

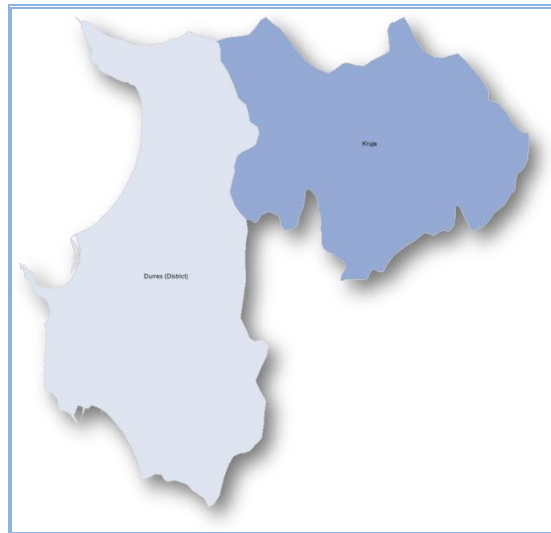


ALBANIAN CHILDREN ALLIANCE



OBSERVATORY FOR THE CHILDREN'S RIGHTS

REGIONAL CARD REPORT –DURRËS REGION
“The situation of children out of parental care” for the year 2011



DURRËS REGION

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LIST OF ACRONYMS

DCM	– Decision of Council of Ministers
Observatory	– Observatory for Children’s Rights Durrës
ACA	- Albanian Children’s Alliance
CRU	- Child Rights Unit
RED	- Regional Educational Department
PHD	- Public Health Department
ROSSS	- Regional Office of State Social Service
UNICEF	- United Nations International Children's Emergency Fund

I. Foreword and Acknowledgments

The Observatory for Children's Rights is a civil society structure built and empowered by the collaboration UNICEF – Albania and “Albanian Children's Alliance”. The Observatory has started to function in March 2009, covering 12 districts, initially in Tiranë Shkodër, Dibër, Korçë, Elbasan, Durrës, Kukës, Vlorë and Gjirokastrë and lately in Fier, Lezhë and Berat. The implementation of this project aims at developing mechanisms for observing and gathering information regarding the situation of children's rights in every district.

The Observatory offices function as civil society offices which goal is to strengthen the alliance and cooperation between every possible institution in order to effectively achieve the realization of children's rights. The Observatory's Mission is to highlight problems that might rise during the implementation of children's rights. Also monitoring independently and continuously to achieve a high working level during the implementation of the Children's Rights Convention.

The Observatory Durrës has attained successful collaboration with 6 Municipalities and 10 Communes on a district level. The most successful cooperation has been with the Regional Educational Department (RED), Public Health Department Durrës (PHD) and State Social Service Durrës (SSS). These institutions have greatly helped our work by providing us with their statistics regarding children in order for us to be able to write a report about the children's situation in that district. The Observatory collaborates with other NGO-s committed to children and together they have discovered many cases of non respect of children's rights. They have also organized different activities for the children.

During its existence, the Observatory has realized many general and specific reports regarding the situation of children in a particular district. These reports have been presented to public and private institutions on national and local level.

The study “Children out of parental care” was undertaken by the Observatory for Children's Rights because this is a very delicate subject and public institutions have a great amount of work ahead of them in order to improve children's quality of life. Until now the government has undertaken big steps in order to provide these children the change they need, but there is still a lot of work to be accomplished for this target group. This is the reason why the Observatory has begun to develop a research study regarding the situation of children out of parental care and the institutions that accommodate them.

The focus group of this study is children out of parental care. The first step has been visiting residential centers (orphanages) all over the district of Durrës. In this district there are 2 public residential institutions and 3 non public institutions that accommodate biological or social orphans. The staff of residential institutions has greatly contributed in the realization of the study; the Director – Mrs. Heroina Duka and her employees: Mrs. Geralda Allabaku, Mrs. Migena Arrësi and Mrs. Daniela Deliallisi. We would like to thank the staff of the residential center in Bubq for the information they provided regarding the situation of their respective residential institutions, children's current situation and for facilitating the problem identification process: the Director – Mrs. Monika Bolonja and Mr. Arqile Moisiu.

