COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

LANZAROTE COMMITTEE

Committee of the Parties to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse

Replies to the thematic questionnaire

"Screening of professionals, volunteers and other persons in contact with children"

ALBANIA

Replies received by the Secretariat on 29 June 2026

Main relevant provisions of the Lanzarote Convention and previous recommendations

Article 5 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures, in conformity with their internal law, to ensure that the conditions to accede to those professions whose exercise implies regular contacts with children ensure that the candidates to these professions have not been convicted of acts of sexual exploitation or sexual abuse of children. The Explanatory Report to the Lanzarote Convention indicates that this obligation can be also applied to voluntary activities (see paragraph 57).

In the 2nd implementation report of the 1st monitoring round (2018), the Lanzarote Committee urged those Parties that limited mandatory screening to certain professionals to extend it to the recruitment of all professionals (public or private) in regular contact with children (R19) and invited Parties to encourage continuous screening of all professionals (R20) and volunteers (R21) in regular contact with children.

Article 27 paragraph 3.b of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to deny the perpetrator, temporarily or permanently, the exercise of professional or voluntary activity involving contact with children in the course of which the offence was committed.

Article 37 paragraph 3 of the Lanzarote Convention requires Parties to take the necessary legislative or other measures to ensure that the information referred to in paragraph 1 (i.e. data related to the identity and to the genetic profile (DNA) of persons convicted of the offences established in accordance with the Convention) can be transmitted to the competent authority of another Party, in conformity with the conditions established in its internal law and the relevant international instruments.

Whenever the term “screening” is used in this questionnaire, this should be understood as “verification of criminal convictions for sexual offences against children”.

In all your answers, please provide details to the extent possible and refer to specific laws, policies, programmes, measures, etc.

Please describe the legislation, policy and practice which are in force on 27 March 2026 or are in the process of adoption (in this case, please specify the planned date of entry into force).

Please indicate the State Party in respect of which the questionnaire is submitted: Albania

<u>Persons concerned by screening requirements</u>

1. Is the absence of criminal convictions for sexual offences against children required as a pre-condition in order to accede to professions, employment or volunteer positions whose exercise implies regular contacts with children? Please specify whether such restrictions apply to professions, employment or volunteer positions in the following sectors or areas of activities (additional details to be inserted below the table):

	Criminal conviction check for employment in public sector?	Criminal conviction check for voluntary activity?	Criminal conviction check for employment in private sector?	Criminal conviction check for self-employed professionals?	Please specify the professionals to whom this requirement applies
Education – Pre-school	yes	yes	yes		Teacher Childcare worker, administrative, security, cleaning, and maintenance personnel
Education – Primary	Culture and leisure activities	yes	yes		Teacher Caregiver/ childcare worker Psychologist Social worker Practitioner Volunteer
Education – Secondary	yes	yes	yes		Teacher Caregiver/ Psychologist Social worker Practitioner Volunteer school security officers

Education – Tertiary					
Education – Extracurricular (e.g. language schools)		yes	yes	yes	**Legally:** it is not always explicitly required in every case. **In practice:** yes, it is a standard requirement for employment involving work with children. In most cases, even when it is not required by the state, it is requested by the school itself as part of its child safeguarding policy.
Childcare (e.g. kindergartens, crèches, childminders	yes	yes	yes		Teacher Caregiver/ childcare worker Social worker Practitioner Volunteer
Institutional or residential care (e.g. foster homes, orphanages, closed residential facilities)	Yes	Yes	yes	yes	Emergency shelter Teacher Caregiver Residential care staff Psychologist Social worker, doctors Educators / Nurses Doctors Case managers / child protection officers Rehabilitation specialists / therapists Administrative staff Security staff Practitioner Volunteer
Detention	yes		yes	yes	- Detention officers - Prison staff / correctional officers - Probation officers (in some cases, when

					supervising detainees or juveniles) - Social workers in detention facilities - Psychologists in detention centres - Medical staff (doctors and nurses) in detention facilities - Security personnel / institutional guards - Judicial police officers working with detainees
Migration facilities (e.g. reception centres)	yes	yes	yes		Immigration officers / border officers Reception centre staff Social workers Child protection officers Interpreters / translators Psychologists Medical staff – doctors and nurses Case managers Administrative staff Teacher Caregiver/ childcare worker Psychologist Practitioner Volunteer
Sport	yes	yes	yes		Teachers, coaches of sports teams in public and non-public schools Coaches of private sports teams of various sports such as football, volleyball, basketball, licensed by municipalities

Culture and leisure activities	yes	yes	yes		Artistic instructors (music, dance, visual arts) Workshop facilitators Festival organisers and coordinators Cultural programme staff working directly with children For all personnel engaged in courses of artistic disciplines or in the project "Education through Culture," a criminal record certificate is required
Entertainment sector	yes	yes			Education Specialist, museum educators and art workshop facilitators Administrative staff, technical staff Artistic directors, Directors, actors, set designers, costume designer, all related artistic staff.
Faith and religion					
Healthcare (including psychological and psychiatric services)	yes	yes	yes		- Medical staff, including doctors and nurses working in paediatric hospitals and in all healthcare centres providing healthcare services for children. - Specialist physicians from various fields, including child psychiatrists and psychologists working with children.

					- Multifunctional Social Centre (psychologist - Emergency shelter - Teacher - Caregiver/ - childcare worker - Psychologist - Social worker - Practitioner - Volunteer
Social protection services	Yes yes	Yes yes	Yes yes	Yes	Child Protection Officer Workers who work with children from public or private institutions and structures, whose work—paid or voluntary—involves direct contact with children. Staff of the State Labour Inspectorate and Social Services
Law enforcement	yes	yes	yes	yes	- Police officers - Judicial Police Officers / OPGJ) - Juvenile crime specialists - Patrol officers / public order officers - Border and migration officers - Child protection or juvenile units within the police - Officers dealing with domestic violence and child protection cases
Judicial	yes	yes	yes	yes	Judges Prosecutors Defence attorneys / lawyers Criminal Investigative Police Officer

					Coordinator Court clerks Judicial enforcement officers / bailiffs Judicial administration staff Legal advisors Judicial experts (forensic experts, psychologists, or specialists appointed by the court) Probation service officers
Civil society organisations	yes	yes	yes	yes	Staff members Interns Volunteers Consultants Contracted service providers Donors (including grant, sponsorship, and local marketing partners) Visitors (e.g., partner agencies, media representatives) Members of the Board / Advisory Council Any other affiliated individual Emergency shelter Teacher Caregiver/ childcare worker Psychologist Social worker Practitioner Volunteer
Victim services (including Barnahus, domestic violence services)	yes	yes	yes		Child Protection Specialist and Domestic Violence Coordinator Emergency shelter Teacher Caregiver/ childcare worker Psychologist Social worker

					Practitioner Volunteer
Any other sectors (please specify)	yes yes	Yes yes	yes yes		Staff of the Albanian Adoption Committee Applicants for adoption International organizations working in child protection

Here you can insert additional details or specify any exceptions.

In adoption procedures in the Republic of Albania, the Albanian Adoption Committee assesses the integrity, suitability, and legal and moral background of prospective adoptive parents as an essential requirement to ensure the best interests and protection of the child.

It is mandatory that applicants do not have any criminal convictions, including convictions for offences against children or any other offences that may affect their ability to provide a safe, stable, and protective environment for a child.

As part of the assessment process, criminal record checks are carried out for all applicants, and where relevant, for members of their household. The absence of relevant criminal convictions is a key eligibility criterion for proceeding with adoption procedures.

This requirement ensures that children are placed only in families that guarantee their safety, development, and well-being, in line with national child protection standards and the principle of the best interests of the children.

Within the cultural, artistic, sports, leisure and entertainment sectors under the Ministry of Tourism, Culture and Sports, activities involving children are carried out in accordance with the national legal framework on child protection and safeguarding of children's rights.

In practice, candidates applying for professions, employment or volunteer positions involving regular contact with children are required to submit a criminal record certificate confirming the absence of criminal convictions, including for offences against children.

