supply and demand, as well as supporting the reintegration of individuals and families in need, beneficiaries of different social protection programs, such as economic assistance or disability allowance. However, the relationship between social

protection and reintegration policies remains a challenge, as they consist of roles shared among ministries - the Ministry of Finance and Economy and the Ministry of Health and Social Protection. On the other hand, the Ministry of Education manages small programs supporting inclusive education, focusing mainly on primary education scholarships, subsidies for textbook prices in pre-university education, making individuals and families in need and EA beneficiaries a priority.

- **National Electronic Registers**

The social protection payments scheme is implemented through the use of the National Electronic Register of Economic Assistance and the National Electronic Register of Disability.

Pursuant to Article 4,, paragraph 'r' and 'rr' of the Law on Social Assistance, with the term National Electronic Register of Economic Assistance WE understand the collection of data obtained from the economic assistance information management system during the application process by families/ individuals in need to benefit economic assistance; whereas with the term National Electronic Register of Disability we understand a collection of data obtained from the disability information management system during the application process for disability assessment and allowance benefit.

Article 20, paragraph 3/b of the Law on Social Assistance stipulates that the State Social Service at central and regional level shall respond to the implementation of social assistance policies and the administration and use of data from the National Electronic Register, which includes the applicants and beneficiaries of the economic assistance and disability allowance. Furthermore, the State Social Service, under paragraph 4/a, Article 20 of the Law on Social Assistance, shall be responsible to verify the data recorded by the social administrator for individuals/families in need to the National Electronic Register and confirm their accuracy with relevant state authorities.

Article 23 of the Law on Social Assistance sets forth the role of a social administrator related to filling out the application for individuals and families in need to the National Electronic Register.

Based on the articles of the Law on Social Assistance cited above, we understand not only the role and responsibilities of the above-mentioned structures with regard to the National Electronic Register, but we also understand that the National Electronic Register of Economic Assistance and the National Electronic Register of Disability form a single integrated register (i.e. the National Electronic Register), built for the purpose of different payments of the social assistance scheme in the Republic of Albania.

In the legal context, the electronic registers are instruments used for the implementation of relevant legislation and which should be built in full compliance with the relevant adopted legislation. The compliance monitoring on determining the features of electronic registers (National Electronic Register) with relevant legal provisions ensures the effective implementation of the law in respective field, in that case in the field of Social Assistance.

- **Programs of Economic Assistance, PwDs and special categories**

The economic assistance consists of in cash support provided to families and persons in need. This assistance is granted once a month to families and individuals in need, and categories in need, defined as such in the legislation governing social assistance (Law No. 57/2019). The EA amount is defined by decision of the Council of Ministers (DCM No. 597/2019). The amount of economic assistance reflects the household structure and reaches up to 150% of the social pension amount and it is indexed. The scheme is based on a testing of means and resources (Proxy Means Tested) and families can be beneficiaries even if they have several sources of income. The program also foresees additional payments related to children attending primary education and parents vaccinating their children; (ALL 300 per month for every child attending compulsory education and ALL 100 for vaccination).

Since the expansion of the reformed economic assistance program in 2018, the number of poor families benefiting from the program has increased from an average of 54,299 poor families in 2018 to 60,496 in 2019, and 61,445 in 2020. The number of individuals benefiting economic assistance in 2020 was reported to be 263,101 persons. The government, in its 2022 draft budget, projects about 66,000 families as beneficiaries of the EA. Families of 4 members represent 33.8% of the total, followed by 22.3% families of 5

members, and 19.1% families of three members. The amount of economic assistance for those families is as follows: ALL 5,078 per month for families of 4 members; ALL 5,670 per month for families of 5 members, and ALL 4,099 per month for families of 3 members respectively. The EA average amount for 2020 is ALL 5,161¹⁴.

Table 2: Average number of households benefiting from the economic assistance and average monthly amount

	2018	2019	2020	2021
Number of households benefiting EA	54,299	60,496	61,445	63,859
Average monthly amount of economic assistance benefit per household*	5,137	5,225	5,161	9,189

Source: SSS

Note*: averages calculated based on data obtained from INSTAT <http://www.instat.gov.al/al/temat/kushtet-sociale/mbrojtja-sociale/#tab2>

Part of social assistance are the disability allowances, cash transfers addressing persons with disabilities and, in case of total disability, their caretakers, as well as families in need. Currently, the MoHSP is continuing the implementation of a broad reform of this scheme, which aims at applying the biopsychosocial model of disability assessment, decentralization of the decision-making process, as well as the differentiation of cash benefits in accordance with the individual's functioning scale. The reform, which was initially piloted in Tirana for two years, and from September 2021 it was introduced to Durrës and Elbasan regions, will be implemented in four other regions starting from January 2022, namely in Korça, Lezha, Shkodra and Vlora, thus being gradually implemented throughout the country until the end of 2022.

Cash benefits on disability amount to ALL 10,653 at maximum, a figure that is under the AROPE threshold of ALL 14,648.

The number of persons with disabilities, included in the support program, has recorded a gradual cumulative increase by 5% in the last three years, from 67,669 beneficiaries in 2018 to about 71,147 beneficiaries of disability

14 INSTAT, source: State Social Service, 2021

allowance by the end of August 2021 (SSS, 2021). These figures do not include the categories of work invalids.

Situation of domestic violence and protection orders. 4,629 cases of domestic violence were identified and handled in 2019, whereas 4,701 cases were identified and handled in 2020. 2,834 protection orders were issued in 2019 for reported cases of domestic violence and 2,816 protection orders issued for in 2020. Meanwhile, psychological violence, as stated by the interest groups, is not reported. The administrative data indicate that only a low number of cases being granted protection orders are beneficiaries of the economic assistance. The following table summarizes the number and weight that beneficiaries represent by special categories for 2019 and 2020, as well as relevant benefit amount.

Table 3. Special categories benefiting the economic assistance and benefit amount

	Victim of violence	Victim of trafficking	Children with disabilities in foster care	Children with disabilities in foster care families	Orphans who are not placed in institutions	Triplets, quadruplets, quintuplets
Average number of beneficiaries (2019)	456 (29%)	9 (0.6%)	11 (0.7%)	348 (22%)	642 (41%)	98 (6%)
Average number of beneficiaries (2020)	528 (32%)	10 (1%)	15 (1%)	359 (22%)	628 (38%)	93 (6%)
Benefit amount	ALL 3,000 per month	ALL 3,000 per month	ALL 10 000 per month	ALL 9,000 per month + ALL 25,000 per year for children attending education	ALL 3,000 per month	Triplets ALL 3,000) Quadru-plets: ALL 4,000 Quintu-plets: ALL 5,000

Source: SSS, 2021

The beneficiaries belonging to special categories represent only 2% of the total of the average number of economic assistance beneficiaries during 2019-2020. On average, nearly 1,563 beneficiaries belong to special categories for 2019, and the number for 2020 was 1,631, whereas **victims of domestic violence represent only 1% of the total of economic assistance program beneficiaries annually.** In its total, the category of victims of domestic violence represents about 0.2% of persons benefiting EA all over the country, whereas the monetary amount is estimated to be approximately 0.5% of the total economic assistance fund for 2020. As for Tirana Municipality, the number of victims of violence for 2019 and 2020 was 103 and 108 persons respectively - these represent 3.9% and 4% of the total number of EA beneficiaries and special categories in Tirana Municipality respectively; for the same period, the victims of violence were 3 and 6 respectively in Korça Municipality - or 0.5% and 0.8% of the total number of beneficiaries in this municipality; whereas for Mat Municipality, the number of victims of domestic violence are 5 and 3 respectively - representing 0.3% and 0.2% of the total number of beneficiaries for Mat Municipality (SSS, 2021).

As noted, orphans who are not placed in institutions are the main beneficiary group as a special category (41% for 2019 and 38% for 2020), followed by victims of domestic violence (29% for 2019 and 32% for 2020) and children in foster care (22% for both years). Other categories include children with disabilities in foster care (0.7-1%), victims of trafficking (0.6-1%), as well as triplets or more (6%).

The payment benefited by victims of domestic violence amount to ALL 3,000 per month; it is defined in sub-legal acts and is granted for the entire period of the Protection Order validity (DCM No. 597/2019). In absolute terms, the fund allocated to cover the payments for victims of domestic violence for 2020 is ALL 19,188,000, or 0.35% of the EA fund for the same year, whereas for 2019 this fund was ALL 16,704,000 (SSS, 2021) or 0.39% of the fund allocated for EA for the same year.

- **Other additional benefits for special categories**

The legislation stipulates that persons who are entitled the status of the blind person are exempted from any direct tax and taxation, except for cases

when they perform private activities as legal persons, are beneficiaries of free education and benefit the payment assigned by the Council of Ministers for the study period. Those having scientific degrees benefit this payment permanently, they also benefit health care, free medicines and auxiliary medical equipment to the extent assigned by the Council of Ministers. In addition, they benefit compensation for urban transport and pay half the price for interurban transport, including the state and private transport . Persons who are entitled the status of the blind benefit compensation for the monthly electricity consumption and a change to the electricity price (paid by the state), and benefit free entry to cultural facilities.

The legislation stipulates that **persons that are entitled the status of invalids** are exempted from customs duties for mobility and assistive devices, and from direct taxes set forth in Law No. 7680, dated 03.03.1993, “On tax system in the Republic of Albania”. They are prioritized in attending vocational qualification and requalification courses, and in attending universities, as well as benefit free at-home medical service. Persons entitled the status of invalid benefit free travel through state and private transport means, and they pay half the price (50%) of ticket for interurban transport. Furthermore, they are entitled access to cultural facilities, artistic shows, museums with half the ticket price (50%).

The legislation stipulates that **persons that are entitled the status of paraplegics and tetraplegics** are exempted from customs duties for mobility and assistive devices and from direct taxes. They are prioritized in attending education, are exempted from health insurance contribution and enjoy the right to benefit free medicines from the social insurance scheme, as well as benefit an addition to income to cover expenses for the necessary package of specific hygiene and sanitary materials, and they also benefit at-home health care service from the family physician and specialist physician for those procedures that can be performed in an ambulatory manner. Persons entitled the paraplegic and tetraplegic status benefit a compensation for transport service, compensation for monthly electricity consumption and a change to the electricity price and landline bill, as well as they are given priority in housing, through disability loans.

Persons with disabilities (PwDs), who are not included in the above-mentioned groups (i.e. who are not entitled to benefits due to their special status), enjoy

relevant benefits set forth by the Law on Social Assistance and the following benefits:

Families in need that are beneficiaries of economic assistance benefit the compensation for electricity price difference by DCM No. 8, dated 14.1.2015, “On protection of vulnerable groups, to effect the removal of the bandage electricity consumption up to 300 kwh per month”, amounting to ALL 648 per month. The financial effect of such compensation is covered by the state budget of the ministry responsible for social welfare. With regard to families in need beneficiaries of the economic assistance, the social administrator of the local government unit drafts the nominal list of persons benefiting this compensation and the applicant, together with the declaration, should submit to the social administrator the family certificate, among other things.

Furthermore, the legislation in force stipulates that a victim of domestic violence, who benefits economic assistance as a special category, but is excluded from benefiting EA as an individual/member of a family in need, will benefit compensation for the electricity under relevant acts, including, but not limited to, DCM No. 565, dated 9.8.2006, “On protection of vulnerable groups, by the increased price of electricity”, as amended. The compensation per household is made only for one electricity contract and is paid only once per household, irrespective of the fact whether household is composed of other persons employed with a wage lower than ALL 35,000, or persons with disabilities, members beneficiaries of retirement pension, invalidity pension or economic assistance. Pursuant to Instruction No. 10, dated 26.09.2006, “On the implementation of DCM No. 565, dated 9.8.2006, “On protection of vulnerable groups, by the increased price of electricity”, the social administrator of the local unit shall draft the nominal list of persons benefiting this compensation. Persons should declare, among other things, whether the person requesting compensation is a household head and benefits from the economic assistance scheme, whether there are family members benefiting disability allowance or work invalids or not. For all the cases mentioned above, the household compensation is paid as a lump sum to the household head benefiting the economic assistance.

