



## REPORT

### **of the Stakeholders to the United Nations Conference of the Parties, developed by the Monitoring Network Against Gender Based Violence for the fourth Review Cycle / 47<sup>th</sup> Session of the Universal Periodic Review Working Group, 4 - 15 November 2024**

The Monitoring Network Against Gender Based Violence was established in November 2017 and is composed of organizations working across various districts of the country to prevent and fight against gender based violence and domestic violence. The network monitors the implementation on international and domestic legislation standards, develops relevant shadow reports for mechanisms of conventions ratified by the Albanian state and advocates and lobbies for the implementation of recommendations addressed to Albania by international mechanisms.

The network was established in the framework of the "Establishing a non-profit organization network to better implement gender equality and gender based violence recommendations in Albania" project implemented by QNL and funded by the European Commission, and also implemented with the support of UN Women. Currently, the Monitoring Network Against Gender Based Violence is continuing its activity under a project implemented by the Center for Legal Civic Initiatives in cooperation with UN Women Albania within the United Nations Joint Program "Ending Violence Against Women" funded by the Government of Sweden and implemented by three UN agencies, namely UN Women, UNDP and UNFPA in partnership with the Albanian government"

**Center for Development of Rural Women (Cdrw)** – has in focus the protection of human rights, with a focus on women and girls living in rural areas, through legal support and information. CDRW aims to prevent and protect women and girls living in rural area from gender-based violence including domestic violence and discrimination.

**Organization Different&Equal (D&E)** is a nonprofit organization dedicated to providing high quality reintegration services for victims of trafficking, exploitation and abuse, and to improving the legal, institutional and social context to prevent and counter these violations of human rights.

**The Center for Gender Justice in Albania (CGJA)** is a non-profit, independent, non-political organization that works to empower women and girls, protect their rights and fight gender inequalities.

**"Woman to Woman" organisation (WtW)**, based in Shkodra focuses on the psychological, social and legal support of victims of gender-based violence and victims of domestic violence, with the aim of their rehabilitation and empowerment.

**Woman Forum Elbasan (WFE)** aims to protect women's rights and achieve gender equality through: education, awareness, advocacy programs; psycho-social-legal services for victims of violence, housing and other alternative services.

**The Women' Center "Light Steps" (WCLS)** is an association that works in the north of Albania. It provides psycho-social, legal and economic support services for victims of domestic violence and gender-based violence with the aim of rehabilitation and their socio-economic empowerment.

**Child Rights Center Albania CRCA/ECPAT** Albania works for the protection, respect and the advancement of child and youth rights in the country, through advocacy, capacity building, research and effective models of services for children and young people.

**The Center "Shelter Edlira Haxhiymeri" (SEH)** (Former Shelter for Abused Women and Girls (SAWG) was established in 1998 as part of the National Network against Gender Violence and Human Trafficking. The mission of SEH is to address gender based violence through supporting victims of domestic violence, women empowerment & gender equality, increasing the awareness among young people, building capacities among professionals and doing research and publishing to better serve a non-violent society.

**Gender Alliance for Development Centre (GADC)** is a non-partisan non-profit organization with almost 30 years of experience in research, public education, capacity development assistance, monitoring, and advocacy. GADC is recognized for its role in introducing crucial issues regarding women's rights and social inclusion. We address key issues such as gender-based violence and human trafficking, or economic empowerment of vulnerable groups, and advocate for key legislation and policies

**The National Centre for Community Services (NCCS)** has a vital mission and a clear understanding of its identity. It is actively involved in regular, results-oriented, strategic, and self-reflective thinking and planning that aligns strategies with the mission and organizational capacity. The planning process involves stakeholders in an ongoing dialogue that ensures that the organization's mission and programs are valuable to the neighbourhood or constituency it serves.

