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INCLUSION OF PEOPLE WITH DISABILITIES IN SOCIAL PROTECTION SYSTEMS IN ALBANIA. AN ANALYSIS BASED ON POLICY AND LEGAL FRAMEWORK

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ABSTRACT¹

This study analyzes the inclusion of persons with disabilities in Albania's social protection system, through a comparison and assessment of its compliance with international human rights standards, including the Convention on the Rights of Persons with Disabilities (CRPD) (United Nations, 2006). It employs a qualitative content analysis of strategic and institutional documents regulating the social protection system in Albania. This approach seeks to identify how the principles of inclusion, equality, and the bio-psycho-social model are reflected in public policies. The document selection was purposeful and guided by the objectives of the study. The findings indicate that social protection policies address disability in a partial and fragmented manner, with only incomplete implementation of the bio-psycho-social model in the processes of needs assessment and benefit determination (MSHMS, 2018; MSHMS, 2022). The lack of inter-institutional coordination, limited accessibility, and insufficient professional capacity among social workers significantly undermine the system's effectiveness. The study recommends the systematic integration of

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a disability perspective in the design, implementation, and monitoring of social protection policies, along with the strengthening of institutional and professional capacities to ensure a comprehensive and dignified approach for all persons with disabilities.

Keywords: *Disability, social protection, Albania, social inclusion, social policy, CRPD, equality of access*

Dr. **Blerta DRENOFCI** is Executive Director of the Albanian Disability Rights Foundation (ADRF). She has devoted her efforts for last 18 years at the Albanian Disability Rights Foundation, to the activities in advocacy and lobbying for disability related policy and legislation adoption and implementation and also offering of supportive services for people in need throughout the country. She has directed ADRF in several important legal initiatives, like improvements in electoral code etc. She has an PhD in Social Sciences and has an academic background, being a teacher of University of Tirana since 2013 on subjects such as Project Cycle Management, Organizational Behavior and Development of NGOs. She also has been the leader and the author of a lot of studies in the field of social policies in and outside the country. During the years 2015-2020, she has been involved in the development of the new criteria for the bio-psycho-social assessment of disability in Albania as well as its related administration in the State Social Services through a contract with the World Bank and the Ministry of Social Welfare and Youth.

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Introduction

People with disabilities are more exposed to the risk of poverty and are more vulnerable physically and emotionally throughout the life cycle. According to the European Social Policy Network (ESPN, 2022), the European Disability Forum (2022), the International Labor Organization (ILO, 2019), and the International Disability Alliance (IDA, 2019):

- children with disabilities have fewer opportunities to receive quality education and age-appropriate rehabilitation services; compared to other children, they are more likely to be placed in residential institutions and to experience violence;
- persons with disabilities of working age have fewer employment opportunities and remain dependent on disability-related cash benefits;

- the prevalence of disability among older persons increases with age, leaving them disadvantaged and often overlooked in social protection systems;
- women with disabilities experience higher unemployment rates and face greater risks of violence compared to women without disabilities

To address risks, barriers, and inequalities, inclusive social protection systems should ensure that persons with disabilities have access to programs that: (i) provide income to enable access to essential goods and services; (ii) cover disability-related costs and facilitate access to necessary supports, including services and assistive devices; (iii) improve access to services throughout the life cycle, such as childcare, vocational education, employment support, and return-to-work programs; and (iv) take into account the diversity within this

population in terms of impairment level and functioning, as well as factors related to age, gender, residence, and ethnicity (UN OHCHR, 2020; GIZ, 2021).

According to the European Commission (2021), Principle 3 of the European Pillar of Social Rights proclaims the right to social protection for everyone in need, regardless of gender, race, ethnic origin, religion, disability, age, or sexual orientation. Principle 17 focuses on the inclusion of persons with disabilities and emphasizes social protection and social services as key means to ensure their participation and inclusion in society, including employment. The European Union Disability Rights Strategy 2021–2030 provides guidance for consolidating social protection systems, emphasizing that they are essential for guaranteeing sufficient income and a dignified standard of living for persons with disabilities and their families (European Commission, 2021). Social protection for persons with disabilities is closely linked to other areas covered in this document, such as independent living and inclusion in employment.

The right to social protection is affirmed in Article 28 of the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which promotes comprehensive social protection systems for persons with disabilities, fostering active citizenship, social inclusion, and participation in community life (United Nations, n.d.). The CRPD directs States to ensure: (i) equal access to comprehensive social protection systems, programs, and services; and (ii) access to disability-specific programs, services, and payments, including support services.