With regard to economic assistance payments for the categories stipulated by law, with a special focus on victims of domestic violence, pursuant to DCM No. 597, dated 04.09.2019, “On determining procedures,

documentation and monthly amount of economic assistance benefit and use of additional fund on economic assistance conditional fund”, paragraph 13, Chapter II, stipulates that payments shall be made from bank services or Albanian Post, to municipalities/administrative units where the beneficiary resides. The administrative unit, upon the request of the citizen, equips them with the document attesting that they are EA beneficiaries, thus determining the benefit amount and period. In addition, pursuant to paragraph 4.1, Chapter II of DCM No. 597/2019, the defined entities can apply to social administrators of social services and assistance sections at the municipality/administrative unit they reside, by submitting the documents required by law.

3.2. Addressing poverty through economic assistance and its implementation

- **Information and access**

Information on rights and opportunities for support provided to each category is insufficient. There is a lack of an identical approach on sharing information with the public through institutions providing services and front desks frequently accessed by categories in need. “The services mainly introduced are those we provide themselves and the introduction of other programs that can be accessed is forgotten. The lack of information leads to lack of access”, say NGO representatives. There are cases when a victim of domestic violence appears in specialized shelters, and although they are granted a PO, they do not benefit EA as a result of the lack of information. Therefore, due to the lack of information, persons have lost up to three months of potential benefit of economic assistance. “It seems like the focus has shifted from awareness on violence to the need for information on the rights and services and, after so many years, there is a lot to do with regard to information as the first step.” - NGO representative.

The insufficient information was also confirmed by the Free Legal Aid Directorate, at the Ministry of Defense, including the opinions of ten Centers of Primary Legal Aid Service at different municipalities across the country. More specifically, according to them, the information on citizens’ benefit of

payment as victims of violence is limited, in the sense that they are aware of the opportunity to benefit such payment, but they are not informed of the way to benefit it, which are the institution to address to, how much is the payment amount, as well as the deadline for such payment. Taking into account such limitations, quite often citizens appear to Centers of Primary Legal Aid Service to be informed and guided by employees on how to act. Like NGO representatives, representatives from legal aid centers state that there have been cases when citizens were not aware of the existence of such a payment. Information is mainly obtained through Police, courts and social workers at municipality, and through legal aid offices or other structures to a lesser extent.

Special categories are not informed of benefiting support as families in need and as a special category. There are cases when social administrators request the presence of both spouses while applying as a family in need, even though the female applicant has been issued a protection order and the dissolution of marriage process is underway.

Families and individuals in need residing in remote and hard-to-reach areas encounter difficulties in applying for the economic assistance, as a result of the lack of functional public transport in rural areas and impossibility to cover the costs of transport privately. The signing of the 3-month declaration is also another moment when the impossibility to appear in person excludes beneficiaries as a category in need from the EA system.

The capacity-building of administrative units and actors part of the referral mechanism would be helpful in ensuring the implementation of the legal framework and providing information for categories in need. “Administrators can make mistakes in filling out the application as a result of the lack of information, accompanied by the lack of the culture of reading the filled out form by the applicants before their signing” – say social administrators in the municipalities of Tirana and Pogradec.

The need for capacity-building was also highlighted by the Free Legal Aid Directorate and ten Centers of Primary Legal Aid Service. According to them, all workers who have finished a special training at Centers of Primary Legal Aid Service have general information, but they need specific training on the procedure of such right application and entitlement.

- **Application and benefit of EA**

Only the category of families in need is covered by the additional fund of 6% administered by municipalities – thus, this fund is not a mechanism to address the urgent need of victims of domestic violence. In case of Korça Municipality, this fund was used to cover families whose children are users of narcotic drugs, and as a result they are already categorized as families in need. As confirmed through interviews, the current scheme does not cover these categories, which might have different vulnerability indicators.

In practice, for special applications, we have found out the non-application of the principle of legal provisions prevailing and that of creating legal practices in accordance with respective legal provisions published in the Official Journal. **The social administrator has the discretion of entering data during the filling out of applications for individuals/members of families in need.**

With regard to victims of violence who have left to another municipality, the application to the municipality of origin where they are registered is an obstacle for them to access support, both from the perspective of access (i.e. distance, transport costs) and fear of the perpetrator.

Persons accommodated in shelters cannot benefit economic assistance during the time they are placed in public social care institutions, financed by state budget funds (Law No. 57/2019).. The public and non-public shelters have limited resources and, apart from services, they can cover only the basic needs of residents. Representatives from NGOs stated that, due to certainties of a clear interpretation of the law (57/2019, article 11, paragraph ‘dh’), some of them do not declare during the referral that the victim of violence is placed in a shelter to allow them to benefit the economic assistance, under the conditions explicitly stipulated by law that persons who are placed in public residential care institutions, financed by state budget funds, are not beneficiaries of the economic assistance or disability allowance. As mentioned by representatives from NGOs, taking into account the fact that the category placed in residential care institutions faces more than the issue of violence, the definition of economic assistance benefit for victims of domestic violence placed in shelters should be reviewed.

- **Challenges related to Protection Orders**

The dependency of EA benefit on Protection Order (PO) results in significant delays on the receipt of benefit. The victims of domestic violence should wait for the issue of protection order to apply as a special category. The caseload in district courts is higher in larger municipalities, or in other municipalities (for example, Tirana, Shkodra, Lezha, Elbasan and Vlora).

This is a result of suspension of judges due to the vetting process, thus leading to delays in transcription of decisions continuing up to three months, and much more in other cases. This is a challenge for the victims of domestic violence considering that the protection order has an average validity period of six months to one year. The impact of delays to cases being granted PO is more significant in cases when the protection order has a validity period of two or three months.

The Emergency Protection Order (EPO) is not recognized by social administrators as a valid document to initiate the EA application process - a finding confirmed by civil society organizations whose activity covers some municipalities of the country. In case of municipalities of Korça and Pogradec, the granting of EPO allows the initiation of the EA application process, whereas the PO is transcribed within some days upon the issue of EPO, and no significant delays are identified. In case of other municipalities, the lack of PO is an obstacle for the application. Social administrators feel safer to continue with the application process once the PO is granted, as there are cases when victims withdraw.

Delays in benefiting as a result of limitation to apply within the first ten days of the month; while the system is not flexible in addressing emergency cases from special categories. When submitted after the 10th day of each month, they must wait for the next month to apply, thus resulting in delays in the EA application and benefit.

Another challenge encountered by victims of domestic violence is related to the benefit of free legal aid. More specifically, this category does not benefit secondary legal aid from the court as a special category at the moment that the applicant has not been granted a protection order. Another problem remains the withdrawal from the judicial proceeding.

- **Parallel payments**

The application of parallel payments is not the same in many municipalities for the two categories in focus. Two main practices followed by social administrators have been identified.

One practice is as follows: when the economic assistance applicants, mainly victims of domestic violence, as a result of the lack of clear understanding of the practice, the social administrators offer them to choose a program they would like to benefit of, even though there are no legal restrictions to follow such a practice. There are many cases when applicants choose only the benefit as a family in need, thinking that it is a long-term one, meaning beyond the PO validity period. Upon the increase of benefit amount as a special category, maybe the behavior of applicants can change if the practice of parallel payments is not regulated.

The second practice is related to the deduction of assistance amount in cases when the applicant is a beneficiary of the assistance amount as a special category. More specifically, apart from Korça Municipality, in case of parallel payments, the amount of payment for the individual beneficiary as a special category or as a PwD is deducted from the economic assistance; both measures address two very different situations of a multiple vulnerabilities of those individuals and their families. In case of triple payments, such as the case when the applicant is a beneficiary of the disability scheme, and a victim of domestic violence and a family in need – the situation is more complicated and there is a lack of information on how to act. “The system does not allow me” – this is the most frequent justification of social administrators related to the provision of parallel payments that the categories in focus are legally entitled.

Another justification mostly encountered during interviews was that both treatment methods provided through cash support program of the economic assistance – whether for special categories, in that case as a victim of domestic violence and as a family in need – target poverty focused on the family and individual in need, thus the same individual cannot benefit two parallel payments from the same system, for the same purpose.

The justification and practices are limiting and contradictory to addressing multiple vulnerabilities of individuals and families, understanding their

different situations making those individuals more vulnerable (such as a victim of domestic violence or PwD and a family in need). Multiple vulnerabilities require an inclusive approach through a non-limiting or non-excluding protection program.

Under the conditions of uncertainties of a clear interpretation of the law, the implementation of protection programs is guided by the most frequently used practice and the concern that the followed practice does not constitute any violation related to different benefits for special categories and categories in need. Those practices are not guided by the principle based on which the economic assistance program has been drafted and the principle of observing the rights of individuals with multiple vulnerabilities. “If not written somewhere, it depends on the will and judgement of the social administrator” – a representative of interest groups.

Furthermore, requests for parallel payments are mainly made by the individuals themselves and are lesser presented as support opportunities by their authorized representatives (service providers, legal aid lawyers, etc.), which highlights the need for provision of information through various system levels.

There are no sufficient data whether a preliminary evaluation is conducted in practice on whether the banning of parallel payments **guarantees or violates relevant international and constitutional standards and rights**, such as the right to a dignified human life, etc., or whether relevant structures ban payments due to their interpretation of legal provisions without considering the constitutional rights and guarantees prevailing in our judicial system.

Social administrators say that the system (National Electronic Register) does not allow them to finish the application of victims of domestic violence based on the Emergency Protection Order.

A victim of domestic violence can apply as a family in need only if they are proceeding with the dissolution of marriage process; meanwhile, the obligation of paying for the psychologist service at the initiation of the dissolution of marriage process represents considerable costs for that category. The process and costs of the dissolution of marriage and insecurity of making an independent living turn to influencing factors leading to the

withdrawal of the victim from the process and their return to the house and to the cycle of violence. The lack of judges has resulted in an extension to the **dissolution of marriage** process to one year or more in some municipalities (Tirana, Elbasan, Shkodra and Vlora), thus increasing the challenge on social reintegration and access to services. In 80% of cases, the payment of post-divorce alimonies is not made by spouses, which increases the burden of mothers who are also victims of domestic violence.

The amount of economic assistance as a special category, victim of domestic violence, is often provided to all, irrespective of the need. Social administrators raised the concern that not all beneficiaries receive the amount of assistance they are entitled as a special category. As social administrators and other key actors stated, confusion derives from the fact that financial support for special categories addressing specifically only the individuals in need is not clearly defined by the law on social assistance. Therefore, social administrators, upon the issue of PO by the court, apply in the system on behalf of victims of domestic violence without their presence and declare them beneficiaries, or without verifying the social and economic situation of the applicant. According to different sources, this has led to the qualification of individuals not necessarily in need as beneficiaries, such as doctors or bank clerks. Furthermore, it depends on them whether they would like to receive the benefit or not, although they might not need such economic assistance. On the other hand, the justification for receiving benefits beyond the need is in contradiction to the logic used to apply limitations or exclusions from parallel payments in the system of categories in need. Above all, this finding highlights the fact that social administrators do not have a clear or same understanding related to legal stipulations on eligibility in cash payment system of social protection for categories in need, including special categories.

The burden of proving the situation as a category in need falls on citizens, which is translated into costs at the moment they request free legal aid; thus the system turns into a vicious circle at the moment of mobilizing specific support plans. The main typologies of the necessary documentation and respective costs are summarized below:

- o Unemployment attestation or wage attestation (issued free of charge);
- o Attestation on pension type and amount (issued free of charge);

- o Family certificate and other certificates issued free of charge and generated by the individual portal for citizens in e-albania or by ADISA;
- o Attestation by the State Cadaster Agency proving they have no properties, issued for an amount of ALL 500;
- o ALL 200 postal service for the attestation (ALL 700 in total);
- o Various notarizations for acts; in some cases, when having undergone the MCWCA, beneficiaries are requested to notarize the Decision of the MCWCA (about ALL 3,000);

Therefore, the total average cost for all the attestations amounts to ALL 700 per person, excluding, in specific cases, the notarization of necessary acts/documents accordingly. Taking into account the fact that legal aid beneficiaries are the most vulnerable categories, costs are relatively high, and affect access and the right to benefit free legal service.

