

**Universal Periodic Review of Albania
47th Session, November 2024
Joint stakeholder Submission**

**Joint stakeholder report submitted by:
Gender Alliance for Development Center (GADC)**

Established in 1995, the Gender Alliance for Development Centre (GADC) has emerged as a pioneering force in the realm of gender equity and social inclusion across Albania and South East Europe. Over its illustrious 20-year journey, GADC has honed its expertise through multifaceted endeavors encompassing research, public education, capacity development, awareness raising, monitoring, lobbying, and advocacy. These efforts have been pivotal in propelling forward the cause of gender equality and women's rights in Albania and the wider Western Balkans region.

GADC has been instrumental in nurturing the growth and efficacy of both national and local CSOs, empowering them to amplify their voices and influence on local and national agendas. In parallel, GADC has garnered significant expertise in implementing political interventions and policy advocacy aimed at dismantling gender inequalities, particularly in the sphere of care work. Leveraging its extensive experience in gender mainstreaming, policy analysis, and advocacy campaigns, GADC strategically collaborates with governmental agencies, civil society organizations, and international stakeholders to champion gender-responsive policies and practices. This collaborative approach extends to coalition-building efforts, which further fortify advocacy endeavors at both national and regional levels.

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and the Sexual Rights Initiative

The Sexual Rights Initiative is a coalition of national and regional organisations based in Canada, India, and Argentina that work together to advance human rights related to gender and sexuality at the United Nations

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Key words: rights of workers; right to work; right to just and favourable conditions of work; sexual harassment; violence against women and girls; gender pay gap; garment industry

Introduction

1. Over the past decade, GADC has directed significant attention towards safeguarding the rights of workers, with a particular emphasis on women and girls employed in the garment industry. Recognizing the vulnerabilities faced by women in this sector, GADC has undertaken proactive measures to empower them. Through comprehensive training programs, GADC has equipped over 2500 women and girls with the necessary skills and knowledge to assert their rights within the workplace. These efforts aim to bolster their capacity to navigate employment conditions, demand fair treatment, and combat any form of exploitation or discrimination they may encounter. Moreover, GADC has established a vital support mechanism for these women through the provision of a toll-free reporting hotline, accessible via the number 08001818. This platform serves as a crucial lifeline for workers in the garment industry, offering them a confidential avenue to report workplace violations, seek assistance, and access support services.
2. Over the years, this hotline has facilitated the resolution of more than 20 cases, representing a significant milestone in advancing the rights and well-being of women in the workforce. By focusing on the garment industry, GADC acknowledges the intersecting issues of gender inequality, labour rights violations, and economic exploitation prevalent in this sector. Through targeted interventions and advocacy efforts, GADC endeavours to create a safer, more equitable work environment where women can thrive free from discrimination, harassment, and exploitation. In doing so, GADC not only champions the rights of individual workers but also contributes to broader efforts aimed at achieving gender equality and social justice within Albania's labour market.
3. Since 2019 GADC has expanded its commitment to safeguarding labour rights by actively engaging in legal advocacy to address instances of workplace violations. Specifically, the organisation has taken on the responsibility of representing two cases of labour rights violations in court. Through this involvement, GADC aims to secure justice for individuals who have experienced mistreatment or exploitation in their workplaces. By advocating for these cases in the legal arena, GADC seeks to hold employers accountable for their actions and ensure that victims receive the necessary support and restitution. This proactive approach underscores GADC's dedication to upholding labour standards and defending the rights of workers, particularly those who may be vulnerable to exploitation or discrimination.
4. Since 2020, GADC has been supporting 16 women from a textile production factory in Tirana with free legal assistance. The women reported non-payment of wages, as well as social and health insurance, for different periods from September 2015 to July 2020 at the time of the collective dismissal. Since then, GADC has represented these women in the District Court of Tirana. In addition to requesting repayment of the obligations that the employer company has towards these employees, we also requested insurance of the lawsuit and the blocking of the assets of this company up to the total value of the lawsuit. Currently the case is in the period of review of the file by the experts and new judge (due to the Vetting reform undertaken in Albania in recent years there were changes of the judges), and GADC is following the progress of the court hearings closely.