II. Introduction

The objectives and goal of this study are to highlight the situation of children out of parental care and also children out of parental care who are disabled. This study will evaluate the number of children out of parental care in the district, the number of residential institutions that accommodate these children and if the conditions of living in these institutions are appropriate according to the standards.

The purpose of this study is to describe the situation of this category of children, to make suggestions in order to improve their quality of life and to protect their interests in case of violation of their rights by the residential institutions. These recommendations will result from monitoring the situation of the children and of the institutions where they live and also the services they are provided with during the period of their stay at the institution.

This study has great value for the community, especially for the institutions that collaborate with the Observatory, such as: the District of Durrës, municipalities and communes where the residential institutions are situated. As stated previously, this report aims at showing the exact situation of children out of parental care. The problematic and recommendations that will result from this study will serve as reference for building new strategies in order to protect children's interests, especially those who are out of parental care, which is the focus of this study.

The Observatory has chosen the district of Durrës to focus on the issue of children out of parental care because this is the district that contains the highest number of public and private residential institutions and daily centers. These institutions accommodate children from other districts as well, which makes the district of Durrës the perfect choice for this kind of research.

The target group of this study is children aged between 0-18 years old that are out of parental care and also children out of parental care who are disabled and live in residential institutions with specially trained staff.

The sources of information are municipalities and communes of the district of Durrës, Regional Educational Department, State Social Service and residential institutions themselves where meetings with children have been organized and their situation has been reviewed closely.

Methodology used during the development of the report

The realization of this report has involved the use of the Albanian legislation, strategic local and national documents, information from different institutions that offer services for this group-age and for disabled children and different regional, national and international publications regarding abandoned or disabled children.

This study was based on focus groups organized by the Observatory itself. Several meetings on different days have been organized: one focus group meeting has been organized in the orphanage of Durrës, which is separated in two small houses (one house is located in the center of the city of Durrës and the other one is in the suburbs). This orphanage has the capacity to accommodate 30 children. Currently, the Shkozë center which is functioning both as residential and daily center offering services for the children of the district of Durrës and beyond, is accommodating 19 children aged between 0-18 years old from families with social problems or

victims of trafficking, etc. This meeting was organized in two parts. In the first part only the staff was present and in the second part there were the children of the institution.

Another focus group was the orphanage “Bethany” non public residential center situated in Bubq, in the district of Krujë. This orphanage currently accommodates 70 children. “Bethany” center has a qualified staff and is financed by its ‘mother’ association with the same name and located in Italy.

One of the difficulties for writing this report is the fact that municipalities/communes of the district of Durrës do not know the exact number of children out of parental care who do not live in residential institutions. Some children often are under the custody of blood relatives but some others are completely out of any scheme and their destiny is unknown.

The conclusion of this report will highlight all the issues regarding the respect and violation of children’s rights, especially children out of parental care, and the problems that they face every day. This report aims at helping all public and private institutions that the Observatory has collaboration with. The goal of this report is to become a lobbying instrument for children’s rights in the district of Durrës. It might put local and national institutions in the right direction for writing social policies and strategies for children out of parental care.

III. Analysis of the situation of the rights of children out of parental care in the district of Durrës.

The city of Durrës is the second most economically and socially developed city in the country after the city of Tiranë. The district of Durrës in 2010 counted a total number of 414326 inhabitants and in 2011 it counts 414603 inhabitants¹. There is a decrease in population by 277 inhabitants.

It is very difficult for abandoned or out of parental care children to access services offered for every child. Only if they are accommodated in residential institutions they can access social services like education or health care. Residential institutions for abandoned children have psychologists that help and support children at the moment of their entrance at the institution. Children are asked regarding the school they want to attend, clothing and appearance. At the moment of the entrance at the institution every child has a personal file where everything regarding his health, education or psycho-social development is noted.