• Empowerment and reintegration

The services provided to beneficiary categories are essential to ensure cross-sector support and to allow the social reintegration of individuals and families in need.

The lack of specialized services for PwDs remains a challenge. In small municipalities, such as Mat, there is only one non-public daily center for children with disabilities under 18 years old. The lack of adequate vocational training courses and employment offers for the categories in focus is urgent in small municipalities. “The unemployment rate is high, adequate qualification courses are missing and there are no opportunities to develop entrepreneurship initiatives for the EA applicants”– Mat Municipality. Accessibility is also a challenge not fully addressed to facilitate access of PwDs to services.

The housing, employment and access to educational institutions for the children of victims of domestic violence remain priority needs In the face of the lack of services, municipalities have tried to work closely with families of origin to secure support for victims of violence. The lack of shelters and limited capacities of the existing ones are a weakness of the system. The benefit from sheltering programs is accompanied by a number of challenges, which has resulted in delays. “Sheltering is a long procedural route” – say the employees of one of the municipalities.

Economic assistance and social reintegration – human stories

Case of Anisa:* Anisa, 38 years old, resident in a large municipality, mother of one 2 and a half year old daughter, contacted the Counseling Line for the first time during the quarantine. Worried about the situation of exerted violence, she used the opportunity to call the Counseling Line. During the conversation, she says that quarantine aggravated violence and she was granted an EPO following her denunciation, and a PO with a 2-month validity period.

Anisa was living in fear as the PO period was too short, and she was supported by the Line through representation to the court on determining the custody of the girl and the alimony. She was then supported through an application for a rent bonus, which was provided to her only after seven months. During that period, she had regularly contacted the municipality but did not receive any answer, while her economic situation was getting worse and she had a few months of rent not paid.

Then, although she benefited the rent bonus after seven months, she encountered difficulties with the lessor, who did not renew the contract because of unpaid rent. With no contract renewal, the rent bonus was interrupted. Anisa, a single mother, unemployed, with no income, applied for economic assistance and did not immediately benefited it, until she managed to renew the PO.

The other challenge is related to the enrolment of her daughter for kindergarten. The principal of kindergarten refused to enroll her with the justification of no more available quota, and only after she complained Anisa finally managed to enroll her daughter. The principal did not inform Anisa that the latter had been exempted from paying the kindergarten fee as a beneficiary of the EA, with the justification that “it was not her duty to inform her”. After being informed by counsellors, Anisa had a discussion with the kindergarten principal and her daughter is currently attending kindergarten free of charge. She is still being followed by the Line staff on the process of executing the alimony and entry into the labor market.

Source: Counselling Line for Women and Girls

Although violated women have been prioritized in receiving rent bonus, the program is too strict as the application is made twice a year and municipalities are not flexible in their budgets to cover the immediate sheltering needs. Other problems related to the **rent bonus** derive from the delays in payment by the municipality (case of Tirana Municipality), thus leading lessors to refuse the contract continuation or to shelter other cases. In cases when a municipality decides to enter into direct relationships with the lessor and to make payments themselves, difficulties are encountered in finding the house with the right price. The obligation to pay the tax (15%) together with the delay of payments from municipalities are discouraging factors for the lessor to materialize a contractual rent relationship with the municipalities.

The rejection of job offers excludes families in need from the economic assistance scheme. In case of violated women, “exclusion from the EA scheme after the refusal of three job offers is made without taking into account that a woman, who might have not worked before or who might have been isolated for a long time, has low confidence”. The situation of violated women beneficiaries of EA is very complex and requires a cross-sector approach to address their needs for social integration, or otherwise they risk to get stuck between the system levels. In the vast majority of cases, violated women cannot receive full support with services. A part of them find support to their families, but those with no support at all cannot go to work as they have to take care of their children. Due to the lack of support in some aspects, such as care for children, sheltering problem and other difficulties having a negative impact on independent living, the victims of violence turn to their spouses and the cycle of violence repeats.

The civil society organizations play an important role in informing special categories and providing services. However, organizations accepted that they also need to improve information provision, beyond the service provided by specific organizations, considering the existing service package to inform the victims of domestic violence and PwDs.

Economic assistance and social reintegration - human stories

Case of Lori:* Lori, a 40-year old mother of 3 children, is a beneficiary of the Counseling Line services for more than a year. She initially appeared as a victim of domestic violence and her husband was later imprisoned as a perpetrator. By the time Lori contacted the Line, her ex-husband was close to the end of prison sentence and he would be released after two days. She was very scared as he used to threaten her from his cell that once he was released, he would kill her and her relatives.

Lori has experienced extreme violence with a very high risk posed to her life. Based on a detailed assessment from counsellors of the Line, with no concrete signs of violence at the moment that the woman appeared at the Line, she was issued an EPO, an order that was later certified and issued for a year. Lori applied for a rent bonus through sheltering programs.

Then, she contacted the Line again expressing her concern that it had been two months she had not received the rent bonus. This situation has led to problems with her lessor, who had warned her that he would terminate the contract and would throw her out of his house.

This was the only source of income for Lori to pay her rent. The non-benefit and delays further aggravated her and her family conditions for survival. Lori requested support for economic assistance by the Line. The municipality did not clarify the reasons for the delay in rent bonus. Based on the information secured through coordination of Line staff with the municipality, they were informed that funds were delayed, which resulted in a repeated practice.

Source: Counselling Line for Women and Girls

3.3. Spirit of the legislation related to parallel payments for the categories in focus

Article 12 of the Law on Social Assistance provides for the payment of economic assistance and stipulates that families and individuals shall have the right to receive in kind benefit, and the method of benefit is defined by DCM. Therefore, in addition to the economic assistance payment, families in need receive parallel payments and other in kind payments and benefits.

While defining such benefits and parallel payments for the members of families in need, Article 12, paragraph 6 of the Law (57/2019) explicitly stipulates: *“To the member of the family in need, who is disabled, work invalid, or an individual beneficiary of the economic assistance, under stipulations of Article 7 of this law, the amount of economic assistance shall not be calculated to the structure of the amount of the economic assistance per household”*. From a strict legal perspective, the victims of domestic violence (VDV) are included in the category of economic assistance beneficiaries under Article 7, sub-paragraph ‘d’, of the law. As a result, pursuant to paragraph 6 of Article 12 cited above, if an individual benefits economic assistance as a victim of domestic violence, the amount of economic assistance shall not be calculated to the structure of the amount of the economic assistance per household. This spirit of the law is also explicitly confirmed by relevant DCM adopted pursuant to the Law on Social Assistance in its Chapter III, paragraph 12, stipulating that: *“To the member of the family in need, who is disabled, work invalid, or an individual beneficiary of the economic assistance, the amount of economic assistance shall not be calculated to the structure of the amount of the economic assistance per household”*.

DCM No. 597, dated 4.09.2019, “On determining procedures, documentation and monthly amount of economic assistance benefit and use of additional fund on economic assistance conditional fund”, as amended, which has been adopted pursuant to Article 12, paragraph 1, 4 and 5, Article 16, paragraph 2, and Article 21 of the Law on Social Assistance, stipulates in paragraph 8 of Chapter III that *“The amount of economic assistance for every victim of domestic violence not placed in social care institutions, defined in the protection order or immediate protection order, shall be 3,000 (three thousand) ALL*

per month. This amount of economic assistance shall be received during the validity period of the protection order or immediate protection order, defined by court decision”.

As for the victims of domestic violence, the benefit of economic assistance is based not only on the Law on Social Assistance and DCM No. 597 adopted pursuant to this law, but on Law on Measures Against Violence in Family Relations as well. Article 6, paragraph ‘c’ of this law stipulates that the main responsible authority shall be in charge of, among other things, supporting the establishment of support structures, as well as building all the necessary infrastructure to support and fulfil all the needs for victims of domestic violence, including financial assistance and medical and social services under the legislation in force.

For the purposes of the amount of economic assistance, it is worth-mentioning that DCM No. 597/2019 stipulates that the Minister responsible for social issues shall issue an instruction on the method of calculating the amount of economic assistance, according to the household structure. This act explicitly stipulates that when the household structure consists of a single member, for the purpose of calculating the amount of economic assistance, the amount of economic assistance for the latter is the one calculated for this member, and in case of spouses in the process of dissolution of marriage, in the absence of final court decision, the amount of economic assistance for each spouse shall be calculated based on household structure.

Pursuant to Chapter I, paragraph 1 of DCM No. 182, dated 26.2.2020 “On determining the amount, criteria and procedures and documentation for the evaluation and benefit of payment for persons with disabilities, and personal assistants”, as amended, which has been adopted based on Article 13 and 17, paragraph 1 of the Law on Social Assistance, persons assigned in paragraph ‘a’ and ‘b’, Article 8 of the Law on Social Assistance, shall be beneficiaries of the disability allowance, meaning paraplegics and tetraplegics and persons with disabilities declared as work disabled. Paragraph 1, Chapter III of DCM No. 182/2020 stipulates the amount of disability allowance.

Paragraph 10, Chapter III of DCM No. 182/2020 explicitly stipulates that the benefit of disability allowance shall not be calculated based on household income for the purpose of calculating the economic assistance. As understood,

such stipulation does not affect the parallel payment of disability allowance and payment of economic assistance for families in need; such provision facilitates the receipt of economic assistance as an individual or a member of family in need when the latter is a beneficiary of disability allowance. This paragraph 10 shall mean that income from disability allowance are not calculated based on household income that a family in need requests to benefit as economic assistance.

Furthermore, for the purposes of such analysis, we should consider the fact that paragraph 13/dh, Chapter III of DCM No. 182/2020 stipulates that the benefit of the amount of economic assistance or disability allowance from persons with disabilities shall be interrupted for persons assigned in Article 11 of the Law on Social Assistance, meaning persons placed in public residential care institutions financed by state budget funds.

Law No. 121/2016 “On social care services in the Republic of Albania” stipulates services and facilities for individuals and families in need, in addition to the economic assistance scheme. Furthermore, without objecting relevant provisions of the Law on Social Assistance, DCM No. 182/2020 does not explicitly excludes persons receiving disability allowance from benefiting the amount of economic assistance as families in need.

As described above, the main payments provided for by the Law on Social Assistance¹⁵ and other special laws in force on categories in focus, such as the Law on Measures Against Violence in Family Relations¹⁶, for which requests/ applications had been submitted, are as follows: **payments as victims of domestic violence, economic assistance as individual/member of families in need, disability allowance** (these main payments do not include payments received for a special status provided for by a special law¹⁷). The legislation further provides for other payments such as, vaccine, schooling payments, etc. (including the baby bonus, etc.) and other in-kind benefits, which include the personal assistant, support with food and goods for daily use, mobility devices, clothing, compensation for electricity/ compensation for the electricity price, etc.

15 Law No. 57/2019 “On social assistance in the Republic of Albania”

16 Law No. 966, dated 18.12.2006, “On measures against domestic violence”, amended

17 Law 8098/1996, Law 8626/2000, Law 7889/1994.

With regards to social assistance payments and other aforementioned benefits, the following has been identified:

- **Limitation of parallel payments**

Overall the legislation tends to limit parallel payments in the social assistance system (see below in this section and in section 3.3.1 of this Report and Annex 2 of this Report). Thus from the strict legal perspective, the same individual cannot receive an EA payment as a VDV and an EA payment as an individual or member of a family in need (Article 7 & Article 12, paragraph 6 of the Law on Social Assistance). In practice, receiving an EA payment as VDV does not entitle an EA payment as an individual or member of a family in need.

Article 6 of the Law on Measures against Domestic Violence provides that the main responsible authority, in cooperation with the referral mechanism, is tasked with supporting the establishment of support structures, for the coordination, implementation, monitoring and assessment of policies and measures to prevent and combat all forms of violence, as well as their completion with all the necessary infrastructure, in accordance with the principle of “reasonable accommodation”, which serves to support and meet all the needs of victims of domestic violence, **including financial assistance**, as well as medical and social services, pursuant to the legislation in force. As per the above, the provisions of the Law on Measures against Domestic Violence (Article 6 subparagraph ‘c’) reference the Law on Social Assistance; the latter categorizes victims of domestic violence as beneficiaries of economic assistance (Article 7), whereas Article 12 provides for the prohibition of double benefits from EA payments, therefore we conclude that this entails a prohibition of parallel transfers within the EA payments scheme.