**Community Development Center "Today for the Future" (CDC-TFF)** is a prominent organization based in Albania, dedicated to the mobilization and empowerment of marginalized communities. With a strong focus on promoting human rights, particularly gender equality, the organization is striving to create a more just and equitable society where all individuals, regardless of gender, age, or socio-economic status, can thrive. CDC-TFF is driven by its vision of "Today for the Future," With a multifaceted approach, CDC-TFF operates in various sectors, including gender equality, good governance, environmental protection, economic

empowerment and cultural promotion, to address systemic inequalities and empower individuals to claim their rights, promoting economic, social, and cultural empowerment for all boys and girls, women and men across Albania.

**Center for Legal Civic Initiatives (CLCI)** CLCI's mission is to support, aid and provide legal education to the citizens, giving priority to women and girls, so as to increase their access to public institutions, and in particular in the justice system through: offering free legal services, legal education, monitoring, advocacy and lobbying using international standards, undertaking legal initiatives and networking.

## **I. INTRODUCTION**

1. This report was developed by the Monitoring Network Against Gender Based Violence, in the framework of the fourth reporting cycle of the Albanian State to the Conference of the Parties of the Human Rights Council. United Nations. The report is based on information collected from the Network partner organizations and includes findings and

recommendations in terms of the implementation status for recommendations made to the Albanian state during the third Universal Periodic Review cycle. The report also analyzes the efforts of the Albanian state to improve its legal framework in the domestic violence and gender based violence domains, while also providing a series of recommendations aimed at completing the legal framework concerning domestic violence, and improving the situation of domestic violence and gender based violence victims situation, with a view of their social and economic reintegration. The report includes contributions from 12 Network partner organizations.<sup>i</sup>

## **II. LEGAL FRAMEWORK IN THE DOMESTIC VIOLENCE AND GENDER BASED VIOLENCE AREAS**

2. The Albanian government has taken important measures regarding violence against women to improve the situation of women and girls victims of violence and to facilitate their reintegration in all walks of economic, social and cultural life. Some of these developments are detailed in the following paragraphs:
3. The most recent achievements in addressing violence against women in Albania date in 2018 and 2020, with the amendments to law No. 9914 dated 12.05.2008 "On measures against violence in family relations". Law No. 9669/2006 "On measures against violence in family relations" as amended stipulates to issuing of preliminary protection orders (PPO), Immediate Protection Orders (IPO), or Protection Orders (PO) in relation to all forms of domestic violence, and with the aim of protection all household members at risk of abuse. Risk assessment prior to issuing a protection order is considered a fundamental step and is included in the primary and secondary (orders, instruction, etc.) legislation provisions/updated provisions. The preliminary protection order is issued by the State Police when the relevant risk assessment shows that the violence perpetrated amounts to a risk to the life, health and freedoms of the household members. This order is executed immediately and is reviewed within 48 hours by a competent court, which may decide to issue an emergency protection order. In addition to the above, one of the positive developments ushered in by amendments to this law in 2018, is the inclusion of violence from an intimate partner regardless of cohabitation arrangements, and the issuing of protection orders in these cases.
4. The changes in 2018 and 2020 ensured the alignment of the Albanian violence against women legislation with the Istanbul Convention and the Convention for the Elimination of All Forms of Discrimination Against Women. In addition to the Law On Measures Against Violence in Family Relations, the 2020 Criminal Code changes criminalized psychological violence alongside other forms of gender based violence.
5. In February 2022, the Albanian Parliament adopted Law No. 13/2022 on the Ratification of Convention 190 "Violence and Harassment Convention" of the International Labor Organization. Furthermore, in June 2022, Parliament adopted law No. 62/2022 "On the National Sex Offender Registry".
6. Law No. 57/2019 "On social assistance in the Republic of Albania" was adopted in the domain of social protection with the aim of mitigating poverty and social exclusion of individuals and households, including victims of violence, and of creating integration opportunities for them, providing a system of interventions and services that improve their livelihoods.
7. With the aim of improving the situation of women victims of domestic violence and the operational effectiveness of the Coordinated Referral Mechanism (CRM), the Albanian Government adopted in June 2021, Decision of the Council of Ministers (DCM) No. 327,

dated 02.06.2021 "On the mechanism for the coordination of work among authorities responsible for referring domestic violence cases, and its operation in supporting the rehabilitation of victims of violence". Based on this DCM, each municipality has assigned a local coordinator for the coordination of violence cases, one of the responsibilities of whom is intermediating with NGOs, the State Police, healthcare services, courts, the Probation Service, legal aid services.