This requirement applies across institutions and activities in the culture, arts and entertainment sectors, including:

- Artistic instructors (music, dance, visual arts);
- Workshop facilitators and leaders of educational and creative activities for children;
- Festival organisers and coordinators;
- Cultural programme staff working directly with children;
- Education specialists, museum educators and art workshop facilitators;
- Performers, artists, animators and staff involved in children's festivals, cultural events and entertainment activities;
- Artistic directors, theatre and cultural institution directors, actors, set designers, costume designers and other artistic personnel whose duties involve regular interaction with children;

- Administrative and technical staff working in institutions, programmes or activities where regular contact with children may occur.

For all personnel engaged in courses of artistic disciplines or in the project "Education through Culture," implemented under the Ministry of Tourism, Culture and Sports, a criminal record certificate is also required as a mandatory pre-condition for participation.

Child safeguarding measures are systematically integrated into all activities involving children and include appropriate supervision, staff awareness and training on child protection, identification of situations that may place children at risk, and referral of suspected cases to the competent authorities in accordance with national legislation.

The National Circus of Albania, as an institution working regularly with children, applies these safeguarding measures in all its activities involving minors. Particular attention is given to prevention of abuse and exploitation, protection of children's well-being, and implementation of reporting and referral mechanisms in cases of concern.

These combined legal, administrative and practical measures ensure that professionals and volunteers working with children in the cultural and entertainment sectors are appropriately screened and that child safeguarding remains a core institutional priority.

The Law on Sports regulates the organisation and functioning of sports federations, associations, clubs, coaches, and athletes, and establishes requirements related to licensing, professional qualifications, ethical conduct, fair play, and the prevention of violence in sport.

Law No. 18/2017 "On the Rights and Protection of the Child" establishes a general framework for the protection of children, including the obligation to ensure their protection from all forms of violence, abuse, and exploitation. Article 19 provides for the child's right to rest, leisure, and participation in cultural and sports activities, and requires the establishment of safety standards for recreational environments and sports facilities to prevent harm to children.

With regard to sports activities in school teams, it is clearly stipulated that teachers and coaches are required to obtain a criminal record certificate. All non-public sports teams are registered and certified by the Directorate of Education and Sports of the Municipality. As part of the certification criteria, a criminal record certificate is required for teachers and coaches working in these teams who have contact with children. This requirement is applied within the administrative process of registration and certification of sports teams operating outside the public education system, in order to ensure compliance with child safeguarding standards.

In accordance with Decision of the Council of Ministers (DCM) No. 186, dated 4.4.2019, "On the criteria for the employment of child protection structures and staff working with children," child protection workers and all personnel working with children are subject to strict eligibility criteria aimed at ensuring the safety and protection of children.

For the purposes of this decision, "workers working with children" are defined as employees, whether in public or private institutions, whose paid or voluntary work involves direct contact with children. Such contact may be physical (sharing common spaces with children) or through verbal communication (written or electronic).

In this context, child protection staff and other professionals working with children must not have been convicted by Albanian or foreign courts for intentional criminal offences against the person, as defined in Chapter II of the Special Part of the Criminal Code.

In addition, as public administration employees, Child Protection Workers are subject to Law No. 152/2013 "On Civil Servants," which requires that candidates for employment must not have been convicted by a final court decision for committing a criminal offence or an intentional misdemeanour.

In practice, in local government units across all municipalities, a criminal record certificate is systematically included in the personnel file of each Child Protection Worker as part of the recruitment and human resources management process. This practice ensures compliance with legal requirements and serves as a safeguard to guarantee that individuals working in child protection structures meet integrity standards and do not present risks to children.

These measures form part of the broader child protection system and contribute to preventing harm, including child abuse and exploitation, in line with national legislation and child safeguarding standards.

In the context of the Directorate of Asylum, Borders and Migration, criminal record certificates are required as part of the assessment procedures for professions, employment, or volunteer positions involving contact with vulnerable groups, including children. This requirement is applied in line with national child protection and safeguarding standards, ensuring that individuals working in relevant sectors do not present risks to children's safety and well-being.

At the Juvenile Rehabilitation Institution of Kavajë (IEVP Kavajë), social workers, educators, and psychologists work with juvenile offenders to develop skills that support their reintegration into society. Participation in cultural, sports, and community-oriented activities is encouraged as part of the rehabilitation and re-education model.

All of the above-mentioned professionals are subject to strict screening requirements prior to employment. They must provide a criminal record certificate and may also be required to submit documentation from the Prosecutor's Office confirming whether they have any previous criminal convictions. These checks are intended to ensure the suitability of individuals working in regular contact with children and juveniles.

In accordance with this provision and the legal framework governing the recruitment and professional performance of these entities, the General Prosecutor's Office applies strict integrity and eligibility criteria for its personnel, as follows:

For prosecutors:

- Admission to initial training for magistrates/prosecutors is conditional upon the applicant not having been convicted by a final criminal judgment for the commission of a criminal offence which, due to its nature, discredits the position and figure of the prosecutor or seriously undermines public trust in the judicial system, regardless of whether the person has been rehabilitated under the provisions of the Criminal Code (Article 28, letter "d" of Law No. 96/2016 "On the Status of Judges and Prosecutors in the Republic of Albania", as amended).
- A prosecutor is subject to disciplinary liability for disciplinary violations resulting from the commission of a criminal offence, in accordance with Article 104 of Law No. 96/2016, as amended.

The legal framework establishes a strict exclusion criterion for criminal offences that discredit the position and figure of the prosecutor or seriously undermine public trust in the judicial system. Such offences are considered serious under Albanian criminal legislation. The disqualification applies irrespective of whether the individual has been rehabilitated under the provisions of the Criminal Code.

For judicial police officers (Criminal Investigative Police Officers / Judicial Police Officers – OPGJ):

- In order to be appointed to this position, the selection criteria include the requirement that the person must not have been convicted by a final court decision for committing any criminal offence and must not be under criminal investigation or trial for a criminal offence (Articles 16 and 17 of Law No. 25/2019 "On the Organisation and Functioning of the Judicial Police", as amended).
- A Judicial Police Officer is dismissed from duty when convicted by a final judicial decision for the commission of a criminal offence (Article 23 of Law No. 25/2019, as amended).

The legal framework establishes an exclusion criterion for any criminal offence, not only those provided for in specific international instruments. The disqualification is permanent in cases of final conviction, ensuring the integrity and public trust in the judicial system.

As regards procedures, each category is subject to a distinct recruitment and verification process. Candidates are initially required to submit documentation proving fulfilment of the legal conditions and criteria, after which the competent institutions carry out the necessary verification.

Furthermore, Law No. 138/2015 "On Guaranteeing the Integrity of Persons Elected, Appointed or Exercising Public Functions," as amended, provides an additional integrity safeguard framework. Under Article 3, prosecutors and State Police employees are included among the categories of officials who may not be appointed or exercise public functions if they have been sentenced to imprisonment by a final decision, within or outside the territory of the Republic of Albania. For criminal offences related to sexual offences against minors, sexual exploitation of minors, and trafficking of minors, the prohibition is lifelong. For other offences, the law provides time-limited restrictions linked to the sentence and rehabilitation.

The process is based on self-declaration, followed by verification of the data by the competent authorities in accordance with the law. For verification purposes, the General Prosecutor's Office is authorised to use all available information and documentation or request such information from any other state authority or entity, within or outside the country.

Where grounds for disqualification are identified, the law provides for termination of the function or duty.

The State Labour Inspectorate and Social Services (SLISS) carry out inspection and oversight functions across all social care centres, including public institutions, non-public service providers, and non-governmental or non-profit organisations. In this context, all categories of staff—full-time employees, part-time employees, and volunteers—are required to submit a criminal record certificate ("criminal clearance") prior to the commencement of employment or engagement. This certificate is a mandatory pre-condition for starting work.

