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# GENDERIZING OF THE PARTICIPATION RIGHT IN THE DECISION-MAKING PROCESS: THE ELECTORAL QUOTA AND FEMALE LEADERSHIP IN ALBANIA

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**Abstract:** *This paper is focused on the Albanian electoral system, its total inclusion approach, protection and promotion of gender characteristics, historical and legal developments on the gender quotas necessity, the comparison in time and space, the barriers and opportunities to promote gender politics in public and social area in Albania. The methodology will consist of a comparative analysis of legislation, the international legal framework, recommendations of international institutions, policy papers on identifying the causes why higher gender representation in politics produces estimated results in the public area, social and economic development. Analysis of the circumstances, historical periods, social and economic impact in legal amendments would be another methodology component. Gender quotas provide a critical minority of women, from 20% to a gender balance of 50%, either as an education of the community to face with real gender balance in common life.*

**Keywords:** *Albanian Legislation; Quota; Political Parties; Women's Participation; Equality*

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## INTRODUCTION

The Albanian population consists of 50.1% women (INSTAT, 2019). Women and men are interdependent, but they are socialized in different ways and often operate in different social spheres. As a result, they have different priorities and perspectives. Due to gender roles, in our society, men can hinder or expand options and opportunities for women. Development affects women and men in different ways however both need to be involved in identifying problems and solutions to represent and meet the interests of society as a whole. In Albania, the division of gender roles remains very visible and deep. The division of gender roles begins with the family and then is reflected throughout society. The opportunities for women and men to secure or use resources (food, credit, technology, etc.) or services (education, health care, etc.) are different in different parts of the country. For example, women in rural areas often have access to land or credit,

but they do not have the power and opportunity to make decisions on these resources. Even when women have endless resources, they often do not have the opportunity to take advantage of using them. Women usually work longer instead of men, they have less access than men to one of the most important resources: time. This, in turn, limits women's access to social resources and benefits such as schools and training, which can open up new opportunities for living and income. It affects mostly the participation of women in the decision-making process.

Another argument in women's favor consisted of women are less corrupted than men. The implementation of the Decriminalization Law (2005) supported that. One of the measures of the Decriminalization Law expected to remove from the political and official positions all persons with criminal records inside and outside of Albania. The first year of the implementation of the law (March 2016 – March 2017) resulted in 62 resignations, dismissals, or investigations that affected only 5 women, politicians/female directors. None of these women was accused of criminal deeds. On the other hand, several male politicians and male MPs were affected by the decriminalization process (three MPs resigned, three MPs were dismissed, and 6 MPs are under investigation) and 25 other male politicians were discharged, most of them because of their criminal records. It is particularly hard for women politicians to lead competitive campaigns in areas in which they have to run against candidates with criminal records, and it is considered as one of the most difficult barriers to a qualitative and gender-balanced political representation in Albania (Krasniqi 2017).

If we go in the retrospective of the facts about women's participation in politics and the decision-making process, we will encounter paradoxes such as the communist regime has a high participation of women in politics with about 20.4% of the total number of parliamentarians, 51 women versus 199 men. The democratic pluralist regime offers a low turnout of 11 women against 144 men in 1997 and 10 women against 130 men in 2005 (Parlament.al 2021). For this reason, a major stimulus for women's involvement in politics has been provided by electoral law as an important element in guaranteeing constitutional rights and freedoms and providing equality in elections and solutions.

Another element guaranteeing gender equality in decision-making and politics are political parties, which as voluntary public organizations play an important role in involving women in decision-making positions and their equal participation in the candidate's lists during elections. Apart from Belgium, nowhere else the political parties offer equal gender representations on these lists. In recent years, discussions about increasing women's participation in politics and decision-making were focused on the importance of applying the gender quota system, a system that is directly affected by 'the electoral system'.

## LEGAL FRAMEWORK ON GENDER EQUALITY

The principle of equality guarantees that all human beings, regardless of race, sex, religious belief, socio-cultural level, or political status, have equal legal rights. In the context of international human rights law, the legal concept of gender equality is enshrined in both the Universal Declaration of Human Rights and the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW 1979). The Convention, ratified by Albania in November 1994, explicitly and unequivocally states that “discrimination against women violates the principles of rights equality and respect for human dignity”<sup>1</sup>. In September 1995, at the World Conference for the Women in Beijing, organized by the UN on the Platform for Action, the world governments reaffirmed their commitment to “equal rights and innate human dignity of all women and men”.

According to clause 122/2 of the Albanian Constitution, “International agreements ratified by law have superiority over laws of the country that do not agree with them”. Such acts as international instruments on the protection of human rights, gender equality, and the fight against gender based-violence, become part of the Albanian legal system after they have been ratified by the government, approved by the parliament, and published in Official Gazette.

Important acts like ILO Conventions; Istanbul Convention (CoE 2011); New York Convention provide the obligation of Albania to guarantee equality between men and women (Qirjako 2016, 195).