8. Following this legal initiative, the Council of Ministers adopted the "2021-2030 National Gender Equality Strategy" (NGES) and its Action Plan in June 2021, reinforcing the Albanian Government commitment to strengthen gender equality fulfilling the economic and social rights of women from all vulnerable groups.
9. Lastly, an important measure concerning the sexual abuse and revictimization of women, is the initiative of the Albanian Audiovisual Media Authority to include gender equality and non-discrimination for the first time in the Broadcast Code for Audiovisual Media in Albania. The changes aim at improving gender equality matters in the media, at avoiding sexist language and protecting women and girls victims of domestic violence and sexual abuse from revictimization in the course of audiovisual medial reporting activities in approximately 50 television and some 70 radio outlets operating in the country.

### **III. 2018 UNIVERSAL PERIODIC REVIEW**

10. 23 recommendations were addressed to Albania in the field of domestic violence and gender based violence in the course of the 2018 Universal Periodic Review. Albania has supported these recommendations and this section considers whether the government has completely, partially or not implemented the relevant recommendations.

#### ***A. "GENDER BASED VIOLENCE" RECOMMENDATIONS***

11. 95.152 Implement preventive measures against the phenomenon of forced marriage and effectively apply the sanctions established by law for cases of gender-based violence (Spain);

**Status of Implementation: Accepted, Not Implemented**

12. 95.150 Continue strengthening its referral mechanism to adequately and promptly assist victims of gender-based violence, in particular women and children (Philippines);

**Status of Implementation: Accepted, Partially Implemented**

#### ***B. "DOMESTIC VIOLENCE" RECOMMENDATIONS***

13. 95.146 Train law enforcement officers to recognize the signs of domestic violence and to enforce the laws on rape and amendments to the law on domestic violence effectively, including in cases of spousal rape (United States of America);

**Status of Implementation: Accepted, Partially Implemented**

14. 95.134 Take further measures to combat domestic violence, including by fully implementing the existing legislation and by guaranteeing that women victims of violence can access legal aid and social services (Italy);

**Status of Implementation: Accepted, Partially Implemented**

15. -95.132 Ensure the full implementation of the law on measures against violence in family relations through the development of by-laws, the allocation of sufficient funding and the training of staff to ensure adequate support to victims of violence (Sweden)

**Status of Implementation: Accepted, Partially Implemented**

16. 95.151 Ensure the effective implementation by the State of the law on legal aid guarantees, especially with regard to victims of domestic violence and sexual violence, and ensure that victims are informed of their right to access legal aid (Republic of Moldova);

**Status of Implementation: Accepted, Partially Implemented**

17. 95.144 Provide continuing training to police, judges, health professionals, victim support services and other professional institutions working with victims of violence against women and domestic violence (Iceland);

**Status of Implementation: Accepted, Implemented**

18. 95.156 Ensures that services to victims of violence against women and domestic violence are made available to the most marginalized communities, including women in rural areas, women with disabilities and women from ethnic minority groups (Singapore);

**Status of Implementation: Accepted, Partially Implemented**

19. 95.155 Strengthen the support for victims of domestic violence, especially women and children, by increasing the number of shelter spaces, in line with article 23 of the Istanbul Convention (Denmark);

**Status of Implementation: Accepted, Not Implemented**

### **III. SUMMARY OF MAIN FINDINGS AND ISSUES RELATED TO RECOMMENDATION IMPLEMENTATION IN THE AREAS OF DOMESTIC VIOLENCE AND GENDER BASED VIOLENCE**

#### **A. Lack of preventive legal measures against the forced marriage and early marriage phenomena**

20. The Family Code (FC) stipulates that the age related to the right to marry is 18 years of age, and this is unified for both male and female genders.<sup>ii</sup> However, exemptions are provided for marriage under the legal age (18 years of age), which can be only authorized by the relevant court<sup>iii</sup>. The permission of this phenomenon is also stipulated in the Civil Code (Article 6). This phenomenon is especially spread and concerning for girls living in rural areas, where in the majority of the case family members decide to marry off (without free consent) girls under the

age of 18.

