

Are People with Disability Included in the Social Welfare System?

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Abstract

Before years 90ies, policies affecting lives of people with disability in Albania have been static. Until then, disability policies were solely responsibility of Ministry of Health and disability was considered only as a health issue. Years 1993, mark the beginning of a crucial reform in the sector of social protection/social welfare in Albania, and people with disability were amongst this reform’s beneficiaries. The article focuses in the welfare system for people with disability in Albania and most specifically on the level of inclusion of people with disability in this system, from the prospective and the perception of people with disability and their parents.

The article is an analysis of political and legal framework in the area of social welfare in the last 20 years. For the purpose of this article, social welfare is considered as the intervention made by government and non government institutions in the country in the field of cash benefits, disability assessment procedures, social and employment services in order to prevent, orientate, and secure the social inclusion of people with disability in the society.

The methodology followed is both qualitative and quantitative. A qualitative methodology is followed through analyzes of different legal and strategic documents in the area of benefits and services for people with disabilities. Semi structured interviews are conducted with representatives of responsible institutions to implement reforms in the social welfare system as well as centers that offer services in Tirana and the other four regions in the country. A quantitative methodology follows to measure perception of the beneficiaries in relation to the social welfare system in Albania.

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Introduction

Studies and research have shown that in more advanced societies, social welfare protection is considered as an important aspect of the role of the state, and social protection provisions are considered to be part of individual human rights entitlements. (Good, 2003). According to Marin (2003) the success or the failure of protection in the disability area, in different ways is decisive to the future of the social welfare states.

Drake (1999) defined a theoretical framework of the social welfare protection system for people with disability. According to him, models of protection varied from models of negative policy that negated the rights, to more advanced models of laissez-faire piecemeal policy making, maximal policy model, social-rights model and the hybrid model in which the state promotes provision of services and legal framework through a twin track approach.

Actually in Albania, people with disability represent the largest group of people in need who fall under the social protection system. Despite the results achieved, the system of social protection in Albania has not yet succeeded in being inclusive for people with disability that actually continue to live in the edge of extreme poverty, and are not able to fulfill the most basic needs and receive the most basic services (Caritas, 2009). Based on Drake scale, the system of social welfare in Albania could be considered as a piecemeal model, whereby the state takes some positive measures, which mostly have been pushed by the consistent pressure or certain circumstances. The very few positive steps are not a result of the wish or the will to design a coherent, comprehensive long term and implement able strategy.

The aim of this material is not only to describe the situation, but to explore on the problems so that the results could be used to improve the inclusion of people with disability as beneficiaries of the provisions in the schemes of social protection in a comprehensive and integrated way through legislation improvement and legislation implementation; improvement of the methods of disability classification through creating a new structure of multidisciplinary assessment; extending and diversifying community services to meet the basic daily needs and demands of people with disability; guaranteeing sustainability of service provision through consistent budgetary planning in local level and contracts with licensed service providers.

Development of the social welfare system for people with disability in Albania

During the communist regime, disability in Albania was considered as health related issue. No effort was taken during that period to empower and enable people with disability to play a role in the society. The system of benefits of that period was just sufficient to cover their basic needs (Olsen, 2000). A Handicap International study (2004), showed that in all Southeastern Europe, the social welfare systems were part of the socialist programs for universal welfare that offered guaranteed labor and social insurance, residential institutions for the profoundly disabled persons. The traditional approach for people with disability was that of mercy, guilty and shame and consequently many families did not declare, hid and isolated their disabled family members (ADRF, 1999). According to Olsen (2000), when there were opportunities, profoundly disabled people were sent to residential institutions; videos transmitted by international media about them in early 90ies shocked the wider opinion. Round 200 people with profound mental disability were kept in isolation in 6 residential centers. The small number of people with disability in institutions is related to lack of financial resources to manage big institutions, but also to the tradition of the Albanian families to care and “protect” the disabled person (Flagler, 2009).

Another category that was treated under the legislation of that time in Albania through payment in cash, were all persons that became disabled at work, who benefited a full or partial pension in compliance with the invalidity scale. This group has been and continues nowadays to be defined with the term “Labor invalids”, categorized as persons with full or partial invalidity¹. The number of beneficiaries from this group was limited, round 1.700 persons².

¹ The pension system was regulated by Law no 4171, date 13.04 1966” For Public Social Security/Insurance in the Popular Socialist Republic of Albania (PSRA)”, that determined the criteria to define invalidity. This law was effective until May 1993, when the new law on Social Insurance/security was released and special dispositions including those on invalidity were adopted.

²Social State Services, 2009. *Manual for the standards of social welfare services for people with disabilities*

Years 90s consist the years of facing with a double transition, first the shift from medical approach of treatment of disability, towards human rights and full inclusive approach, and second the transition from centralized opinion and economy to a market economy. According to people with disability, the social protection system offered less provisions than before. Financial limitations of the years 90ies, influenced reduction of public funding making them insufficient to cover the needs of people with disability as one of the categories mostly affected by social service provisions. Still long after the years 90ies, Albania suffered the lack of tradition in offering social services. According to Handicap International study (2006), access to social services in the countries of Southeastern Europe, continues to be limited because of negative attitudes of the general public, lack of decentralization & local services, lack of professionalism and medical treatment of the issue.

