



ALBANIAN WOMEN EMPOWERMENT NETWORK
www.awenetwork.org

Tirana, Albania

Relevant information regarding the report submitted by the Albanian authorities on the implementation of the recommendation's issues by the Committee of Parties to further the implementation of the Istanbul Convention.

Introduction

Albanian Women Empowerment Network (AWEN) is an organization that works on women human rights in Albania since 2009. It is a network of 10 women organizations working overall Albania. Following a preliminary examination of the Albanian state report on implementation of the recommendations issued by the Committee of Parties, AWEN is interested to provide with information on the situation of gender-based violence and domestic violence in Albania focusing mainly on support issues, implementation of legal framework and collaboration of the authorities with CSOs.

Overview on Violence against Women and Domestic Violence in Albania (2018-2021)

Albania has made significant progress in respecting, promoting women's rights and addressing violence against women and domestic violence, mainly through improving the legal framework and its approximation to international human rights standards. However, domestic violence and gender-based violence continue to be a serious concern and a serious violation of human rights, affecting the full and equal participation of women and girls in society. The third Population based National Survey on VAW in 2018 conducted by INSTAT¹ showed that one in two (52.9%) Albanian women have experienced one or more forms of violence against women during their lifetime.

In the study "Men and women in Albania 2020", INSTAT has analysed domestic violence and the extent of this phenomenon in Albania. Referring to this publication, in 2019 there was an increase in the number of homicides within the family by 4.5% compared to 2018. There has also been an increase of the number of female victims. In 2018, 57.9% of victims of homicides within the family were women/girls and this percentage has increased significantly in 2019 where 70.6% of victims were women and girls. The data clearly show that women and girls are most affected by crime within the family.

¹ Institute of Statistics of the Republic of Albania



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An analysis of the Protection Orders issued by Courts in 9 Districts² shows the social profile of the victim of domestic violence, which is mainly a woman or girl, living in urban area, with Albanian citizenship and nationality, married, with one or two children, in a marital relationship with the abuser who is subject of physical and psychological violence.

During 2020, AWEN member organizations reported an increased number of victims of VAW and DV compared to 2019³. This increase in the number of victims asking for support from CSOs is thought to be directly related to the impact of the Covid-19 pandemic in the Albanian families. Economic difficulties and increased stress levels due to social isolation lead to violence within the family. On the other hand, is evidenced that these data go in inverse proportion to the denunciations of domestic violence in police stations. Because of the restrictions on movement set by the state and lack of alternative accommodation, victims did not report the violence to the police. Other reasons have been: lack of transportation (for women and girls living in rural areas), dysfunction of state institutions or limited working hours of service providers, increased anxiety and stress which prevent them from taking concrete actions such as reporting, economic uncertainty to afford single living costs.

While progress and improvements have been made in the national legal framework, its implementation is negatively impacting on the development outcomes of the country in general and on women in particular. Improper implementation is linked to a variety of problems including: lack of by-laws, inadequate budgets, frequent turn-over in public offices, lack of proper monitoring and insufficient trainings for stakeholders (administration staff, police officers, medical staff, law professionals, etc.) responsible for implementing policies and strategies. Regardless improvement of the legal framework during 2018-2021 and in the face of the crisis due to the pandemic, women have continued to face discrimination legislation-wise and in practice and have remained inadequately protected against violence.

1. Co-ordinating bodies

The co-ordinating body for VAW and DV issues at the central level is The Ministry of Health and Social Protection (MHSP) and at the local level is the Coordinated Referral Mechanisms of domestic violence' cases (CRM). The member institutions of CRM and their representatives very often are not gender-

² Report "Findings from the monitoring of court decisions on the issuance of IPO/ PO", published by AWEN, 2018.

³ The number of calls for help from victims of domestic violence during the Covid-19 isolation period in Albania tripled.



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sensitive and lack the necessary knowledge and capacities to undertake the duties and responsibilities. These local actors need regular support and monitoring from the central level structures (Ministry of Health and Social Protection, other relevant line ministries, State Social Services) and other key actors like CSOs and donors. Responsible institutions of the Referral Mechanisms need support in their everyday work with case management, considering that they lack specialized personnel and resources. The mechanisms established and extended to all the municipalities in the country, should become fully functional considering that are the only instrument of the system that is responsible for the protection and security of the victims of domestic violence in the country. This requires for: continuous training for the involved actors; improved collaboration among the local actors to better assist all gender based violence victims (not only victims of domestic violence); increased attention in better addressing the needs of victims with disabilities; opening of emergency shelters for the domestic violence victims in each municipality; increased access with information dissemination and services for DV survivors in rural and remote areas; making use where present/ and creation of rehabilitation opportunities/services for perpetrators; prioritization of empowerment of the women survivors through assistance for employment; simplification of the necessary procedures for rent bonus for the women survivors of gender based violence; better continuous follow up of the cases, etc. These measures would improve the functioning of the local Referral Mechanisms and therefore, protect and empower girls and women survivors of gender-based violence.

Gender Equality Officers (also Local Coordinators for domestic violence issues) appointed in 61 Municipalities perform a series of other functions, such as: social administrator, responsible for education and youth, etc. This makes them ineffective in working on gender equality and domestic violence.

2. Financial resources and support

Authorities have allocated funds for violence against women and domestic violence at the central and local levels but these funds have been in small amounts and disproportionate to the needs of GBV and DV victims.

The social fund was established only at the end of 2019 and was allocated at the beginning of 2020. This fund of 690000 EUR in total at the national level absolutely does not meet the needs of victims. Furthermore, the fund was intended only for emergency services, which means that victims are not supported with rehabilitation and reintegration services. In 2021 the social fund allocated is 94000 EUR for 4 municipalities, fund even more limited than in 2020.