According to the Third Millennium Development Goals, “Promoting Gender Equality and Strengthening the Role of Women in Education, Employment and Decision Making”, the national analysis shows that Albania will meet this objective and that the level of policy support, staff, sources of fundings, legal framework, public awareness, etc., would be accessible until 2015 (Progres Report. Council of Ministers 2007). But, the Millennium Development Goals Report 2015, UN states that: “Women continue to face discrimination in access to work, economic assets and participation in private and public decision-making”. In this line, the Sustainable Development Goals, through its objectives intend to produce a set of universal goals that meet the urgent environmental, political, and economic challenges facing our world (United Nation Development Program [UNDP], 2012). This pressure affects mostly the Albanian institutions on fulfilling and implementing the legal framework on providing equal premises and conditions for gender equality in all spheres of society. Albania boasts a solid legal framework regarding gender representation, which enables its improvement up to the achievement of a balanced representation.

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<sup>1</sup> As one of the most important international instruments ratified by Albania since 11.05.1994, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and its Optional Protocol worldwide is recognized as the ‘Constitution of Women’.

Albania's gender gap problem persists due to a discrepancy between *de jure* rights and their *de facto* implementation. In the national context, it is sanctioned in the Albanian Constitution, in its Article 18: "all citizens are equal before the law, and no one can be unjustly discriminated under reasons such as gender, race, religion, ethnicity, language, political, religious or philosophical beliefs, economic, educational, social, or parental affiliation. This discrimination is realized only when there is a reasonable and objective justification".

Further in the field of political freedoms, Article 45 of the Constitution guarantees that every citizen who has reached the age of 18 years, even on Election Day, has the right to vote and to be elected. And it is precisely the fundamental law of the country that guarantees its freedom, equality, individuality, and secrecy. The Constitution also sanctions other freedoms and rights that help in creating an equal environment and conditions for all citizens, guaranteeing special protection by the state. Article 54 stipulates that "children, young people, pregnant women, and new mothers have the right to special protection by the state". According to Article 57, the Constitution guarantees the right to education for everyone and provides compulsory education, the second one open to all, in public and free schools.

Law on Gender Equality, (Law No.9970, 24.07.2008), Article 1 "regulates fundamental issues of gender equality in public life, the protection and equal treatment of women and men with regards to equal chances and opportunities for the exercise of their rights, as well as their participation and contribution in the advancement of all social spheres". In this regard there have been several positive outcomes and changes, mostly accredited to the advocacy work of the civil society in Albania. Gender equality law aims to: i) ensure efficient protection against discrimination of grounds of gender; ii) define safeguards for equal opportunities between men and women, to eliminate gender-based discrimination; iii) define the responsibilities of state authorities - at all levels, in drafting and implementing legislative acts and policies that support gender equality. Gender equality law stipulates that gender mainstreaming shall be the approach to ensure gender equality in society, by reflecting the perspectives of all genders into the law-making, policymaking, planning, implementing, and monitoring processes (Qirjako 2016, 195). It also covers discrimination and harassment and provides for special temporary measures for guaranteeing at least 30% representation of the under-represented gender in a political and public decision-making position for the least represented gender. The law goes further when it charged the political parties as the directly interested institutions obliged through methods and measures to comply with the requirements of the law. In case of fails, they will be charged with fines of up to one-tenth of the state funds for the electoral campaign until they undo the violation (Article 15/3, Law No. 9970/2008). After the elections of 2017 in Albania, the organization of the Government, its ministries, and other public bodies were changed.

The Social welfare portfolio was attached to the Ministry of Health, becoming the new Ministry of Health and Social Protection<sup>2</sup>, including a modest section working on Gender Equality and Gender-Based Violence<sup>3</sup>. What it started as a National Committee for Gender Equality, with the power to oversee the whole implementation and advancement of gender equality policy of the Government of Albania in 1998, has been reduced to a mere modest section with a limited number of people working for gender equality and domestic violence. While the duties and responsibilities assigned by the Law on Gender Equality and the Law on Domestic Violence to the Section have increased year by year, their staff numbers and budget hasn't increased, putting in serious doubt the state of the implementation of the legislation and the National Strategy and Action Plan on Gender Equality (2016-2020) (CLCI, UNWomen 2019).

Law on Protection from Discrimination as a significant step forward guarantees the protection of equality and non-discrimination<sup>4</sup> in Albania. It significantly widens the scope of rights and their safeguards for women and men by introducing new concepts and their application in spheres related to the economy and social protection, in addition to the political dimension. Concretely, this law ensures the right of any person for: i) equality of rights by the law and equal protection by law; ii) equality of opportunities to exercise rights given by law, enjoy freedoms and access to public life; iii) effective protection from discrimination and from any form of conduct that produces discrimination. The law defines the Commissioner for Protection against Discrimination as an independent body that safeguards protection against discrimination carrying out an activity of monitoring with powers of imposing sanctions for protection against discrimination. In October 2016 the Government of Albania approved a new National Strategy and Action Plan for Gender Equality (Council of Ministers Decision No. 733/2016). The vision of the strategy focused on: "A society that appreciates gender equality as a precondition for sustainable development and aims to have zero tolerance towards gender-based violence and domestic one". Strategic Goal 2 focused on the equal participation and public engagement of women in public life and decision-making. This goal has two objectives 1) increasing the participation in decision-making of women, and 2) increasing up to 40% of women's representation in public processes of policy-making and planning at the local level.