Even though VDV's are protected by a special law which defines victims of domestic violence as those persons on whom any action or omission has been exercised by a person, resulting in the violation of physical, moral, psychological, sexual, socio-economic integrity, and for whom a protection order or emergency protection order has been issued by a court decision, pursuant to the Law on Social Assistance, victims of domestic violence shall benefit the EA amount only as one of the EA categories (either as a VDV or as an individual/member of a family in need). However in practice, EA payment

beneficiaries as VDV are excluded from the benefit, if they belong to the category of an individual or member of a family in need who does not have income or has insufficient income. This practical position seems to be based on the extended interpretation (i.e., application in any case where there are simultaneous statuses for the same individual, regardless of parallel statuses) of paragraph 6 Article 12 of the Law on Social Assistance.

Article 12, paragraph 6, of the Law on Social Assistance excludes parallel payments even in the case of disability allowance, of a member of a family in need who is disabled, work invalid, or individual (including V DVs) receiving economic assistance according to the provisions of Article 7 of the Law on Social Assistance. According to this provision, the economic assistance amount that these persons receive is not calculated in the structure of the economic assistance amount that individuals or members of families in need benefit. In this regard, as aforementioned, we recall that paragraph 10 of Chapter III of DCM 182/2020 expressly provides that the disability allowance benefit is not calculated towards the household income for the purpose of calculating economic assistance, thus, without prejudice to Article 12, paragraph 6, of the Law on Social Assistance, this provision of this DCM does not expressly affect the parallel payment of disability allowance and the economic assistance payment to the individual or family in need. Legal clarification with explicit provisions regarding PwD allowances and EA payments of families in need is imperative.

Having regard to the above, overall, there are no conditions expressly provided in the law for the implementation/permission of parallel payments when the economic situation of the individual /member of the family in need is not adequate and decent. Furthermore, there are no legal provisions linking the prohibition of parallel payments to the income level calculated at least as the subsistence minimum (despite the fact that the subsistence minimum has not been approved nationwide) or to any other similar reference (e.g., minimum wage, etc.) or with the constitutional standard of a decent life.

Moreover, in the case of prohibition of parallel payments, it is not clear which payment prevails, i.e. whether the benefit from EA payments as V DV or relevant EA payments as an individual/ member of a family in need, etc.; there is no express instruction whether the individual has the right to choose the highest payment in absolute amount, etc.

• Implementation of parallel payments

Without contradicting the above, special provisions of various relevant laws allow for the payment of social assistance and parallel benefits. If an individual were in the economic assistance beneficiary category as an individual/member of a family in need, in addition to the economic assistance payment as an individual/ member of a family in need, he/she would also receive payment due to the special status (i.e., not provided by the Law on Social Assistance but by the following special laws on the respective statuses) prescribed by law to certain categories of persons with disabilities (see below).

Article 5 of Law No. 8098, dated 28.03.1996 “On the status of blind persons”, amended, provides that “... despite other income benefitted from the state, blind persons shall receive an additional payment due to their blindness at an amount that shall not count towards household income due to poverty. Their caretaker, per their choosing, shall benefit the same amount”.

Article 15 of Law No. 8626, dated 22.06.2000 “On the status of paraplegics and tetraplegics”, as amended, provides that regardless of the income received from the state, paraplegics and tetraplegics shall receive a cash supplement due to their paralysis which shall not count towards household income due to the economic level.

Law No.7889, dated 14.12.1994 “On the status of the invalid”, as amended, provides that the status of the invalid is enjoyed by the person injured at work or ill with an occupational disease, who receives an invalidity pension from the social insurance system, pursuant to Law No. 4171, dated 13.09.1996 “On social insurance in the Republic of Albania”, as amended. Thus, work invalids when they are an individual/ member of a family in need, in addition to the invalidity pension from the social insurance system can also benefit, due to their “in need” status, economic assistance as an individual/member of a family in need, provided that they withdraw from the PwD status pursuant to the Law on Social Assistance.

Article 18 of the Law on Social Assistance provides that persons benefiting from the economic assistance and disability payment scheme are included in the category of economically inactive persons, within the meaning of the compulsory health insurance scheme.

Article 10 of the Law on Social Assistance provides for a personal assistant for paraplegic and tetraplegic persons, persons with disabilities incapable of work and persons with disabilities declared as such by a Decision of the Medical Commission for Work Capability Assessment.

Article 12, paragraph 4 and 5 of the Law On Social Assistance provides for that children of the family in need, who receive economic assistance, and orphans who are not in the institutions and attend compulsory education, shall receive a supplement until the end of compulsory education, as well as an extra payment for every vaccine.

When parallel payments are applied such as the EA payment as a victim of domestic violence and payment for blind persons who are victims of domestic violence, the economic situation of the individual/member of the family in need is not taken into account. The underlying principle is that these payments are received in parallel under the condition where the same person is legally categorized as both blind and a victim of domestic violence. This principle also applies to invalids and paraplegics and tetraplegics who are also VDV; they too receive an invalidity pension and an EA payment as a victim of domestic violence.

Having regard to the above, overall, there are no conditions provided for by the law for applying the aforementioned parallel payments depending on the economic situation of the individual/ member of the family in need, and there are no legal provisions linking the application of parallel payments calculated at least as the subsistence minimum (despite the fact that the subsistence minimum has not been approved nationwide) or to any other similar reference or with the constitutional standard of a decent life.

- **Discretionary position on parallel payments**

Several legal provisions, with regards to certain social assistance scheme payments and other payments based on other laws (Law on Social Insurance and laws on the status of special groups), do not express their position regarding the application of parallel payments. In such cases, the legal interpretation tends to prohibit parallel payments in practice.

With regards to parallel benefits, the legislation does not clarify whether other benefits (other than payments) are prohibited or allowed, e.g. when in-kind benefits are received, are EA payments prohibited or vice versa, etc.

Discretion regarding parallel payment applications is observed in the role of the social administrator who is tasked with completing the applications of qualified persons and relevant data in the electronic system/National Electronic Register of beneficiary categories. Accuracy in the completion of applications and recording of relevant data, in special cases, leads to the acceptance or withholding of parallel payments from the economic assistance scheme, and in certain cases a restriction on the receipt of payments for certain categories.

The Law on Social Assistance allows the full receipt of economic assistance that individuals or members of a family in need benefit, and such amount is not limited to the number of members. Paragraph 2, Article 12 of the Law on Social Assistance provides for families that do not have income or have insufficient income from social protection programs¹⁸, remittances, rent, assets, agriculture or other income and individuals defined in Article 7, i.e. economic assistance beneficiaries, benefit the economic assistance payment. From a strictly legal perspective, it is implied that individuals and members of the family in need who do not have income or have insufficient income from social protection programs, receive economic assistance when they are part of the categories provided for by Article 7 (i.e. EA) of the Law on Social Assistance.

Furthermore, paragraph 6, Article 12 of the Law on Social Assistance discriminates with regards to payments and benefits received in addition to those who benefit from the Law on the Status of the Invalid, the Law on the Status of Blind Persons and the Law on Paraplegics and Tetraplegics: if an individual qualifies as an invalid, a blind person or paraplegic and tetraplegic, thus both a PwD and an individual/member of a family in need, he/she does not receive an EA payment as a person in need and a disability allowance due to the PwD status.

Certain municipalities have different standards regarding the provision of economic assistance to victims of domestic violence for the validity period of

¹⁸ Pursuant to the Law on Social Insurance.

the emergency protection order and/or the final protection order¹⁹. Without prejudice to the explicit legal provisions of the legislation and as referenced above in relation to protection orders for EA benefit purposes, in some cases, the EPO is not considered an enforceable decision to legitimize the economic assistance amount benefit for VDV's. In such cases, the EPO is considered a preliminary procedural step until a final protection order is issued. This is also because the EPO does not include a decision number but only a date, therefore the economic assistance electronic system/ National Electronic Register cannot be fully completed. However, in such cases, in practice it should be kept in mind that DCM 597/2019 provides that for the validity period of the final protection order or of the EPO, victims of domestic violence are obligated to submit a copy of their identity card and the protection order or emergency protection order. Hence, this provision implies that, from a strictly legal perspective, the EA payment as a victim of domestic violence is legitimized by both the final protection order and the emergency protection order (paragraph 4.5 of DCM 597/4.09.2019).

Moreover, the Law on Measures against Violence in Family Relations, provides that the court decision on issuing an EPO is an executive title therefore it cannot be appealed. The decision is executed immediately by the police structures in cooperation with the judicial bailiffs' office and the social service offices in the local government units where the victim and other persons included in this decision reside either permanently or temporarily.

For the discretionary cases presented in this point of the Report, there is no unified position (municipal or regional structures do not hold the same prohibitive or permissive position).

Article 29 of the Law on Social Assistance provides for the applicant's right to administrative and judicial appeal. The provision of the legal appeal mechanism enables the effective protection of applicants' rights when the right to payment and special benefits from the economic assistance scheme is denied, when the right to parallel payments is denied in cases when the

¹⁹ The Law on Measures against Violence in Family Relations provides that the "Protection Order" is an order issued by a court, which provides protection measures for the victim, children, and accordingly, measures for the rehabilitation of the perpetrator; "Emergency protection order" is an order issued temporarily by the court, valid until the court issues a Protection Order.

law is clear about their non-prohibition, or even when the law allows for the discretion of the social administrator, etc. In practice, we noted that the appeal mechanism or other relevant legal means or options provided by the legislation to counter the non-payment of parallel transfers are not used.

3.4. Adequacy of the EA amount

3.4.1. EA amount as compared to the poverty level

The economic assistance amount is too small and requires to be adjusted in order to afford the living costs. Social administrators emphasized the need for reviewing the EA application form, by adjusting the assessment elements of the socio-economic situation to the current context.

Beneficiaries have repeatedly raised concerns with municipal employees and civil society organizations that the economic assistance amount is not sufficient to cover basic food needs and pay monthly bills. According to public institutions and civil society representatives who are in constant contact with the groups in need, **a part of the beneficiaries use the economic assistance for their weekly food needs as it is not sufficient for the whole month.** Others, in the absence of information, use it to cover any kindergarten or nursery fees – although these services should be provided free of charge by municipalities to EA beneficiaries.

Economic assistance is calculated on the basis of a score formula taking into account parameters such as: living conditions, remittances, household demographics, education and employment, income from social protection programs - including the payment benefited by victims of domestic violence. Whereas the average EA amount for a family in need is ALL 5,161 per month, the at-risk-of-poverty threshold for a single-member household is estimated at ALL 170,785 per year, or ALL 14,232 per month, by INSTAT, using the Eurostat methodology - for measuring the standard of living and relative poverty (INSTAT, SILC 2019). Providing another perspective, INSTAT calculates that the at-risk-of-poverty threshold for a household with 2 adults and 2 dependent children, in monetary terms, is ALL 358,650 per year, or

ALL 29,887 per month. Both at the individual level - whether when referring to EA or the payment amount as a victim of violence - and at the household level, EA amounts are quite low compared to the poverty line. In the case of a 4-member household, the EA amount is 5.7 times lower than the poverty line.

Whereas the at-poverty-risk is reported to be 23% of the population, in 2019 according to INSTAT, lack of access to social benefits would bring this indicator to 38.1% for the same year, a dynamic which confirms that access to social benefits and their amounts are quite important to the vulnerable part of the population.

Table 4: At risk of poverty and social exclusion indicators

Indicators	2017	2018	2019
At risk of poverty %	23.7	23.4	23
At risk of poverty prior to social benefits %	40.4	39	38.1
At risk of poverty or social exclusion (AROPE) %	51.8	49	46.2

Source: Survey of Income and Living Conditions 2017, 2018, 2019 INSTAT

Whereas, the number of individuals at risk of poverty or social exclusion²⁰, has decreased, at 46,2% of the population, it nonetheless remains high.