The criminal record certificate covers all criminal offences in general and is not limited exclusively to offences related to child abuse. During inspections of social care institutions for children, SLISS verifies compliance with this requirement, including the obligation to ensure that criminal record certificates are obtained and, where applicable, regularly updated on an annual basis. This requirement serves as a safeguarding measure to ensure that all individuals working in direct or indirect contact with children in social care services meet basic integrity standards and do not pose a risk to beneficiaries.

Within the broader regulatory framework governing labour inspection and oversight functions in the public sector, Council of Ministers Decision No. 778, dated 19.12.2025, "On the selection, appointment, performance appraisal, discipline, dismissal and release from duty of the Chief Inspector, inspectors of the Central Inspectorate and the General Inspectorate," applies. According to this Decision, candidates for inspection positions, including labour inspection roles, must not have been convicted by a final court decision for the commission of a criminal offence or an intentionally committed misdemeanour. Furthermore, inspectors are subject to dismissal from office in cases where they are convicted by a final court decision for an intentional criminal offence. These provisions establish a formal mechanism for verifying the criminal integrity of officials performing supervisory and enforcement functions in the public sector, ensuring high standards of professionalism, integrity, and trustworthiness in labour inspection and social protection oversight.

Regarding the private sector, the Labour Code does not provide for a general obligation to submit a criminal record certificate for all employees. From the perspective of SLISS, inspections in the private sector primarily focus on compliance with labour legislation and verification of employment documentation requirements. The verification of criminal convictions is not a standard inspection practice, unless explicitly required by specific legislation.

However, in certain regulated sectors, specific legal and administrative requirements apply regarding the integrity and judicial status of individuals involved in employment and service provision. In the field of employment services and vocational training, secondary legislation establishes licensing criteria for private employment agencies. These criteria include requirements concerning the integrity of shareholders, partners, members of management bodies, and training managers, including their judicial status. Compliance with these criteria is verified through the submission of relevant documentation and self-declaration procedures.

These provisions ensure that, where necessary, safeguards related to professional integrity are applied in regulated sectors, while confirming that a general obligation for criminal record checks does not exist across all employment relationships under the Labour Code.

In Albania, the legal and institutional framework requires the verification of criminal records, including the absence of convictions for sexual offences against children, as a precondition for access to employment, volunteering, or professional positions involving contact with children.

This requirement applies across both public and non-public sectors, particularly in fields such as education, social services, healthcare, justice, and child protection. However, national legislation does not provide a precise legal definition or categorization of the level of contact with children (e.g. occasional, regular, or incidental contact) that systematically triggers such verification. In practice, the requirement is applied to positions involving direct or regular contact with children, based on institutional interpretation and safeguarding standards.

Criminal record certificates are obtained through the official e-Albania platform (reflecting final convictions) and, where needed, through judicial or prosecutorial authorities for more detailed verification.

Within this framework, organizations working with children consistently apply strict safeguarding and vetting practices:

CRCA Albania applies criminal record checks for all relevant staff, consultants, and volunteers prior to recruitment, particularly for positions involving contact with child beneficiaries, including children victims of violence, abuse, or exploitation.

World Vision Albania requires the absence of criminal convictions for sexual offences against children as a mandatory pre-condition for all staff, consultants, and volunteers working with children. The organization implements comprehensive safeguarding systems, including Child and Adult Safeguarding Policies, prevention and reporting mechanisms, structured vetting procedures, and tools such as the Misconduct Disclosure Scheme, ensuring robust protection standards.

ARSIS organization also requires the absence of criminal convictions for offences affecting the safety and well-being of children, including sexual offences against children, as an essential condition for engagement of staff, volunteers, interns, and service providers. As part of recruitment procedures, ARSIS requires submission of the Criminal Record Certificate issued through the e-Albania portal, which is legally valid, issued free of charge, and valid for three months. This documentation is systematically included in personnel files and forms part of internal safeguarding and recruitment procedures.

At national level, standards for residential social care institutions for children require that staff working with children hold a clean criminal record certificate, with documentation maintained in personnel files. However, across other sectors, the application of such requirements varies, and further clarification or harmonization from competent authorities may be needed to ensure a consistent national approach.

2. In requiring the verification of criminal convictions for sexual offences against children in order to accede to the positions listed in question 1, does your State:
    a. define the level or threshold of contact with children (one-off, regular, etc.) which necessitates such a verification

    Albania does not provide a single unified legal definition of thresholds (e.g. one-off or regular contact) that systematically determine when criminal background checks are required across all sectors. The legal framework (Law No. 18/2017 "On the Rights and Protection of the Child" and the Juvenile Criminal Justice Code) establishes general child protection obligations, while in practice the requirement is applied mainly to positions involving direct or regular contact with children.

    b. distinguish between direct, indirect or online contact with children?

    If yes, please provide details.

No, Albanian legislation does not explicitly distinguish between direct, indirect, or online contact for the purpose of criminal background checks. In practice, the focus is primarily on roles involving direct contact, based on institutional safeguarding policies and risk assessment.

The Labour Code does not provide for a general obligation requiring all employees to submit a criminal record certificate. From the perspective of the State Labour Inspectorate and Social Services, inspections are primarily focused on compliance with labour legislation and verification of employment documentation requirements. The verification of criminal convictions is not a standard inspection practice, unless it is explicitly required by specific legislation.

From the perspective of the State Social Service, criminal record verification for sexual offences against children is applied in accordance with the relevant legal framework and safeguarding requirements.

From the perspective of the State Social Service:

- Public sector: Yes
- Private sector: Yes, in accordance with legal requirements
- Voluntary activities: Depending on the nature of the activity

- Self-employed professionals: In certain cases

These requirements apply particularly in sectors such as education, childcare, healthcare, and social protection services. For other sectors, no specific reported cases have been identified so far.

In Albania, organisations working with children apply differentiated safeguarding and screening measures depending on the level and nature of contact with children, in line with national child protection standards and internal safeguarding policies.

Vatra Psycho-Social Centre applies a risk-based safeguarding approach depending on the degree of contact with children. Positions involving direct and regular contact with children, such as psychologists, social workers, case managers, and shelter staff, are subject to stricter screening procedures, including mandatory submission of a criminal record certificate (both available forms), verification of professional background, and compliance with internal child protection and safeguarding policies. For positions involving indirect or occasional contact, such as administrative staff or volunteers, basic screening measures are applied, including the submission of a criminal record certificate, while access to children is limited and supervised. In addition, all staff receive continuous training and capacity building on child protection, safeguarding standards, and prevention of violence against children.

"Different & Equal" NGO applies internal safeguarding regulations, including Child Protection Standards and Policies, a Code of Conduct, Labour Relations Policy, and a PSEA (Protection from Sexual Exploitation and Abuse) policy. These provisions require pre-screening and selection procedures for all employees, volunteers, interns, and counsellors. All candidates must undergo screening for any offences against children, including convictions related to child abuse, exploitation, or other violations of children's rights. As part of the recruitment process, candidates are required to submit a Criminal Record Certificate issued by the Ministry of Justice, ensuring compliance with safeguarding requirements before engagement.

3. Is the absence of criminal convictions for sexual offences against children required to become:
    a. an adoptive parent

The Albanian Adoption Committee confirms that the absence of criminal convictions is a mandatory requirement for prospective adoptive parents.

In particular, applicants wishing to become adoptive parents must not have been convicted by a final court decision for criminal offences, including offences against children or any other offences that may compromise their capacity to ensure the safety, protection, and well-being of a child.

This requirement is applied as an essential eligibility criterion within adoption procedures and is verified through criminal record checks conducted by the competent authorities. It forms part of the assessment of the suitability of prospective adoptive parents, ensuring that children are placed in a safe, stable, and protective family environment, in accordance with the principle of the best interests of the child.

Prospective adoptive parents are subject to a comprehensive assessment process, which includes the obligation to provide a criminal record certificate (certificate of criminal status). This serves to verify that the individual has not been convicted of offences, including sexual offences against children.

