MISIONIT TË REPUBLIKËS SË SHQIPËRISË

Në vëmendje: Zotit Sejdi QERIMAJ
Ambasador

Lutemi gjeni bashkëlidhur materialin e dërguar nga Ministria e Punës, Çështjeve Sociale dhe Shanseve të Barabartanë përgjigje të kërkesës suaj për plotësimin e pyetësorit mbi Çështjet e të Drejtave të Njeriut dhe Varfërisë Ekstreme.

Lutemi përcjelljen e tij në destinacion

Ju falënderojmë për bashkëpunimin.

DREJTORE

Pergatiti: Saimir Repishti

I PAKLASIFIKUAR
Komentet

Questionnaire
Report (HRC/15/41) of the Independent Expert on the question of human rights and extreme poverty on the draft guiding principles on extreme poverty and Human rights

Ad II: Rationale for the development of guiding principles on human rights and extreme poverty

• Based on the report of the independent expert (HRC/15/41), what would be the added value of guiding principles on human rights and extreme poverty?

1. It brings a common conceptual policy framework a foundation on which actions against extreme poverty can be building.
2. It addresses the need to reduce the gap between human rights standards and the actual situation of persons in extreme poverty.
3. It provides common ground to assist and harmonize action, improving partnerships on the ground and building the foundations for efficient multi-stakeholders dialogue on extreme poverty.
4. It prioritizes those rights and policy guidelines that are particularly relevant in the context of extreme poverty.
5. It also defines the specific obstacles faced by persons living in extreme poverty and provides examples of measures that States should take to overcome those obstacles and ensure that those living in extreme poverty are able to enjoy their rights.

Ad III: Conceptual framework

• Considering that the majority of those living in extreme poverty are children, should the guiding principles have a dedicated section on this specific group or should this issue be cutting across the text? (paragraph 19 of the report); and what about other specific groups?

With regard to paragraph 19 of the report we consider that guiding principles must include children’s issues (as children tend to be most vulnerable category in developing societies and less developed societies) as cross cutting issue in most of development strategies. However a special chapter dedicated exclusively to children’s rights with regard to (Certain groups of children which must enjoy special protection in conformity with their rights and needs as children are entitled to be protected from violence, exploitation, abuse and negligence wherever they are) may also be a viable option due to particularity of this category in different societies. The Albanian experience is that in 2007 it has established an Inter-ministerial Committee on Children’s Rights an advisory body responsible for guaranteeing the incorporation of policies concerning children’s rights into the development strategies and the implementation of the National Strategy on Children and its Action Plan as a very important policy with particular relevance to the promotion and protection of economic, social and cultural rights. As Guiding

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1 Komentet në bold janë të MPCSSHB-së mbi raportin bashkëngjitur të Ekspertës së Pavarur të OKB-së mbi çështjet e te drejtave të njeriut dhe varfërësitë ekstreme.
Principles highlight, Children’s rights ought to be indivisible and interdependence of parents and whole society’s cultural, social, civic, economic and political rights.

Ad IV: Overview of the main underlying and reinforcing deprivations faced by persons living in extreme poverty

- Would you identify other underlying and reinforcing deprivations and obstacles faced by persons in extreme poverty, in addition to the ones included in this section of the report?

No

Ad V: Proposal for improving the draft guiding principles on extreme poverty and human rights

- Are there any important aspects or issues missing in the annotated outline for guiding principles proposed in this section of the report?

There is no important aspects, or issues missing in the annotated outline for guiding principles in section 1, 2 and 3rd sections.

Section 1: Overarching human rights principles

- Is the list of human rights principles in this section (headings A to G) sufficiently comprehensive or should any other principles be included in the guiding principles on extreme poverty and human rights?

The understanding of this section allows us to consider it as sufficiently comprehensive as it defines poverty as a multidimensional phenomenon requiring a holistic approach. It highlights the universality, indivisibility, interrelatedness and interdependence of all rights. No right is more important than others they all are equally important, universal, interrelated and interdependent.

It recognizes the individual autonomy of persons living in extreme poverty with the aim to avoid the paternalistic manner of treatment that often persons living in extreme poverty face, it recognizes the principle of equality and non-discrimination, it calls for the promotion and advancement of women and the elimination of gender based discrimination and it recommends the creation of specific mechanisms and institutional arrangements through which persons in extreme poverty can effectively and meaningfully participate in all decision-making processes that affect them.

Perhaps the elimination of practices of customary law and traditional codes of conduct discriminating against women and children may be consider as an issue to be included.

- Are there any important aspects or issues missing in the recommendations in bold proposed under each of the overarching human rights principles in this section of the report?

The principles proposed in this section of the report define well the need to stress the centrality of human dignity and recommend that all measures to address poverty are framed by a
comprehensive framework that embraces the principles of universality, indivisibility interrelatedness and interdependence of all human rights. It recommends that States set clear and transparent criteria for public authorities/bodies to ensure that people living in extreme poverty are prioritized when implementing development, social or poverty reduction programs. With regard to compliance with national policies, a similarity between the proposed guiding principles in this section and the Albanian policies is noted. I quote “The inclusion of poor individuals and households in the Economic Assistance and other social programmes will be guaranteed.”

Section 2: Overarching policy guidelines

- Is the list of ‘overarching policy guidelines’ in this section (headings H to K) sufficiently comprehensive or should any other overarching policy guidelines be included in the guiding principles?

The list of “overarching policy guidelines” in this section (headings H to K) is sufficiently comprehensive as it calls for states to design public policies that will identify and prioritize disadvantaged and marginalized individuals and groups and in addition this section calls upon those public administrations where resources are insufficient to ensure the assistance to the totality of the population proposing to give priority persons living in extreme poverty aiming that the persons enjoy their civil, political rights and at a very least a minimum core content of all economic, social and cultural rights. These overarching policy guidelines match quite well with the national social policy of Albania as it Social Protection Sector Strategy as a part of social inclusion crosscutting strategy, envisaging concrete objectives for poverty reduction and the provision of services for groups in need in the framework of the National Strategy for Development and Integration. The social protection sector strategy is based on the priorities of the Government Programme on social policies, poverty reduction, improvement in the quality of life for groups in need and support for them to be included in the community development.

- Are there any important aspects or issues missing in the recommendations on bold proposed under each of the overarching policy guidelines in this section of the report?

No

Section 3: Specific rights-based obligations

- Is the list of rights identified in this section sufficiently comprehensive (headings L to W) or any other human rights should be also reflected in the guiding principles?

NA

The list of rights in this section is sufficiently comprehensive.

- Are there any important aspects or issues missing in the recommendations on bold proposed under each of the specific rights-based obligations in this section of the report?

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2 Republic of Albania; National Strategy for Development and Integration 2007 - 2013
3 Social Protection Sector Strategy (2007-2013)
Perhaps it could be emphasized the importance of media portraying children and women often in the wrong way, lacking media knowledge about children’s and women’s rights to privacy. With regard to right to work and rights at work it could also be stressed the need for measures that would stimulate rural development, introducing a legal minimum wage applicable to all workers (as indicated by 2008 IMF report men earned around double the hourly earning of women in the agriculture and mining sector⁴.

⁴ A_HRC_WG6_6_ALB_2_E