

Women Empowerment in Albania: Achievements and Shortcomings Throughout the Years

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Abstract

The activity and the commitment of the Albanian state to ensure gender equality and empowerment of women as most discriminated subjects in the domains of politics, economy, social, cultural and civic society in Albania, as a result of the traditional society and the countries' history, is a serotinous process and only during the late 90s occurs the first legal change. This paper analyses the process of ensuring gender quota, despite different interpretations and singularities in the countries where it is applied and its implementation in Albania. In the Albanian context it means only the participation of no less than 30% of women in the executive, legislative and local governance. Application of this quota in the last parliamentary elections resulted partly successful but preliminary lists of the upcoming local elections, once again show the imbalance that exists in the ratio of female representation in politics. This paper aims to recommend how to improve and modernize the political reality in Albania through participation of Albanian women in active politics.

Keywords: Women, politics, gender equality gender quota, legal issues.

1. Women Empowerment in Albania - Achievements and Shortcomings Throughout the Years

The activity of Albanian government with regard to its engagement to guarantee gender equality and the empowerment of women, as one of the most discriminated social groups in the political, economic, socio-cultural and civic spheres in the country, begins with the ratification of the "The Convention on the Elimination of all Forms of Discrimination Against Women" through the law no. 7767 of 9.11.1993 which took effect on 11. 05. 1994. The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) was ratified by the UN National Assembly in 1979 and took effect in year 1981. The Ratification of this convention turned Albania into a state party obliging it to take measurements against discrimination of women not only in government institutions, but also in the private institutions, organizations as well as individuals¹.

In April 17, 2013, upon the law no. 9052 Albania became part of the additional protocol of the Convention "on the Elimination of all Forms of Discrimination Against Women". Based on this, Albania is obliged to present a report which will present the legal measurements, the first year after the convention went into force Albania is obliged to present legal, judicial and administrative measures undertaken by the Albanian government in conformity with the Convention as well as the difficulties and progress made in this regard. The Albanian government had to do this as early as the first year after the Convention went into effect. In addition, it had to do this once in four years, or upon request. As a result of this, a Committee CEDAW is set up near the General Secretary of the UN that is responsible for the evaluation of the reports, recommendations and the intermediary measurements to prevent the irreparable damages towards the people whose rights stated in the Convention CEDAW have been violated.

In the analysis of the first report on Albania, after January 2003, one of the recommendations given by the Committee CEDAW was: the concern of the Committee on the lack of a comprehensive review on the part of Albanian government of the laws that are in conformity with the Convention CEDAW, thus creating a space for discrimination against women. In addition, the recommendation urged the government to create equal opportunities among women and men in the labor market in Albania, as well as set up policies and programs to empower women in rural areas.

Upon ratification of Optional Protocol, the Albanian government recognizes the competence of the Committee CEDAW to take into consideration claims that come directly from individuals or groups who are included under its

¹ Bozo. A., 2009. Konventa CEDAW dhe protokollit I saj opsional-mjet për arritjen de facto të barazisë gjinore. Gaia, nr. 9, p 35-46.

jurisdiction, through a set of communication procedures that allow communication from individuals, or on behalf of individuals or groups of individuals. Additionally, in the absence of government report², based on four year terms, or specific requests on the part of the Committee CEDAW, the Convention and Optional Protocol of the Convention also forecast Alternative Reports prepared by NGOs. Such an alternative report is the one prepared in 2006 from a coalition of NGOs³. The Alternative Report was a response to the first two government reports prepared in January 2003 and analyzed the achievements, obligations and challenges facing the Albanian government based on the obligations of Convention CEDAW, Optional Protocol CEDAW and recommendations of the Committee CEDAW.

Regardless of the importance of the active involvement of these groups which analyse the Convention CEDAW and convey their experience and concern to the Committee CEDAW, what was of concern was still the fact that there had been no individual or groups of individuals recognized under the Albanian government that had proceeded with the direct communication with the Committee CEDAW. Of course, this situation raises some important issues that have to do directly with the recognition and engagement of institutions that are related to the Convention CEDAW, its promotion among Albanian women up to the effectiveness of the justice system in Albania. Other achievements within the framework of the promotion of gender equality and empowerment of Albanian women in politics and government refer to year 2008, a year in which the law "Gender Equality in Society" was ratified.

According to article 5 of the law "Gender Equality in Society", "it is guaranteed the participation with over 30% of each gender in the bodies of the three powers"⁴. In such a way, the gender quota refers not only to the parliament and the local government, but also other public institutions and the election commissions. The guarantee of gender quota, regardless of its specificities and various interpretations, in our context means participation of no less than 30% of women and men in each of the powers⁵.