Residential institutions that operate in the district of Durrës are:

Public residential institutions for children

1. The orphanage of Durrës, divided in two small houses with the capacity of accommodating 30 children. Currently there are 19 children lodged in this institution, coming from poor families who do not have the possibility to raise them.

¹ Source of information INSTAT, year 2011

2. Residential center for disabled children which has the capacity to accommodate 44 children. 39 of them are out of parental care.

Private residential institutions for children:

1. Orphanage “Bethany” in Bubq that accommodates *67 children* including biological and social orphans from families with social problems.
2. Orphanage “Orthodox House of Hope” in Shën Vlash that has the capacity to accommodate *25 children* but currently only 21 orphans with social problems benefit from its services.
3. Orphanage “Chosen Generation” in Thumanë that accommodates *9 orphans* with social problems.

Public Daily Centers for children:

1. Daily center for children at the orphanage of Durrës with *28 children* from families with economic and social problems;

Private Daily Centers for children:

1. Daily center “Morning Sun”, has the capacity to accommodate 15 children. Currently 12 children are living in this center. They are aged 3-6 years old and come from families with economic problems and from the Roma community.
2. Daily center of the foundation “Christian Center of Durrës” has the capacity to accommodate 50 children. Currently there are 40 children living in this center, aged 3-13 years old. They come from the Roma and Egyptian community and from families with economic problems.
3. Daily center of the foundation “Nehemia”, in Durrës has the capacity to accommodate 60 children. Currently there are 57 children living in this center coming from families with economic problems and Roma community.
4. Daily center “Today for the Future” is accommodating 35 children aged 6-15 years old from families with economic problems.
5. Daily center “Field Flowers” in Maminas has the capacity to accommodate 50 children. Currently this center is functioning over its capacity and is lodging 56 children from poor families.

These residential institutions offer services mostly for orphans, children victims of traffic, children whose mothers have been victims of traffic and they have been abandoned because of social and economic problems.

Daily centers offer services for children that come from families with economic and social problems, as well as Roma and Egyptian community. According to clause nr. 4 of article 102 of the Constitutions of the Republic of Albania and in execution of article 24 of law nr. 9355, date 10.3.2005, The budget given by the Ministry of Labor, Social Affairs and Equal Opportunities is the same for all residential institutions and has the value of 330 ALL/per person daily, according to instruction nr. 5, date 01.05.2012 about the level of quotes regarding food in public residential

institutions. According to the director of the orphanage in Durrës, this amount is sufficient to satisfy a child's needs.

During visits in residential institutions of the district of Durrës some financial sources depending on the center were identified: public funds (from the Ministry of Labor, Social Affairs and Equal Opportunities) and non public funds (from associations and foundations which they depend directly from). Also there are different donors who help in economic and material ways such as: The Embassy of the United States of America, the British Embassy, the Italian Embassy and mobile telephone companies like AMC, Eagle, etc.

Service programs in residential institutions have evolved from year to year and their staff has been trained in order to improve their working performance with children. These last years we have seen psychologists being involved in schools and residential institutions. Their presence is crucial for the psychological well being of children. Children out of parental care have a wide range of psychological problems that need to be professionally addressed.

In fact, Albania has made great improvements to the legislation regarding children in general and this target group especially. This has brought a decrease in physical and psychological violence in schools and residential institutions. But not always these laws are correctly implemented, especially in the case of children out of parental care. These children have rights like every other child including: the right to nutrition, to education, to express their thoughts freely, the right to health care, the right to social protection.

In Durrës there are a lot of organizations that have children in their focus, for example: Orphans Organization, CRCA, UNDP, World Vision, and the Observatory for Children's Rights. These organizations are responsible of many awareness campaigns in favor of children out of parental care. They also organize entertaining activities and develop programs in order to help these children.