The findings of the Survey of Income and Living Conditions (SILC, 2019) suggest that persons with disability benefits face a higher risk of poverty and social exclusion (AROPE) compared to the general population. In 2019, the AROPE rate for the total population aged 16+ was 45.6% down by 2.7 percentage points compared to 2018. The AROPE rate for people without disabilities in 2019 was 42.1%, down by 1.2 percentage points compared to 2018. For the same period, the AROPE rate for people with disabilities was 47.7% down by 5.2 percentage points compared to 2018. For people with average disabilities, the AROPE rate was 44% in 2019, down by 3 percentage

²⁰ At risk of poverty or social exclusion, abbreviated as AROPE, corresponds to the sum of persons who are either at risk of poverty, or severely materially and socially deprived or living in a household with a very low work intensity. People are included only once even if they are in more than one of the situations mentioned above.

The AROPE rate is the share of the total population which is at risk of poverty or social exclusion. It is the main indicator to monitor the EU 2030 target on poverty and social exclusion.

points from 2018. In cases of severe disability, the AROPE rate is even higher reaching 63.8% in 2019 down by 4 percentage points compared to 2018.

3.4.2. The EA amount and the subsistence minimum

To date, it has not been deemed necessary to set a minimum subsistence level in Albania; potential pressures on public finances may have hampered the adoption of a subsistence minimum. Therefore, the amounts of the EA, of payments in cases of domestic violence, etc., are not linked to each other, and are calculated either through different methods, or arbitrarily, even though they all aim at the social protection of categories in need. Indeed, it is estimated that the EA amount meets only 25% of a household's consumption needs (UNICEF, 2019). The subsistence minimum in Albania for 2019, calculated through a study by the institution of the Ombudsman, is estimated to be approximately ALL 17, 875 for an adult who consumes 2,288 calories per day. This value calculated through the absolute poverty measuring method is 9.9% higher than the minimum pension for urban areas, 37.5% higher than the unemployment benefit and about 3 times higher than the economic assistance for a single-member household.

According to the study on social protection transfers (UNICEF, 2019), which lists the categories of spending for poor households, food represents the highest share of household spending (about 96%) by strongly limiting the scope for spending related to human capital building activities, such as health or education, or other activities such as transportation, communication, recreation and culture.

Another indicator that shows the insufficiency of the EA amount, an average of ALL 5,161 in 2020 - including for victims of domestic violence, is the estimate for the average monthly expenses for a household with 3.7 members at ALL 82,235 (INSTAT, HBS 2019). Only food and non-alcoholic beverage expenses are estimated at ALL 33,952.

This implies that not only is the EA amount quite low, but it also helps to create a vicious cycle of poverty by keeping vulnerable groups in the same conditions, without providing opportunities for education or development to break this cycle. Data or studies assessing the extent to which this measure

helps alleviate poverty at the national or regional level are lacking; how many households have left the EA scheme at national or regional level as a result of the implementation of exit strategies and their socio-economic reintegration. The EA amount, and overall, the entire social protection system in Albania could be harmonized and be coherent if it were based on a subsistence minimum defined by legislation.

The monthly benefit amount for victims of domestic violence is ALL 3,000, arbitrarily defined by legislation regardless of household composition. This payment is not linked or referred to any other payment, and since in most cases, victims of violence belong to vulnerable groups, it does not allow for the prevention of falling into poverty. In January 2022, the decision to triple the economic assistance amounts for certain categories, including victims of domestic violence, enters into force. Even though, according to stakeholders, this decision has been well received by the targeted categories, the amount remains below the poverty level for an individual.

In the absence of clarity and same understanding of the process, the review of social assistance benefit eligibility should be extended to specific categories. On 28 May 2021, the MoHSP drafted an Order (No.) 269) on setting up an inter-institutional working group to assess the benefits of economic assistance based on SILC data, the minimum wage level and other relevant information. The working group is chaired by the General Director of MoHSP and comprises State Social Service and MoHSP representatives, as well as Ministry of Finance and Economy and INSTAT representatives. Currently with World Bank support, the guide for improving EA performance in targeting and supporting vulnerable groups has been completed, and the MoHSP should plan its implementation by the end of 2024. Some of the key steps included in the guide are: (1) analysis of economic assistance benefit performance and (2) proposal for a mechanism for the periodic updating of the economic assistance benefit level; (3) public consultation to agree on the most appropriate recommended solutions; (4) review of DCMs regarding economic assistance; (5) relation to the budget process; (6) the process of evaluating the implementation of social assistance; (7) updating the Management Information System to reflect changes; (8) completion of the social assistance implementation evaluation process (conditional on funds availability); (9) communication campaigns; and (10) the application of

a mechanism to regularly update the EA benefit level. Given the identified challenges, and the arbitrary decisions to increase the amount of economic assistance for certain specific categories in 2022, we suggest that the EA amount evaluation and review process be extended to other special categories.

The EA program review should also include the effectiveness of the scoring formula based on the results of SILC 2019, INSTAT, for calculating poverty indicators to improve the benefit amounts, and taking into account other data sources to strengthen indicators used and harmonized with demographic indicators and living standards in the country. Finally, **the social protection system must take into account crises as it adapts to new needs.**

3.5. Resources and social reintegration

3.5.1. Resource allocation in social protection programs

Budget allocations covering social protection provision through Economic Assistance and PwD allowances have reflected the difficult situation the country has faced, especially with regards to coping with the Covid-19 pandemic. Thus, economic assistance-related budget allocations marked an increase of 27.9% in 2020 compared to the previous year. They have continued to increase by 17.9% in 2021 compared to 2020, while shrinking by 2.7% in the budget projections for 2022.

PwD allowances increased by 17% in 2020 compared to 2019, but decreased by 7.4% in 2021 compared to the 2020 budget allocation. This budget allocation continues to decrease by 2.3% in the projections made in the 2022 budget despite the expectations for 2021.

Table 5: Budgetary allocations of Economic Assistance (EA) and PwD, their respective budget and GDP percentage

Payment Type	Budget Allocations										
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	
a) Economic assistance	3,843	4,869	4,919	4,585	4,912	4,361	4,250	5,435	6,411	6,240	
b) PwD Allowance	15,558	19,048	15,999	15,402	15,740	16,304	15,860	18,560	17,179	16,790	
a) EA budget %	0,97	1,07	1,08	1,05	1,06	0,88	0,86	1,01	1,05	0,92	
% of GDP	0,28	0,35	0,34	0,31	0,32	0,26	0,25	0,33	0,36	0,33	
b) PwD budget %	3,94	4,17	3,50	3,55	3,41	3,28	3,22	3,46	2,82	2,48	
% of GDP	1,15	1,36	1,11	1,04	1,01	0,99	0,94	1,15	0,97	0,89	
EA + PwD (a+b)	19,401	23,917	20,918	19,987	20,652	20,665	20,110	23,995	23,590	23,030	
EA + PwD % of budget	4,91	5,24	4,58	4,60	4,47	4,16	4,08	4,47	3,87	3,40	
% of GDP	1,43	1,71	1,45	1,35	1,33	1,25	1,19	1,48	1,33	1,22	
Total State Budget	394,051	456,404	456,437	433,697	461,410	497,069	491,897	536,279	610,069	676,694	
GDP	1,350,555	1,393,540	1,441,644	1,475,251	1,552,868	1,647,625	1,691,727	1,617,541	1,769,258	1,876,351	

Source: Ministry of Finance and Economy

Despite the changes observed in EA budget allocations, its proportion to the GDP shows insignificant changes from 0.33% to 0.36% of GDP; whereas despite increases in the EA amount for 2022, this proportion still remains at the level of 0.33% of GDP, thus, indicating a static situation in terms of EA dynamics despite the GDP shrinkage in 2020, while expecting to recover in 2021. The situation regarding PwDs is quite different where the dynamics of increasing or decreasing budget allocations are reflected in relation to GDP for the 2019 - 2022 period.

3.5.2. The cost of reintegration services for Victims of Domestic Violence

Whereas EA payment amounts, including victims of domestic violence, remain arbitrary, there have been efforts to cost services that a victim of domestic violence should receive under a “Reintegration Model for Victim of Gender-Based Violence”, conducted by the “Different and Equal” organization. According to this study, the full reintegration of the victim of violence goes through three phases: initial, mid-term and long-term, whereby each provides different services. Initial assistance - crisis intervention - which is expected to last for a 6-month period has a cost of ALL 503,146. Mid-term assistance - a transitional phase that includes semi-independent living - is expected to last for a 1-year period has a cost of ALL 351,347; and Long-term Assistance - reintegration and social inclusion - is projected to last up to 3 years - estimated at a cost of ALL 268,312 (UN Women, Draft Report - November, 2021).

The government has undertaken several steps with the aim of improving the economic assistance performance. It is thus foreseen that by the end of 2024, the following should be carried out: a) EA performance analysis; establishing a mechanism to regularly update the EA amount; evaluation of the implementation of the EA Exit Strategy; legislative changes if required by the above analyzes; MIS system update, and other necessary actions. Whereas this process is yet to initiate, the Government has decided to increase the EA amount for all categories in need beginning in 2022. This decision of the Government aims to triple the payment amount for victims

of domestic violence from ALL 3,000 to ALL 9,000. These increases are not founded in any study, assessment or reference. On the other hand, the Government, in order to end its EA dependence, aims to create incentives for businesses to hire individuals benefiting from EA by co-financing the salary to the EA amount received by the beneficiary. During the meeting where the government's intention was announced, Prime Minister Rama²¹ stated that the EA is merely to subsist.

21 <https://www.gazeta-shqip.com/biznes/bisedime-me-biznesin-rama-tregon-skemen-si-do-te-punesohen-personat-ne-nd-i1159752>

- **Improving information and access to social protection programs**

Information on the rights and support options provided for each category is inadequate. The referral mechanism members, the local units, as well as social administrators and the Case Assessment and Referral Unit team, should include harmonized periodic communication activities in their work plan through different communication channels and information on (EA and PwD) cash payments, social protection programs and where citizens in need should seek support.

Local governments should publish in a simple and clear manner the complete list of social assistance payments and other benefits provided by applicable legislation for the categories of social assistance beneficiaries, including VDV. Information on benefit rules should be made available through the local government and be easily accessible at any local office, as well as in other public spaces, in cooperation with referral mechanism members and NGOs.

Certainly, implementing activities aimed at updating information and access requires resources promptly allocated to the institutions' local budgets, including transportation costs to enable community visits, by ensuring the identification and inclusion of persons in extreme poverty and multiple vulnerabilities.

Use of the electronic register (EA MIS) for applicants and beneficiaries' profile analysis as well as the continuous updating of the register data. The EA electronic register contains valuable information on the social and economic situation of applicants and beneficiaries. Longitudinal data analysis could better serve to understand the needs of individuals and families in need as well as to inform better policy-making and planning of integrated interventions together with social workers. For individuals and families who do not have a regular income, further research may be conducted, the results of which may help to review the electronic register.

- **Strengthening public structure capacities**

It is necessary to develop a **capacity building plan for all municipalities** on the rights and instructions regarding access to and application of social assistance payments of different categories, based on concrete cases, illustrating the required steps, in line with the legal framework. This would help establish the same knowledge and further clarify on social assistance payment eligibility, application and related processes. This activity is recommended to take place after the necessary legal changes addressing the identified challenges, such as the benefit right, beneficiary program types and parallel payments, have been drafted.

Furthermore, **the capacities of a number of stakeholders, who are part of the social assistance system**, as service providers, either public or non-public (NGOs), as well as other institutions, part of the referral mechanism, need to be strengthened. Legal Aid Offices should be engaged in information and capacity building activities on groups' rights and access to the social protection system.

Capacity building should be periodically implemented for all structures. This would ensure that the responsible staffs are informed and updated with the relevant legislation and the establishment of work practices that ensure the legal application in the electronic system (National Electronic Register) and the system implementation. Discussion on various practices of EA program management at the local level should be a periodic activity under the direction of the Regional Social Service Directorates. Reports on practices and challenges should serve to inform policy-making so that the approach to social protection reflects the improvement and guarantee of equal, informed and non-discriminatory access of all individuals and families in need to social protection programs.

It is necessary **to strengthen cooperation between the police and the violence coordinator from the risk assessment moment**, in order to set the system in motion, and maximize the access of eligible individuals to the social assistance system.