More specifically, article 15 of law "Gender Equality in Society" ensures gender representation in the quota of above 30% in the leadership bodies of three powers; respect of procedures of competition and appointment in leadership bodies; gender representation of a quota of no less than 30% in the list of candidates for leadership bodies in local elections; gender representation of no less than 30% in the list of the candidates of political parties in the proportional system for the Parliamentary elections; gender representation of above 30% in the bodies of administration for the local and central elections.

It is naturally to think that the establishment of gender quota has to do, first and foremost, with the empowerment of women, as well as benefits women can gain, as the social group who, compared to men, have suffered the lowest representation in politics and decision making.⁶ Regardless, the provisions in the country seem to be inadequate to guarantee gender quota of above 30% required by the law. According to these provisions, it is up to the parties or coalitions in competition to choose among the nominations; or prepare lists with representations no less than 30% of each gender or choose one candidate of each gender among the first three of each list⁷. In any case, there was a lot of enthusiasm on the novelty of the law of the gender quota and there were many expectations for at least five achievements with regard to the decision making capacities of women in the country.

We refer here to the equality in the opportunities to take decisions for important issues in their life; capacity to be an added value that enhances the quality of debates and decisionmaking on the government level and the leadership bodies; perspectives to enhance the sensibility towards gender issues; alternatives to increase empowerment of women versus stereotypes as a weaker sex; opportunities to develop management and leadership capacities of women, increasing the political contribution of more than half of the population of the country (Fico. D., 2009).

² According to an special Order of the Prime Minister, no. 201, date 05.12.2007, it is charged with the task of outlining the National Periodical Report, the interdepartmental group consisting of representatives of the following institutions: Ministry of Labor, Social Affairs and Equal Opportunities, Ministry of Justice, Interior Ministry, Ministry of Health, Ministry of Education and Science, Ministry of Economy, Trade and Energy, Ministry of Agriculture, Food and Consumer Protection, Ministry of Tourism, Culture and Youth, and Sports, Ministry of Finance, Institute of Social Security, Institute of Statistics

³ Coalition for the preparation of alternative reports in Albania consists of: 1. Chemonics International; 2. Albanian Helsinki Committee; 3. Center for the Protection of Children's Rights in Albania; 4. Center for legal civic initiatives Albania; 5. Gender alliance for development center Albania; 6. Albanian Center for Population and Development; 7. "VATRA" Center; 8. The association "Useful to Albanian Woman"; 9. Tirana Legal Aid Society; 10. Society "Reflection"; 11. Union "Amaro Drom".

⁴ Anastasi. A., 2009. Barazia gjinore dhe kuvendi. Si do të jetë kuvendi i ardhshëm? Gaia, nr. 8, p 9-15.

⁵ Gender Based Equal Participation in the legislative, executive and judicial bodies.

⁶ Fico. D., 2009. Kuota mbi baza gjinore: çfarë do të na sjellë e çfarë jo? Gaia, nr.8, p 16- 22.

⁷ Anastasi. A., 2009. Barazia gjinore dhe kuvendi. Si do të jetë kuvendi i ardhshëm? Gaia, nr.8, p 9- 15.

However, the results of parliamentary elections of July 28, 2009 showed that the reality of the presence of women in the list of political parties and Albanian parliament was far from the law of 30% gender representation. The list of political parties showed all the deficiencies with regard to the respect of the quota of 30% of representation of the women, as well as with regard to their position in the winning places of the party lists.

The Albanian parliament after the elections of July 28, 2009 consisted of 140 deputies. Only 23 of them were women. This lack of representation (19 women fewer based on quota) had to do with the ranking of women candidate at the bottom of the party lists, therefore, limiting their potential to win. However, only a few considered this as a way to be pessimistic, given that at least, there was some progress with regard to the representation of women in the parliament. After the two legislatures, the number of women who were elected members of parliament doubled⁸.

The situation seem to have improved since the elctions of July 21, 2013. There are 29 women in the parliament today out of a total of 140 members of parliament (about 20 % of all members of parliament). While on a local level, referring to the Municipality Councils in the country, the situation seem to have worsened. The level women representation is about 9 per cent. The only accomplishment with respect to the law on Gender Equality has to do with the composition of the Government Cabinet where the quota of 30% representation of women in ministerial position has been reached. Within this framework, upon the initiative of the Coalition for the Encouragement of the Participation of Women and Youth in Politics, it is set up the Caucus of women members of Albanian Parliament. This works like an informal structure where the women who are members of parliament of all parties, work together to increase the number of women in politics and decision making.