National legislation governing adoption procedures in the assessment of the suitability of prospective adoptive parents includes verification of their criminal background. While the legal framework requires that adoptive parents meet criteria related to the child's best interests, including safety and integrity, this assessment includes confirmation that they have not been convicted of offences that would pose a risk to the child, including sexual offences.

b. a foster parent

Yes. In Albania, the absence of criminal convictions for sexual offences against children is a clear and explicit legal requirement for becoming a foster parent.

Individuals applying to become foster parents are subject to an assessment procedure carried out by the competent social services authorities. This process includes verification of the applicants' criminal background as part of the evaluation of their suitability to provide a safe and protective family environment for a child.

According to Law No. 92/2025 "On Alternative Care", none of the members of a foster family may have been convicted by a final court decision, nor be registered in the National Register of Persons Convicted of Sexual Crimes. This establishes a strict exclusion criterion for individuals with relevant criminal convictions.

In addition, Decision of the Council of Ministers No. 149/2018 requires that all adult members (over 18 years old) of a foster family submit a certificate of judicial status confirming the absence of criminal convictions. This requirement is applied systematically as part of the formal assessment and approval procedure for foster families.

These safeguards ensure that foster care placements are made only in families that meet integrity and child protection standards, thereby guaranteeing a safe, stable, and protective environment for the child, in line with the principle of the best interests of the child.

c. a child's legal guardian (including for unaccompanied children)?

Please provide details.

For persons seeking to act as legal guardians, including in cases involving unaccompanied or separated children, the competent authorities carry out an individual assessment of the suitability of the proposed guardian. This assessment includes verification of the person's criminal background, typically through the submission of a criminal record certificate as part of the safeguarding procedure.

In general, the absence of criminal convictions, particularly for offences against children, is considered an important criterion in determining the suitability of a person to be appointed as a legal guardian, in order to ensure the protection and best interests of the child.

In all cases, the guiding principle remains the best interests of the child, and any decision concerning temporary or appointed care arrangements takes into account the safety, protection, and welfare of the child, including the verification of any relevant criminal background of the appointed caregiver.

For persons seeking to act as legal guardians, including in cases involving unaccompanied or separated children, the competent authorities assess the suitability of the individual. This includes consideration of their criminal background, typically verified through the criminal record certificate.

In Albania, the absence of criminal convictions for sexual offences against children is required as part of the assessment procedures for individuals seeking to become adoptive parents, foster parents, or legal guardians of a child.

This requirement forms part of broader eligibility and suitability assessments conducted by the competent child protection and social services authorities, in accordance with the relevant legal framework, including:

- Law on the Rights and Protection of the Child
- Law on Social Services
- Family Code of Albania
- Law No. 9695/2007 “On Adoption Procedures”
- Child protection legislation (Law No. 18/2017).

4. Is the absence of criminal convictions for sexual offences against children required for the household members of:

   a. persons carrying out professional activity in their home who are in contact with children

Albanian legislation in force does not explicitly regulate criminal background checks for household members in most cases.

With regard to professional activities carried out at home involving contact with children, there is no clear and unified national provision that systematically requires the verification of criminal convictions for all household members of individuals performing such activities.

Therefore, the requirement for the absence of criminal convictions for sexual offences against children is not generally established in a comprehensive and explicit manner for household members in these situations, unless such a requirement is specifically provided for in sectoral legislation or applied through individual safeguarding assessments by competent authorities.

   b. persons carrying out volunteering activity in their home who are in contact with children

In Albania, there is no explicit, standardised national legal requirement mandating the verification of criminal convictions for all household members of persons carrying out volunteering activities in their home involving contact with children.

In cases of volunteering activities conducted at home, safeguarding measures may vary depending on the internal policies and risk assessment procedures of the organisations engaging volunteers. Such measures are not established as a general, cross-sector legal obligation applicable to all situations.

Therefore, the requirement for the absence of criminal convictions for sexual offences against children is not uniformly regulated for household members in this context at national level, unless specifically provided for under sector-specific legislation or organisational safeguarding standards.

   c. persons wishing to become an adoptive parent, a foster parent, or a child’s legal guardian?

   Yes, the absence of criminal conviction for sexual offences against children is required for:

   - adoptive parents
   - foster parents
   - legal guardians

In the context of alternative care, particularly foster care, the legal framework provides clear and stringent requirements regarding household members.

According to Decision of the Council of Ministers No. 149/2018, all adult household members (over 18 years old) of a foster family are required to provide a certificate of judicial status confirming that they have not been convicted.

Furthermore, Law No. 92/2025 “On Alternative Care” explicitly stipulates that none of the members of the foster family may have been convicted by a final court decision, nor be registered in the National Register of Persons Convicted of Sexual Crimes.

These provisions ensure that not only the primary caregiver but all individuals living in the same household are subject to background verification, in order to guarantee a safe environment for the child.

For adoptive parents and legal guardians, background checks form part of the broader suitability assessment; however, the explicit requirement for all household members to undergo such verification is most clearly defined and regulated in the foster care framework.

In particular:

Adoptive parents are subject to suitability assessments that include verification of their criminal background as part of the adoption procedure.

Foster parents are subject to a more detailed and strict framework. According to Decision of the Council of Ministers No. 149/2018, all adult household members (over 18 years old) must provide a certificate of judicial status confirming that they have not been convicted. Furthermore, Law No. 92/2025 “On Alternative Care” stipulates that none of the members of a foster family may have been convicted by a final court decision or be registered in the National Register of Persons Convicted of Sexual Crimes.

Legal guardians are also assessed by competent authorities, and criminal background checks form part of the broader suitability evaluation.

From the perspective of civil society in relation to adoption, foster care, and guardianship, competent authorities carry out broader suitability assessments of the family environment, which may include consideration of household members.

5. Does the requirement to verify the absence of criminal convictions for sexual offences against children also apply to

   a. children applying for professional or volunteer positions

Standard criminal record checks do not apply in the same way to minors (juvenile records are subject to confidentiality and are governed by the principles of rehabilitation and reintegration of the child offender, as set out in the Juvenile Criminal Justice Code). However, proof of a criminal record for positions in state structures, as well as in non-state structures, based on criminal legislation, may be required for minors over 14 years of age.

In the legal framework of the Republic of Albania governing child protection and employment in positions involving contact with children, the requirement to verify the absence of criminal convictions for sexual offences against children does not apply to minors (persons under 18 years of age) who apply for professional or volunteer positions.

This is based on the general principle of juvenile justice, which prioritizes the protection, rehabilitation, and social reintegration of minors, rather than applying the same criminal background screening standards used for adults.

b. adults in respect of criminal convictions received before the age of 18?

This category is generally not treated as a separate or specially differentiated group under the applicable legal and administrative framework.

In Albania, access to employment in positions involving contact with children is restricted to adults (over 18 years of age), and eligibility is assessed based on the existence of a final criminal conviction that may affect the individual's suitability for the role, in line with relevant provisions of Law No. 69/2012 "On the Pre-University Education System", as amended, and other applicable criminal legislation.

With regard to criminal convictions obtained before the age of 18:

The legal framework does not establish a separate screening regime specifically addressing juvenile convictions for sexual offences against children once the individual reaches adulthood.

In practice, criminal record certificates issued by the competent authorities may include information in accordance with national rules on the treatment, retention, or rehabilitation (expungement) of juvenile records.

Any assessment of suitability for employment is generally based on whether there is a relevant final conviction that is legally considered applicable and not removed from the record, rather than on a special category for offences committed as a minor.

6. If a person legally changes their name, how does your State ensure that their criminal record remains linked to their new name?

    Please provide details.

Albanian legislation ensures this linkage through the Civil Registry system and the unique personal identification number (ID), in coordination with the relevant institutions: the General Directorate of Civil Status and the Ministry of Justice. A change of name does not erase a criminal history, as records remain linked to identity data.
Criminal records are maintained by the competent authorities in connection with an individual's unique personal identification data, rather than solely on the basis of their name. This allows the relevant authorities to ensure the continuity and traceability of criminal records even in cases where an individual legally changes their name.

7. Is access to public funds for projects implying contact with children conditional on the absence of criminal convictions for sexual offences against children for persons employed in or volunteering for such projects?