Furthermore, it is necessary **to provide human resources at the local level to ensure the effective verification** of program applicants/ beneficiaries. Avoiding abuse with the protection scheme should not be a burden to be

carried by individuals and families in need of support; municipalities need an adequate number of social workers proportionate to the population and workload of these structures.

- **Addressing challenges related to the economic assistance payment access and application process**

The purpose of the economic assistance program is to alleviate poverty and guarantee the access of social protection beneficiaries by addressing their multiple vulnerabilities, through services and income support. The lack of equal access to the comprehensive treatment of these needs violates the right of individuals and families to benefit from this right as well as undermines the success of the program designed for such purpose. From the discussions with different groups for the purpose of this assessment, several challenges were identified that affect the access of special status individuals and families in need, such as:

- lack of information and clear understanding of the right, eligibility criteria and application to benefit from EA payments, both by system administrators and categories in need;
- access-related logistical challenges, such as mobility and transportation costs, difficulty in presenting in person in the municipality of origin (in the case of victims of domestic violence);
- challenges regarding prejudice and stigmatization of categories in need, especially victims of domestic violence, PwDs and other marginalized groups, affect the discouragement of applicants and their trust in institutions.
- and challenges related to understanding and implementing the regulatory framework, including the PO procedures, discussed below.

The study identified a series of challenges and recommendations about the Social Assistance (EA and PwD) payment benefit processes, specifically:

Allowing the application of **victims of violence registered as residents in another municipality**; providing EA to **victims of violence, as separate**

category, in (public or non-public) shelters. Amending Article 11 subparagraph 'dh' of the Law on Social Assistance (Law 597/2019).

It is further **necessary to enhance the system legitimizing EA payments for victims of domestic violence even based on emergency protection orders;** specifically, accepting decisions which have only a date and do not have a number for identification purposes of the respective order. Moreover, given the delays in the disclosure and issuance of the PO by the courts, the acceptance of the EPO is even more important for providing EA payment support to victims of domestic violence for this category. In the case of undisclosed orders, a mandatory practice should be established in line with the relevant legal provisions²² of the CPC.

The system does not provide for flexibility beyond the period of dates 1-10 of each month, to address emergency case applications. **MoHSP should consider providing EA payments to victims of domestic violence in emergency cases,** either through the EA system or budget (6%) administered by municipalities.

Verifications confirm the implementation of various EA scheme application-related practices. Victims of domestic violence and PwDs can apply for both economic assistance payments as a VDV and as an individual/member of a family in need. From a strictly legal perspective, there is no proper understanding and correct implementation of the legislation. Under such conditions, different practices have been identified, mainly in the case of victims of violence, where some municipalities allow the application for additional support as family in need whereas others do not. Mainly, as confirmed by various interviews, in cases where victims of domestic violence are beneficiaries as a family in need category and as a separate VDV category, their benefit is deducted and calculated only for children or other dependent members.

22 Civil Procedure Code, Article 308: (The first paragraph amended by Law No. 8812, dated 17.5.2001 and second paragraph amended by Law No. 38/2017, dated 30.3.2017) "The decision shall be signed by all members of the judicial panel who participated in its adjudication. The judge, whose opinion is in the minority, shall write the word "against" and sign the decision. The court may only pronounce the ordering provisions, submitting the reasoned decision to the secretary not later than twenty days, or postpone the announcement of a reasoned decision, up to twenty days. The reasoning of the decision shall be made by the chairperson of the hearing, unless he/she shall be against".

The social protection system must embody, even in practice, an inclusive approach to tackling vulnerability. As is widely acknowledged in sector policy documents, groups in need face multiple vulnerabilities, which oftentimes are not by choice, thus **the system cannot be exclusive, but provide an inclusive approach to providing access to all programs that tackle various conditions**, whether domestic violence, disability or poverty. **Thus it is necessary to amend and clarify, in particular, the content of Article 12 paragraph 6 of the Law on Social Assistance.** It is further necessary **to instruct local structures on the implementation of the law with regards to parallel payments so that special categories can benefit from the various protection measures offered by the system.**

Social administrators should be encouraged to carry out the necessary socio-economic assessment and verifications in line with legal provisions, for applications of special categories as individuals/families in need. Implementation of steps pursuant to the legal provisions can ensure that assistance goes to the poorest, without violating the right of individuals to apply.

Finally, with regards to the process, as noted in previous reports or studies and further confirmed by stakeholders, there are cases when the system (National Electronic Register) does not allow the inclusion of applicants, including special categories, who do not pass the assessment through the scoring formula despite their extremely difficult conditions. Thus the MoHSP should consider **alternative mechanisms to address the system's assessment**, especially in emergency cases such as domestic violence. **The proactivity of local structures**, violence coordinators, social workers and administrators **can play a significant role in identifying and promoting social protection programs that treat individuals of families in need.**

Online application through the e-albania platform can be an alternative for certain categories such as VDV or PwDs, thus helping to address some of the challenges these groups face. Online application could be allowed as an option by combining it with at-home verifications. Naturally, individuals without access to technology or who need help with the electronic application process should be provided with such support from their local structures.

- **Summary of potential legal amendments**

Expressly allowing parallel payments prohibited by the legislation for certain different legal statuses of the same person, such as V DVs, PwDs, individual/member of a family in need, etc., for social assistance payments (Economic Assistance, PwD, etc.) and additional parallel benefits to fulfill constitutional and international rights and standards, above all, for a decent life. Parallel payments should be allowed on grounds of the principle that social protection should be provided for each status which entails separate and multiple consequences for persons who are simultaneously categorized as beneficiaries of social protection and of many other legal statuses.

Moreover, **certain provisions of applicable legislation should be amended to allow not only for parallel payments within the economic assistance scheme but also for in-kind benefits and parallel services.** Therefore, Article 11 subparagraph 'dh' of the Law on Social Assistance should be revised.

Providing reliable criteria and methods for calculating the subsistence minimum in order to allow parallel payments. Specifically, amending the Law on Social Assistance to include criteria for determining the subsistence minimum for the purpose of meeting such minimum through parallel payments of economic assistance, regardless of type, to effectively meet at least the minimum standard of living.

Simplifying the categorization of vulnerable individuals and families in need, including but not limited to V DVs, as well as the economic assistance scheme itself, aiming at effective access to vulnerable categories due to the complicated nature and/or misunderstanding of the economic assistance scheme (its payments and benefits) and social care.

For the effective support and protection of V DVs through the economic assistance scheme, **amendment of Article 12 paragraph 6 of the Law on Social Assistance is recommended:** more specifically, changing the wording of paragraph 6, Article 12 to expressly allow EA payments for individuals and members/families in need as well as V DV payment and PwD allowances in cases where the same individual qualifies as a beneficiary category for each of the categories benefiting from EA payments.

Drafting a special sublegal act/ instruction on the social administrator in order to avoid discretion in receiving payments and economic assistance benefits. This should be preceded by a legal amendment to the Law on Social Assistance (Article 23 and Article 32).

Following the legal amendments, the National Electronic Register and the form should be reviewed so that the system accurately reflects and checks the requirements of applicable legislation. Furthermore, changes regarding the legal integration of the EA Electronic Register and the PwD Electronic Register in the National Electronic Register should be made. The integration should aim at allowing parallel payments once the relevant legal amendments/ clarifications have taken place.

In general, most of the relevant legal and sublegal acts were adopted before the 2000s, and it is deemed that they are not in full compliance with the standards subsequently adopted by our country. Therefore, the review of the legislation, especially in the field of social protection for Persons with Disabilities, is strongly recommended.

- **Integrating information and advocacy activities into annual work plans**

Periodic communication with communities would also facilitate the dissemination of information on the application process, benefits and necessary documentation.

Social administrators should share information on eligibility criteria, application process rules and parallel support that can be provided, either through financial assistance, should they qualify for more than one program, or services.

Easily understandable information on the application and access to support should be provided at every local office and other public spaces, including social media. Promotional materials can be shared through various social media and institution websites.

Evaluation and review of the economic assistance amount The European Pillar of Social Rights (EC, 2021, principle 14), calls for minimum income support schemes that ensure a decent life at all stages of life and effective

access to goods and services. This principle further emphasizes that for those who can work, the minimum income benefits should be combined with incentives for reintegration into the labor market. One of the activities of the Action Plan (2021-2030) of the European Pillar of Social Rights, for 2022 is to propose a Council Recommendation on minimum income.

Local structures should be informed about the programs and the benefit amount allocated to specific applicant categories as individuals/members of a family in need, guaranteeing the **avoidance of a benefit reduction for victims of violence** and the calculation of the amount only for children or other dependent members, who are not included in the protection order.

The EA payment amount for individuals/members of a family in need has been determined by an instruction of the ministry responsible for social protection²³. **The EA amount does not reflect any relation to the minimum cost of living.** Furthermore, the system seems to calculate the benefits of a family in need based on the household structure and declared income and, as a result, eligible households with the same structure **receive the same economic assistance amount even if their actual income levels may be different.** **The EA program review process should also include the review of the socio-economic evaluation form.**

It is important to hold **consultations on EA adequacy in our country**, especially in the framework of implementing the purposefully drafted guide. Part of the discussions should include linking the EA amount to the minimum wage or poverty level. **The lack of a reference encourages arbitrariness and undermines the goal of alleviating poverty and ensuring a decent life so that no one is left behind.** In many EU countries, the benefit amount is determined against the minimum wage (EC, 2019). Setting the minimum income level in relation to/ proportionate to the minimum wage, allows the minimum income to be approximated to the economic development of the country in a more transparent way (EC, 2019). Minimum wage pertains to individuals, whereas minimum income pertains mainly to households. In the global context there are different approaches to minimum wage setting and there is a political sensitivity to the acceptable difference between minimum wage level and

23 Instruction 8/2014 of the Ministry of Social Welfare and Youth (based on DCM 904/2012), which sets the monthly benefit at ALL 1800 for the head of the family, ALL 1260 for other adult members and ALL 900 for minor family members.

minimum income. EA and other benefits should become part of the periodic indexation, along with wages. These discussions can also be encouraged in the context of reviewing the adequacy of the economic measure.

The latest Decision of the Council of Ministers (DCM No. 868, dated 29.12.2021) on increasing the benefit amount for certain special categories, including victims of domestic violence and a 10% increase for all families in need, who are EA beneficiaries, is nonetheless a positive step. **The calculation of the assistance amount should be based on full estimates and in-depth analysis based on the subsistence minimum, and real household needs.** As a general rule, **changes to the benefit scheme should ensure coherence with the approach and social protection programs as well as international standards laid down in Conventions adopted by Albania and constitutional rights and standards.**

Measuring the impact of poverty alleviation measures should be an integral part of actions in implementing the social protection policy framework. The success of the measures can not be assessed only through a not-evidence-based increase of the EA amount, but through periodic impact measurements and other analyzes related to economic development and living standards of individuals with special needs and families in need. The results of these analyzes should systematically inform policy-making.

5. / References /

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UN Women (November 2021) (Draft) Report on the Reintegration Model for Survivors of Gender-Based Violence.

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o **Laws and Decisions**

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Law No. 7889, dated 14.12.1994 “On the status of the invalid”, as amended (OJ 19 dated 31.12.1994).

Law No. 8626, dated 22.06.2000 “On the status of paraplegics and tetraplegics”, as amended (OJ 20 dated 18.07.2000).

Law No. 10129, dated 11.05.2009 “On the civil status”, as amended (OJ 85 dated 21.06.2009).

Law No. 57/2019 “On social assistance in the Republic of Albania” (OJ 113 dated 01.08.2019).

Law No. 7511, dated 8.8.1991 “On the ratification of the Republic of Albania of the International Covenant on economic, social and cultural rights” (OJ 6 dated 29.08.1991).

Law No. 8137/1996 “On the ratification of the European Convention for the protection of human rights and fundamental freedoms” (OJ 20 dated 12.08.1996).

DCM No. 597, dated 04.09.2019 “On determining the procedures, documentation and the monthly amount of receiving economic assistance and the use of additional fund over the conditional fund for economic assistance”. (OJ 123 dated 09.09.2019).