After the years '90 opportunities were created to enable assessment and inclusion of people with disability in a new social welfare system, based on special policy and programs for identification, assessment, their integration and total inclusion in the social life. Law no 7710, date 18.05.1993 "On economic aid and social protection", through cash provisions, offered the first social assistance of the post communist regime to people with disability. The legal framework in the disability area was further improved with the adoption of legal statuses for special categories of people with disability. These legal status guarantee besides provisions in cash, legal protection in the area of social services, employment, reimbursement of electricity, telephone bills and transport, exclusion from some taxes etc. Improvement of law "On economic aid and social protection" with the Law, dated 10.03.2005 "On economic aid and social services" and some ongoing bylaws, enabled the provision of schemes of both cash benefits/provisions as well as provision of services of prevention, early intervention, rehabilitation and integration for this category .

The issue of the necessity to fill in and improve the programs and social schemes influenced design of new strategies and improvement of legislation in the area of social services, adopting contemporary policy and legislation. The reform that is underway in the area of social services, kicked off with the political document of The Strategy of Social Services (2005-2010), that has at its foundation the philosophy of decentralization and deinstitutionalization of social services, through creating services in the community level, close to the beneficiaries including people with disability, close to the need arising to guarantee an independent life and participation on equal bases with the other members of the society.

The reform in the area of social welfare system goes parallel to the process of decentralizing competences and delegating responsibilities to the local government. This process tends to create a system of services, whereby the individual is assisted and supported in the living environment through respecting individual's personality, values, abilities, skills, desires and resources (Deutsche Gesellschaft fur Technische Zusammenarbeit [GTZ], 2008). National Disability Strategy (NDS) and its action plan, a civil society-driven policy for further improvement and implementation, has been transformed into a guide that orients planning and entitlement to the rights of people with disability in areas of social services, education, employment, accessibility, capacity building and legal framework. The disability movement has been decisive in the process of reforming the social welfare system in all its legal aspects (personal experience).

System of disability payment – Cash benefits/provisions

The scheme of cash benefits for people with disability has been considered as one of the main areas of interventions in different strategies of the government of Albania. Albanian legislation affirms two main schemes of cash disability benefits/provisions. The first scheme is the traditional one that of cash benefits from social insurance, inherited from the communist regime. Beneficiaries of that scheme are persons who have become disabled at labor and are acknowledged with the term “labor invalids”. The total number of beneficiaries from that scheme is 53,965 persons, of those 1,500 benefits payment for care-giver/ personal assistant. (for more information refer to Table 1 in the annex)³. The second scheme is related to the disability allowance payment for persons who have been born or have become disabled for reasons other than work/labor. The number of beneficiaries in that scheme is 76,975, of whom 15,098 are care –givers of persons with disability.⁴

Payment of disability allowance has been applied in the year 1993, based on the first Albanian law for social protection (Law No.7710; 1993). Based on that law, persons with disability were entitled to a special financial aid in cash equal to the economic aid that was given to the householder (around 22\$/per month). Later on, persons with disability were receiving an individual payment for person, based on the medical assessment. Legal framework of the year 1993 had lot of shortcomings with regard to disability assessment for different group ages and a considerable number of persons with disability were left out of the schemes.

These shortcomings were reflected in the new law of social protection in the year 2005. This law improved the definition of the beneficiaries of disability allowances; included the concept of care-givers based on the disability assessment by the medical commission; improved the concept of social services for individuals and groups in need, including people with disability.

Actually persons with physical, mental and sensory disability benefit 87\$ per month, and at the same level is the payment for care givers. The blind people receive a monthly payment 98\$ and their care givers receive the same amount. Persons with paraplegia and quadriplegia (para and tetraplegia), receive the basic payment of 87\$ per month as well as a payment of 92\$ for their care givers, the latter are also entitled to their social and health insurance benefit and the care giving service is acknowledged as work affecting thus entitlement to retirement and pension. In addition to disability allowance/payment, the groups with special legal status benefit other payments in cash or in services. Special legal statuses for different disability categories are the Law on the Status of Labor Invalids (1994); Law on the Status of the Blind (1996); Law on the status of Para and tetraplegics (2000). Those laws provide for other disability payments for different levels of education, public transport facilities, social housing/accommodation; reimbursement of

³, Data from Ministry of Labour, Social Protection and Equal Opportunities

medicine, compensation of electricity and telecommunication, exclusion from different taxes etc.

Law No. 7703, date 11.5.1993 “For Social Insurances in the Republic of Albania”(changed), initially supported with incomes only persons becoming disabled at work with the basic condition of being contributors in the social insurance scheme at the moment when disability occurred. The changes in the Law No 9377, date 21.04.2005, brought about extension in the number of beneficiaries, changes that affect more the labor invalids of the first category, but still exclude other categories of people with disability, despite their contribution to the social insurance scheme.