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<sup>2</sup> One of the ministries with the highest national budget, covering from hospitals and health care to pensions, from cash hand outs to social care.

<sup>3</sup> Although officially is not known the number of people working for the Section, it is believed that only 3-4 staff are assigned to work on gender equality issues. Other line ministries and municipalities are required by the law to establish 'gender focal points'. The process to set them up has been supported by the UN Office in Albania and has been considered quite successful.

<sup>4</sup> This Law guarantees the principle of equality on grounds of: "gender, race, colour, ethnicity, language, gender identity, sexual orientation, political, religious or philosophical beliefs, economic, education, or social situation, pregnancy, parentage, parentage responsibility, age, family or marital condition, civil status, residence, health status, genetic predispositions, restricted ability, and affiliation with any particular group or any other reasons".



## GENDER PRESENTATION ON POLITICAL SPECTRUM

Following Article 68 of the Constitution, the candidates for Parliamentary members (MPs) should be presented only by political parties, coalitions of parties, and by the electors. In this spirit, the political party as the first institute of expression and transmission of internal democracy in the national and local political arena has the task to be sensitive on providing political guarantees of both genders and a wider social spectrum in their inclusion on the lists of candidates for MPs. The Constitution (1998) and the Electoral Code are the principal rules which governed the Parliamentary elections. Other applicable provisions include the instructions and decisions of the CEC, the relevant articles of the Criminal Code and the following laws: Law on Political Parties (2000); Law on Demonstrations (2001); Law on Gender Equality in Society (2008); Law on Audiovisual Media (2013) and the Law on Decriminalization (2015).

The Albanian Parliament has 140 members, elected with a four-year mandate. The MPs are elected through a closed-list proportional representation system in 12 multi-member districts. This district constitutes 12 administrative regions in the whole country. Only parties registered in their respective districts that win at least 3% of the votes cast and coalitions that win at least 5% of the votes cast are allocated seats. Coalitions are made up of political parties registered with the CEC (Article 162-163 Electoral Code).

The Law on Political Parties regulates the organization and functioning of political parties. The law goes to great lengths in providing details on principles of the party establishment, but it fails to provide sufficient grounds to support gender equality within a political party. The Law on Political Parties is not harmonized with the legal framework regulating gender equality in Albania, so it needs new amendments by imposing gender equality criteria on political parties as soon as they are established<sup>5</sup>. Gender quotas and proportional gender representation within the parties would create the preconditions for a new political culture stemming from within the political party structures. It would enable new approaches towards gender equality and it would force political parties to compete to appeal more to the voters of both sexes, create safeguards expressed through political programs that are legally anchored, and ultimately increase the quality of political representation for both sexes. The implementation of gender equality law influenced the performance of the public institutions and has an impact on the new amendments of the Electoral Code. The Law on Gender Equality in Society (2008) stipulates for the achievement of a minimum 30% standard for representation of women in all public-sector institutions at national and local levels.

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<sup>5</sup> Sanctioning gender equality and gender-sensitive representation principles for the steering structures of the parties would be an important step that would ensure a greater long-term sustainability, viability, and effectiveness than the periodical reviews of the electoral rules in the framework of the Electoral Reforms.

Consistent with these provisions, the Electoral Code established gender quotas for candidate lists and membership in electoral commissions for the first time. From 7 women that were elected in the Parliamentary Elections of 2005, in 2017 there were 39 women parliamentarians, one of the highest numbers of women MPs since the fall of communism (CEC 2017).

The Electoral Code requires that each candidate list includes at least 30% of candidates from each gender, or one of the top three candidates must be from each gender. This legal requirement was generally met by the political parties registered to run in the 2009 general elections<sup>6</sup>. After the local elections of December 2015, in February 2016, was set up by the parliament an *ad hoc* committee co-chaired by a representative of the majority (SP) and a representative of the main opposition party (DP). They should propose amendments to the Electoral Code according to the recommendations of the Venice Commission and the OSCE/ODIHR (2016). The Parliament amended in 2016 the Law on Political Parties, the Criminal Code, and the Law on Audiovisual Media as a result of the 18 May agreement. But still, some key Venice Commission recommendations were not taken into account, in particular, "strengthening the gender quota" (Article 175, Electoral Code); The Electoral Code gaps create that, the above law changes produce inconsistencies in the overall legal framework.