DCM No. 85, dated 10.02.2021 “On an addendum to Decision No. 597, dated 4.9.2019, of the Council of Ministers, “On determining the procedures, documentation and the monthly amount of receiving economic assistance

and the use of additional fund over the conditional fund for economic assistance” (OJ 24 dated 16.02.2021).

DCM No. 868 dated 29.12.2021 “On some amendments and addenda to Decision No. 597, dated 4.9.2019, of the Council of Ministers “On determining the procedures, documentation and the monthly amount of receiving economic assistance and the use of additional fund over the conditional fund for economic assistance” (OJ 206 dated 31.12.2021).

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Decision of the Constitutional Court No. 33/2010 (https://www.gjk.gov.al/web/Vendime_përfundimtare_100_1.php)

6. Annexes

Annex 1: List of the institutions engaged in interviews and focus groups

No.	Institution
Public Institutions	
1	Ombudsman
2	Commissioner on Protection from Discrimination
3	Ministry of Health and Social Protection
4	Free Legal Aid Directorate, Ministry of Justice
5	State Social Service
6	Korça and Dibra Regional Directorates
7	Municipalities: Mat, Korça, Pogradec and Tirana
8	Free Legal Aid Office, Shkodra
Civil Society Organizations	
9	I, Woman, Pogradec
10	National Line for Women and Girls, Tirana
11	Shelter for Women and Girls, Tirana
12	Woman to Woman, Shkodra
13	Lilium Center, Tirana
14	Woman Forum, Elbasan
15	Vatra Center, Vlora

Annex 2: Legal Summary Table

Type of payment or benefits	Legal and sublegal acts	Legal provision	Beneficiary categories	Benefits
Economic Assistance (EA)	<p>1. Law No. 57/2019, "On social assistance in the Republic of Albania"</p> <p>2. DCM No. 597, dated 04.09.2019 "On determining the procedures, documentation and the monthly amount of receiving economic assistance and the use of additional fund over the conditional fund for economic assistance", amended by DCM No. 85, dated 10.2.2021 "On an addendum to Decision No. 597,</p>	<p>Law No. 57/2019 "On social assistance in the Republic of Albania"</p> <p>Article 7</p> <p>Economic assistance beneficiaries</p> <p>Economic assistance beneficiaries shall be:</p> <p>a) families in need that do not have any income or have insufficient income;</p> <p>b) orphans who are not in social care institutions;</p> <p>c) parents with more than 2 children born at the same time, who belong to families in need;</p> <p>ç) victims of trafficking, after leaving social care institutions, until the moment of their employment;</p> <p>d) victims of domestic violence, for the period of validity of the protection order or emergency protection order, who are not treated in social care institutions.</p>	<ol style="list-style-type: none"> 1. Families in need, who have no or insufficient income; 2. Orphans who are not in social care institutions; 3. Parents with more than 2 children born at the same time, belonging to families in need; 4. Victims of trafficking, after leaving the social care institutions, until the moment of their employment; 5. Victims of violence in family relations, for the period of validity 	<p>1. Payment in the form of a monthly bonus in ALL:</p> <ul style="list-style-type: none"> - The economic assistance amount for families in need is determined according to the household structure and may reach up to 150 percent of the social pension amount and indexed. - The amount of economic assistance, per month, for parents of children

<p>dated 4.9.2019, of the Council of Ministers, "On determining the procedures, documentation and the monthly amount of receiving economic assistance and the use of additional fund over the conditional fund for economic assistance"</p>	<p>Article 12 Economic Assistance Payment</p> <p>1. Economic assistance is a temporary installment, which shall be given in the form of cash benefit to the categories defined in Article 7 of this Law. The time limit of the economic assistance shall be determined by a decision of the Council of Ministers.</p> <p>2. The economic assistance that families and persons in need shall benefit, shall be full and the amount shall not be limited due to the number of household members. Families that do not have income or have insufficient income from social protection programs, remittances, rent, assets, agriculture or other income, as well as persons defined in Article 7, of this Law shall benefit economic assistance.</p> <p>3. Families and persons in need shall be entitled to obtain in-kind benefits. The method of obtaining in-kind benefits shall be determined by decision of the Council of Ministers.</p> <p>4. Children of families in need, who receive economic assistance, and orphans who are not in the institutions, attending compulsory education, pursuant to applicable Law on Pre-University Education in the Republic of Albania, shall receive a supplement, until the end of compulsory</p>	<p>of the protection order or emergency protection order, who are not treated in social care institutions</p>	<p>born at the same time is, as follows: a) Triplets, ALL 3 000 (three thousand) per child; b) Quadruplets, ALL 4,000 (four thousand) per child; c) Quintuplets, ALL 5,000 (five thousand) per child.</p> <p>– The economic assistance amount for victims of trafficking is ALL 3,000 (three thousand) per month.</p> <p>– The economic assistance amount for each victim of domestic violence who is not treated in social care</p>
<p>3. Law No. 9669, dated 18.12.2006, "On measures against violence in family relations", as amended</p>	<p>3. Families and persons in need shall be entitled to obtain in-kind benefits. The method of obtaining in-kind benefits shall be determined by decision of the Council of Ministers.</p> <p>4. Children of families in need, who receive economic assistance, and orphans who are not in the institutions, attending compulsory education, pursuant to applicable Law on Pre-University Education in the Republic of Albania, shall receive a supplement, until the end of compulsory</p>		

sory education, in the amount determined by the Council of Ministers.

5. Children of families in need as well as orphans, who are not in institutions, who have been vaccinated according to the vaccination calendar, shall receive a supplement, for each vaccine received, in the amount determined by a decision of the Council of Ministers.

6. To the member of a family in need, who is a person with disabilities, work invalid or economic assistance beneficiary, pursuant to the provisions of Article 7 of this Law, the economic assistance amount shall not be calculated towards the household economic assistance structure.

7. To the member of the family in need, who, by a final court decision, is serving an imprisonment sentence or who is treated with mandatory treatment by a court decision, in special medical institutions, the economic assistance amount shall not be calculated towards the household economic assistance structure.

8. The procedure, documentation and the monthly economic assistance amount shall be determined by a decision of the Council of

institutions, determined by the protection order or emergency protection order, is ALL 3,000 (three thousand) per month.

– The economic assistance amount for each orphan is ALL 3 000 (three thousand) per month.

– Family members, children/orphans who are not in institutions, and it is attested that they attend basic education until the age of 16, receive a supplement of ALL

Ministers. The economic assistance amount for families in need shall be determined according to the family structure and shall increase up to 150 percent of the social pension amount and indexed.

Article 11

Non-beneficiaries

The following persons shall not benefit from this law:

...dh) persons treated in public residential care institutions, financed from state budget funds, for the economic assistance amount or disability allowance.

DCM No. 597, dated 04.09.2019 “On determining the procedures, documentation and monthly amount of receiving economic assistance and the use of additional fund over the conditional fund for economic assistance”, as amended.

III. ECONOMIC ASSISTANCE AMOUNT

1. The economic assistance that families and

300 (three hundred) per month throughout the school year.

– Family members, children/orphans who are not in institutions, and it is attested that they have been vaccinated according to the vaccination calendar, receive a supplement of ALL 100 (one hundred), for each vaccination received.

persons in need shall benefit, shall be full and the amount shall not be limited due to the number of household members. Families who do not have any income or have insufficient income from social protection programs, remittances, rent, assets, agriculture or other income, and a) families in need, who do not have any income or have insufficient income; b) orphans who are not in social care institutions; c) parents with more than 2 children born at the same time, belonging to families in need; ç) victims of trafficking, after leaving the social care institutions, until the moment of their employment; d) victims of domestic violence, for the period of validity of the protection order or emergency protection order, who are not treated in social care institutions shall benefit economic assistance.

12. To the member of a family in need, who is a person with disabilities, work invalid or economic assistance beneficiary, the economic assistance amount shall not be calculated towards the household economic assistance structure.

Law No. 9669, dated 18.12.2006, "On measures against violence in family relations", as amended

Article 6

The main responsible authority shall have the following duties:

c) support with the establishment of support structures, in cooperation with the referral mechanism, for the coordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence, as well as their complementation with the necessary infrastructure, in accordance with the principle of “reasonable accommodation”, which serves to support and meet all the needs of victims of domestic violence, **including financial assistance, as well as medical and social services, pursuant to the legislation in force;**

Article 7

4. Local self-government units, pursuant to the provisions of applicable legislation on local self-government, and in the framework of implementing this law, shall have the following duties:

b) setting up social and rehabilitation centers for victims and providing services to them; coordinating work with existing centers, by giving priority to specialized centers in relevant fields and emergency centers for the immediate treatment of victims of domestic violence;

PwD	<p>1. Law No. 57/2019, “On social assistance in the Republic of Albania”</p> <p>2. DCM No. 182, dated 26.2.2020 On determining the amount, criteria, procedures and documentation for the assessment and allowance benefit for persons with disabilities, as well as of the personal assistant, amended by DCM No. 707, dated 9.9.2020 “On some amendments and amendments to Decision No. 182, dated 26.2.2020, of the Council of Ministers, “On determining the amount, criteria, procedures and documentation for the assessment</p>	<p>Law No. 57/2019 “On social assistance in the Republic of Albania”</p> <p>Article 8</p> <p>Beneficiaries of the disability payment shall be:</p> <p>a) paraplegics and tetraplegics, declared as such by decision of the Medical Commission for Work Capability Assessment (MCWCA), who have developed such a condition irrespective of its cause or age;</p> <p>b) persons with disabilities, who are declared incapable of work by decision of the Medical Commission for Work Capability Assessment, as well as persons incapable of work, according to the Medical Commission for Work Capability Assessment, who do not meet the legal requirements to benefit the work invalidity pension pursuant to the Law on Social Insurance in the Republic of Albania;</p> <p>c) persons with disabilities, declared as such by decision of the Multidisciplinary Disability Assessment Commission;</p> <p>ç) persons who have been declared work invalids by decision of the Medical Commission for Work Capability Assessment, who receive an invalidity pension and a monthly supplement, in accordance with the Status of Work Invalid.</p>	<p>1. Paraplegics and tetraplegics, declared as such by decision of the Medical Commission for Work Capability Assessment (MCWCA), who have developed such a condition irrespective of the cause or age.</p> <p>2. persons with disabilities, who are declared incapable of work by decision of the Medical Commission for Work Capability Assessment, as well as persons incapable of work, according to the Medical Commission for Work Capability Assessment, as well as persons who are declared incapable of work by decision of the Medical Commission for Work Capability Assessment, in accordance with the Status of Work Invalid.</p>	<p>1. Payment in the form of a monthly bonus in ALL:</p> <p>– The benefit amount for persons with disabilities, for a) paraplegics and tetraplegics, declared as such by decision of the Medical Commission for Work Capability Assessment, regardless of the cause and age; and b) persons with disabilities, who are declared incapable of work by decision of the Medical Commission for Work</p>
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and allowance benefit for persons with disabilities, as well as of the personal assistant”

Article 11

Non-beneficiaries

The following persons shall not benefit from this law:

...dh) persons treated in public residential care institutions, funded by the state budget, for the economic assistance amount or disability allowance.

Article 18

Benefit from the health care insurance scheme

Economic assistance and disability allowance beneficiaries shall be included in the economically inactive persons category, according to the Compulsory Health Insurance Scheme.

DCM No. 182, dated 26.2.2020 “On determining the amount, criteria, procedures and documentation for the assessment and allowance benefit for persons with disabilities, as well as of the personal assistant”, as amended

Assessment, who do not meet the legal requirements to benefit the work invalidity pension pursuant to the Law on Social Insurance in the Republic of Albania;

3. persons with disabilities, declared as such by decision of the Multidisciplinary Disability Assessment Commission; persons who have been declared work invalids by decision of the Medical Commission for Work Capability Assessment, who receive an invalidity pension and a monthly supplement, in accordance with the Status of Work Invalid.
- 4.

Capability Assessment, as well as persons incapable of work, according to the Medical Commission for Work Capability Assessment, who do not meet the legal requirements to benefit the work invalidity pension pursuant to the Law on Social Insurance in the Republic of Albania is ALL 10 653 (ten thousand six hundred and fifty three) per month.
– The personal assistant of the person

I. DISABILITY ALLOWANCE CRITERIA 1. The persons defined in subparagraphs “a” and “b”, of Article 8, of Law No. 57/2019, “On social assistance in the Republic of Albania” shall benefit a disability allowance.