One of the main roles of this Caucus is the proposal for the improvement of the election code with the aim of respecting gender quota, as well as the proposal for the improvement of the law of political parties in Albania. Today we are in the circumstances where the proposal on the gender quotas not only to surpass the 30% quota (proposing the increase of the quota to 40% for local elections), but also to reach 50% in the representation of women in the leadership position of the local government and the composition of the Albanian Parliament, making 70 the number of women representatives⁹.

Regardless of the accomplishments with regard to attempts to increase participation of women in politics and decision making, there is still a lot to be done, especially in the area of academic and research careers, business, economic empowerment, income equality, as well as in the wider sense of socio-cultural issues. The inclusion of women in research career and in those spheres known as the "sciences of terrain" in Albania was present as early as 1947-1948¹⁰. They were an exceptional example of work and systematic professional engagement, but also an example of the sacrifices and efforts to manage family obligations that a woman has to face in a patriarchal society. However, the road of Albanian women toward their academic careers has not been easy and it is not yet easy. One can easily notice gender inequality if we refer to the employment of academics in natural sciences who hold the title Professors and Associate Professors,¹¹ as well as the probability that a new professor advances in her career until the moment she obtains the highest academic titles¹². It is paradoxical the fact that the number of women who start academic career and finish it up to the level of qualification (MA level) is several times higher compared to that of men.

The big differences, however, can be seen at the level of the highest qualifications. If the probability that a male lecturer with an MA degree and/or doctorate is half the probability to become a "Professor", in the case of women this probability falls up to 1/18, that is only 1 out of 18 women receive the title "Professor".¹³

The reasons for this difference vary. They have to do with the male domination in the university hierarchy, given they have the positions of the members of the senate, deans, and rectors; lack of awareness among the women themselves about these inequalities; the incongruity between models taught at school about freedom, rights of individuals, inadequate educational models that channel toward freedom, individual rights, gender budgeting in line with the academic research, and, on the other hand the gender stereotypes, which limit women's choices within the academic career.

From a sociological point of view, this phenomeon must be seen in a broader context, in its origin, that of family.

⁸ Luarasi. I., (2009). *Barazia gjinore në politikë*. Gaia, nr.9, p 47- 50.

⁹ Albanian Ombudsman., (2015). *Recommendation for Election Code*. www.avokatipopullit.gov.al/.../Rekomandim%20për%...

¹⁰ Onuzi. A., (2009). *Kontributi i grave studiuese në shkencat arkeologjike, etnografike dhe folklorike*. Gaia, nr. 9, p 28-32.

¹¹ Papanisto. A., (2009). *Çështje të barazisë gjinore në Shkencat e Natyrës në Shqipëri*. Gaia, nr. 9, p 15-19.

¹² Dhamo. M., (2009). *Ngjyresat gjinore në karrierën universitare*. Gaia, nr.9, p 20-27.

¹³ Dhamo. M., (2009). *Ngjyresat gjinore në karrierën universitare*. Gaia, nr.9, p 20-27.

According to sociologist Gëzim Tushi (2009)¹⁴, NGOs' that deal with gender inequality should focus their efforts not only on the issues of inequality in a broader sphere, that of labor market, politics, cultural sphere, but also on the gender roles within the families, on the gender division of labor within the family. It is necessary to make people aware about issues in those places where the double standards and masculinity are the strongest, in the family, where, historically the tradition has put the woman at a disadvantage. This can be achieved only by instilling in the minds of the people, especially Albanian youth a morality that includes aspect of gender equality at home. Of course, nothing can be done with arrogance and coercion. Contemporary family ideal requires the capacity of its members to understand that division of labor within family must be guided by the principles of skills and abilities of each one of them.