Nowadays, Albania is under a major political crisis. On 21 February 2019, almost all the members of the opposition parties at the Albanian Parliament rescinded their mandates, leaving a huge gap of political representation including many women (Voice of America 2019). Currently, from 140 members, there are only 122 MPs in the Albanian Parliament and the vacant positions can be replaced after 6 months. Currently, there are 36 women, almost 1/3 of the newly replaced from the opposition party lists of 2017 (Parlament.al 2017). The political infighting and vacuum have further diminished the opportunities for women to have a meaningful role in the workings of the Parliament that above all influences the public life of the country. The women MP's that decided to continue to be part of the Parliament, have been publicly insulted by their parties and media<sup>7</sup>, as being traitors or incompetent to do their job<sup>8</sup> (Koha Jonë Newspaper 2019).

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<sup>6</sup> For 2009 elections only three candidate lists were registered without meeting either criterion, namely the lists of the Social Democracy Party and of the New European Democracy Party in Lezhë, and the list of the Democratic National Front Party in Berat.

<sup>7</sup> There have been no cases of prosecutions brought up to the courts or relevant authorities such as the Albanian Broadcasting Media Authority (AMA) on political verbal violence against women politicians, as most of the accusations come from male leaders of the major political parties. The Parliament lacks the strength to hold them accountable as they exercise large influence over their MP's. The Woman Parliamentary Caucus hasn't been able to seriously tackle such issues, neither in Parliament nor publicly, because of lack of bipartisan support and defense of political positions of their own parties from women MP's too.

<sup>8</sup> *Rudina Hajdari: a traitor or bought by the Government*, Koha Jone, 11 March 2019, article is available on the link: <https://www.kohajone.com/2019/03/11/tradhetare-apo-e-blere-rudina-hajdari-ata-qe-akuzojne-jane/>



The often changes of the Electoral Code of Albania (Law No. 10 019/2008 amended) affected somehow negatively the gender quota, while others had a more positive impact on the political participation and representation of women across the country. The Code guarantees that women and men are represented in at least 30% of candidates' lists for members of the parliament. According to the Code amendments in 2013, instead of list refusal, parties would be fined approximately nine thousand USD if their regional candidates' lists did not meet the quota. For Civil society, this change deduces that gender quota is becoming merely a financial value. Changes to the Code during 2015, consisted of setting up a 50 percent gender quota for Municipality councils, which influence directly the outcomes of local elections of the same year, wherein in the municipality of Tirana, women held 51 percent of the members of the Council. But different was the situation in smaller and some northern municipalities, where women were almost not at all included in the candidates' lists (CLCI, UNWomen 2019). In the municipalities where women were elected as members of the city Councils, several of them were resigning from their public office to be replaced by men, thus making gender quota de facto non-applicable. Among 61 municipalities in Albania (in 2015), only 15 percent of mayors elected were women (CEC 2015), which shows that the 50 percent quota did not apply for mayors.

On 30 June 2019, Albania organized highly contested local elections, where the opposition parties did not take part. In at least 31 municipalities there were no contestants apart from the main Coalition led by the governing party. Only less than 12 percent of the candidates for mayors were women (CEC 2019), and female candidates for Members of Council were less than 44 percent (CEC 2019). The municipalities, earlier governed by women mayors were replaced by men, taking away even a few achievements made for women so far (CLCI, UNWomen 2019).

## GENDER PRESENTATION ON POLITICAL SPECTRUM

Even the electoral provisions introduced a gender quota; women are still generally underrepresented in Albanian politics. Historical facts show the level of women's representation in politics. So, during 1920 (INSTAT 2019) the Parliament of Albania was composed only of men. In 1945<sup>9</sup>, they were elected the first women as Members of Parliament. During the legislations of 1997, 2001, and 2005, the participation of women in the Albanian Parliament does not exceed 10% (Parlament.al 2021). The period 2001-2005 showed massive participation of men with 94%, a situation which will be improved with the inclusion of the gender quota of 30% after the Electoral Code changes in 2008. In the parliamentary elections of 2009, the participation of women in parliament doubled from 7% to 16%, a trend that reached 18% in the 2013

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<sup>9</sup> The right to vote for women was won in 1945, this date is the beginning of their political enrollment.

parliamentary elections (Parlament.al 2021). As a result of leaving the mandates, the replacement of men MPs with women MPs, brought that in 2016 we have 24% of women members in Parliament (Krasniqi 2017). Among the eight Parliamentary commissions, the largest participation of women is at the Commission of Labor, Social Affairs and Health with about 50%. This one discusses and revises several laws and initiatives that affect economic empowerment and support for women with social policies. But still, there is a gender division in the composition of parliamentary commissions with the perfect example of the national security commission composed totally by men (INSTAT 2019). The fact is that the participation of women in any commission is not exceeding 50%, of women as the (commission for work, social affairs, and health -50%), the highest percentage of women, but none of these commissions is composed only of women. The changes in the Electoral Code (April 2, 2015) brought significant quantitative changes in the representation of women and girls at local decision-making levels. The composition of the lists of candidates in the elections for local government bodies in 2015 was 10% women and 90% men. The winning candidates for mayor were 15% women and 85% men. According to an estimate made in December 2016, 36% of municipal councilors were women and girls and 64% were men.