Cabiri & Xhillari (2005) found out that only the direct cost of disability was reimbursed by Albanian state. The “invisible costs” of reimbursement of various supportive services, including social, rehabilitation, and medical were not subject of benefits. The social protection scheme for disability in Albania is mostly cash based payments/ provisions oriented. This relates to the fact that persons with disability and their families belong to the poorest strata of the population. Although a great number of beneficiaries from this scheme (~ 45.000 persons with disability) benefit only 87\$ per month⁵, corresponding to almost half of the actual minimum official salary⁶, incomes from disability payments consist incomes used by the Albanian families to cover all family basic needs. Despite the fact that the cash benefits’ scheme has been consistently been improved, mostly because of pressure from disability movement, still it remains problematic. This scheme stimulates parasitism for special categories of people with disability, it hinders orientation towards employment, limits and disorientates the need for services for people in need, restricts the right for a free choice of the care giver other then the family members thus hindering the process of setting up the service of personal assistance. On the other hand, this solution forces the female family members to remain isolated and unemployed as in almost 90% of the cases she has to play the role of the care giver. This scheme does not allow for hiring a personal assistant other than a family member, because the payment of the care –giver is almost half of the minimum official salary. This scheme influences also misuse of budget allocated for education, by raising in a fictive way the number of those attending high school and university.

Another problem arising from this scheme is the discrimination within different disability groups. The group of people with mental disability that consists the majority of officially recognized disabled people in Albania are not entitled to specific benefits and do not enjoy a special status. There are differences in benefits even amongst different groups, resulting from pressure exercised by them and not defined based on individual specific needs identified from the assessment done by relevant assessment structures (for example the blind represent the category with the greatest benefits and consists the only category that is stimulated also to get employment, at the time when other disability categories lose some of the benefits if getting employed, or only the blind people are considered as disabled even if they become as such during the retiring age; social insurances are paid and recognized only to the care givers of people with Para and tetraplegics, etc). Legal discrimination is significant also for people who are deaf, who

⁵ Data from Ministry of Labour Social Protection and Equal Opportunities

⁶ By Council of Ministries Decision nr.522 dated 03/15/2009, the minimum wage is 18,000 leks per month

benefit disability allowance payment, but only until the age of 7, based on the order of Ministry of Labour Social Protection and Equal Opportunities⁷. Shortcomings of this scheme are closely related and basically stem from the shortcomings of the disability assessment scheme.

The system of social service provisions for people with disability

In Albania, at present there are 11 public centers in the 8 largest districts of the country, from a total of 36, frequented by 381 persons that present only 0.3% out of 114.352 persons registered in the disability payment scheme. 7 of them are residential centers, while others are daily centers. There are also 14 non-public centers in the same largest cities. The number of beneficiaries is 1210 people or 1 % out of 114.352 person registered in the disability payment scheme (ADRF 2010a). All location of the centers are urban ones, living 95% of the administrative units and all rural areas uncovered by these services. Only 1,3% (n=1591) of registered people with disability are reported as receiving social services, that are only in the form of residential centers, independent homes and day care centers.

Cabiri& Xhillari (2005), in their study for poverty alleviation and integration of people with disabilities in Albania, tell that Albanian families who have members with disability are consistently asking for services, in the form of day care and residential centers. Many families have emigrated from remote areas where services are totally missing to cities where services exist. Studies in the country show the necessity to implement the standards of service provision in day care and residential centers for people with disability aiming to increase the quality of service and their approximation to the paradigm of independent living, inclusion and self-determination (Flagler, 2009). Lack of treatment and services for people with profound and multiple disability and is considered as one of the main gaps in the chain of services for people with disability. (ADRF, 2010a) The results of the three monitoring reports of the implementation of the National Strategy for People with Disability, conducted by the ADRF covering the period of 2006-2009, show very little progress in the area of social services and social benefits. These findings have come from observations done in the responsible institutions, but also directly from people with disability and their family members” services offered do not cover all the geographical area of the country, they are concentrated in the main cities and still do not meet the needs of all categories of people with disability with regard to group ages and the disability type”. Although there is an increased level of awareness, services of people with disability still continue to be insufficient to respond to the needs and guarantee the human rights. (ADRF 2007, 2008b, 2010a).

Other studies developed in the country show that there are significant improvements in the infrastructure and in the programs of treatment of people with disability in the existing day care and residential centers. (ADRF 2008a, 2010a). According to Flagler (2009), these changes are related to changes in the government attitudes under international obligations, influenced by a strong advocacy from grass roots organizations in central and local level, assistance in capacity building from international organizations. All mentioned above are considered as efforts to strengthen and influence creation of an inclusive system of services for people with disability.

⁷ Order of Minister No. 362, date 26.02.2007, *Medical criteria for assesment of people with disabilities.*

Deinstitutionalization and decentralization of services consist two basic philosophies of the country strategies in the area of social services. While for the first, studies show that there are some achievements, the decentralization process is moving at a very low pace. Current assessments show that only assets are transferred to local government, and not the budgets for the above mentioned services. This process is related to lack of capacities in local level in the disability area; lack of a clear vision on the chain of services for people with disability; lack of knowledge on local planning and budgeting for social services for people with disability (GTZ, 2008, 2009). The interviews realized for the purpose of this article with 4 directors of public social service centers, identify fear and lack of trust in the sustainability of their programs and services. This is related to non implementation in practice of support from the government to services established and oriented by international donors. Despite efforts to create the administrative structures to enable support for civil society, there are not yet positive developments in this direction, thus there is the risk of closing down even the few existing positive models. This problem was also mentioned in a meeting with management staff of Social State Service.

