

REPLIES OF THE GOVERNMENT OF ALBANIA TO THE QUESTIONNAIRE OF THE INDEPENDENT EXPERT ON EXTREME POVERTY

Social protection of categories of persons in need is carried out through three core programmes, aiming at poverty reduction:

1. Economic aid programme;
2. Programme for persons with disabilities; and
3. Residential and community services programme on individuals and groups in need.

The above programmes are implemented in national level and funds are covered through central budget allocations.

i) Legal and institutional framework

- Law no. 9355 of 10 March 2005 "On Social aid and services"
- DCM no. 265 of 28 April 2005 "On the adoption of the sectoral strategy on social protection 2005-2008".
- DCM no. 80 of 28 January 2008 "On the adoption of the sectoral strategy on social protection, 2007-2013".

Article 27 of the abovementioned law no. 9355 provides that the Ministry of Labour, Social Affairs and Equal Opportunities is the responsible authority for the drafting policies, legislation, programming of economic aid funds, payments to persons with disabilities and social services, norms and standards of services provided, as well as their implementation in all levels, central and local, public and private sector.

The State Social Service is responsible for implementing policies of the Ministry of Labour, Social Affairs and Equal Opportunities, in the area of aid and services of social care on:

- Programming and control of state funds on economic aid, payments to persons with disabilities and social services;
- Implementing standards and services and proposals for review and adoption of new services;
- Compilation of a unified documentation for the applicants for social services.

The Law provides for detailed responsibilities of local government units, municipalities and communes, namely through their respective Councils and social administrators in the process of identification of individuals and groups in need and adoption of funds for the purpose of social aid.

Social economic aid programme consists of a programme of transfers in cash, in financially assisting families without income, or with non-sufficient income. The programme is fully financed from the state budget and it is provided on basis of social and economic assessment of living means of the concerned families. It is unlimited in time and it may consist of a full or partial financial aid.

On the basis of decentralisation process, competencies and responsibilities of local government units have augmented.

- The government has created the necessary legal environment, in order that municipalities and communes take more responsibilities in conditioning the distribution of

economic aid with relevant labour and services in the community. The DCM provides for the criteria and procedures to be followed in conditioning economic aid with relevant labour and services to the community. With the implementation of this scheme, abusive cases of the economic aid have been discovered and subsequently set out.

- Economic aid funds are allocated by the beginning of each year from the state budget to the relevant municipality/commune as conditioned grants.
- Local government units have the necessary legal basis to support poor families from sources such as local taxation budgets, setting on specific criteria.

In parallel with enlarging responsibilities of local government in identifying families in need the decentralisation process has been accompanied by an extension of limits of economic aid for specific social groups, such as:

- Parents of children born together as triplets, quadruplets, quintuplets, or more receive supplementary aid.
- Orphans from 18-25 years not under custody and unemployed orphans more than 25 years receive a special aid from the scheme.

The opinion of the Society of Municipalities and Communes has been taken into account while drafting the relevant legislation on social aid and services.

Payment programme for persons with disabilities is based on the assessment of disability of persons. The disability is assessed from specialised medical commissions. Relevant funds for this purpose are transferred from the Ministry of Labour, Social Affairs and Equal Opportunities to the local government units, which carry out payments for these social categories.

Currently the number of persons with disabilities is 69 thousand, out of 38 thousand in 2003, which is an indication for a better social inclusion in the scheme. The scheme also includes treatment of 45 thousand labour invalids, bringing the total number of persons with disabilities covered by the scheme to 120 thousand persons, supported with transfers from the state budget. This category of persons represents 3.6% of the total population of the country.

Residential and community services programme offers relevant services for children of persons with disabilities, youth, women and elderly. During 2007-2008 residential services were decentralized. Thus, 19 out of 26 residential services were transferred to local government units. Every year the Ministry of Labour, Social Services and Equal Opportunities transfers relevant funds for covering these services. In addition 43 community services in 8 regions were established under authority of local government.

ii) The cost and the coverage of the programs

The NE Program is national wide and is covered by the state budget.

The economic assistance is a monthly salary for the families and is calculated on bases of the family members. The dynamic of reimbursement of the funds for the economic assistance and the number of the families benefiting from that is presented in the table no.1.

Funds, number of families and the average for each family

Year	Funds programmed, milliards lek	No. of families in NE (thousands)
2003	4.0	130

2004	4.0	124
2005	3.2	126
2006	2.8	112
2007	2.6	110
2008	3.5	93
2009	4.2	85

As it is seen starting from 2008 and up to 2013, the funds programmed for the social assistance is increased whereas the number of the families involved in this scheme decreases. This is because the evaluation of poverty rate is based on the Survey of Poverty LSMS of 2002, 2005, meantime we are expecting the results of 2008 from INSTAT. According LSMS- 2002 the absolute poverty population lived with less than 2 dollars per day making up the 25% of 820 thousand inhabitants.

In 2005 (LSMS) the level of poverty reduced to 18.5 % or about 592.000 inhabitants. This means that 126 families were involved in NE scheme. Actually the number of peoples living with less than 2 dollars per day is 437.000 or at about 93.000 families.

The reduction of poverty is a result of the good management of the work of the municipalities and as a result of the incomes from the businesses, lands, stocks, and others. The establishment of the inspectorate of controlling these programs has assisted the reduction of poverty as well. The family needs starting from 2008 are improved for two main reasons: 1. the increase of funds which in 2008 is 34% more than in 2007 and 2. The reduction of the families in scheme at about 20%. For this reason the average NE for family is increased 68% in 2008 compared to 2007 and in 2009 it will double compared to 2007. This improvement of the NE scheme guarantees social involvement, covers the all the needs of poor families and leaves no room for abuses.