According to the UN Women report (2018), there are identified some of the major obstacles for women's political representation<sup>10</sup>:

- Legal obstacles are present, with women put in a less competitive position to become representatives and women's quotas to become representatives working poorly;
- Women struggle to wage their political campaigns, facing threats and lacking rights to express grievances about the electoral process;
- The implementation of the clauses on women's quotas show severe obstacles;
- Fewer electoral resources and donors are contributing to women's promotion;
- There is a sense that women candidates who file complaints are treated less fairly;
- Gender stereotypes are widespread and negative about the role that women can play as representatives.

Aware of the obstacles, many organizations<sup>11</sup> for years advocated the Alliance of Women MPs, the Parliament, and all parliamentarians for gender equality in decision-making by improving the optimal implementation of gender representation in our electoral legislation. This initiative introduced changes in the Electoral Code regarding the increasing of gender quota by 50% for women's representation in the electoral lists

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<sup>10</sup> Titled 'Obstacles to Women's Participation in Elections in Albania - A National Index of Women's Electoral Participation, including across 12 Regions', 2017.

<sup>11</sup> Albanian Coalition for Promotion of Women and Youth in Politics in collaboration with other networks and coalitions of civil society working with/and for women.

for councilors candidates, to set the mechanism 1 to 2 along with the entire list and to strengthen sanctions by lists' disclaimer for parties that do not meet the quota in candidates' lists in local elections to municipal councils, to provide a dignified representation of women in local decision making. These organizations contribute to building capacities through training for women and youth's forums of political parties on topics such as electoral campaign's management, electoral systems, the strategy of the campaign, etc; to strengthen their capacities on political parties and election campaigns' management and to increase their representation in local decision making.

In the local elections of 2019 following the law (according to the preliminary report of the OSCE), the CEC registered only those lists of candidates for members of municipal councils that met the condition of inclusion of 50% for each gender, or one in two candidates belonged to each gender. The quota system has created a favorable environment for raising the numbers of women in political life, but few women hold leading positions in political parties. Eleven women ran for mayor, five of them without opponents. Two out of five CEC (Central Electoral Commission) members and 37 percent of CZA (KZAZ) (Commission of the Zone Electoral Administration) members were women. Although a quarter of the KQV (Zonal Central Commission) members observed on the Election Day were women, there were no women commissioners in the 40 percent of KQV observed (Observation Mission of Local Election 2019).

The final result of the local elections 2019, showed a turnout of 49.5% of female voters, while 50.5% of voters were male. Candidates for mayors presented in the lists were 97, of the 11 women or 11.3% and among them 8 or 13.1% women winners (CEC 2019). In the lists for candidates for Council members (CEC 2019), out of 9872 candidates in total, 4839 or 49.02% were women. Winning candidates were 1619, women 706, or 43.6% (CEC 2019).

The position of women inside the political parties is an important factor in the involvement of women in political life. The political party statute, as its constitution, includes programmatic principles that also include gender equality criteria. The political parties function as independent institutions, with their specific ideology, bylaws, organizational structures, grassroots organizations, members, and supporters that enable them to carry out the typical functions of a political party in a pluralist system.

Most of Albania's political parties rely on two main partner organizations for their functioning – the women's forum and the youth forum. None of the political parties in Albania has any of the forums that are usually attached to the European parties, such as forums of the veterans, forums of the entrepreneurs, forums of the trade unions, and so on. The women's and youth forums of the Albanian parties were established much later than their parties (Krasniqi 2017). The reason for such delay is political because these structures (women's and youth organizations) have a negative consideration as an auxiliary organization under the communist regime of the party-state. No woman has ever run for the position of chair in the country's main political parties, the SP and the

DP, in the 30 years of Albania's post-communist pluralism. Towards the end of the nineties, a positive trend was recorded in the Socialist Party, related to the participation of women in races for secondary leadership positions in the party, mostly political secretaries. In two cases SP saw a competition between candidates of different sexes for the position of the Prime Minister. In several cases, the leaders of the women's forums or the persons in charge of gender equality policies and for partner organizations within the parties have been intimidated or just bullied out of a normal political career because the decisions are taken at the party's highest levels (Krasniqi 2017).

This way of handling women's forums has damaged the importance of women's forums by preventing them to establish a political career system for women politicians that could effectively promote new entries through a merit-based system. On the contrary, party leaders often have handpicked and promoted women with no significant political contributions to the party. They have singlehandedly decided who was going to lead the women's forums, and by doing so they have relativized their value (Krasniqi 2017).

The recent party-specific and initiatives aimed at supporting the advancement of the gender quotas in politics, and the public campaigns, declarations, and initiatives launched against domestic violence and gender-based violence, in particular concerning the approval of laws with a specific social and gender-related focus, and the establishment of a network of communication and representation that pays attention to the gender dimension, have yielded positive results (Krasniqi 2017). Even the application of the quota system increased the numbers of women in politics, the women's approach to institutional decision-making and within the party remains isolated.

'There is no membership without equal opportunities for women and men', is one of the requisitions for the membership of aspiring countries in the EU, among them Albania. Women's engagement in politics should not be seen as a condition for EU integration but as a human right and equal opportunity for all. According to that, Article 3 of the Constitution of the Republic of Albania provides that: "the human rights and freedoms constitute the fundamental principles that, this state is obliged to honor and protect".