The system of financing the social services for people with disability and other groups in need is based on the law no 9355, in the law “For budget” and in the order of the Ministry of Finance to implement the law” On Budget”

Actually the system of financing of residential, community, home services for people with disability is based on 4 ways of financing:

1. Financing of public community and residential centers is fully done through central governments fund. This is a traditional model, existing prior the start of decentralization process and delegation of competencies to local government.
2. The second way of supporting the social services for people with disability is co-financing with budgets from financial resources of central governments funds and funds from municipalities/communes that have established residential or community centers for people with disabilities. This model has been functioning for two centers, funding from central government 60-70% of the needs.
3. Third way functions based on the model of financing community services that were established with funding from World Bank under “Social Service Delivery Project”. The Service Centers created through this project are now administered from municipalities and communes and are financed for all costs through the local taxes. In all these centers the services are offered by non governmental organizations that have qualified staff.
4. The fourth way is that of financing of centers by non governmental organizations through donors funding.

Disability Assessment System

Social Welfare Provisions for people with disability consist one of the major programs of the Social State Service in Albania. The program on people with disability is based on the assessment of disability resulting from physical, sensory and intellectual conditions, being those born or caused during the life time. Disability assessment is based on the regulation and the lists of sickness and disability condition of every individual. The assessment of people with disability is done by Medical Commission that Determines the

Ability to Work (MCDAW), which is a legal and medical entity set up by the Institute of Social Security and operates in 26 districts in the country and the Medical Commission that Determines the Level of Blindness (MCDLB) a legal and medical entity of Social State Service that functions only in Tirana for all blind people. The Commission does the physical assessment of the person; they explore the medical prescription issued by the specialized medical clinics of regional hospitals, and the other documents that verify the accident at work or the disability condition. On these bases the commissions render a decision on the causes and the level of disability (disability category), the level of the ability to work, and the need for care-giver/ personal assistant. Persons with disability take the decision of MCDAW to local governmental units to get entitled to disability benefits in cash or services (Social State Services, 2009).

Being operational for years, this way of disability assessment for people with disability in Albania has revealed several problems that have come up during its implementation stage. Problems stem from the legal framework related to disability assessment. Legislation legitimate the right to assessment to MCDAW and MCDLB, commissions that are composed only of doctors; the assessment is based on the medical model and level of impairment of the person, without considering the living conditions of the disabled person and the needs he/she might have for social integrated services; although the legislation is gradually improving, it still requires that the person is commissioned on an annual bases, despite the fact that for some diagnosis this is not necessary; gaps in legislation exclude from disability assessment (benefits)the elderly, those people who have become disabled after retiring (ADRF, 2007).

Based on a study of ADRF (2008c), the legal framework has shortcomings in relation to the procedures and the necessary documentation for disability assessment, by taking a lot of time to people with disability to fill in the proper papers for MCDAW, something that causes also lose of benefits meanwhile. The disability assessment criteria do not legally and in a clear cut way define groups of invalidity/disability; the same disability assessment procedures are taken for assessment of children and assessment of adults; it is not foreseen and consequently not addressed the fulfillment of need of persons with disability for different therapies, for mobility and other supportive means, for supportive and rehabilitative services, especially for people with mental disability. Legal shortcomings are identified in taking a decision during the assessment, of the institute of care-giver leaving unclear the role and competencies of the care giver by the institution, and the level of legal representation. The Complaint system on the decisions of the MCDAW, consist also series of mistakes and shortcomings, a fact that is identified from legal dispositions in power, but also from practices related to the exercise of this right by individuals with disability.

Employment Services

According to the most recent official statistics, 60 % (No. 57,317) of disabled men and women, are reported to be of working age⁸. According to Albanian Employment Service in 2008 there are 2,288 people with disability registered at the employment offices as job

⁸ Data from Ministry of Labour Social Protection and Equal Opportunities

seekers. During 2008 only 0.3% of people with disabilities job seekers have been offered a job and only 1.6 % of them have been trained by Vocational Training Centers.

Legislation in the area of employment and vocational training for people with disability seems to stimulate employment, but it is completely non implement able, and do not comply with international standards (ADRF, 2006a). Based on a survey of ADRF/ALBVET (2010b), major problems that hinder the fulfillment of the right to employment for people with disability are related to lack of proper assessment of individual needs, lack of stimulating policy and proactive measures to influence vocational training and employment; lack of proper infrastructure and supportive services; lack of information and low self-esteem by people with disabilities; lack of a strong and organized disability movement to ask for the right to employment, as so far the orientation has been towards passive measures of cash benefits.

The results of monitoring of implementation of the National Disability Strategy for the year 2009 show that employment and vocational training for people with disability remain a serious issue and the progress in implementing national engagements and international documents have been at a very low level. Persons with disability in Albania do not benefit from the schemes for stimulating employment and are still considered as passive members and non active contributors to the society.

Change in the concept of this paradigm requires concrete actions in the area of improving legislation with regards to assessing the needs; stimulating inspection on vocational training and employment; empowering disability movement and orienting it towards the advocating for the right to employment; increasing awareness of the general public.