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Women and girls' victims of domestic violence often have low levels of education, no profession and have dependent children. After separation from the abusive spouse/partner, they and their children find themselves in difficult economic conditions. Economic aid provided by the state as a family in need or payment received as a victim of domestic violence after receiving a protection order, fails to provide the minimum for survival because this economic aid goes on average 25 EUR/month, less than 1 EUR per day per family.

Also, based on law no. 9355, dated 10.03.2005 "On social assistance and services", victims of domestic violence receive economic aid during the period of validity of the Protection Order. If a woman, victim of domestic violence, is receiving economic aid because she belongs to the category "family in need", the social administrators do not allocate the economic aid as "victim of domestic violence" claiming that they are included in the economic assistance system as another category and cannot benefit from 2 economic schemes.

During the reporting period, 400-600 women each year benefit the economic aid as victim of domestic violence at the national level. It is evident that this is a very low number of beneficiaries. The reason for this low number of beneficiaries is that many of them are excluded from receiving economic assistance, not only for the aforementioned reason but also for other reasons such as: negligence of relevant institutions to inform the victims about this right, long procedure in order to benefit the economic aid, long list of excluding criteria (ex. if a victim is employed, she does not receive economic aid even though she has a Protection Order).

On 14.12.2017, the Albanian Parliament approved the law no. 111/2017 "On state-guaranteed legal aid", which aims to establish a system for the organization and provision of free legal aid to ensure equal access for all individuals to the justice system. The implementation of the law has been very slow and the budget allocation insufficient for local offices to be set up in the short term. Despite the legal amendments, AWEN members report that access to free legal aid and quality legal support remains a big challenge. Free legal aid assistance continues to be delivered predominantly by civil society organizations. Implementation of the law and its sub-legal acts needs to be closely monitored by the Ministry of Justice and be adequately budgeted. The collaboration of the newly created public

structures (for primary and secondary legal aid) with CSOs offering free legal aid need to be facilitated by the Ministry of Justice and Ministry of Health and Social Protection. This will result in improved protection of women victims of gender-based violence.

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3. Measures to foster long-term and sustainable financial support for nongovernmental organisations working to support victims and prevent violence.

While the work of CSOs as service providers is publicly known and appreciated, state support for allocating adequate resources for sustainability of the existing services provided by CSOs, especially for all those women organisations working to support victims and prevent violence, is almost missing. The specific legislation on public procurement and sub-legal acts regarding the outsourcing of services to CSOs need to be finalized and implemented in practice.

During the reporting period, the state supported financially only the shelters for victims of trafficking, Alo 116 for Children, LGBTIQ Shelter and the National Counselling Line for Women and Girls (the latter at a very small amount). Even in these cases no mechanism has been found to ensure stability. The CSOs have to apply for funds every year and employee salaries are delayed from 2 to 4 months at the beginning of the year. This causes instability not only in the funding of organizations but also for the continuity of the staff working and providing direct services.

4. Recognition, encouragement and support of the work of relevant non-governmental organizations and of civil society active in combating all forms of violence against women.

Despite all the challenges in funding active CSOs in combating VAW, MHSP at the central level and Municipalities at the local level, have been supportive and have encouraged the work of CSOs. State institutions and CSOs have had a good collaboration mainly during the public campaigns for the 16 days of activism against violence. Each year, the campaigns are coordinated at the national level by MHSP. Public institutions and CSOs cooperated during this period to disseminate information and sensitize the community.

Recognition of the work and services provided by CSOs in Albania, especially women CSOs in done only occasionally during events that tackles thematic that are related to the collaboration with CSOs. It needs to be done on regular basis, based on facts and figures that are shared by CSOs on direct services and other initiatives on furthering gender equality.

5. Measures contributing to ensure the effective enforcement of barring, restraining or protection orders.

The law 47/2018 "For some additions and changes in the law 9669, date 18/12/2006 on measures against domestic violence" introduced in the legislation the right of the Police to issue an Order for



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Preliminary Protection Measures if it assesses that the victim is at risk. This protection order is given immediately and is supposed to protect the victim until a decision is made by the court.

Even though this protection measure has entered into force almost 3 years ago, the police officers apply it in very few cases, even more, in some Districts (ex. Vlora, Saranda), police officers have never provided OPPM. From the data of AWEN member organizations in the districts, it is evidenced that the police officers are not informed/trained on how to issue this protection order or they do not properly assess the risk situation and neglect to apply this measure.

Data on femicide in Albania confirm the fact that the Police does not make an adequate risk assessment. During 2020 there have been 6 murders within the family. In 2021 these figures are alarming. From January 2021, 13 women and girls lost their lives, murdered by their husbands, partners, father, etc.

Sexual violence against women and girls remains a topic that needs to be thoroughly addressed in Albania. While other forms of violence are increasingly reported, sexual violence is not reported by girls and women. Data from the latest National Population Survey (INSTAT 2019) highlights that 8,6% of woman have experienced sexual violence in their lifetime, and 3,6% are currently experiencing sexual violence in their marriages or intimate relationships. The general findings show an equally alarming situation, where 38% of the respondents have been exposed to harassment or sexual assault during their lifetime. "Lillium Center", opened in December 4th, 2018, remains the *only crisis management center for cases of sexual violence* in Albania, which provides multidisciplinary service to all survivors of sexual violence.

"**Sexual Harassment**", is added as a new form of discrimination to Law no. 10 221 dated 04.02.2010 "On protection from discrimination", amended on October 15, 2020. Even though, Albania is still not giving proper importance to sexual harassment into the national legislation and is not providing effective protection and services for victims.

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