## **GENDER REPRESENTATION IN PUBLIC AND PRIVATE INSTITUTIONS**

The role of women in decision-making cannot be limited to their participation in politics. The participation of women in decision-making in the public sector in Albania has faced countless challenges and obstacles over the decades. The main problems associated with the low participation of women in high positions in the public sector are related to the patriarchal mentality. Several attempts have been made to take ongoing institutional measures and to correct and fulfill the existing gaps.

Law on Gender Equality in Society, by setting the quota of 30% for the least represented gender, imposed mandatory levels of representation of women as the least represented gender at all levels of decision-making in public institutions. This was the first important step towards improving this situation. The 30% women's quota in Albanian Parliament and local councils offered another image of Albanian politics. This affected significantly on increasing the number of women in Parliament and the improvement of the gender ratio in women's favor compared to the pre-quota period. A positive example is several women representatives in the municipal councils after the establishment of the quota 30% and 50% after 2019. Beyond these positive changes through the quota system, the representation of women in the public system (appointed positions) still lags. Public administration at the local and central levels continues to be reserved for men, especially at high levels of decision-making. Because of the level of politicization of the public system in Albania, gender inequality in higher decision-making bodies and positions is also conditioned by the unfavorable position of women within political parties themselves. Significant steps forward have been taken to improve the situation.

It is observed that in the justice system higher positions, such as Head of the Supreme Court, Head of the Constitutional Court, Head of the Administrative Court of Appeal, the women participation is still missing. Women are increasingly seen in other lower positions in a descending hierarchy. Women's participation in diplomatic missions in 2017 was at satisfactory levels, with 27% Ambassadors being women, whereas in positions such as Minister Plenipotentiary, First Secretary, and Third Secretary, women's participation was over 57%. For the position of First Secretary and Third Secretary, women's participation was 63% and 67%. For the first time because of the direct will of Prime Minister Edi Rama, half of the Albanian government is composed of women; out of 16 ministers, 8 are women, and at the level of deputy ministers this equality achieved 50%. Women ministers are leading very important ministries (as economy, health, education, culture and sport, transport, justice), offering them more political power, but the influence of their leader is very high. Their independent actions are missing.

Regarding Public Administration, women's participation in management positions is nearly the same as men's, 49.7%. The largest share of women is in low management positions by 53.2%, while the lower participation is in medium-level management positions by 39.2% (INSTAT 2018).

Education is one of the most sensitive sectors lacking women's higher levels of representation. The level of education, according to the Labor Force Survey (INSTAT 2018), for the population over 25 years shows the existence of significant differences between generations and gender. 54.8% of women and 45.3% of men have completed compulsory education (8 or 9 years of education), while 17.2% of women and 15.7% of men over 25 years have completed higher education (university). 79% of the women's population over 65 years has completed basic education, compared to 59.8% of men.

Only 6.1% of these groups of women have higher education, compared to 13.4% of men. Meanwhile, the population aged 25-39, shows another situation. 34.7% of women completed higher education, compared to 23.3% of men. In this age group, 43% of women have only basic education compared to 39.1% of men.

According to the level of education and titles, the academic staff presented these data's (period 2017-2018): professors 59.1% men and 40.9% women, PhDs 39.5% men and 60.5% women, docents and pedagogues without titles men 38.3% and women 61.7%, teachers of high school men 33.8% and women 66.2% and teachers in basic education men 26% and women 74% (INSTAT 2019).

According to the public universities data's sources, the academic staff is composed of 10 Rectors from them only one is female, 14 Deputy Rector and 8 female; 164 members of Senate and 90 females; 35 Dean and 18 among them females; 30 Deputy Dean and 28 females, and 122 Chefs of Department and 111 females.

Women's engagement in other sectors of the economy is not so favorable for women. The employment rate (INSTAT 2019) for the population aged 15-64 is 66.7% for men and 52.4% for women. The structure of employees shows that 25.5% of women in the labor force are employed in paid positions while 14.0% of them engage in unpaid work in the family business. For employed men, these figures are respectively 29.4% and 10.0%. However, a significant percentage of men-namely 27.4% - in the labor force are self-employed, compared to 12.5% of women.

According to causes of inactivity, generally speaking, women remain out of the labor force mostly because they are busy with unpaid work at home (21.4%), or are attending school (22.0%). On the other hand, only 1.0% of men declare homework as the reason behind their inactivity, while 30.4% are students or pupils (INSTAT 2019).

Women and men belonging to the 15-64 years old age group are mostly employed in the agriculture sector (50.2% men and 49.8% women). In 2018, the agricultural sector employed 42.3% of women of employees, marking a reduction compared to 2017. Public administration, social services, and other activities and activities are the second sector with the highest share of women's employment after the agriculture sector with 21.4%. The second highest employment sector for men is trade, transport, hospitality, business, and administrative services with 29.6% (INSTAT 2019).