According to the law 10347, date 04.11.2010, " For the protection of children's rights", a structure called **Children's Rights Protection Unit**, has been formed with Order Nr. 46 date 20.03.2012. This unit aims at protecting children's rights in the district of Durrës by building units in every commune and municipality. These units will protect children, identify cases of children's rights violation and report these cases to the police or other institutions. At the moment that we speak there is not a proper strategy for children's protection and this is a deficiency for the district of Durrës. A concrete plan for improving children's wellbeing does not exist. There is absence of a strategy and action plan in the municipalities of the district (child protection office). This is a great deficiency and concrete actions have to be taken in order to develop a strategy which implementation will improve the quality of life of children out of parental care.

The right to Education

The right to education is one the basic rights for the intellectual development of children. Like every other child, children living in residential institutions frequent schools near their community. Children frequenting primary school are accepted easily, maybe because prejudice is rarer in young children. But it does not happen this way for children frequenting high school who are judged for their status and the way they dress. In the residential center in Bubq there are

children who frequent high school and two of them are going to university. Children are very interested in school and have a medium academic level.

The right to Social Protection

Law Nr. 7710 date 18.05.1993 ‘‘For help and social care’’, has changed during the years in order to facilitate the obtention of economic welfare by certain categories. Despite these initiatives, this law contains a clause that prevents people who migrated from other parts of the country from obtaining social welfare. A great number of poor families who live in the suburbs or rural areas of the district are left outside the social welfare scheme. Economic instability and the exclusion from social welfare make children of these families susceptible of being abandoned or left in residential institutions.

The story below is the story of two girls who were part of the focus group interviewed at the residential institution in Durrës and it is an example of the violation of children’s rights through physical and psychological abuse inside the family.

The story of two abandoned sisters

Two sisters are currently accommodated in the residential center ‘‘Family House’’ in Durrës. They used to live with their parents, sisters and brothers. Their family is very numerous. Because of economic problems the girls were forced by their father to beg for money on the street and the earnings of the day were taken by their father. Their father was an alcoholic and often he abused physically and psychologically on all members of the family. One day their mother fell ill and she was brought to the hospital where she was diagnosed with stomach cancer. Their mother’s health was getting worse and the girls continued to beg on the streets without going to school. Their mother passed away and they were left alone with their father and another sister. Their brothers and sisters were married and they didn’t take care of the girls. One month and a half after their mother’s death, their father had an accident and he passed away on the road to the hospital. The girls were left completely alone with no support. After they were accommodated in the orphanage of Durrës they received proper psychological and health treatment. They were enrolled at the public school ‘‘Eftali Koçi’’. According to the law the orphanage has to wait 1 year for the family of the girls to come and look for them and after that period they can start the adoption procedures. There is an American family who is interested in the girls. All the necessary documentation has been prepared and in a few weeks the girls will leave to the USA.

The Right to Legal Protection

Children have the right to legal protection from the moment they are born. In Albania there is an absence of centers that offer legal protection for children out of parental care. These centers would help this category of children when they are of age to leave the residential institution.

The Right to Participate

Children's participation is one of the main columns of the Children's National Strategy and Action Plan 2005-2010, approved by the Council of Ministers nr. 368 date 31.05.2005 and it states that children have to be listened to in order to secure their freedom and their opinion has to be taken under consideration in matters regarding them personally. Teachers and directors of residential institutions must make efforts to include children out of parental care in social structures as listed below. In the city of Durrës there are some structures representing children that are being empowered little by little.

Students' Government

This structure exists in every school according to the normative dispositions of the pre-university system.

Youth Parliament Durrës

This structure was founded and supported by UNICEF since 2002 and represents the interests and voice of children aged 14-18 years old. Representatives of this structure are selected openly every two years. This structure represents the district of Durrës but representatives of schools in Krujë have difficulties participating actively in initiatives, activities, and campaigns organized during the existence of this structure.

Children's Parliament

This organism functions based on the selection of representatives from the senate of schools of the 9 year education cycle. This structure is supported by the Educational Department of Durrës and Children's Cultural Center of Durrës. Its function is to follow the activity of Schools' Senate and to support them.