In this regard, the Committee on the Rights of Persons with Disabilities has issued recommendations to guide governments in building social protection systems that contribute effectively throughout the life cycle, with particular emphasis on: (i) disability assessment; and (ii) financing of

disability-related costs, including support services (Committee on the Rights of Persons with Disabilities, 2016).

These international obligations orient social protection systems toward the empowerment, participation, and inclusion of persons with disabilities. In recent years, the Albanian government has undertaken efforts to harmonize its legal and policy framework on social protection in line with international guidelines (MSHMS, 2022). Despite positive achievements, there remains a clear need to: (i) consolidate financial support schemes and increase the average coverage of disability-related costs; (ii) better link disability payment systems with economic assistance programs, with a particular focus on children from vulnerable families; (iii) improve the efficiency, transparency, and reliability of the payment system at the local level; and (iv) orient social protection policies toward supported employment, through the provision of support services, accessibility measures, and reasonable accommodation in the workplace for all persons with disabilities.

Research questions

- To what extent does Albania's legal and policy framework for disability benefits comply with international disability rights standards, including the Convention on the Rights of Persons with Disabilities (CRPD) and relevant European Union guidance?
- What are the principal gaps in institutional structure and in the implementation of social protection policies that limit the effectiveness and inclusiveness of Albania's system for persons with disabilities?

Methodology

This study uses a qualitative research approach based on documentary and

institutional analysis of the legal and policy framework governing social protection for persons with disabilities in Albania. Its objectives are to assess the alignment of national policies with international human rights standards and to identify gaps in implementation and inter-institutional coordination. The study analyses the national context in which Albania's social protection systems have developed, with particular emphasis on cash-benefit schemes for persons with disabilities.

In the document selection process were included only sources: with regulatory value (laws, Decisions of the Council of Ministers, administrative instructions); containing strategic policy documents on social protection and disability reform; representing official monitoring and evaluation reports of the Ministry of Health and Social Protection (MHSP, 2018–2022); as well as international reference instruments that set standards for social inclusion and the rights of persons with disabilities (for example, the Convention on the Rights of Persons with Disabilities, the European Pillar of Social Rights, and the EU Disability Rights Strategy 2021–2030). This approach enables a direct comparison between policy objectives, institutional arrangements and actual implementation, thereby highlighting gaps, inconsistencies and development trends in the Albanian social protection system relative to international standards.

Documentary and policy analysis

An in-depth review was conducted of strategic documents, laws and by-laws, monitoring reports and action plans related to the social protection system and the disability assessment reform. Principal sources reviewed include: the National Social Protection Strategy (2020–2023) and its draft successor for 2024–2030; the Policy Document and Action Plan for the Disability Assessment Reform (2019–2024); progress and evaluation

reports on the implementation of the bio-psycho-social assessment reform (MSHMS, 2018; 2022); Decisions of the Council of Ministers and guidance documents defining social protection and employment schemes for persons with disabilities; and international instruments such as the CRPD, the European Pillar of Social Rights and the EU Disability Rights Strategy 2021–2030. This analysis assesses coherence between legislation, policy and practice and evaluates the extent to which the bio-psycho-social model and principles of social inclusion are reflected in implementation.

Analysis of the institutional structure

This phase examines the role and functioning of institutions that administer social protection services and benefit schemes for persons with disabilities at central and local levels. Particular attention is given to the allocation of competences among institutions, coordination mechanisms, and the administrative and professional capacities of implementing bodies. The analysis identifies structural obstacles that constrain the system's effectiveness and comprehensiveness.

Data analysis and interpretation

Data gathered through documentary and institutional analysis were subjected to thematic analysis to identify patterns, gaps and good practices in policy implementation. Interpretation is grounded in comparison with international standards and triangulation of sources to ensure a reliable and comprehensive assessment of the current situation in Albania.

Ethical considerations

The study adheres to ethical principles in the use of sources, ensuring accuracy and proper citation of referenced documents. The treatment of the subject matter is guided by the principles of dignity, equality and inclusiveness promoted by the CRPD.

Data

Development and dynamics of financial schemes that help alleviate poverty and improve the quality of life for persons with disabilities.

Financial support schemes for persons with disabilities constitute one of the main pillars of the social protection system in Albania (World Bank Group, 2022). In 2022, Albania allocated around 10% of its Gross Domestic Product (GDP) to social protection programs, with disability benefit schemes accounting for 63% of total social assistance expenditures that year (World Bank Group, 2022).