Criminal record checks are issued through the Ministry of Justice (Certificate of Judicial Status) and reflect final criminal convictions under the Criminal Code of the Republic of Albania.

Albania has criminalized the offences covered by the Lanzarote Convention, therefore such convictions where adjudicated are included in criminal record checks.

From the perspective of organisations in Albania, access to public funding for projects involving contact with children is increasingly linked to safeguarding obligations, including requirements for the protection of children from sexual abuse and exploitation.

Access to public funds is generally regulated through funding agreements, procurement procedures, and applicable national legislation, including the Labour Code and relevant sector-specific regulations. The recruitment of staff within publicly funded projects is typically carried out in accordance with organisational procedures and the applicable labour framework.

However, in practice, safeguarding requirements are often incorporated through project-specific conditions, donor requirements, or institutional policies. In particular, organisations working in child protection and social services commonly apply internal safeguarding standards, which include background checks and ethical screening of staff and volunteers engaged in activities involving children.

Information included in screening

8. Does the criminal record check include criminal convictions for:
   a. sexual abuse of a child (Article 18 of the Lanzarote Convention)

Yes. Criminal record checks issued through the Certificate of Judicial Status include final criminal convictions related to the **sexual exploitation of a child**, including offences involving **child prostitution**.

These offences are criminalised under the relevant provisions of the Criminal Code of the Republic of Albania

   b. sexual exploitation of a child (“child prostitution” Article 19 of the Lanzarote Convention)

Yes. Criminal record checks issued through the Certificate of Judicial Status include final criminal convictions related to the sexual exploitation of a child, including offences involving child prostitution.

Such offences are criminalised under the relevant provisions of the Criminal Code of the Republic of Albania.

   c. acts involving child sexual abuse material (“child pornography” Article 20 of the Lanzarote Convention)

Yes, it is included in the criminal record check. Offences involving child sexual abuse material (CSAM)

   d. offences related to the participation of children in pornographic performances (Article 21 of the Lanzarote Convention)

Participation of children in pornographic performances (where applicable under criminal provisions)

   e. corruption of a child (causing a child to witness sexual activities) (Article 22 of the Lanzarote Convention)

Yes, it is included in the criminal record check (Certificate of Judicial Status).

Corruption of minors, including acts involving causing a child to witness sexual activities, is recorded where it constitutes a criminal offence under the Criminal Code of the Republic of Albania.

f. solicitation of a child for sexual purposes ("grooming"), including online (Article 23 of the Lanzarote Convention)

Yes, it is included in the criminal record check (Certificate of Judicial Status).

Grooming and solicitation of children for sexual purposes, including online forms, are included where they are defined as criminal offences under the Criminal Code of the Republic of Albania.

g. aiding and abetting or attempting the above offences (Article 24 of the Lanzarote Convention)

Yes. It is considered an attempted criminal offence under the Criminal Code of the Republic of Albania. Aiding, abetting, attempt, and other forms of criminal participation related to the above offences are also covered and are reflected in the criminal record where there is a final conviction.

h. any other convictions (please specify)?

Yes. The criminal record certificate reflects all final convictions recorded in the national criminal database, not only those related to sexual offences against children. This includes other criminal convictions, depending on the scope and type of certificate requested.

In Albania, criminal background checks are issued through the Certificate of Judicial Status, obtained via the official e-Albania platform and issued by the competent state authorities (including the Ministry of Justice system).

The certificate generally confirms whether an individual has or has not been convicted by a final court decision, but it does not systematically provide a detailed breakdown or narrative classification of offences aligned with specific categories (such as individual articles of the Lanzarote Convention).

9. Does the screening of persons applying for roles or positions specified in questions 1 and 3 above extend beyond criminal convictions for sexual offences against children to:

   a. relevant administrative or disciplinary sanctions

In Albania, criminal record screening is formally conducted through the Certificate of Judicial Status, which reflects final criminal convictions recorded in the national criminal database. Relevant administrative or disciplinary sanctions, as well as other types of information such as decisions from civil proceedings, are not included in criminal record certificates.

Therefore, the formal screening process is primarily limited to criminal convictions.

However, in specific employment contexts—particularly in state structures under the civil service legislation—additional requirements may apply. These can include documentation from previous employers confirming that no administrative or disciplinary measures have been imposed on the employee.

In certain regulated sectors such as education, child protection, and social services, additional safeguarding and professional integrity checks may also be applied. These may involve verification of professional conduct through institutional records or disciplinary bodies where such mechanisms exist, but they are separate from the official criminal record check system.

From the perspective of civil society organisations, screening practices may go beyond the minimum legal requirements. Nisma ARSIS applies a comprehensive safeguarding-oriented screening approach which, in addition to criminal record verification, may include:

- Reference checks from previous employers or relevant institutions;
- Review of any known disciplinary procedures or professional conduct concerns, where such information is available and relevant;
- Assessment of the candidate's previous experience and compliance with ethical and safeguarding standards;

b. other information available to the authorities (e.g. judicial decisions in civil proceedings)?

However, such extended screening is not uniformly applied across all sectors and depends on the legal basis governing the specific profession or activity.

10. If restrictions on the exercise of the relevant activities apply as a result of a criminal conviction for sexual offences against children, in line with Article 27 paragraph 3.b:

a. are they life-long?

Under Albanian law, restrictions resulting from criminal convictions for sexual offences against children are generally not life-long. The duration of restrictions depends on the nature and severity of the offence and is governed by the provisions of the Criminal Code, including the rules on rehabilitation.

For offences of this nature, rehabilitation periods are generally longer than for less serious offences. Restrictions may also be extended where specific additional measures have been imposed by a court. However, Albanian legislation does not provide for an automatic lifetime prohibition on exercising activities involving contact with children solely on the basis of such convictions.

b. if they are not life-long, please specify the time-limits applicable

Under Albanian law, there is no single fixed time-limit applicable to all restrictions resulting from convictions for sexual offences against children. The duration depends on the nature of the offence, the sentence imposed, and any additional security measures ordered by the court.

Where applicable, restrictions may last for the duration of the sentence and any supplementary measures, such as a prohibition on exercising certain professions or activities. These measures are time-bound and determined by the court in accordance with the Criminal Code.

In addition, rehabilitation periods apply under the Criminal Code and vary according to the seriousness of the offence and the sentence imposed. For serious offences, including sexual offences against children, the rehabilitation period is generally longer.

In the context of adoption procedures, the applicable legislation requires applicants to submit a criminal record certificate. Where there are indications that an applicant may be involved in ongoing criminal proceedings, additional documentation may be requested, such as confirmation from the prosecution office or the court that the person is not subject to pending judicial proceedings.

c. are they applied only to activities in the public sector?

Restrictions resulting from criminal convictions for sexual offences against children may apply to both public and private sector activities, depending on the nature of the offence, the sentence imposed, and any prohibitions ordered by the court. In particular, restrictions may affect positions or activities involving direct contact with children, regardless of whether they are carried out in the public or private sector.

While there is no single consolidated framework that systematically regulates all such restrictions across sectors, limitations may arise from judicial decisions, specific legal provisions, or administrative measures, with their scope and duration determined on a case-by-case basis.

From an organisational perspective, Nisma ARSIS fully complies with decisions and measures imposed by law enforcement and judicial authorities. In addition, the organisation applies strict safeguarding standards. Where a staff member is under investigation for, or found to be involved in, offences related to sexual exploitation or abuse, internal procedures provide for the immediate termination of the employment relationship, in accordance with safeguarding policies and the organisation's code of conduct.

11. Does the criminal record check verify the existence of an expunged or spent criminal conviction for sexual offences against children for persons applying for roles or positions specified in questions 1 and 3?

Please provide details.

Under Albanian law, criminal convictions may be subject to rehabilitation in accordance with the Criminal Code. Once a conviction has been legally expunged or is considered spent following rehabilitation, it is generally no longer included in the Certificate of Judicial Status (criminal record certificate) and is treated as if the person has no criminal conviction.

Therefore, standard criminal record checks used for employment, volunteering, adoption procedures, or other activities involving contact with children do not normally reveal expunged or spent convictions.