The law of European Union and practices of the European Court of Justice have defined some standards that protect certain social policies of economic assistance, education and gender. In this way, the countries that aspire to become members of the EU must set up institutions that guarantee these rights by law¹⁵. Albania, as one of the countries that aspires to become member of EU, must fulfil these obligations. Beginning with the Treaty of the European Community (Article 141 of the Treaty of EU) and the Amsterdam treaty in 1999, the basic principle of equal wages and gender equality between men and women is crucial for all EU countries (Article 2 of EU). The European Court of Justice argues that the principle of equal pay for equal work between men and women involves a social goal which makes the economic aim come secondary. Within this framework, the concept of pay involves not only basic pay, but also payment for overtime work, various rewards by the employer, compensation for trips and participation in trainings, payment in case somebody is dismissed from work, as well as pensions. Through the so called Directives Reformed 2006/54/ of the EU, which is one of the directives of the EU with regard to this issue, all provisions on employment are combined in one text, including promotion at work, professional training, employment conditions, pay and professional scheme of social securities. In Albania, the law on gender equality in society [No. 9970/28.7.2008] has some articles that focus on payment and all its other components, which aim toward gender equality. In reality, however, gender differences in wages and rewards, are hidden in some other activities of the employer that are related to: gender based differential procedures during the recruitment stage, training, promotion and professional incentives, duration and conditions of trial, social securities and pension benefits, unemployment, invalidity, the right to leave and paid leave, participation in union, transfer to another job, job cuts, or putting an employer in an unfavourable position because of a claim by an employee. Gender based differences in payment are also related to differences in the selection of candidates based on being a mother, the intention of getting pregnant, being pregnant, civil status, parental and family responsibility.

Parallel with the law on gender equality in society, there is also the law for the protection against discrimination [Nr. 10 221/4.2.2010] which is mostly adapted to the Directives of the European Parliament and Council 2006/54/EC on "the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation"¹⁶. The main findings¹⁷ and recommendations¹⁸ of the study conducted by the Center of Gender Alliance for Development in year 2011 revealed that gender based differences in payment were at 17.4%, heavily depending on the index of education. Gender based differences were high with regard to people who had a low and middle level of education. The difference in wages at the upper level of educational background or for those professions that require qualifications drop to 4 per cent. The background required for these types of professions present women with opportunities to get high wages that are similar to those of men who are in similar position at work.

Age also plays a role. With an increase in age, gender based differences in wages toward the end of official employment changes. It reaches 40 % in favour of males. One of the recommendations based on this study is the one that addresses the cooperation between government and civil society in developing an action-plan that aims to reduce the factors that cause gender based differences in wages, including a plan on financial schemes that aim to secure the category of "domestic", being these women or men. Within this framework, the General Gender Budget for year 2013¹⁹ recognizes the major role women play in doing the chores in the house, as well as their care in the community. In such a way, they have an impact on what is called the "economy of care". In order for the production of goods to exist outside

¹⁴ Tushi, G., (2009). *Probleme ekstrapolitike të barazisë gjinore. Gruaja dhe mundimi suplementar*. Gaia, nr. 9, p 51-62.

¹⁵ Gender Alliance for Development Center Albania, (2012). *Pabarazia gjinore në Pagë. Një rast shqipëtar*, Dudaj, Tiranë, p 24-25.

¹⁶ *Ibid*, p 28-29

¹⁷ *Ibid*, p 31-32

¹⁸ *Ibid*, p 58-60

¹⁹ *Buxhetimi i përgjigjshëm gjinor në Programin Buxhetor Afatmesëm të Republikës së Shqipërisë.*, (2013), f 24-25
www.financa.gov.al/.../Buxheti/...buxhetin/Buxhetimi...

home, what is necessary is the preparation of food, shopping, house cleaning, and cleaning of clothes. All these activities have an impact on the economy of a country, regardless of the fact that they do not receive a pay, or a regular monthly pay.

Historically speaking, government policies in terms of gender based equality in the labor market, as well as the fight against gender discrimination at work have run counter to financial interests of economic policies. The forecast of funds in budget for such policies is important so that these policies can be financed and become successfully fulfilled. General gender based budget has a differential impact on men and women because of the difference in their gender roles in society. The goal of the general gender based budget in 2013 is to make possible that the government budget should take into consideration different gender based needs, to contribute to the reduction of gender inequality and implement those public services that enhance gender equality²⁰.

With regard to this aspect, there are two Decisions of the Council of Ministers: more precisely the decision No. 465 of date 18.07.2012, "For the gender integration in the medium- term budget" and the decision No. 21, date 21.06.2013 on "Designation of procedures for the gender integration in the medium-term budget program"²¹. The medium-term budget has a duration of three years 2013-2015. The objective is to be as coherent as possible with those of the National Strategy "For Gender Equality, Reduction of Gender Based Violence and Violence in the Family 2011-2015". The fourth request of the Decision of the Council of Ministers for gender integration in the medium-term budget has to do with the criteria of gender equality for the funds for the regional development. This request is directed to the Fund for the Regional Development in Albania which was set up by law in year²². This is appropriate request for the time, which refers to requests for competing grants, including food and agricultural markets, and others. With regard to this aspect, the Institute for Democracy and Mediation (IDM) in 2014, within a framework of a four year program 2012-2016, that include the cooperation between Albanian government and the UN, carried out, along with the local/regional government in Diber, UN Women and the Swedish government, a project that aimed the empowerment of women in the rural areas through economic clusters²³.