2. Persons with disabilities who do not meet the legal requirements for receiving a work invalidity pension pursuant to Law No. 7703, dated 11.5.1993, “On social insurance in the Republic of Albania”, as amended, whom, by decision of the medical commissions for work capability assessment are determined to require care, shall be entitled to a paid personal assistant.

III. DISABILITY ALLOWANCE AMOUNT

1. The benefit amount for persons with disabilities, determined pursuant to paragraph 1, Chapter I of this Decision, shall be ALL 10 653 (ten thousand six hundred and fifty three) per month. The personal assistant of the person with disabilities shall benefit the same payment amount, as laid down in subparagraph “b”, Article 8 of Law No. 57/2019, “On social assistance in the Republic of Albania”. Disability allowances and personal assistant payments shall be indexed annually by the State Social Service, based on the consumer price index.

with disabilities shall benefit the same payment amount, as laid down in subparagraph “b”, Article 8 of Law No. 57/2019, “On social assistance in the Republic of Albania”.

– Persons with disabilities benefit double (200%) the amount of disability allowance during the time they attend a qualification course/school year only for one qualification course/school year,

7. Disability allowance beneficiaries shall be included in the economically inactive persons category, according to the Compulsory Health Insurance Scheme. 8. The period of service as personal assistant to the persons defined in subparagraph "a", Article 8 of Law No. 57/2019, "On social assistance in the Republic of Albania", who are not economically active and do not receive income from the compulsory social insurance scheme, shall be deemed an insurance period, for pension, maternity leave, work accident, occupational disease and health insurance benefit purposes. Contributions shall be paid based on the minimum wage, for the purpose of calculating the compulsory social insurance contribution, and shall be covered from the state budget.

10. Disability allowance shall not be calculated towards household income, for the purpose of calculating economic assistance.

within the timeframe set for completing the qualification course/school year.

- Persons with disabilities who attend higher education in the first and second cycle study programs, benefit triple (300%) the amount of disability allowance while attending studies only for one study program, within the timeframe set for the completion of the study program.

<p>Paraplegic and Tetraplegic persons</p>	<p>Law No. 8626, dated 22.06.2000, "On the status of paraplegics and tetraplegics", as amended</p>	<p>Law No. 8626, dated 22.06.2000, "On the status of paraplegics and tetraplegics", as amended.</p> <p>Article 15</p> <p>Paraplegic and tetraplegic persons, regardless of the income they receive from the state, shall receive a cash supplement due to their paralysis, at the amount determined by the Council of Ministers. This supplement shall not be calculated in the household income for economic level purposes. Invalids shall be entitled to a payment, at the same amount, for their caretaker, chosen in accordance with legal procedures.</p>	<p>Paraplegic means any person suffering from paralysis of the lower parts of the body as a result of spinal cord injury from various causes.</p> <p>Tetraplegic means any person suffering from paralysis of the four body parts as a result of spinal cord injury from various causes and classified as such by decision of the Medical Commission for Work Capability Assessment.</p>	<ol style="list-style-type: none"> 1. They are exempt from direct taxes. 2. They are exempt from paying for health contributions and are entitled to free-of-charge medicines covered by the health insurance scheme as well as benefit from an income supplement to cover expenses, and the necessary package with special hygienic-sanitary materials. 3. They benefit education funds. 4. They benefit compensation for transport services. 5. They benefit compensation for electricity and landline telephone bills. 6. They receive a cash supplement due to their paralysis, which is not calculated towards the household income for economic level purposes. They benefit the same amount for their caretaker. 7. They are exempt from customs duties on devices which assist them in their integration in life, including vehicles adapted for their use.
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<p>Persons with the invalid status</p>	<p>Law No. 7889, dated 14.12.1994 “On the status of the invalid”, amended.</p>	<p>Article 7</p> <p>Work invalids, who have been employed in enterprises, state institutions, former agricultural cooperatives, military units, as well as conscripts, suffering from occupational diseases, injured at work and with various diseases, who receive an invalidity pension, pursuant to Law No. 4171, dated 13.9.1966 “On social insurance in the People’s Republic of Albania”, amended, Law No.4976, dated 29.6.1972 “On the pension of former agricultural cooperative members”, as amended and Law No. 7703, dated 11.5.1993 “On social insurance in the Republic of Albania”, as amended, shall</p>	<p>Persons with invalid status are:</p> <ol style="list-style-type: none"> 1. Persons injured at the workplace 2. Persons suffering from an occupational disease or various diseases who receive an invalidity pension from the social insurance system. <p>Persons injured at work, ill with occupational disease or various diseases who receive an invalidity pension from the social insurance system.</p>	<ul style="list-style-type: none"> – They receive an invalidity pension + a monthly supplement on the invalidity pension, as a disability benefit, from the State Budget. The disability benefit criteria and relevant amount shall be determined by decision of the Council of Ministers.
				<ul style="list-style-type: none"> – They benefit free-of-charge at home medical service. – They benefit: <ul style="list-style-type: none"> a) mobility aids and various orthopedic devices; b) special hearing and visual aids; c) ventricular assist devices, etc. The criteria are determined by regulation of the Social Insurance Institute. – They are exempt from customs duties on mobility and assistive devices. – They benefit certain areas in coastal, mountain, and seaside holiday homes, where appropriate adaptations are made to remove architectural barriers to various disability categories.

benefit a monthly supplement on the invalidity pension, as a disability benefit, from the State Budget. The disability benefit criteria and relevant amount shall be determined by decision of the Council of Ministers.

No. 4171, dated 13.09.1966, "On social insurance in the Republic of Albania", as amended, Law No. 4976, dated 29.06.1972, "On the pension of former agricultural cooperative members", as amended and Law No. 7703, dated 11.05.1993, "On social insurance in the Republic of Albania", as amended, are entitled to the invalid status.

- They benefit free-of-charge inner city public and private transport. They may travel by public and private means of transport free-of-charge.
- They receive a 50% discount of the ticket price for artistic performances, museums, matches and sports events.

They are exempt from direct taxes provided for by Law No. 7680, dated 3.3.1993 "On the tax system in the Republic of Albania".

<p>Persons with the status of the blind</p>	<p>Law No. 8098, dated 28.3.1996 “On the status of blind persons”, amended.</p>	<p>Article 5 Notwithstanding other income received by the state, blind persons shall receive a supplement due to their blindness at the amount determined by the Council of Ministers which shall not be calculated towards the household income for poverty purposes. Their caretaker, per their choosing, shall benefit the same amount.</p> <p>Article 15 Blind persons defined in Article 1 of this Law shall benefit from all the rights provided for by Law No. 7889, dated 14.12.1994 “On the status of the invalid”.</p>	<p>This law benefits all persons with complete or partial visual impairment, whether born or acquired, who according to medical criteria are unable to work in normal conditions.</p>	<ul style="list-style-type: none"> - They receive a supplement due to their blind person status. - They benefit housing from the State. - They receive free education and during the study period, they receive an allowance determined by the Council of Ministers. Those who hold a scientific title permanently benefit such allowance. - They receive free health insurance, medicines and medical devices up to the amount determined by the Council of Ministers. - They, together with their companion, are entitled to travel free-of-charge in urban transport and at half price in interurban transport, both public and private. - They benefit from paying 20% of the monthly electricity consumption value, while the difference is covered by the State. - They benefit free access to cultural facilities.
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Other benefits	1. Law No.121/2016, “On social care services in the Republic of Albania” 2. DCM No. 518, dated 04.09.2018 “On community and residential social care services, procedures to receive these services and personal expense amount for organized service beneficiaries”;	Law No. 121/2016 “On social care services in the Republic of Albania” Article 6 Social care service beneficiaries 1. Social care service beneficiaries include the following social groups: a) families and every child, as well as the child who enjoys international protection in the Republic of Albania, pursuant to the legislation in force on asylum; b) persons with disabilities; c) adults, with social problems, victims of violence, trafficking, drug and alcohol addiction; ç) pregnant girls or the single parent of a child up to one year of age; d) minors and youth in conflict with the law, who have completed their sentence and need social care services for the purpose of reintegration into society, as well as those who enjoy international protection by decision of the authority responsible for asylum and refugees in the Republic of Albania; dh) elders in need. 2. A person who is not included in the social care service beneficiaries, pursuant to paragraph 1 of this Article, by paying the respective fees shall have the right to request the temporary placement in the	1. Families and every child, as well as any child enjoying international protection in the Republic of Albania, pursuant to the asylum legislation in force; 2. persons with disabilities; c) adults facing social problems, victims of violence and trafficking, drug or alcohol addicts; 3. pregnant girls or single parents of a child up to one year old; 4. minors and youth in conflict with law, that have completed their sentence	1. They benefit the following services: a) pre-social services; - b) services in community centers, including development centers; c) services in residential centers, including shelters; ç) social services in emergency situations; d) alternative care services for children without parental care; dh) specialized

service provision institutions, regardless of them being residential or community-based, under the conditions specified in this law, until the special circumstances for which the service has been requested have been improved.

Article 8

Types of social care services

1. Social care services are organized as community, care institutions and household services for all identified beneficiary categories. 2. The types of social services are: a) pre-social services; b) services in community centers, including development centers; c) services in residential centers, including shelters; ç) social services in an emergency situation; d) alternative care services for children without parental care; dh) specialized services; e) telephone or on-line counseling service.

period and are in need of social care services, aiming at their reintegration into society, as well as those enjoying international protection upon a decision of the authority responsible for asylum and refugees in the Republic of Albania;

5. elders in need.

services; e) telephone or online counseling service.

Housing	Law No. 22/2018 "On social housing"	Law No. 22/2018 "On social housing" Article 2 Definitions 44. "Household income" is the periodic income that a household secures from wages, economic activity, payments received by family members caring for a person with disabilities, bank deposit interest, income from third parties, rent from immovable property. These incomes do not include income from economic assistance, unemployment benefits, disability allowances, according to the status of work or war invalid, from economic assistance due to disability, provided by Law No. 9355, dated 10.3.2005, "On social assistance and services", as amended, Law No. 8098 dated 28.3.1996, "On the status of blind persons", amended and Law No. 8626, dated 22.6.2000, "On the status of paraplegics and tetraplegics"; from reimbursement of electricity costs; reimbursements for medicines and treatments for the chronically ill and from hygiene-health packages for persons with disabilities.	1. Any individual who has reached the age of 18 and: - does not own an apartment or owns living space below the housing norms or live in apartments outside applicable standards, for which housing norms are determined by decision of the Council of Ministers; - is homeless as a result of: i) natural disasters; ii) demolition of buildings unqualified as dwellings, iii) relocations due to public investments and buildings excluded from the legalization process; - from the implementation of administrative acts and the implementation of final court decisions; - households that have an old dwelling, at risk of collapsing,	Pursuant to the law, categories benefit from: - the social housing rental program, hereinafter SHR; - the program for improving existing housing conditions, including a new construction; - low-cost housing program, hereinafter LCH; ç) the program for the development of the area for housing purposes; d) the program for the creation of temporary housing; dh) the specialized housing program.
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Article 3

Housing affordability principle

1. Housing shall be considered affordable if the household with: a) an average income shall not spend more than 25 percent of its monthly income to ensure adequate housing; b) low income shall not spend more than 20 percent of its monthly income to ensure adequate housing; c) very low income shall not spend more than 15 percent of its monthly income to ensure adequate housing. 2. Housing costs shall not include costs for water supply and electricity services.
3. Housing for low-income families shall be provided by state institutions, through one of the social housing programs provided by this law.

or a dwelling that is subject to a regulatory plan, due to its old age.

- Foreign citizens, with regular residence in Albania.
- minors under the age of 18, after release or completion of the alternative measure program, when, due to a court decision or an administrative act, become homeless, because they can not live with their parents, legal guardian or family.

- Local self-government units ensure that families and individuals who do not qualify as beneficiaries in one program are provided with the option to transfer and benefit from another social housing program where they meet the legal requirements.

- The individual/family cannot benefit from more than one social housing program at the same time.



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