Access to information on expunged convictions is restricted and may be available only to competent authorities under specific legal conditions.

In adoption procedures, Article 18 of Law No. 9695 of 19 March 2007 "On Adoption Procedures and the Albanian Adoption Committee", as amended, requires applicants to submit a criminal record certificate. Where there are concerns that an applicant may be involved in ongoing criminal proceedings, additional documentation may be requested, such as confirmation from the prosecution office or the court that the person is not subject to pending judicial proceedings.

Screening procedure

12. How is the screening procedure set out in your legal framework (in a single piece of legislation, sector-specific legislation, or other)?

Please provide details.

In the Republic of Albania, the screening procedure is regulated through a combination of general legislation, secondary legislation, and sector-specific regulations.

In the education sector, the screening process is governed by Law No. 69/2012 "On the Pre-University Education System", together with a series of implementing acts, including Instruction No. 8 of 3 May 2024, Instruction No. 22 of 13 November 2023, Order No. 313 of 20 October 2020, and Decision of the Council of Ministers No. 600 of 9 October 2018. These acts define the criteria, procedures, and documentation required for the verification of candidates applying for positions involving contact with children.

More broadly, the screening system is supported by a legal framework that includes Law No. 18/2017 "On the Rights and Protection of the Child", the Criminal Code of the Republic of Albania, the Criminal Justice for Children Code, Law No. 152/2013 "On the Civil Service", the Labour Code (Law No. 7961), Law No. 9695 of 19 March 2007 "On Adoption Procedures and the Albanian Adoption Committee", as well as Law No. 9669 of 18 December 2006 "On Measures against Violence in Family Relations". These instruments regulate different aspects of eligibility, protection, recruitment, and safety in sectors involving children and other vulnerable groups.

The main mechanism for verifying criminal records remains the Certificate of Judicial Status, issued by the Ministry of Justice through the national e-Albania platform.

At the general level, screening elements are embedded in the Labour Code (Law No. 7961 of 12 July 1995, as amended) and in public administration legislation, which establish basic requirements for recruitment, equal treatment, and verification of qualifications. For public sector positions, additional procedures are defined by civil service legislation, including merit-based recruitment, integrity checks, and background verification under the Law on the Status of Civil Servants.

At the sectoral level, additional requirements also apply:

Alternative care (foster families):

Law No. 92/2025 "On Alternative Care in the Republic of Albania" provides that no member of a foster family may have been convicted by a final court decision, nor be registered in the National Register of Persons Convicted of Sexual Offences. In addition, Decision of the Council of Ministers No. 149/2018 requires social workers to obtain, through the e-Albania platform, criminal record certificates for all household members over 18 years of age.

Residential care services for children:
Relevant service standards require that staff have a clean criminal record, and that proof of criminal background verification is included in the individual personnel file as part of recruitment and compliance procedures.

13. If screening is required, who is required to act?

    a. the employer, volunteer recruiter or child protection authority is expected to obtain the necessary information directly from the authorities

The employer, volunteer recruiter, or child protection authority is expected to obtain the necessary information directly from the authorities

In Albania, the responsibility for screening is shared between the candidate and the recruiting institution, depending on the applicable legal and procedural framework.

In most cases, the candidate is required to submit a Certificate of Judicial Status (criminal record certificate) issued by the competent authorities. At the same time, the employer, volunteer-recruiting organisation, or child protection authority is responsible for verifying the authenticity of the documentation and may request additional checks or supporting information directly from the relevant authorities where required.

In practice, particularly in public institutions and sensitive sectors such as education and child protection, employers and competent authorities may directly request or verify information with the relevant state institutions as part of recruitment, authorisation, or safeguarding procedures.

b. the candidate must provide proof of absence of convictions

Candidates may also be required to provide a criminal record certificate as part of their application dossier, particularly in regulated sectors or administrative procedures. Candidates are typically required to submit a criminal record certificate confirming the absence of convictions, together with additional documentation, including certificates issued by the court and the prosecution office confirming whether the individual is subject to any ongoing proceedings, as well as a medical certificate of fitness for work attesting to the candidate's full physical and mental capacity to perform the duties of the position.

c. another scenario. Please specify

Please provide details.

In Albania, screening practices vary depending on the sector and the specific legal and procedural framework applicable. In addition to the standard model where candidates submit documentation and employers verify it, there are scenarios in which additional actors or procedures are involved.

In general employment and volunteering contexts, candidates are required to provide proof of the absence of criminal convictions, typically through a Certificate of Judicial Status obtained via the e-Albania platform. Employers or recruiting organisations are responsible for verifying the completeness and validity of the submitted documentation before final engagement, and no employment in positions involving contact with children is finalised without this verification step.

In the education sector, the screening procedure is further regulated by Law No. 69/2012 on the Pre-University Education System, particularly Article 60/1, which establishes criminal integrity as a mandatory condition for employment in positions involving contact with children. In implementation, Instruction No. 8 of 3 May 2024 and Order No. 313 of 20 October 2020 (including their relevant annexes on self-declaration forms) require candidates to submit either a self-declaration or a criminal record certificate as part of the application process. The employer has the authority to verify the accuracy of the information provided during recruitment.

In child protection and alternative care procedures, additional institutional actors are involved. For example, in foster care procedures, Decision of the Council of Ministers No. 149/2018 provides that the responsible social worker obtains and verifies criminal record certificates for all household members over 18 years of age through the e-Albania platform. Similarly, multidisciplinary teams and competent child protection authorities may participate in assessing eligibility and safeguarding compliance in adoption and related procedures.

Overall, the Albanian framework reflects a mixed model of screening, where responsibility may lie with the candidate (submission of documentation), the employer (verification and compliance), or competent authorities and professionals (direct verification in specific child protection procedures), depending on the nature of the role and the applicable legal framework. In certain sectors (e.g. child protection/social services), additional verification may be conducted in line with sector-specific regulations.

14. If screening is required, who bears the costs of screening procedures?

Please provide details.

In Albania, the allocation of costs related to screening procedures depends on the type of verification required.

The criminal record certificate (certificate of judicial status), which constitutes the primary document used for criminal background checks, is generally issued electronically through the e-Albania platform free of charge. Applicants are responsible for obtaining and submitting this certificate as part of the recruitment process.

Where additional verifications are required, such as certificates confirming whether an individual is subject to ongoing investigations or has previous convictions, these may be obtained through the competent prosecution offices or courts and may be subject to a small administrative fee (approximately 200 ALL). In such cases, the costs are generally borne by the applicant.

Current legislation and secondary legislation do not explicitly regulate the allocation of screening costs. In practice, candidates are responsible for securing and submitting the required documentation, including criminal record certificates and any additional background verification documents.

Employers and institutions are responsible for verifying the authenticity and validity of the documents submitted by candidates through their Human Resources departments or designated recruitment commissions. Depending on the recruitment procedure, candidates may also be required to undergo written and oral assessments to evaluate their suitability for the position.

In certain publicly funded recruitment processes, donor-funded projects, or specific institutional procedures, the costs of additional screening measures may be covered by the employer or the organisation concerned.

Furthermore, organisations working with children may bear the costs of mandatory safeguarding measures, including child protection and Protection from Sexual Exploitation and Abuse (PSEA) training. Such training is considered part of staff capacity-building and safeguarding obligations and is therefore financed by the organisation.

15. How does your State monitor that employers, volunteer recruiters or child protection authorities comply with the relevant regulations on screening?

    Please provide details.

In Albania, compliance with screening requirements is monitored through a combination of legal, administrative, and institutional mechanisms. Monitoring is primarily carried out by competent public authorities, sector-specific inspectorates, and the institutions responsible for recruitment and service provision.

The State Inspectorate of Labour and Social Services oversees compliance with employment-related legal requirements, including recruitment procedures and eligibility criteria. In the public sector, institutions responsible for recruitment verify the documentation submitted by candidates and ensure that legal requirements are respected throughout the selection process. Additional oversight is provided by the Commissioner for Civil Service Supervision and the Department of Public Administration, which monitor compliance with civil service regulations.