21. In the course of its work, the Center for the Development of Rural Women (CDRW) found that the inadequate level of psychological preparation among girls under the age of 18 often leads to non-sustainable households coupled with conflict and violence situations. Furthermore, according to the analysis of the Center for Legal and Civic Initiatives (CLCI), early marriages have a negative impact on the fulfillment of a number of rights for this age group, including the rights to education and qualification, development and entertainment, and these marriages are fragile when considering aspects of free consent, becoming as such dangerous and harmful relationships leading to even violation of child rights.<sup>iv</sup> The revision of Civil Code and Family Code provisions to remove all exemptions in relation to the legal age of 18 years for marriage consent for both men and women and the continued efforts to fight both child and forced marriages, have been noted as issued in Albania in the Concluding Observations of the CEDAW Committee in the fifth reporting round by the Albanian State, as well.<sup>v</sup>

## **B. Victims of violence against women and domestic violence have limited access to services**

22. Even though Albania has taken measures and made efforts to ensure that services for victims of gender based violence are spread out and accessible everywhere, in practice, women and girls surviving domestic violence, and especially those from marginalized communities, encounter serious challenges in accessing these services. The lack of services close to marginalized communities, the lack of dialog between victims and elected local officials play an important role in the limited access of these marginalized groups to services. Based on the decentralization principle, the provision of such services is a specific duty of local government. In reality however, not every municipality has the capacities to generate sufficient financial resources to fund these social protection services. The Social Fund, which is a Ministry of Health and Social Protection instrument, supports the provision of new services at the municipality level with funding. However, this mechanism has been mainly implemented in the larger municipalities, thus not ensuring the same services across all Local Government Units (LGU).

23. In addition, pursuant to DCM No. 327/2021, LGUs should take immediate measures to provide a basket of services to victims of gender based violence (women and children) according to their needs. Currently, all municipalities in the country are lacking this basket of services dedicated to gender based violence victims. The services currently provided in some municipalities are often not adapted or in line with the needs of GBV cases. The social services budgets in municipalities lack a dedicated line for the domestic violence victims basket of services.

24. Survivors of domestic violence not only face multi- challenges of reintegrating into society independently but also face significant challenges in accessing the labor market. Despite initiatives led by National Agency for Employment and Skills and local government entities in Albania, the employment rate among survivors of domestic violence remains alarmingly low. Integrating this vulnerable group demands a coherent, long-term approach, guided by expert mentorship. However, the efficacy of employment office personnel is constrained by capacity limitations, workloads, and logistical constraints across the country, especially when taking into account the survivors of domestic violence who are also women/girls with disabilities. Consequently, civil society organizations often step in, offering crucial referrals for employment opportunities and other services, supplementing the support provided by Protection Orders issued

by the courts.

### **C. Financial support for victims of violence remains limited**

25. The current legal framework provides for the provision of financial support for victims of domestic violence. However, the implementation of this legislation is problematic and not harmonized across LGUs. Some LGUs have inaccurately interpreted the law guaranteeing financial support to victims of violence, limiting the provision of financial support to women victims that may be in employment or that have been economic assistance beneficiaries. Meanwhile, when referring to the applicable legislation, there are no criteria excluding women victims of violence from the financial support they should be provided because of their status as a victim. It is of note that even when this support is provided, the financial support amount allocated to this category is under the minimum standard of living (9000 ALL per month) and insufficient to enable women and their children to escape the vicious circle of violence.<sup>vi</sup>

### **D. Fulfillment of the right to housing for domestic violence victims remains limited**

26. Guaranteeing the right to housing is considered one of the main reintegration indicators for women and girls victims of domestic violence. In 2018, Albanian adopted a new social housing law, which among other things stipulates obligations for the Government and municipalities related to social housing for a number of social groups in needs, including women and girls victims of domestic violence.<sup>vii</sup> Even though the law was adopted more than six years ago, most municipalities have not been able to implement it, because they did not plan or do not have specific budgets for social housing for domestic violence victims. This issue is evident in large municipalities as well, including the Municipality of Tirana, where fewer than 1 in 100 victims of domestic violence have benefited from social housing programs in the last four years.