5. Beginning 2021, GADC has been supporting 3 women from a textile production factory in Tirana with free legal assistance, representing them in the District Court of Tirana and requesting repayment of the obligations that the employer company has towards these employees. The women reported non-payment of social and health insurance, for almost 4 years (2016-2020). In the fall of 2023, the Tirana Judicial District Court announced the decision in favour of the three women supported with free legal aid by GADC. Currently, the case is being pursued with the State Bailiff for the execution of the court's decision.
6. In this report, we aim to present the working conditions faced by this target group in the garment industry in Albania. This report is based not only on the monitoring and work carried out by the organization for almost 10 years with this target group but also on the recommendations to the Albanian government by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), in line with target indicator 8.5 of the Sustainable Development Goals on promoting full and productive employment and decent work for all women and girls. Indeed, this sector holds a significant position in terms of employment, but also presents many challenges, particularly concerning the treatment and working conditions of female workers.
7. According to the latest official data provided by the GADC from the General Directorate of Taxes,¹ the number of employees in the textile and garment sector is 50298 people from which 42,657 (or 85 %) are women and girls. The average age of workers is 32 years old and the average gross salary in this sector from June 1st, 2023 is 40000 ALL (392 euros) per month. The level of education, according to a study prepare by the Albanian Investment Development Agency (AIDA, 2021)², employees in the textile sector are as follows: 5% with university education, 20% with secondary education and 75% with primary education.

The legal and policy framework

8. Albania's legal framework ostensibly provides equal rights and protection for workers across all industries. The Labour Code³ has undergone substantial revisions in recent decades and ostensibly aligns with international standards and EU directives. There is an urgent need for enhanced monitoring of working conditions and the comprehensive implementation of the legal framework across all these sectors. It's acknowledged that Albania has extended its National Skills and Employment Strategy (NSES) 2020-2030, highlighting the need to carefully review its changes. While adding gender equality measures is a very good step, oversight is needed to check how well the measures are helping women get decent jobs with fair treatment.
9. The garment industry in Albania holds a crucial position within the country's workforce, yet it grapples with a myriad of challenges, particularly concerning the rights and well-being of women and girls employed in this sector. Despite ongoing efforts by the Albanian government to harmonize its legal and policy framework with international standards and European Union mandates, significant gaps persist. The garment industry in Albania, a significant employer, faces numerous hurdles especially in garment and footwear production. Legislative reforms are progressing, but implementation remains a challenge, leaving workers vulnerable. Absence of unions or collective contracts hampers workers' ability to advocate for fair conditions. Women

¹ Letter with protocol from the Tax office, based on the GADC request for information.

² AIDA, May 2021. Textile Sector. Page 5. Retrived from:
https://www.aida.gov.al/images//PDF/broshura_-_tekstile.pdf

³ Labour Code: <https://qbz.gov.al/preview/c1c18a6c-5f3e-457d-b931-de505b3c7ed0>

and girls encounter gender-specific issues like wage disparities and unsafe conditions. Labour rights violations persist, highlighting the need for stronger enforcement and proactive measures and the strengthening of the Inspectorate of Labour. Global supply chains add complexity, particularly for a workforce predominantly comprising women.

10. Larger unions hold significant resources and influence but may neglect smaller unions within factories. In some cases, larger unions align with employers, sidelining the interests of workers. This undermines democratic representation and perpetuates power imbalances. The garment industry workforce is fragmented, complicating union mobilisation efforts. Civil society organisations (CSOs) have entered the scene but face resource constraints, hindering their effectiveness. Limited funding and staffing affect the timely addressing of labour rights violations and research initiatives.
11. Regarding labour law, the implementation of the amended Labour Code is underway. Twenty-five (25) EU regulations in the field of occupational safety and health have been transposed as well, covering areas such as safety at work, equal treatment between women and men etc.⁴ Albania Ratified the C190 - Violence and Harassment Convention, 2019.⁵
12. Also, on non-discrimination in employment and social policy, Albania and the ILO signed the 2023-2026 decent work country program, which aims to address key problems around working conditions and social protection such as work accidents, effective protection at work by setting up effective mechanisms to tackle violence and harassment, low levels of wages, and insufficient coverage of the social security system.⁶ However, challenges persist in enforcing these rights, particularly in areas concerning contract issues, overtime work, annual leave etc. It is important that the government undertake concrete measures and revise the legislation in alignment with the ILO convention.⁷
13. Albania has established protection against discrimination by adopting Law no. 10221, dated 4 February 2010, the so-called “Anti-discrimination Law”. Following amendments in October 2020, the Law appears to have properly transposed EU directives and definitions of various forms of discrimination. The amendments to the LPD provide for additional protected grounds, such as citizenship, sex characteristics, living with HIV/AIDS, and appearance.