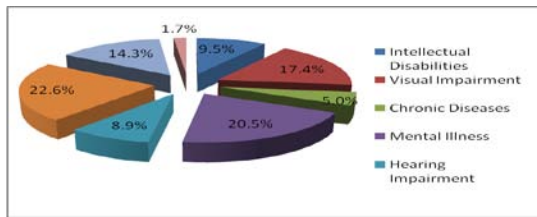
Beneficiaries Perception

Any assessment of the impact of a new piece of legislation requires the opinion of people most affected by its implementation. National Strategy for people with disabilities consists the most comprehension disability policy that aims to improve quality of life and social welfare for people with disabilities and their family members. For this reason a quantitative –qualitative survey was conducted by Albanian Disability Rights Foundation to measure the impact of the National Strategy on People with Disabilities and its action plan on the quality of life of people with disabilities, as perceived by them and family members. The survey focused on the main areas of the action plan: accessibility, medical and social services, employment, vocational training, education, participation in cultural, artistic and sports activities, capacity building as well as legislation and research. The study was conducted in May-July 2009.

a) Methodology

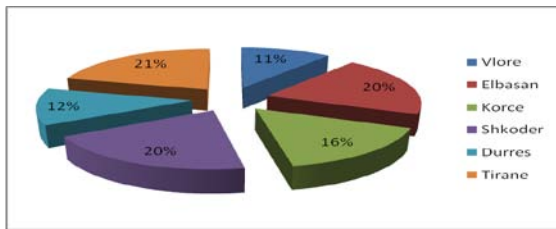
A total of 1041 people participated in the survey; 526 (50.5%) were people with disabilities and 515 (49.5%) were family members (parents or siblings). Both genders were represented, with a slight overrepresentation of males (n=587, 56.9%). The people with disabilities were of various age groups and they represented various disability categories (see Fig. 4).

Fig.4. Categories of Disabilities Represented.



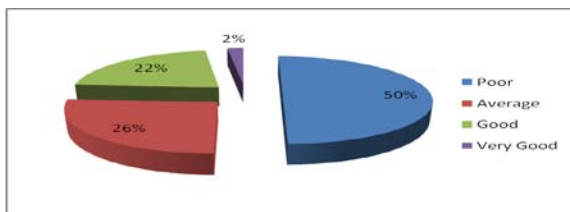
As Figure 5 shows, efforts were made to have proportionate representation of various regions relative to their overall population. Additionally, information was received from people living in 41 different administrative divisions. The majority of participants, almost four out of five (78%, N=797) lived in cities and townships, the rest in rural areas.

Fig. 5. Regional Representation.



The number of respondents living in poverty is high: half of the participants (50%) described their status as being poor and only 24% (i.e. one in four respondents) described it as being good or very good. See Figure 6 for more information.

Fig. 6. Respondents' Financial Situation.



The questionnaire consisted of three sections: a section on demographics, 25 questions that were about the five areas of the National Action Plan and an open ended question. The participants were asked to note their perception with a grade from 4-10 (which is the Albanian school grade system: Four is failing, five is a mere pass and ten is outstanding). The following is the model of the questions asked:

What grade would describe your satisfaction with the social services in residential and day care centers?	4	5	6	7	8	9	10	No Information N/A
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The participants were people with disabilities and family members from six regions in the country: Tirane, Durres, Vlore, Shkoder, Korce and Elbasan. They were recruited through the disability organizations and special education schools. To protect the identity of the participants, the questionnaires were anonymous and no personal information was collected. The cover letter explained that participation was voluntary.

The quantitative data of the questionnaire were processed with SPSS and statistical tests were conducted as needed.

b) Results

Medical and Social Services

The participants in the survey were asked to grade the current situation related to the six spheres of the National Action Plan in the area of medical and social. The cluster of questions received a mean grade of 5.9 which was 0.2 higher than in the previous year. Also differently from last year, the grade most frequently given is 5 (a mere pass) rather 4 (fail) for 2008. Figure 17 illustrates the data for 2009, whereas Figure 18 provides an opportunity for comparison of data between 2008 and 2009. As figures 19-24 indicate, for every aspect there is a high number of failing grades which indicates that a high percentage of people with disabilities and family members (almost half of them) are very unsatisfied with the services they receive.

Fig. 17. Mean Grades per Area of medical and Social Services.

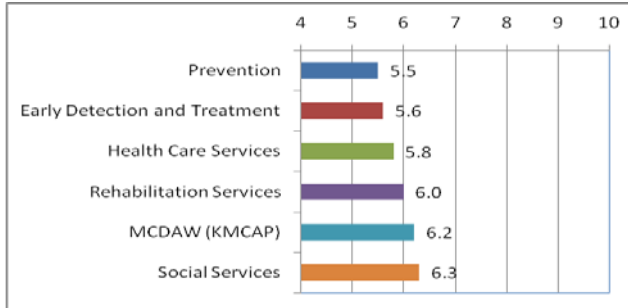


Fig. 18. Comparison of Means between 2008 and 2009 (Medical and Social Services)