In 2018, according to Labor Force Survey data, the unemployment rate for men aged 15-64 is 13.2% versus 12.3% for women. The unemployment rate has declined for both compared to the previous year (Labor Force Survey, INSTAT 2019).

In the private sector: The number of women owners or administrators of businesses in the manufacturing and service sector has decreased in 2018 by 25.7% compared to 29.7% in 2017.

The number of businesses with women owners or administrators is greater in the Service Sector than in the Production Sector, 33.2%, and 11.8% respectively compared with 2017 (INSTAT 2019). During 2018, based on the data of the General Tax Directorate,



the Gender Pay Gap (GPG) amounted to 10.7% compared to 10.5% in 2017. During this year, in the economic sector, the sector with the highest GPG, namely 24.4%, is the manufacturing sector, while in the economic sector the GPG is the lowest in commerce, transport, hospitality, as well as business and administrative services, by 3.0%. Viewed from the main groups and professions perspective, the gender pay gap is highest for craftsmen and equipment and machinery monitoring employees, by 27.1%. The lowest GPG is noted for the employees of the armed forces, by 2.3% (INSTAT 2019).

The social situation is accompanied by a higher level of women facing extreme violence inside the house walls, which influenced directly the standard of life not only of women but the whole society. According to the new 2019 Women, Peace, and Security (WPS) Index (2019)<sup>12</sup>, Albania ranked 57<sup>th</sup>, a position tied to many cases of domestic violence. In absolute terms, in Albania, are a total of 3,414 violated women. The highest percentage of women subject to domestic violence is concentrated in the prefecture of Tirana with 37.2% violated women, followed by Durres with 14.3%, while the prefecture of Kukës and Dibra marked the lowest percentage with respectively 0.8% and 1.4% violated women. Cases of domestic violence reflect the number of denunciations made to the police, a phenomenon that may even cause a person's death. Thus, out of 51 murders, about 19.6% of them are homicides as a result of family relations (in most cases women are the victims) (Musabelliu 2020). Such developments clearly show that gender stereotypes are still present and stronger than ever in Albanian society, patriarchy is a sensitive issue, the high level of unemployment and poverty among women influences their access to services, opportunities, decision-making, and politics.

## CONCLUSION

Gender equality is one of the core pillars of a democratic society. A society that invests in achieving gender equality not only leads to an improvement in the lives of girls and women but also to a positive transformation of the way boys and men live. The involvement of women and men in any planned action, including legislation, policies, and action programs, at all levels and fields, provides maximum guarantees in their implementation in the political, economic, and social spheres. In this way, we ensure that women and men benefit equally. The inclusion of gender perspectives in various areas of development not only ensures human rights and social justice for women and men but also ensures the effective achievement of other social and economic goals.

A society that invests in equal educational opportunities for boys and girls has a Gross National Product growth of up to 25% more than countries that do not invest proportionally in this regard. Also reducing gender inequality (e.g. providing equal

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<sup>12</sup> The new 2019 Women, Peace, and Security (WPS) Index analyses 167 countries on women's equality, reveals trends in women's wellbeing across 11 indicators.

opportunities for women's and male's farmers) leads to an increase in agricultural yields of up to 20%. Research on gender inequality in the labor market shows that eliminating gender discrimination in the profession and the salary not only increases women's income but also increases national income.

Working towards gender equality, we can challenge traditional gender roles. Equal opportunities are created for both sexes, improving relationships between men and women.

Challenging stereotypes on gender roles and creating equal employment opportunities for both men and women would also help to slow the traditional role where men are seen as the backbone of the family, depriving them of participation in family life. All this would partially relieve the men of the main burden of decision-making, easing their responsibilities, cause of a mentality based on gender stereotypes that enslaves both women and men.

Creating equal opportunities for both sexes has a positive impact on economic, social, and political aspects, as it is impossible to achieve any significant change for any country if it does not exploit the entire potential of men and women. Significant positive changes create equal opportunities for men and women. 🌐