27. The limited implementation of the law is especially related to the restrictive requirements that victims must meet to benefit from social housing programs. This places the victims in a challenging situation that further exacerbates their standing in society. Furthermore, gender based violence survivors have close to now possibility to obtain the documentation required by law/regulatory documentation for social housing programs. Based on the above, we have reached the conclusion that housing for domestic violence victims remains an unresolved issue in the operations of public authorities, while the legislation sets out requirements which are very difficult to meet for the majority of victims.

### **E. The coordinated referral mechanism (CRM) against violence should be strengthened**

28. In 2021, the Council of Ministers adopted a new DCM regarding the operation of the CRM. According to official MoHSP data, all 61 municipalities have official established their CRMs. The functioning of CRM structures however, remains a challenge. Steering Committees do not meet quarterly as stipulated by law in any of the municipalities of the country, and none of them report to the MoHSP as provided for under DCM 327/2021. Furthermore, the situational analysis regarding CRM operation shows that not all state institution actors participate in all CRM meetings. Strengthening this important CRM structure that could lead to important decision



making, remains a necessity.

29. The experience of the “Edlira Haxhiymeri Shelter” Center with treatment of cases referred by various CRMs from across the country, shows that cases are not involved in support planning and decision making. The majority of the cases that were placed in the center were not informed about the services they were planned to receive, and were not involved in the Multidisciplinary Technical Team (MTT) meetings discussing their situation or their individual support plan. MTT team members training on important principles of service provision remains a needs that must be addressed in an ongoing manner.

#### **F. Domestic violence data collected capacities are limited**

30. The collection and management of domestic violence related data also remains an issue. Data on DV are often fragmented and incomplete. This makes the development of a comprehensive problem overview and of effective interventions challenging. Dedicated gender data collection specialists are missing at the central level. The Inter-institutional Gender Statistics Group is yet to be established and made operational, even though foreseen in the 2021-30 National Gender Equality Strategy. In addition, many practitioners working with DV response lack the required skills and training to effectively collect and manage data.

#### ***G. The violence signs recognition system for police staff remains an issue***

31. Upon approval of the Law No. 47/2018 “On some amendments and additions to law No. 9669 dated 18.12.2006 "On measures against violence in family relations", the State Police was given the right to issue a Immediate Preliminary Measures Protection Order (IPMPO) when assessing that the situation may present high risk to the life, health and freedom of the domestic violence victim. Issuing an IPMPO is closely related to the identification of domestic violence signs (risk factors) and risk assessment. In 2023, the Center for Gender Justice trained ZPS across Police Directorates in the country, and identified police officer that do not have sufficient information and were not trained to recognize domestic violence signs when conducting risk assessment and implementing procedures for drafting and issuing IPMPOs. This resulted in no IPMPOs being issued in a number of regions, even though this legal change has been in effect for more than 5 years.

32. Instruction No. 866, dated 20.12.2018 "On procedures and the model for assessing risk in domestic violence cases" of the Ministry of Health and Social Protection, tasks the police with conducting a risk assessment of domestic violence cases. Notwithstanding interventions from civil society and state institutions to train police staff on domestic violence matter, not all police staff are trained on the procedure and completion of the risk assessment report template. As a result, the risk assessment is at times conducted inaccurately. Many police staff hesitate when issuing IPMPO, because they conduct an inaccurate risk assessment analysis. We believe that an adequate risk assessment in these cases should not only prevent a continuation of the violence situation, but also femicide of girls and women in Albania.

#### **F. Domestic and gender based violence victims do not have information on free legal aid services and have limited access to these services**

33. Even though the adoption and the entry into effect of Law No. 111/2017 "On state guaranteed legal aid" has resulted in the establishment of the relevant structures (Free Legal Aid Directorate, Regional Legal Aid Offices), which have positive achievements in providing free legal aid services, further intervention is required to improve these services, especially for victims of violence. **Girls and women (especially in rural areas) lack information on the law and procedures for obtaining free state guaranteed legal aid.** Information sessions regarding these services are mainly concentrated in urban areas.