In sectors involving children, such as education, social care, residential care, and child protection services, compliance with screening obligations is monitored through personnel file reviews, record-keeping requirements, licensing and accreditation procedures, and periodic inspections conducted by the competent authorities. Personnel working with children are generally required to provide evidence of a clean criminal record, and such documentation must be maintained in individual staff files.

The adoption process is subject to multiple layers of review and verification. Following the assessment of the applicant's file by legal specialists, the documentation is reviewed by the governing board of the relevant institution. Final verification is conducted by the competent court before an adoption order is granted. This multi-level review process provides an additional safeguard to ensure appropriate screening and decision-making. Audits also serve as an important monitoring mechanism.

Compliance is further monitored through administrative inspections by relevant ministries, including those responsible for education, social welfare, and justice, as well as through audit mechanisms linked to public funding and donor-funded projects. However, monitoring practices vary across sectors and are not currently integrated into a single centralised enforcement system.

At the organisational level, institutions and organisations working with children are responsible for implementing internal screening procedures. These commonly include the use of personnel file checklists, verification of required documentation before employment or engagement, systematic retention of screening records, managerial oversight, and internal accountability mechanisms. Organisations are expected to ensure that no individual is permitted to work in positions involving contact with children until all required screening procedures have been completed.

16. If screening is required, are there sanctions foreseen for failure to comply with it? If yes, what type of sanctions?

    Please provide details.

Yes. In Albania, failure to comply with screening requirements may result in administrative, disciplinary, and, in certain circumstances, legal or criminal consequences. While there is no single cross-sector legal provision regulating sanctions for all screening obligations, sector-specific legislation and institutional regulations provide for a range of measures.

In the pre-university education sector, Law No. 69/2012 "On the Pre-University Education System", as amended, establishes restrictions on employment and continuation of employment for persons with certain criminal convictions or those registered in the National Register of Persons Convicted of Sexual Crimes. Implementing regulations provide for administrative measures, including disqualification from recruitment procedures, suspension from duty, and dismissal from employment where legal eligibility requirements are not met.

Similar requirements apply to school directors, deputy directors, psychosocial service staff, and school security officers, for whom the absence of relevant criminal convictions is a mandatory condition for recruitment and continued employment. Failure to comply with these requirements may result in removal from office or termination of employment.

In the public administration sector, where recruitment commissions or human resources units fail to carry out the required screening procedures, supervisory authorities may impose disciplinary measures. These may include verbal or written warnings, formal reprimands, suspension, demotion, or dismissal, depending on the severity of the breach.

More generally, sanctions for non-compliance may include:

- Administrative fines imposed on institutions or employers;
- Suspension or withdrawal of licences, accreditations, or authorisations to provide services to children;
- Disciplinary measures against professionals working in regulated sectors;
- Exclusion or disqualification of candidates from recruitment processes;
- Suspension or termination of employment or engagement;
- Corrective measures imposed by supervisory or inspection authorities.

In cases where failure to conduct the required screening contributes to negligence, harm, exploitation, abuse, or endangerment of a child, criminal liability may also arise under the applicable criminal legislation.

Compliance is monitored and enforced by the competent supervisory authorities, including labour inspectorates, sectoral ministries, licensing bodies, and other regulatory institutions, depending on the field concerned.

At the organisational level, institutions and civil society organisations working with children may apply additional internal sanctions. For example, failure to complete mandatory screening procedures may result in non-engagement, suspension from duties involving contact with children, or termination of employment or volunteer engagement.

Furthermore, administrative and legal sanctions may be imposed in cases of non-compliance with periodic or mandatory screening obligations required by law or institutional regulations

17. Is regular screening, beyond the initial recruitment process, required, for:
    a. professionals in contact with children
    b. volunteers in contact with children
    c. foster parents and legal guardians?

    If regular screening is required, please specify its frequency and provide other details.

In Albania, there is no single harmonised legal framework establishing mandatory periodic screening for all professionals, volunteers, foster parents, or legal guardians who work with or have contact with children. Requirements and practices vary depending on the sector, institution, and type of engagement.

For professionals in contact with children, labour legislation and institutional regulations generally require that personnel files are maintained and updated periodically. The frequency of updating is often determined by the internal rules of the employing institution. In the public sector, screening is mainly carried out at the time of recruitment, while further checks may be conducted through personnel file reviews, audits, inspections, or contract renewal procedures.

Many organisations working with children have established internal child protection policies that require periodic renewal of criminal record certificates. For example, some organisations require all staff to submit an updated criminal record certificate every year, while others require that documentation be renewed at the time of contract renewal and at least every two years for staff with long-term or permanent contracts. Additional checks may also be requested by donors, institutional partners, or in the context of internal child protection assessments.

Similar practices are applied to volunteers who have regular contact with children. Organisations usually require volunteers to undergo the same screening procedures as employees and may request updated documentation periodically, especially when their engagement is renewed or extended.

For sports coaches in sports teams working with children, annual updating of screening documentation is required, including the criminal record certificate and relevant integrity documents. This annual update is required by municipalities, which license the activity of private sports clubs.

As for foster parents and legal guardians, screening is usually carried out during the assessment and approval process. There is no standardised national requirement for periodic renewal of criminal record certificates. However, foster parents and guardians are subject to ongoing monitoring, supervision, and reassessment by the competent child protection and social services authorities as part of case management and child welfare monitoring. Additional screening or reassessments may be carried out when concerns arise regarding the suitability of the placement.

18. Where a person working or volunteering in contact with children is under investigation for a sexual offence against a child, are law enforcement or other authorities allowed to inform the employer or volunteer organisation about the ongoing investigation? If yes, what is the consequence?

    Please provide details.

In Albania, as a general rule, the principle of the presumption of innocence applies, and information related to ongoing criminal investigations is confidential during the investigative phase. Law enforcement and judicial authorities do not routinely inform employers or volunteer organisations about ongoing investigations.

However, there are legal exceptions where information sharing may occur. The Prosecutor General's Office may decide, in cases where no security measure has been imposed preventing contact with a minor, to inform the employer or volunteer organisation about an ongoing investigation. In such cases, it is the employer or organisation that takes the necessary protective and safeguarding measures.

Information sharing between law enforcement authorities and employers or organisations may also take place in accordance with applicable legal provisions and inter-institutional cooperation mechanisms, particularly in cases related to child protection and where such disclosure is permitted by law or ordered by a competent authority.

When an employer or organisation becomes aware—through official communication or other reliable sources—that a staff member or volunteer is under investigation for a sexual offence against a child, immediate safeguarding measures are applied. These measures typically include temporary suspension from duties involving contact with children, reassignment to roles without access to children, or initiation of internal review procedures in line with safeguarding policies and applicable legislation. The primary consequence is the immediate restriction or removal of access to children, prioritising the safety and best interests of the child.

In the education sector, where a staff member is under investigation for offences provided under Article 60/1 of Law No. 69/2012 "On the Pre-University Education System", the school director is required to suspend the individual from duty. If legal conditions prohibiting employment are confirmed, the employment relationship is terminated in accordance with applicable legislation.

In addition, particularly in cases of international adoptions, documentation is required from all countries where the applicant has resided. The legislation provides that criminal background checks must also be extended to these countries, ensuring a more comprehensive international verification of the applicant's criminal history.

In practice, although there is no unified and standardised cross-sector mechanism regulating the systematic notification of ongoing investigations to employers or volunteer organisations, sector-specific rules and child protection obligations ensure that appropriate safeguarding measures are taken when such information becomes available.

Cross-border screening

19. If the candidate for roles or positions specified in questions 1 and 3 has previously resided or worked in different countries, is it required to verify the absence of criminal convictions for sexual offences against children in each of those countries in respect of:

    a. professionals

    b. volunteers

    c. persons wishing to become an adoptive parent, a foster parent or a child's legal guardian?

    Please provide details.

In Albania, there is no explicit legal obligation requiring systematic verification of criminal records in all countries where a candidate has previously resided or worked. Screening is primarily conducted through the national criminal record (Certificate of Judicial Status) issued by the competent authorities.