Gender equality and the right to work

14. The garment industry is composed mainly of women and girls. When industries become feminized, predominantly staffed by women and girls, it introduces gender-specific challenges. In the garment industry, where women make up the majority, power imbalances often favour employers, who exploit societal norms to mistreat workers. Limited contractual protections leave many vulnerable to arbitrary changes in employment conditions, while difficulties accessing benefits like annual leave perpetuate a cycle of exploitation. Workload norms and quotas

⁴ International Labour Organization, https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---sro-budapest/documents/publication/wcms_689355.pdf

⁵ https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190

⁶ Progress Report Albania 2023, Neighbourhood and Enlargement, EU, pg. 102 https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_690%20Albania%20report.pdf

⁷ European Union, 2022. Progress Report Albania 2022, pg. 91. Online: <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-10/Albania%20Report%202022.pdf>

19. According to the Institute of Statistics (INSAT) in 2022, Albania witnessed a nearly 2-percentage-point increase in the gender pay gap, signifying deeper labour market inequality between women and men. The same report indicates that, on average, men earn 6.12% more than women in the workforce. The most significant disparity is found in the industrial sector, with a 27.2% gap.⁹ The presence of a gender pay gap, particularly within the manufacturing sector, is concerning. The fact that there's a 24.6% disparity in pay within this sector highlights the entrenched challenges women encounter within the labour market.¹⁰
20. While lower than the average EU countries, Albania's gender pay gap is also the result of women's lower participation in the labour market, and it is higher in sectors where women are concentrated. The concentration of women and girls in the informal economy and in a few sectors also acts as a break on the overall economic growth of the country, when there is growing consensus that Albania needs to increase productivity and diversify employment and education opportunities (e.g. towards science, ITC, and entrepreneurship).
21. Women still find themselves behind men, not just in terms of paid employment participation but also in bearing a disproportionate burden of unpaid family responsibilities. As highlighted in the report from the Institute of Statistics, Albanian women dedicate an average of 38 hours per week to household chores, cooking, and childcare, whereas men allocate considerably less time, approximately 14.5 hours per week, to these duties. Furthermore, the same report on gender indicators reveals that Albanian women typically spend 343 minutes on unpaid work daily, equivalent to 5 hours and 43 minutes, a figure six times higher than the amount of unpaid work contributed by men.¹¹
22. The aspiration for parents to effectively harmonise their family duties with their professional obligations and active participation in public life stands as a fundamental societal necessity. Regrettably, in Albania, the prevalence of such child-care amenities near the workplace or put in function by the companies, remains disproportionately low, creating a substantial gap in their accessibility. This scarcity not only presents challenges for working parents but also constitutes an impediment to the overarching pursuit of gender equality and the simultaneous fulfilment of familial and occupational responsibilities.
23. In terms of gender equality, the scenario where more women choose to work from home and more men return to the office can lead to greater gender inequality in the workplace and the reinforcement of stereotypical domestic roles. This, in turn, can hinder career potential for women – both in terms of income and career advancement. It is therefore necessary for women to have more flexible working hours, telecommuting options, and other support to help them create a better work-life balance. Combining technology with changes in workplace structure can increase company productivity, as male and female employees can work remotely and at different times to optimise their focus and balance work with other responsibilities, thus improving personal productivity.¹²

⁹ Labor market, education and wages: <https://www.instat.gov.al/al/temat/tregu-i-pun%C3%ABs-dhe-arsimi/pagat/>

¹⁰ Ibid.

¹¹ Man and Women in Albania: <https://www.instat.gov.al/media/11027/burra-dhe-gra-2022.pdf>

¹² Recommendations and conclusions of the Regional Conference on Remote Work in the WB6, <http://clr.al/2022/11/4489/>

24. The problems mentioned above lead to a non-fulfillment of target 8.5 of the Sustainable Development Goals, which focuses on the promotion of full and productive employment and decent work for all women.

Right to work and the right of everyone to the enjoyment of just and favourable conditions of work