## REFERENCES

1. Anastasi, A. (1998). Political institutions and the Constitutional Right in Albania 1912-1939, *Luarasi*, Tirana, 261.
2. Anastasi, A., & Ollidashi, E. (2006). The systems of electoral quotas and their importance on achieving gender equality in public life, *Studime Juridike Journal*, University of Tirana, Nr. 1/2006.
3. Browne, E. (2017). Gender in the Western Balkans. *K4D Helpdesk Report*. Brighton, UK: Institute of Development Studies, <https://gsdrc.org/wp-content/uploads/2017/06/058-Gender-in-the-Balkans.pdf>
4. CEC, <http://cec.org.al/wp-content/uploads/2020/02/2019-Tabela-Permbledhese-Final-1.pdf>
5. CLCI, & UNWomen. (2019, July) *Report Of Civil Society Organizations For Implementation Of The Beijing Platform For Action In Albania Beijing + 25*, UNWomen, Albania.
6. Comack, E. (2003). Locating Law Race/Class/Gender Connections. *Fernwood Publishing*, Halifax.
7. Corsini, P. & Ad hoc Committee of the Bureau, (2017, 25 June). Observation of the parliamentary elections in Albania, *Election observation report*, Council of Europe, <http://assembly.coe.int>
8. *European gender equality law review* (2009), no. 2,
9. Floqi, K. (1920). *Fondamental right*, Shkodra .
10. Hesford, S. W. & Kozol, W., (2005) Just Advocacy? Women's Human Rights, Transnational Feminisms, and the Politics of Representation. *Rutgers University Press: New Brunswick*, New Jersey and London.
11. Instat, (2018). Men and Women in Albania, 2018, Tirana, <http://instat.gov.al/publikim>
12. Instat, (2019). Men and Women in Albania, 2019, Tirana, <http://www.instat.gov.al/al/publikime/librat/2019/burrat-dhe-grat%C3%AB-n%C3%AB-shqip%C3%ABri-2019/>
13. Krasniqi, A. (2017). *Standards of representation in political parties*, Institute of Political Studies, Tirana. [www.isp.com.al](http://isp.com.al/wp-content/uploads/2018/07/STANDARDS-OF-REPRESENTATION-IN-POLITICAL-PARTIES.pdf), <http://isp.com.al/wp-content/uploads/2018/07/STANDARDS-OF-REPRESENTATION-IN-POLITICAL-PARTIES.pdf>
14. Lundstom, K. (2001). Indirect gender discrimination on the European Court of Justice version, Lund University, Sweden. *Publication "Legal Perspectives on Equal Treatment and NonDiscrimination" (Studies in Employment and Social Policy)* published by Ann Numhauser Henning. Kluwer Law International.

15. Mandro, A. & Anastas, A. (2010) Cases of gender equality on legal standards and national and international case-law, *School of Magistrates*, Tirana.  
[http://www.magjistratura.edu.al/media/users/4/UNIFEM\\_permbajtja.pdf](http://www.magjistratura.edu.al/media/users/4/UNIFEM_permbajtja.pdf)
16. Mandro, A. & Gjermeni, E. (2009) CEDAW. Training material for public employers, *Ministry of Labor, Social Affair and Equal Chances*, Tirana.
17. Musabelliu, M. (2020, February). Albania social briefing: Albania and gender (in)equality, *Chine-Cee Institute*, Vol. 26, No. 3 (Al), ISSN: 2560-1601,  
<https://china-cee.eu/2020/04/01/albania-social-briefing-albania-and-gender-inequality/>
18. O'Neil, T. & Domingo P. (2015, September). The power to decide: Women, decision-making and gender equality, *ODI report*.  
<https://www.pacwip.org/resources/publications/odi-report-2015-the-power-to-decide-women-decision-making-and-gender-equality/>
19. Petrela, I., (2014). Electoral Systems in Europe and the case of Albania (with focus on the current electoral code and general elections held in 2009), *SEE Law Journal*, Vol. 1 No. 1, pp. 35-44.  
[http://seelawschool.org/pdf/2\\_Electoral\\_systems\\_in\\_Europe\\_and\\_the\\_case\\_of\\_Albania.pdf](http://seelawschool.org/pdf/2_Electoral_systems_in_Europe_and_the_case_of_Albania.pdf)
20. Qirjako, E. (2016, March). Women Rights and Gender Equality as Per Albanian law, *Academic Journal of Interdisciplinary Studies*, MCSER Publishing, Vol 5 No 1, Rome-Italy, E-ISSN 2281-4612, ISSN 2281-3993.
21. UN Women. (2011). Progress of the World's Women: In Pursuit of Justice. New York, *UN Women*. <https://www.unwomen.org/en/digital-library/publications/2011/7/progress-of-the-world-s-women-in-pursuit-of-justice>
22. UN Women, (2012). *Gender Equality and local Government*, Tirana.  
[https://www.entwicklung.at/fileadmin/user\\_upload/Dokumente/Publikationen/Downloads/Themen\\_DivBerichte/Gender/GELG\\_publication\\_2012\\_ALB.pdf](https://www.entwicklung.at/fileadmin/user_upload/Dokumente/Publikationen/Downloads/Themen_DivBerichte/Gender/GELG_publication_2012_ALB.pdf)
23. UNDP, <https://www.undp.org/content/undp/en/home/sustainable-development-goals/background/>
24. Viñuales, Jorge E. (2006). Human rights and investment arbitration: the role of amici curiae, *International Law: Revista Colombiana de Derecho Internacional*, núm. 8, junio-noviembre, pp. 231-273 Pontificia Universidad Javeriana Bogotá, Colombia <https://www.redalyc.org/pdf/824/82400806.pdf>
25. Whitefield. S. & Shabani. E. (2018). Obstacles to Women's Participation in Elections in Albania - A National Index of Women's Electoral Participation, including across 12 Regions, *UN Women, Design Grid Cartels*, Tirana,  
<https://albania.unwomen.org/en/digital-library/publications/2018/06/obstacles-to-womens-participation-in-elections-in-albania>