**34. Victims of violence face challenges in obtaining the required documentation to benefit free legal aid.** The list of required documents is long and requires digital knowledge and skills, which many vulnerable women do not have. For these reasons, they find it much easier to access NGOs that provide free legal services. The situation is even more challenging in regions where such NGOs are not operational.

#### **G. Local level service structures are not prepared to manage cases of victims of violence with mental health issues**

35. Currently the need for services for this target group remains an issued that should be addressed immediately. Local level service structures are unprepared to manage such cases with such specific needs. Shelters currently in operation cannot treat such cases based on their operational standards. Strengthening the CRM for these cases is an immediate necessity.

#### **H. Delays related to judicial proceedings and failure to enforce judicial verdicts in a timely manner**

36. The lack of judges and the justice reform have led to issues related to overly long protection order judicial proceedings. Notwithstanding the insistence of civil society organizations, timeframes for reviewing protection order applications are still not a priority in judicial processes. Failure to review these applications in time puts domestic and gender based violence victims at risk of continued violent behavior by their perpetrator. Even when judicial proceedings are held within a reasonable time, issues are noted in relation to delays in reasoning court decisions issuing POs/IPOs, which do not allow women with POs to receive assistance from municipalities in the financial amount they are entitled to by law as victims of violence.

37. Considerable issues are also noted in civil judicial proceedings, such as divorce proceedings, where regardless of suits for divorce being initially filed in 2022, the relevant proceedings are yet to start even though these trials are very relevant for the status and rights of domestic violence victims.

38. The issues related to the unreasonable length of judicial proceedings initiated by victims of violence were exacerbated further with the implementation of the new judicial map in the country, which reduced the number of general jurisdiction courts, and merged appeal courts into a single Appeal Court operating in Tirana.

### **I. Professional capacities of police staff, judges, healthcare practitioners need to be enhanced.**

39. In events organized with state police staff the State Police itself has noted a lack of IPMPO issuing for cases directly reported to the police, which would ensure security and quicker protection for victims until they appear before the court to be issued IPOs and follow procedures further. Furthermore, a lack of communication/interviewing VAWG survivors skills is noted among police staff, along with a lack of know-how, knowledge and skills to respond to feelings of self-blame from VAWG survivors, while prejudicing of women seeking help is also noted. Specialists dealing with DV and children are overburdened with work, are assigned other task, and are also responsible for specific territories.<sup>viii</sup>

40. In addition, healthcare staff has little or no knowledge of the DV protection and response system. Physicians do not report cases of DV, because they do not feel protected when reporting, and because of the fear/pressure from DV perpetrators.

41. Training activities, delivered in workshop format as well, are effective and valuable in exchanging opinions and experiences not only among state institutions, but also among them and CSOs. However, there is a lack of attention or interest on the part of public institutions, especially in the judiciary, to participate in training activities with CSOs. The judicial power should be made aware that interaction of the civil society organization is both efficient and effective, because civil society is familiar with and faces the challenges of gender based and domestic violence victims, which would assist in improving protection and preventive measures that the court issues in the context of protection orders.

### **3. Insufficient local budgeting for social care services for victims of violence**

42. A lack of budgetary expenditure planning necessary for meeting the needs of victims of violence for social care services is noted at the local level. The reasons for this are firstly related to the limited budgets available to municipalities, and secondly with the lack of human resources, which makes it difficult for the population to receive specific gender sensitive services. The lack of funding from the government and foreign donors, because of the relatively small population as well, results in municipalities not only having to cope with the lack of social services, but also the lack of infrastructure, especially in rural areas, which makes the lives of the population and especially women in these area that much more challenging. In addition, the lack of street lighting makes women and girls feel more unsafe outside their homes during late hours. Support for groups and in need and to mitigate living issues in the LGU is mainly provided as part of the Economic Assistance (Ndihma Eknomike (NE)) scheme and disability payments. In the meantime, no other services supporting social and economic reintegration of women and girls victims of domestic violence have been budgeted.<sup>ix</sup>