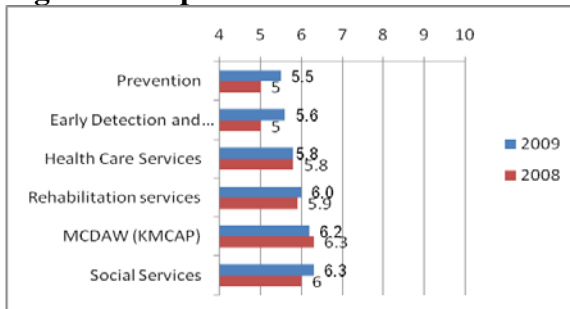
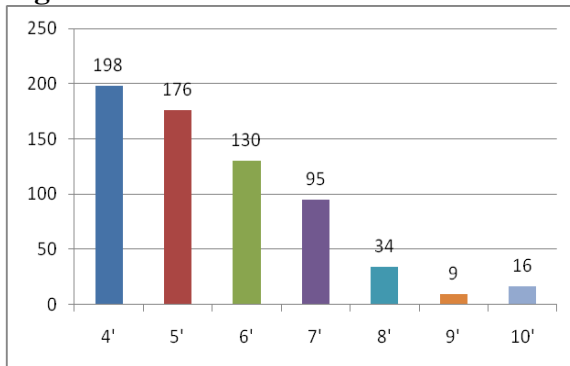
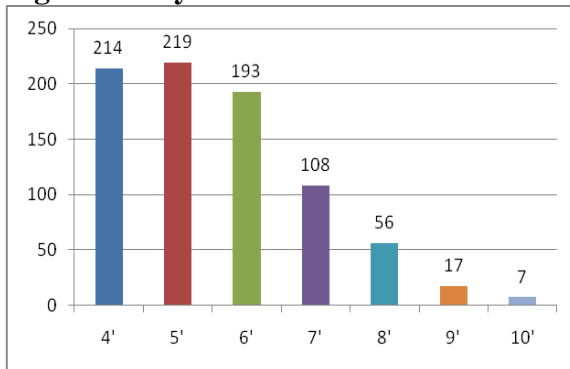


Fig. 19. Prevention.



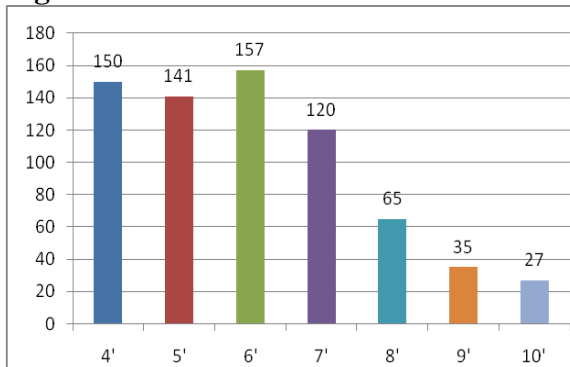
Note. The main statistical indicators are $N = 658$, $M = 5.52$, $SD = 1.45$.

Fig. 20. Early Identification and Treatment



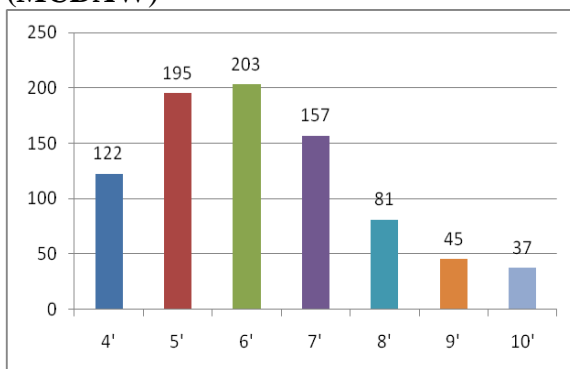
Note. The main statistical indicators are: N= 814,M= 5.57, SD= 1.37.

Fig. 22. Rehabilitation Services



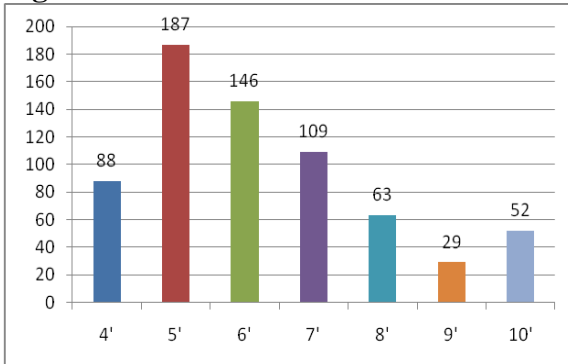
Note. The main statistical indicators are: N=695 M=6.03 SD= 1.64

Fig. 23. Medical Commission for Determination of Ability for Work (MCDAW)



Note. The main statistical indicators are: N=840, M= 6.19, SD= 1.59.

Fig. 24. Social Services



Note. The main statistical indicators are: N=674, M=6.25, SD= 1.70.

Employment, Vocational Training, Education, Participation in Cultural, Artistic and Sports Activities

Each of these aspects of the lives of people with disabilities received a passing grade as figure 25 indicates. The numbers are somewhat higher than in 2008, as Figure 26 illustrates, but opportunities for employment and vocational training are still very low and the efforts for inclusion in cultural, artistic and sports activities are judged to be inadequate by the survey participants.