Program of payment for persons with limited capabilities (PAK) covers the needs of the persons with limited capabilities.(PAK) . The following funds, since 2003, are transferred to the local levels and below table show it:

Transferred funds and number of beneficiaries 2003-2009 Tab. 2.

Names	2003	2004	2005	2006	2007	2008	2009
Funds (million lek)	3,851	4,200	4,800	6,000	7,000	7,700	8000
Number (thousands)	52	53	59	62	64	69	71

In 2008, 7.7 milliard leks are transferred to to municipalités/*communities* or 2.3 times more than in 2003. In 2009 are forseen 8 miliard lek . The number of the beneficiaries in 2008 is 69 thousands PAK compared to 52 thousands in 2003, or 32 % more. This table shows a better involvement of social groups in need and the increase of the payment in cash of the persons with limmited capabilities.

Even 50 thousands invalids are included in this program who besides the pension insured by the social security system they benefit a payment for their limmited capabilities. Actually for these programs are used 1.5 miliard leke from 1.2 miliard used in 2004 when the implmentation of this program started.

iii) Procedures of their implementation

Rules of the admission in the economic assistance scheme include a number of documentations where to the incomes from activities, properties, businesses and employment are evaluated.

The identification of social-economic status of the poor families that should be included in NE is the responsibility of the municipalities. The social administrators in line with the Map of Poverty identify the poor families which are in the level of official poverty.

For the evaluation of their poverty situation of these families, the social administrators insure information in three main sources: (i) by the self declaration of the families involved in NE scheme, (ii) state agencies of the local level and (iii) the verification on the ground of the families living in poverty by making use of some alternative targets.

The information and documentations the applicants should fill and which are estimated by the official administrators are: (i) the declaration issued by the head of the family for their properties, land, etc, (ii) monthly declaration for the presence of all the family members; (iii) a notification as an unemployed person once in three months; (iv) the family members according to the civil certificate; (v) certificate of property (vi) or land property.

Information from the public agencies that work on local level which deal with: employment assured from the work office, informal employment from the inspectorate of work, office of taxation and social security, real estate and automobiles, the offices of free trade, urbanites etc. This information is assured in collaboration with the different local agencies.

This practice is not a barrier for the applicant families involved in NE. The information on these issues is obligatory, periodical and is defined by the Decisions of the Council of Ministers.

Documentations, the rules of estimation, and the rate of beneficiary is defined by the Council of Ministers no: .787, *attached the legislative package*.

Rules of admittance in the Persons with Disabilities (PAK) scheme. Those pretending to benefit from the social program of the persons with limited capabilities, should present the following documentations to the local unit of their home address:

1. A document issued by the health commission for their limited capabilities in a closed envelope;
2. Document of their release from the hospital;
3. Family certificate and a personal one with a photo;
4. Personal declaration showing that the person in unemployed has no pension or gets paid by the social security company;
5. A notification from the Military Unit (for males over 18 years old) showing if he has been to military;

The social administrator in the municipality,/commune checks the documentations, dates, signatures, and fill up two documents: The request Tip filled up by the applicant where the submitted documents are filed and are signed by the applicant and the social administrator (Inventory ballot of the files) and they are registered. The applicants need an evaluation of

the social economic status of the applicant according to Tip format approved by SHSSH. The administrator, after being convinced that the above-mentioned file is complete sends it officially to the Regional Office of the State Social Service. Then this document is presented to KMCAP, which makes the decision in the presence of the applicant (the sick person) and they communicate to him the form of the limited capabilities benefiting.

The approved file is turned back to local authorities who *execute* the payment procedure, which is priory defined by the Council of Ministers. The PAK file is archived in the Regional Directorate of SHSSH.

In cases of any disputes relating the decision taken by the regional KMCAP, within 30 days the file is submitted to KMCAP supreme for a reconsideration accompanied with a detailed explanation of the decision taken for that file.

Documentations, rules of evaluation and the amount of payment is defined by the Council of Ministers no: 618, attached the legislative package..

Rules for admittance for care services in the residential and communitarian centers. The individual in need for shelter, orphans', people with limited capabilities, (PAK), elder peoples, all these category apply at the local units according to the decision of the Council of Ministers.

The documentations and the procedures according to the decision of the Council of Ministers no: 209 attached with the legal package.

iv) The mechanism of control and the procedures of the complaint

Ministry of Work and Social Affairs sets up the inspectorate of Economic Assistance, Payment for the People with Limited Capabilities and Social Services which controls the activity and the implementation of legislation of the relevant institutions.

There is a strengthening of the mechanism of control for the distribution of economic assistance; there is an increase of the fight against corruption and abusive cases.

The documentations and the procedures according to the decision of the Council of Ministers no: 512 attached with the legal package.

v) Studies and evaluation for the programs of financial transfers

For a better improvement of the NE scheme, three studies from the World Bank and of local experts are accomplished for:

(i) the procedures of the identification of poor families, the simplification of the documentations; (ii) programs of assistance according to the indicators of poverty(INSTAT) and administrative statistics of the Ministry of Work ;(iii) reconsideration of the incomes from the business, land, properties, and other natural resources.