### **K. Lack of coordinated policies and legal measures against femicide**

43. The femicide phenomenon in Albania has become widespread in Albania in the last three years. Based on the data analyzed by CLCI, femicide victims are most at risk at home, especially when they reside with the perpetrator. The risk increases for women that have a protection order, but continue to stay with the perpetrator in the common residence or when the victims that is violated does not report the violation and continues to reside in the same residence with the perpetrator. Women for whom the court had issued protection orders or women that had reported their violating spouses to the police have also fallen victim to femicide.<sup>x</sup>

44. Notwithstanding the changes stipulated in the Albanian legislation regarding measures against domestic violence, there is a lack of legal provisions for the prevention and punishment of femicide. The Criminal Code has no expressed provisions regulating gender based murder. The lack of concrete provisions on femicide on the Criminal Code has been noted as concerning by the CEDAW Committee in its Concluding Observations for Albanian during the fifth review round, as well.<sup>xi</sup>

45. Furthermore, no coordinated approach regarding the collection of gender disaggregated data for crimes and victims has been put in place. Official crime statistics do not provide specific data disaggregated by gender, age, perpetrator and victim characteristics for each criminal offense. Fragmented violence against women data do not provide adequate guidance for effective crime prevention policies. Law enforcement agencies and the judiciary collect and process data on crime against women and girls. However, even though progress has been made in collecting, processing and publishing crime data disaggregated according to gender, perpetrators and victims, statistics are still not standardized and harmonized, and do not provide public data on victims and perpetrators of criminal offenses according to all crime specifics and types. In addition, Prosecution and Ministry of Justice statistical almanacs do not provide gender disaggregated data on crimes and victims.

#### **L. Lack of an effective Protection Order enforcement monitoring mechanism**

46. The law on Measures against Violence in Family Relations stipulates the obligation of law enforcement agencies to monitor PO and IPO enforcement. In practice however, no coordinated mechanism has been put in place to follow up on and monitor the enforcement of judicial decisions granting POs or IPOs. Careful PO/IPO enforcement monitoring by relevant institutions aims at guaranteeing the life of the victim and that relevant measures are taken when local domestic violence coordinator reports indicate that perpetrators have acted in breach of the court decisions granting protection orders. Furthermore, the lack of PO/IPO enforcement monitoring has resulted in an increase in the number of women and girls victims of domestic violence losing their lives at the hands of their perpetrators. Of concern is also monitoring the enforcement of measures that have the perpetrator removed from the residence, or obligating them to maintain a certain distance from the victim of violence. The practice of the victim and the defendant residing in the same residence should be a practice of the past and should no longer be permitted. In rural areas or smaller towns where the sufficient distance between the perpetrator and the victim cannot be ensured, the use of perpetrator electronic monitoring using relevant devices should be considered.<sup>xiii</sup>

#### IV. RECOMMENDATIONS

47. Based on the findings described above, this stakeholder report suggests the following recommendations to the Albanian government:

48. Legal initiatives should be taken to review Family Code provisions related to the legal marriage age, with the aim of removing any exemptions to the minimum legal age of 18 and to prohibit forced marriages.

49. More attention should be devoted to **informing women and girls (especially in rural areas) about the law and procedures to benefit state guaranteed legal aid.**

**50. Local Domestic Violence Coordinators and Police should strengthen their cooperation with Regional Legal Aid Offices so that cases of domestic violence and gender based violence are referred to these offices to benefit the relevant free legal aid services.**

**51. The role of the Local Domestic Violence Coordinator should be strengthened and measures should be taken to split the Domestic Violence Coordinator and Gender Equality Employee roles, in addition to the child protection unit.**

**52. Measures should be taken** to ensure continued training for police, judges, healthcare practitioners, services supporting victims and other professional institutions working with cases of violence against women and domestic violence.

53. Funding for social care services and legal aid for victims of domestic and gender based violence should be increased.