For professionals and volunteers, screening is primarily conducted through the national criminal record system, namely the Certificate of Judicial Status issued by the competent Albanian authorities. This constitutes the main document used to verify the absence of criminal convictions at national level.

Where individuals have previously resided or worked abroad, Albanian authorities may request criminal record information through international cooperation mechanisms, including mutual legal assistance channels or INTERPOL-related procedures, depending on the specific case and the applicable bilateral or multilateral agreements. However, such checks are not applied in a systematic and mandatory manner for all cases and all countries of previous residence.

In cases of adoption, foster care, and guardianship, enhanced background checks are applied. Competent authorities may require documentation from foreign jurisdictions where the applicant has previously lived or worked, in order to ensure a more comprehensive safeguarding assessment of the individual's suitability to care for or work with children. These checks are conducted as part of the overall assessment procedure and may involve international cooperation mechanisms where available.

20. Is there a mechanism to:

    a. request data about a person's criminal convictions for sexual offences against children from the competent authority of another State outside the context of criminal proceedings[1] (please specify)

Yes. Through international cooperation mechanisms, Albanian authorities may request information on a person's criminal convictions from other states.

Albania can obtain such information through:

- international cooperation instruments such as INTERPOL channels;
- mutual legal assistance mechanisms;
- bilateral or regional agreements between states.

[1] For purposes of recruitment, volunteering, adoption, foster care or guardianship.

These mechanisms are used depending on the specific case and the legal framework in place with the requesting or requested state.

b. provide data about a person's criminal convictions for sexual offences against children to the competent authority of another State outside the context of criminal proceedings (please specify)?

Albania may provide such data to another State outside the context of criminal proceedings upon a formal request submitted through established international cooperation channels.

The exchange of criminal conviction data is carried out through:

- central authorities designated for mutual legal assistance in criminal matters;
- INTERPOL communication channels, where applicable;
- European and regional cooperation mechanisms, where relevant agreements exist.

The provision of such information is not automatic. It is based on formal requests from competent foreign authorities and is subject to the conditions of necessity, proportionality, and compliance with applicable data protection and procedural safeguards.

All data sharing is conducted in accordance with national legislation and international obligations, ensuring respect for confidentiality and the protection of personal data.

21. Is there an obligation to provide data about a person's criminal convictions for sexual offences against children at the request of the competent authority of another State outside the context of criminal proceedings?

    Please provide details.

Albanian authorities may provide information on criminal convictions, including those related to sexual offences against children, upon a formal request from a competent authority of another State, provided that the request is submitted through the appropriate legal channels and is in line with international agreements binding on Albania.

Such cooperation is governed by the principles of mutual legal assistance, data protection safeguards, and the provisions of applicable bilateral or multilateral treaties. The provision of data is therefore not automatic, but it may become obligatory where a legal cooperation framework exists and the request complies with the relevant legal requirements.

In the context of adoption procedures in the Republic of Albania, the exchange of information on an applicant's criminal convictions may also be carried out in cooperation with the competent authorities of other States, where this is necessary for assessing the applicant's suitability for adoption, in order to ensure the best interests of the child.

Additional details and reflections

22. Please add any further details regarding the modalities of the screening procedures applicable in your State, if relevant.

Please provide details.

In Albania, screening procedures for individuals working or volunteering in contact with children are primarily based on the issuance of criminal record certificates by the competent authority (Criminal Record Register, Ministry of Justice). These certificates are used across employment, volunteering, and child protection-related procedures as a key safeguard measure.

In addition to standard criminal record checks, certain sectors apply enhanced vetting procedures, particularly in education, social services, child protection institutions, and adoption and foster care processes. These procedures may include multi-agency assessments, verification of personal history, and, in some cases, consultation between relevant institutions such as social services, law enforcement, and the court system.

For adoption and foster care, the screening process is more comprehensive and includes psychosocial assessment, home studies, and evaluation by child protection structures, in addition to the criminal background check.

However, screening practices are not yet fully standardised across all employment sectors involving contact with children, and implementation may vary depending on institutional capacity and regulatory enforcement.

23. What challenges related to the screening for criminal convictions for sexual offences against children of professionals, volunteers and persons wishing to become adoptive parents, foster parents or a child's legal guardian exist in your State in practice (e.g. administrative costs, delays, cross-border co-operation)?

Please provide details.

In Albania, while the system for obtaining the Certificate of Judicial Status has been significantly improved through digitalisation, there are still several practical challenges related to the screening of criminal convictions for sexual offences against children. Although the register of persons convicted of sexual offences is provided for by law (following amendments to the Criminal Code through Law No. 97/2017), its practical implementation remains limited and not fully consolidated.

The process of obtaining the criminal record certificate does not present specific difficulties or obstacles for applicants.

Several practical challenges affect the effectiveness of screening procedures in Albania:

- Cross-border verification limitations: There is no fully automated or systematic mechanism for obtaining criminal record data from all countries where candidates have previously resided, which may create gaps in the assessment of individuals who have lived or worked abroad.
- Delays in information exchange: Requests for criminal record information through international cooperation channels may take time, leading to delays in recruitment, licensing, or placement processes.

- Administrative capacity constraints: In some cases, institutions involved in recruitment or authorisation processes may have limited human and technical resources to carry out complete and timely background checks.
- Legal and data protection constraints: Balancing privacy protection with child protection obligations may sometimes limit the scope or speed of information exchange.

Another challenge relates to administrative aspects, including the collection, management, and periodic updating of documentation. While the Certificate of Judicial Status is issued free of charge through the e-Albania platform and has a limited validity period (e.g. three months), this requires careful monitoring of deadlines and document management, especially when multiple individuals are involved.

In practice, challenges also arise in cross-border situations, where candidates have lived or worked abroad and there is no systematic mechanism for verifying criminal records from other jurisdictions. Furthermore, there is a need for stronger alignment between formal criminal record checks and broader child protection procedures, including the consistent inclusion of volunteers and emerging forms of contact with children.

24. What promising practices, if any, would your State like to highlight in the screening of professionals, volunteers and other persons in contact with children?

    Please provide details.

Albania has identified several promising practices in the screening of professionals, volunteers, and other persons who come into contact with children, combining legal safeguards with broader child protection measures:

Multidisciplinary family assessments
A key practice is the use of multidisciplinary assessments in decisions concerning children, such as foster care and adoption. These assessments involve social workers, psychologists, and other professionals, ensuring that suitability is not based solely on administrative checks but on a comprehensive understanding of family capacities, risk factors, and the child's well-being.

Strong involvement of social services
Social services play an active role in screening and ongoing supervision, particularly in cases involving vulnerable children. Their involvement ensures continuous assessment beyond initial recruitment or placement decisions, linking screening with broader case management and child protection systems.

Post-adoption monitoring
Post-adoption monitoring is an important safeguarding practice. It helps ensure the child's well-being in the new family environment, enables the early identification of potential risks, and provides support to adoptive families where needed.

Mandatory criminal record checks and institutional verification
Individuals working in education, social services, foster care, and child protection institutions are subject to mandatory criminal background checks. In sensitive cases, additional verification is conducted, including checks against relevant national registers, such as those relating to sexual offences.

Inter-institutional cooperation
Coordination between the Ministry of Justice, State Police, social services, and child protection structures strengthens information sharing and improves the reliability of screening procedures, particularly in complex or high-risk cases.

Digitalisation of criminal record services
The increasing digitalisation of criminal record services has improved efficiency, reduced processing times, and enhanced accessibility for institutions conducting background checks.

International cooperation mechanisms
Where agreements are in place, Albania participates in international legal and police cooperation frameworks that facilitate the exchange of relevant information for safeguarding purposes, particularly in cross-border cases.

This process may include criminal record checks, assessments of suitability to work with children, reference verification, and the implementation of internal child safeguarding policies and procedures. Greater oversight and standardisation of legal requirements for private service providers can further contribute to ensuring safe environments for children beyond the formal education system.