Fig. 25. Mean Grades per Area (Employment, Vocational Training, Education, Participation in Cultural, Artistic and Sports Activities)

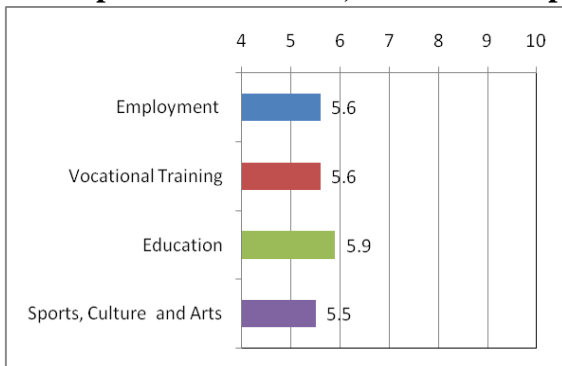


Fig. 26. Comparison between 2008 and 2009 (Employment, Vocational Training, Education, Participation in Cultural, Artistic and Sports Activities)

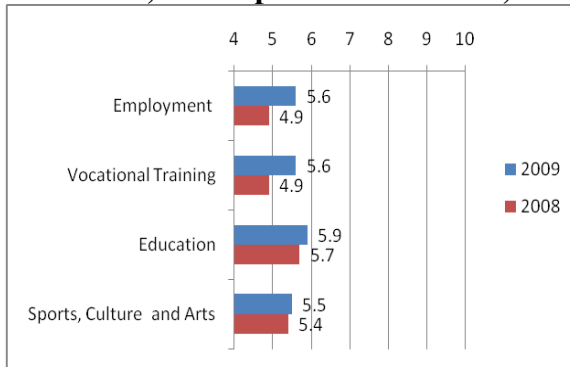
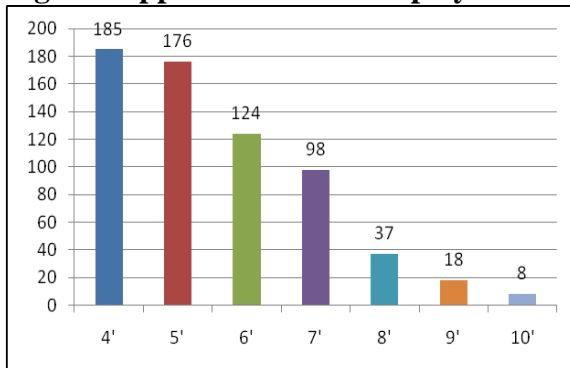
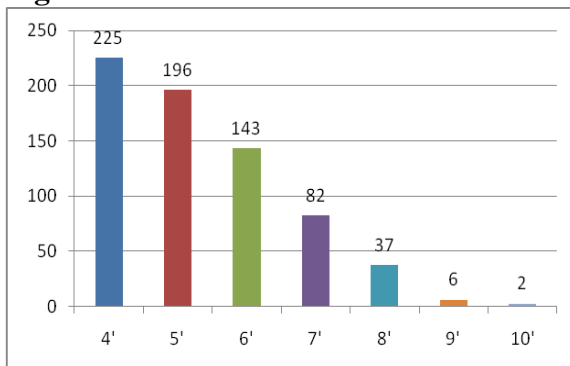


Fig. 27. Opportunities for Employment.



Note. The main statistical indicators are: N=646, M= 5.55, SD= 1.43.

Fig. 28. Vocational Education and Training.



Note. The main statistical indicators are: N=691, M=5.33, SD=1.26.

Conclusion

The results of this survey show that in 2009 people with disabilities and their families still belong to a marginalized part of the Albanian society. They are poor and isolated in a society that has yet to erase the architectural and societal barriers. The medical, educational, social and employment services for them are scarce and of a poor quality, and their opinion is not respected. Most of the areas (84%) got a mere pass (5) and only four areas got a better grade of 6. These results indicate that the Action Plan has not yet been effective in considerably improving the quality of lives of people with disabilities.

Persons with disability in Albania are included in the Social Welfare System not an adequate quantity and quality. This is related to the fact that Social Welfare System is based on policy and a legal framework that need to be revised and improved in order to get rid of the current existing chaos. It's important that actual policy is based on progressive measures that could be implemented. The legislation should be improved to get rid of discrimination that it creates nowadays with referral to different disability categories. A good financial management of funds, based on an improved/changed system of disability assessment, would increase the number of beneficiaries from the Social welfare system, as well as would increase the quality of existing services as well as increase the number and typology of services. Decentralizing of competences from central government to local government to enable provision of social services to increase the wellbeing and quality of life for people with disability consists an important step that should be accelerated to enable benefits of people with disability be oriented closer to the community.

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ANNEX

An Overview of the Legal Framework on Disability in Albania

Solution of disability problem lies in a wide range of policies and in the national and international legal framework, the main elements of which are described below.

The Albanian Constitution, Article 25, guarantees basic human rights and freedoms of people with disabilities. Article 29 (sections E and F) emphasizes State constitutional functions and other tools that also support private undertaking and State responsibility (section E) to care for the elderly, orphans and invalids, and (Section F) health rehabilitation, special education and integration of people with disabilities in society as well as the continuous improvement of their living conditions. Although its language on disabilities is imprecise, mostly because of the time constraints under which those provisions were drafted, Albanian Constitution does provide for the necessary foundation to create more specific laws and regulations, enumerated below.