**54. The legal framework in force on social housing should be reviewed with the aim of easing application requirements and bureaucratic procedures for victims of domestic and gender based violence.**

**55. Measures should be taken to ensure continued training for police officers with the aim of developing their capacities to recognize domestic violence signs and to conduct a relevant risk assessment and developing and issuing a IPMPO**

56. Measures should be taken to monitor PO/IPO enforcement with the aim of guaranteeing the rights of victims of domestic and gender based violence. Special attention should be paid to court decisions affecting children and other household members.

57. Measures should be taken to ensure continued training for judges, so that they may consider all measures considered necessary to prevent and stop domestic violence when issuing a PO/IPO, and not only focusing on the list of measures sought by the domestic violence victim.

58. The current legal framework on measures against domestic violence should be reviewed with the aim of stopping the use of mediation as an alternative resolution method for the consequences of domestic violence. The same recommendation is valid when addressing requests for divorce filed by victims of violence.

59. Measures should be taken to ensure the timely reasoning of judicial verdicts granting PO/IPOs with the aim of avoiding delays in the provision of financial support to domestic

violence victims.

60. LGUs should take measures to increase the weight of annual budget programs focusing on social services, with a special focus on planning expenses for social care services for women and girls victims of violence.

**61. Measures should be taken to review the Criminal Code with the aim of including concrete legal provisions related to the criminalization of femicide and gender based murder.<sup>xiii</sup>**

62. Measures should be taken in relation to the collection and processing of gender disaggregated data for gender based criminal offenses, and gender disaggregated data for criminal offenses against the person, health, family, etc. An integrated gender disaggregated data system should be put in place, especially for femicide, with the aim of enabling better understanding of this crime from a gender perspective.<sup>xiv</sup>

63. Measures should be taken to strengthen the PO and IPO judicial decision enforcement mechanism. It is also important to not only consider the development of responsible institutions capacities for judicial decision monitoring, but also for introducing new decision enforcement supervision methods, such as electronic supervision.

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<sup>i</sup> Center for Development of Rural Women (Cdrw) Organization Different&Equal (D&E) The Center for Gender Justice in Albania (CGJA), "Woman to Woman" organisation (WtW), Woman Forum Elbasan (WFE), The Women' Center "Light Steps" (WCLS), Child Rights Center Albania CRCA/ECPAT Albania, The Center "Shelter Edlira Haxhiymeri" (SHE), Gender Alliance for Development Centre (GADC), The National Centre for Community Services (NCCS), Community Development Center "Today for the Future" (CDC-TFF), Center for Legal Civic Initiatives (CLCI)

<sup>ii</sup> Center for Legal Civic Initiatives (2023) "Improvement of Albanian Legislation in the gender equality field" Study

<sup>iii</sup> Family Code of the Republic of Albania, Article 7.

<sup>iv</sup> Ibid.

<sup>v</sup> CEDAW Committee (2023) Concluding observations on the fifth periodic report of Albania, paragraph 48.

<sup>vi</sup> Bajramemaj. A ( 2024) Analysis "Fewer than 1 in 100 victims of violence benefit from housing programs in Tirana" from Reporter.al

<sup>vii</sup> Law No. 22/2018 "On social housing".

<sup>viii</sup> The title of the position is specialist for the investigation, domestic violence and children

<sup>ix</sup> See also PRIZMA (2024) "GENDER RESPONSIVE BUDGET IMPLEMENTATION MONITORING, FUSHË ARRËZ.

<sup>x</sup> Center for Legal and Civic Initiatives (2023) "FEMICIDE AND ATTEMPTED FEMICIDE IN ALBANIA (2017-2020)"

<sup>xi</sup> CEDAW Committee (2023) Concluding observations on the fifth periodic report of Albania, paragr.23.

<sup>xii</sup> Center for Legal and Civic Initiatives (2023) "FEMICIDE AND ATTEMPTED FEMICIDE IN ALBANIA (2017-2020)"

<sup>xiii</sup> See also CEDAW Committee (2023) Concluding observations on the fifth periodic report of Albania, paragr.23.

<sup>xiv</sup> See also the report developed by FemPlatz (2023) "'Social and Institutional Response to Femicide in Albania", page 9.