By definition, clusters are defined as: "*geographic concentrations of business/ownership of specialized suppliers, suppliers of services, firms in supporting industries or other institutions (such as universities agencies that define standards or business associations), that work together to offer some products or services*"²⁴. These clusters are seen as an alternative to increase economic empowerment of women, because it enables them to own and control assets, which in turn, influences not only their participation in the labor market, increase of their income, but also of the self evaluation of the women in the rural areas. Such policies are used to decrease the gender gap and the improvement of rural economy in Albania. In this way, rural economy, which is characterized by the fragmentation of small family business, increases its own capacities for cooperation from the level of production to the marketing of product. What is also foreseen is that such a project, will, among others, create added value to the economy, increase actors' capacities and document real evidence of the achievement on a national level²⁵.

The National Strategy for Gender Equality, Reduction of Gender Based Violence and Violence in the Family 2011-2015, is a result of a review of the National Strategy for Gender Equality, Reduction of Gender Based Violence and Violence in the Family 2007-2010. The strategy is in tune with the changes in society, as well as efforts for a society that realizes a full participation of its own citizens without any sex based or gender based identity²⁶.

The problem of gender integration with the aim of women empowerment as the gender category that has been most discriminated against in Albanian society, is placed at the center of all legal, economic, social, research and advocating activities, trying to be in line with the most recent international conventions and policies. Still, the real implementation of laws and programs, the documentation of achievements and problems remain one of the most serious challenges facing Albania.

²⁰ Ibid, p 25-26

²¹ Ibid, p 12-17

²² Ibid, p 43-46

Institute For Democracy And Mediation (IDM)., (2014). *Fuqizimi ekonomik i gruas. Udhëzues mbi ngritjen dhe funksionimin e klasterave ekonomikë*. idmalbania.org/wp-content/.../Liberth-Final_Shqip.pdf

²⁴ Ibid, p 10-11

²⁵ Ibid, p 5-8.

²⁶ *Strategjia Kombëtare e Barazisë Gjinore 2011-2015*. shtetiweb.org/wp.../Strategjia-Kombetare-e-barazise-gjinore-2011_2015.pdf

References

- Anastasi. A., 2009. Barazia gjinore dhe kuvendi. Si do të jetë kuvendi i ardhshëm? Gaia, Tiranë, Albania.
- Bozo. A., 2009. Konventa CEDAW dhe protokollit i saj opsional-mjet për arritjen de facto të barazisë gjinore. Gaia, Tiranë, Albania.
- Dhamo. M., (2009). Ngjyresat gjinore në karrierën universitare. Gaia, Tiranë, Albania.
- Fico. D., 2009. Kuota mbi baza gjinore: çfarë do të na sjellë e çfarë jo? Gaia, Tiranë, Albania.
- Gender Alliance for Development Center Albania, (2012). Pabarazia gjinore në Pagë. Një rast shqipëtar, Dudaj, Tiranë, Albania.
- Luarasi. I., 2009. Barazia gjinore në politikë. Gaia, Tiranë, Albania.
- Onuzi. A., (2009). Kontributi i grave studiuese në shkencat arkeologjike, etnografike dhe folklorike. Gaia, Tiranë, Albania.
- Paparisto. A., (2009). Çështje të barazisë gjinore në Shkencat e Natyrës në Shqipëri. Gaia, Tiranë, Albania.
- Tushi. G., (2009). Probleme ekstrapolitike të barazisë gjinore. Gruaja dhe mundimi suplementar. Gaia, Tiranë, Albania.
- Albanian Ombudsman., (2015). Recommendation for Election Code. www.avokatipopullit.gov.al/.../Rekomandim%20për%...
- Buxhetimi i përgjigjshëm gjinor në Programin Buxhetor Afatmesëm të Republikës së Shqipërisë., (2013), f 24-25
www.financa.gov.al/.../Buxheti/...buxhetin/Buxhetimi...
- Institute For Democracy And Mediation (IDM), (2014). Fuqizimi ekonomik i gruas. Udhëzues mbi ngritjen dhe funksionimin e klasterave ekonomike. idmalbania.org/wp-content/.../Liberth-Final_Shqip.pdf
- Strategjia Kombëtare e Barazisë Gjinore 2011-2015. shtetiweb.org/wp.../Strategjia-Kombetare-e-barazise-gjinore-2011_2015.pdf