Law on “*Social Assistance and Services*” (No. 9355 of 03. 10. 2005) regulates the working and administration of social services in the communal and residential level and categorizes them based on their organization and working.

Social Services Strategy (2005- 2010), approved by Decision (No. 265 of 04. 28. 2005) of the Council of Ministers, defines how the decentralization process should enhance local government functions for establishing, managing and enriching the social services based on community needs.

Social Services Standards approved by Decision (No. 658 of 10. 17. 2005) of the Council of Ministers defines the standards for social services that must be observed by all social services.

Standards for Services and Care-Giving to People with Disabilities approved by Decision (No. 822 of 12. 06. 2006) elaborates the general standards of social services for people with disabilities in order to protect their rights and fulfill their needs.

“*Law on Primary and Secondary Education*” – the normative provisions of education encourages the integration of students with disabilities in the educational system.

Labor Code of the Republic of Albania approved by the Law No. 7961 of 07. 12. 1995 prohibits any kind of discrimination in hiring and training of concerned individuals.

“*Law on Encouragement of Employment*” No. 7995 (of 09. 29. 1995) aims to establish general policies to support and provide freely chosen profitable employment.

“Law for Vocational Education and Training in the Republic of Albania” No. 8872 of 03. 29. 2202 asserts and protects the citizens’ right to get vocational education and training regardless of their social status or health conditions.

“Law on Care-Giving and Health Insurance” No. 7870 (of 10. 13. 1994) delineates the facilities that Government must provide for people with disabilities.

“Law on Mental Health” No. 8092 states that people with disabilities are entitled to benefit even when they have mental health conditions.

“Law on Health Service” No. 8167 (of 11. 21. 1996) enumerates the benefits not specifically for people with disabilities, but also for children with disabilities.

“Urban and Architectural Rules and Norms for People with Disabilities” (Decision No. 401 of 06. 25. 2004) states that disability standards must be observed in new constructions.

“Law on the Traffic Code of Republic of Albania” No. 7889 (of 07. 22. 1998) contains several articles that ensure movement safety for people with disabilities.

“Law on Status of Labor Invalid” No. 7889 (of 12. 14. 1994, amended) provides support in every respect for the invalids of labor.

“Law on Status of the Paraplegics and Quadriplegics” No. 8626 (of 06. 22. 2000) provides support in every respect for paraplegics and quadriplegics.

“Law on the Status of Blind Persons” No. 8098 (of 03. 28. 1996, amended) which provides support in every respect for the blind people

National Disability Strategy

Albanian government’s fundamental document for people with disabilities (approved by Decision No. 8 of 01. 07. 2005 of the Council of Ministers) introduces the main goals and objectives of the government and other stakeholders for the suitability of environment, services, education, vocational training, employment, legislation and research for people with disabilities.

Definition

In compliance with the UN terminology, the conception of the equal opportunities of people with disabilities as well as the international classification of the World Health Association (WHO), Albania has replaced the term “handicapped persons” with “person with disability” and uses “people with disabilities” to refer to the societal level.

“People with disabilities” stands for those people whose physical functions, mental capacity or psychological conditions tend to depart from the typical condition for a given age by more than six months, thereby limiting their participation in social life (See “National Disability Strategy,” 2004).

According to the Convention for the Rights of People with Disabilities (Signed by Albanian Government on December 2009), the latest definition of the term “people with disabilities” includes individuals who have a physical or mental impairment with a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Statistics

Existing data and sociological knowledge about the situation of people with disabilities is not complete. Currently, it includes only the numbers of people with disabilities, the main kinds of disabilities evaluated and established by separate specialists commissions, cash payments given by the government, some supportive services offered by some residential centers and services in communities.

Tab.1: Total number of people with disabilities according to disability category¹.

Name	Total	Persons with disabilities	Care givers
I. Borne disabled or made disabled from reasons not related to employment. From them:	76.975	61.887	15.098
a) mental& physical	53.783	46.281	7.502
b) blind	15.410	11.635	3.775
c) para and tetraplegics	7.792	3.971	3.821
II. Invalids	53.965	52.465	1500
a) labour invalids	53,391	51.891	1500
b) war invalids	574	574	-
Total	130.950	114.352	16.598

Table 2: Beneficiaries in public and non-public centers according to statistics for 2008 ²

¹ Ministry of Labour Social Protection and equal Opportunities, Unpublished report of June 2009.

² <http://www.mpcs.gov.al/statistikat>

	Clients Public center s	of these clients:		Clients Non public centers	of these clients:	
		Females	without families		Females	without familie s
No of beneficiary clients	381	168	131	1210	709	31
Tirana	30	11	0	640	405	31
Berat	63	33	7	0	0	0
Durrës	31	14	6	0	0	0
Korça	100	42	40	508	276	0
Shkodra	83	42	61	32	14	0
Elbasan	20	7	2	0	0	0
Vlora	22	8	15	0	0	0
Lezhe	32	11	0	30	14	0

Figure 1. Beneficiaries according to prefectures

Figure 2. Beneficiaries according to age