According to data from the Ministry of Health and Social Protection (MHSP, January–February 2023), in 2022, a total of 143,973 persons with disabilities received state-funded disability payments. Of these, 72,838 were work-disabled individuals and 71,135 were beneficiaries of non-contributory schemes, 52,562 under the bio-psycho-social assessment scheme, 12,696 under the status of the blind, and 5,871 under the status of paraplegic or tetraplegic persons. Meanwhile, 17,848 beneficiaries received payments for the personal assistant, and 19,369 individuals benefited from additional compensations for hygiene and sanitary packages, electricity, and telephone services (MHSP, 2023). The number of children receiving disability-related payments reached 14,106.

The restructuring of these payments has been identified as one of the key pillars of the Social Protection Strategy 2024–2030, building upon the strategic document approved by Decision of the Council of Ministers No. 866, dated 24.12.2019, which endorsed the National Social Protection Strategy 2020–2023 and its Action Plan (Government of Albania, 2019). This pillar aligns with other strategic documents, both those specifically dedicated to disability and those reflecting cross-sectoral policies aimed at the inclusion of all Albanian citizens.

The Albanian government has undertaken significant reforms to improve the social protection system, with the aim of promoting social equity and directing public resources toward the most vulnerable groups. These reforms include the enhancement of assessment and benefit distribution systems, as well as the strengthening of mechanisms to prevent abuse and misuse of public funds (Government of Albania, 2019).

The reform of the bio-psycho-social disability assessment system was developed drawing on international experience while considering the professional, cultural, socio-economic, and institutional context of the country (MShMS, 2018). The policy document “Reform of Disability Assessment in the Social Protection System and the Action Plan 2019–2024” (Decision of the Council of Ministers No. 360, dated 05.06.2019) served as a roadmap for the nationwide implementation of the reform, outlining specific objectives and measures.

The purpose of this reform was to ensure a fair allocation of taxpayers’ money to persons with disabilities across different categories, addressing their specific needs arising from disability, promoting social support, and progressively maintaining a quality of life comparable to that of the general population.

Testing of the bio-psycho-social assessment approach demonstrated that this model: (a) integrates effectively within the coherent framework of the International Classification of Functioning, Disability and Health (ICF); (b) accurately assesses the presence and degree of disability among applicants; (c) evaluates the need for personal assistance and other benefits; (d) is capable of identifying potential abuse at early stages; and (e) allocates public funds more efficiently through the proposed four-tier disability benefit scheme and two levels of personal assistance services, thereby increasing benefits for those with greater needs without expanding the overall budget burden (MShMS, 2018).

The bio-psycho-social assessment system implemented in Albania largely met its objectives. Specifically: (i) the assessment procedure was considered effective; (ii) the guidelines and forms developed for assessments proved functional; (iii) the Information Management System (IMS) streamlined the process and increased efficiency; (iv) technical capacity was strengthened through formal and on-the-job training; (v) 36 new accessible offices were established across all 12 regions, each staffed with dedicated personnel; (vi) inter-institutional cooperation was promoted to support independent living, education, employment, and the use of assistive technologies; (vii) the new benefit scheme was found to be cost-effective; and (viii) users responded positively to the assessment process (MSHMS, 2018).

The disability assessment reform, grounded in the bio-psycho-social model, introduced four levels of disability payments and two levels of payments for personal assistants. The basic monthly payment under this model is 150% of the social pension (DCoM No. 360, dated 05.06.2019). Monthly benefits vary according to disability level, ranging from 7,292 lek for persons with mild disabilities to 14,584 lek for those with profound disabilities (MSHMS, 2022). Personal assistant payments—typically provided to a family member—are set at two levels: 9,723 lek for occasional services and 14,584 lek for permanent services. Persons with disabilities attending school or vocational training receive 200% of the basic benefit, while university students receive 300% (Monitoring Report of the Social Protection Strategy 2019–2023, 2022).

Despite efforts to standardize assessments process, certain groups remain outside the bio-psycho-social procedure, including: (i) persons with visual impairments, assessed under DCoM No. 671, dated 15.12.2000, by the Medical Commission for the Determination of

Blindness, which operates only in Tirana; (ii) para- or tetraplegic persons, assessed by the KMCAP for paraplegia, tetraplegia, and neurology, administered by the State Social Service; and (iii) work invalids, assessed according to special procedures of the Social Insurance Institute. Disability for these groups is still determined using separate criteria and structures, outside the new bio-psycho-social assessment framework (MSHMS, 2022).

Additional support is provided based on special status, including bonuses and reimbursements for electricity, telephony, economic assistance for work invalids under the ISSH scheme, and fuel reimbursement only for paraplegic and tetraplegic persons who also hold work-invalid status.