IV. Main findings

During the research for writing this study the main findings are listed below:

In general the conditions of living in residential centers in Durrës and Bubq were good except some problems with humidity upstairs in the center in Durrës. Both centers were funded continuously by donors and local government. The center in Durrës had problems financing activities for children outside the institution. There is a budget cut from the municipality.

The residential institution of Bubq is financed by the association "Bethany" with its main offices in Italy, but the issue raised by the employees was the lack of budget from the local government.

In public residential institutions, children stay until they are 14 years old. After they turn 14 years old they leave residential institutions and they are accommodated in the dorms of the schools they frequent or if they are lucky they are transferred in a private residential institution. This is a problematic situation for children because they leave in a young age and they are left without any support. They may take a criminal path or be victims of traffic.

The age of residence in these social care institutions must be increased or children must be accommodated in residential institutions for teenagers until the age of 18 years old.

The meeting with the staff of the orphanage of Durrës revealed that their work was very meticulous regarding the children that they lodge, starting by nutrition and health care. Many poor families, with economic problems, are obligated to leave their children at residential institutions during the whole day. By doing so they are reassured that children will be fed at these institutions. What is concerning is the fact that some parents never return to pick up their children and after a year the adoption procedure begins.

During the meeting with the children of the orphanage of Durrës, we noticed that these children were shy and antisocial, despite the efforts made by the employees of the center to unite them. This kind of behaviour is problematic when they leave the institution because they will face difficulties that they will not be able to handle by themselves. The same situation resulted from the meeting with the other children of this orphanage who live in the city. They go to public schools and still are very shy.

Adoption must become possible at a very young age. Children will have the stability they need and will be raised in a warm family environment. Residential institutions could never replace the family environment even with the most qualified staff.

The development of strategies for children by municipalities and the district of Durrës is very necessary. A database system must be created in order to register children who are not accommodated in residential institutions. These are children living with relatives or abandoned children whose destiny is unknown.

V. Recommendations

1. Developing social policies aiming at improving the social-economic conditions of families, influencing the decrease of the number of social orphans.
2. Increasing the number of multidisciplinary daily centers for children and expanding them all over the district.
3. The age of residence in social institutions must be increased or new centers for teenagers until 18 years old must be created.
4. Adoption must become possible at a very young age. This gives children the possibility to grow up in a family environment.
5. A database system must be created, by the municipality and the district of Durrës, in order to register children who are not accommodated in residential institutions.

6. Raising awareness of the public opinion regarding the rights of this category of children and raising voluntarism.
7. Increase funding by local actors or NGO-s in order to be able to cover all the expenses that these institutions face.
8. Continuous staff training and qualification.

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**ANNEX 1: Questions asked to directors of residential institutions during focus groups:
(Durrës and Bubq)**

1. The number of children that are treated in this institution
2. Is there a personal file with every child's data?
3. How many children have left in 2011 and the reasons of their departure
4. Do these children receive support at the moment of their departure and does the staff visit them after they leave the institution
5. Are parents of these children interested in them
6. Regarding food that is served to the children, is it healthy, is it cooked in hygienic conditions
7. Are children involved in decision making and does the staff counsel them in their everyday life
8. Does your center have a doctor that makes periodic visits and how is the children's health. Are they being vaccinated regularly
9. How are children doing in school, is their education a priority, do they have a comfortable studying environment and how are their results in school.
10. How is their free time organized
11. Regarding the staff: is there a code of conduct they need to respect and do the children have suggestions or complaints about the staff
12. How are the conditions of living in the orphanage? Are they appropriated? The year of construction. Has it been reconstructed?
13. Do these children feel equal in public environments and what is the level of involvement in public activities. What more can be done regarding their social inclusion
14. What is the budget amount that the center receives from the local government

ANNEX 2: Questions asked to children in focus groups (Durrës and Bubq)

1. What are the good and bad parts of growing up in residential institutions? Are these children easily accepted in society, school, etc
2. If you were given the possibility to change the place of residence what would you do?
3. Do you feel better in this institution or at a relative's house?
4. What kind of food do you consume in this institution and are you satisfied?
5. If you were given the possibility to change something in this institution what would it be?