25. Employees in garment factories frequently encounter safety and health challenges. The lack of proper heating and cooling systems contributes to a difficult work environment, with workplace temperatures often reaching extremes during summer and winter. Exposure to chemical substances and direct contact with these agents often lead to physical ailments like allergies or bodily discomfort. Female workers in these factories are especially vulnerable to these conditions, facing significant health hazards and concerns.
26. Women and girls working in the garment industry encounter significant issues, especially concerning working hours. Despite the labour code of the Republic of Albania stipulating a 40-hour workweek, these women regularly work 48 hours per week. Additionally, they often find themselves working on official holidays, which are meant to be rest days. Furthermore, women and girls in this sector face daily emotional and psychological violence. The work of these women in longer hours without appropriate compensation or consideration for their well-being is a form of exploitation. Employees of this sector are not fairly compensated for the additional hours worked, either through overtime pay or other benefits. In addition the employers disregard legal regulations regarding maximum working hours, rest periods, and overtime pay, putting employees at risk and denying them their rights. Requiring consistently long hours without adequate breaks or time off can lead to burnout, stress, and negative impacts on employees' physical and mental health.
27. In addition to above, in the garment industry, predominantly comprising women and girls, workers encounter issues related to their employment contracts. According to the data gathered, a substantial number of them only sign these contracts without retaining a copy. Furthermore, they frequently face problems such as unpaid annual leave and occasional denials, while also adhering to current workload norms (repartition quotas).¹³
28. Female workers in this sector struggle to achieve a living wage, frequently receiving only the official minimum wage or slightly above.
29. Additionally, enforcement of paid leave rights is inconsistent, and there is a noticeable absence of an effective mechanism for reporting such violations.
30. In the garment industry, significant issues persist concerning working conditions, salaries, and the limited or nonexistent discussion of career advancement. Some women have remained in the same job position for over 10 years without experiencing any substantial salary increases.

Violence against women and girls in the workplace

31. Albania received and accepted 22 recommendations on addressing violence against women across the continuum of violence and in its different iterations including:
- 95.123 Continue the fight against inequalities between men and women, in particular by allocating the necessary resources to combat violence against women.

¹³ Arqimandriti M/ 2023 Study Report: Analysis of the situation of employees in the clothing and footwear sector in Albania

- 95.137 Implement fully the normative framework and policies aimed at preventing violence against women, particularly by addressing factors that prevent denunciations of cases of gender-based violence.
32. Laws and policies like Law No. 10 237/18.2.2010 'On Safety and Health at Work' (LSSHP), the Law on discrimination, and the adoption of Convention No. 190 by the International Labor Organization in 2022 aim to tackle violence and harassment at work.
 33. Despite these measures, effective implementation is lacking, and there's minimal awareness among workers in this sector, primarily disseminated by civil society organisations.
 34. The lack of effective implementation can stem from various factors, including inadequate resources allocated for enforcement, insufficient training and capacity-building for relevant authorities, bureaucratic inefficiencies, and a lack of prioritisation of the issue within governmental agendas. Additionally, cultural or societal norms may also play a role, as addressing violence and harassment in the workplace may not be seen as a top priority or may face resistance from entrenched power dynamics.
 35. Violence against women and girls in this sector is manifested in various forms, including pressure on wages, increasing unpaid hours, psychological pressure, etc. Often the workers are threatened with being fired if they refuse to work overtime. Violence and harassment in the workplace are serious issues that affect all sectors of industry, with women being particularly affected.

Recommendations

We urge Albania to prioritise the following actions:

1. **Enhancing Enforcement of Labor Laws:** Strengthen the enforcement of labor laws and regulations, with a particular focus on ensuring equal pay, enforcing working hour limits, and improving contract enforcement.
2. **Empowering Union Formation:** Encourage the establishment of dedicated unions within the garment industry to effectively advocate for the rights and interests of workers, fostering a more balanced and fair work environment.
3. **Monitoring Gender Equality Measures:** Conduct rigorous monitoring and evaluation of the effectiveness of gender equality measures outlined in Albania's National Skills and Employment Strategy (NSES) 2020-2030, ensuring that they translate into tangible improvements for women in the workforce.
4. **Promoting Safety and Health:** Implement comprehensive safety standards and robust training programs to address the safety and health challenges faced by workers in the garment industry, prioritizing their well-being and minimizing workplace hazards.
5. **Strengthening Labor Inspectorate:** Bolster the capacities and expand the human resources of the State Inspectorate of Labor and Social Services to conduct more frequent and stringent inspections in the garment industry, ensuring compliance with labor regulations.
6. **Preventing Workplace Violence and Harassment:** Enhance measures to prevent and address workplace violence and harassment, including the effective implementation of existing laws and policies to create safer work environments for all employees.

7. **Closing the Real Gender Pay Gap:** Take proactive steps to close the gender pay gap and ensure equal pay within the production industry, fostering a culture of fairness and equality in the workplace.
8. **Promoting Work-Life Balance:** Support initiatives aimed at promoting work-life balance for both men and women, including offering flexible working hours, telecommuting options, and access to affordable childcare services near workplaces.
9. **Investing in Childcare Infrastructure:** Increase investment in childcare infrastructure near workplaces and collaborate with production companies to provide childcare facilities for employees, facilitating greater participation of women in the workforce while ensuring the well-being of working parents and their children.