During the COVID-19 pandemic and to mitigate the effects of the Ukraine war crisis, extra financial support was provided to persons with disabilities (MSHMS, 2022). In the education system, financial support schemes for students with disabilities have been implemented as positive measures to accelerate de facto equality, in line with the principles of the Convention on the Rights of Persons with Disabilities (CRPD) (United Nations, 2006). These schemes include: (i) free transportation for students studying outside their residence (DCoM No. 682, dated 29.07.2015); (ii) free meals and dormitory access for students in special education institutions (DCoM No. 753, dated 13.12.2017); (iii) free textbooks for vulnerable groups, including students with disabilities, according to annual DCoMs on textbooks; (iv) additional payments for educational support for children with disabilities at all levels of education, from primary to postgraduate (MSHMS, 2022); and (v) exemption from annual study fees for students with disabilities and for students with parents with disabilities (DCoM No. 269, dated 29.03.2017; DCoM No. 40, dated 23.01.2019; DCoM No. 251, dated 27.03.2020).

In the field of employment and vocational training, the Albanian government has introduced several support schemes aimed at empowering persons with disabilities and their families, with a focus on enhancing employability through the development of technical and soft skills, as well as adapting workplaces (Law No. 15/2019; Council of Ministers Decision No. 161/2018). Persons with disabilities who are registered as unemployed jobseekers are entitled to unemployment benefits under the same conditions as other jobseekers (DCoM No. 161/2018). In line with the Strategy for Employment and Vocational Training 2021–2026 and the National Action Plan for Persons with Disabilities 2021–2025 (DCoM No. 276, dated 12.05.2021), as well as the Law on Employment Promotion (Law No. 15/2019), efforts are being made to expand the mechanisms for case assessment and referral, in cooperation with local administrative units. The goal is to strengthen institutional coordination for the delivery of employment and support services, thus creating conditions for sustainable and suitable employment opportunities for persons with disabilities.

Within the framework of the new three-tier service model reform (MSHMS, 2022), initiatives have also begun to restructure the system for assessing work capacities and profiling jobseekers with disabilities. This process will be supported by the introduction of individual employment plans and direct assistance for employers. The operational framework for implementing employment promotion programs has been broadened to include subsidies for employment costs, on-the-job training, professional internships, self-employment initiatives, and community work programs (MSHMS, 2022). Furthermore, the Law on Employment Promotion (Law No. 15/2019) provides for the establishment of support services for vocational training and rehabilitation, as well as the creation

of the Social Employment Fund, dedicated to promoting the employment and social inclusion of persons with disabilities. In the same spirit, the vocational education and training (VET) system is being reformed to ensure accessible, inclusive, and high-quality vocational training opportunities for persons with disabilities (Strategy for Vocational Education and Training 2021–2026). A particularly encouraging feature of the new employment policy is that persons with disabilities who receive disability benefits under non-contributory schemes continue to receive these payments even after gaining employment.

Some of the issues to be addressed during the application of financial support schemes for persons with disabilities.

Disability assessment reform and the need for its consolidation.

Although significant progress in the disability assessment reform has been documented (MSHMS, 2022), several areas still require sustained investment and targeted intervention to consolidate the bio-psycho-social disability assessment scheme.

First, capacity-building for the institutions and professionals responsible for implementing the reform must remain continuous and systematic, irrespective of the progress achieved thus far.

Second, existing assessment procedures need further improvement to align with evolving international instruments and models, which includes the regular revision and updating of related guidelines and forms.

Third, monitoring and control mechanisms should be expanded and strengthened to prevent administrative errors, misuse, and potential cases of corruption.

Fourth, despite efforts to standardize assessment procedures across disability groups, several categories have not yet

been integrated into the bio-psycho-social system. These include persons with visual impairments, who continue to be assessed according to DCoM No. 671, dated 15.12.2000, by the Medical Commission for the Determination of Blindness operating solely in Tirana; and persons with para- or tetraplegia, who are assessed by the KMCAP for paraplegia, tetraplegia and neurology, administered by the State Social Service (Government of Albania, 2000).

Fifth, the electronic disability registry requires further development, particularly regarding technical functionality and data quality assurance.

Sixth, the absence of standardized protocols continues to impede the generation of reliable and comparable data from the assessment system.

Seventh, insufficient staff capacity in data extraction, processing, and analysis, limits the effective use of available information for evidence-based policymaking and the design of new social services.

Lastly, the referral system linking disability benefit recipients with vocational education and training (VET) programs and employment services remains underdeveloped, especially in terms of integrated case management and inter-institutional coordination among responsible authorities (MShMS, 2022)..

Disability and personal assistant payment levels and the need for their review.

Although the reform of disability assessment and payment systems has introduced notable improvements, it has not adequately addressed the critical issue of the level of financial benefits (MShMS, 2022). While payments were scaled according to disability severity, both the adjustments made and the average payment levels were not based on an analysis of the additional costs incurred as a result of disability (European Social Policy Network [ESPN], 2022).

According to ESPN (2022), disability

benefits should be sufficient to ensure a dignified standard of living and to offset the higher living costs that persons with disabilities and their families must cover from their own income. To date, no comprehensive study has been conducted in Albania to determine the real scale of these costs. International evidence indicates that additional costs associated with disability can reach up to one-third of the average wage (ILO & IDA, 2018). Eurostat data cited by ESPN (2022) show that approximately 11% of working persons with disabilities live below the poverty line, reflecting the significantly higher cost of living faced by this group compared to people without disabilities. This highlights the urgent need for dedicated research to determine the optimal levels of disability and personal assistant payments, ensuring that support schemes adhere to the principles of comprehensive social protection. Under the current reform, personal assistant payments, scaled into two levels, remain below the legally established minimum wage (MShMS, 2022). Additionally, inequities exist in social security coverage for personal assistants: at present, only assistants of persons with para- or tetraplegic status are entitled to recognized social security contributions (Government of Albania, 2000).

A high percentage of people with disabilities live below the poverty line and do not have access to financial schemes for poverty alleviation (NE).

Persons with disabilities who receive disability benefits are currently unable to simultaneously receive economic assistance, representing a significant gap in Albania's social protection system (European Social Policy Network [ESPN], 2022). While the system is theoretically designed to address multiple vulnerabilities faced by individuals and families, in practice it does not ensure comprehensive social protection for persons with disabilities. This group is particularly

exposed to multiple forms of poverty due to limited labor market inclusion and the absence of complementary support mechanisms. Incorporating economic assistance alongside disability benefits would help compensate for income shortfalls and reduce the risk of poverty.

According to EU-SILC data, the at-risk-of-poverty threshold in Albania was 128 euros/month (15,520 Lek) in 2020, placing almost all disability benefit recipients below this threshold (ESPN, 2022). ESPN (2022) further notes that policymakers in Albania have not yet clearly differentiated between disability compensation and economic/social assistance benefits, resulting in conceptual overlaps and practical gaps that hinder adequate coverage of the needs of persons with disabilities.

Families of persons with disabilities experience poverty due to additional costs associated with disability.

Families often face higher expenditures to meet the needs of a member with disabilities but are frequently not recognized as families in need, which excludes them from various social protection programs. No national report currently provides a detailed analysis of poverty levels among persons with disabilities or among families with disabled members.

The Institute of Statistics (INSTAT, 2022) published the results of the 2021 Survey of Income and Living Standards (AANJ/SILC) in December 2022, measuring standard of living, relative poverty, and material deprivation in Albanian families. While data are disaggregated by age and gender, indicators specifically measuring poverty among persons with disabilities and their families are absent, despite such data being available at European and global levels. Generating these data would provide a clearer understanding of poverty within this group and support analysis of the bidirectional relationship between poverty

and disability—how poverty influences the occurrence of disability and how disability contributes to deeper poverty for individuals and families. Such evidence would enable the design of targeted and effective policies.

Active schemes promoting economic empowerment through employment remain insufficient and unconsolidated.

Despite some progress, employment levels for persons with disabilities remain very low. The number of unemployed jobseekers with disabilities registered at employment offices is limited, and utilization of employment services by this group remains a persistent challenge (Strategy for Vocational Education and Training, n.d.).

Despite institutional efforts, vocational training and employment services remain insufficient and continue to face barriers related to both physical and institutional accessibility. Skills assessments for work and training are not yet conducted according to necessary standards. Moreover, the Social Employment Fund, intended to expand and diversify training and employment programs for persons with disabilities, has not yet become fully operational. Establishing effective inter-institutional coordination mechanisms would facilitate the integration of specific groups into the labor market—for example, youth through the Youth Guarantee Program and persons with disabilities through the Social Employment Fund (Strategy for Vocational Education and Training, n.d.).

Recommendations

- Ensure strategic direction, effective implementation, and inter-institutional coordination of the disability assessment reform, aiming to enhance efficiency across all its components.
- Implement priority measures to consolidate and improve the disability payment scheme, guaranteeing

fairness, transparency, and financial sustainability.

- Promote new initiatives to expand and strengthen active and dual

employment schemes, focusing on the economic empowerment of persons with disabilities and their sustainable integration into the labor market.

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