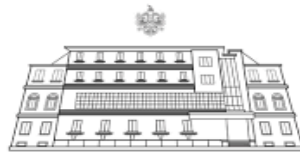


**Report submitted by Albania  
pursuant to Article 68, paragraph 4  
of the Council of Europe Convention  
on preventing and combating violence  
against women and domestic violence  
(1<sup>st</sup> thematic evaluation round)**

**Received by GREVIO on 30 June 2023**

GREVIO/Inf(2023)19

Published on 24 July 2023



REPUBLIKA E SHQIPËRISE  
MINISTRIA E SHËNDETËSISË  
DHE MBROJTJES SOCIALE

## **REPORT**

### **OF THE REPUBLIC OF ALBANIA**

#### **ON THE IMPLEMENTATION OF THE COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE (ISTANBUL CONVENTION)**

#### **FIRST THEMATIC EVALUATION ROUND: BUILDING TRUST BY DELIVERING SUPPORT, PROTECTION AND JUSTICE**

**JUNE 2023**

**REPORTING PERIOD**

**JULY 2017 – DECEMBER 2022**

## I. Table of Contents

Abbreviations .....	4
Introduction .....	5
I. Changes in comprehensive and co-ordinated policies, funding and data collection in the area of violence against women and domestic violence .....	6
<i>Article 7- Comprehensive and coordinated policies</i> .....	6
<i>Article 8- Financial resources</i> .....	15
<i>Article 11- Data collection and research</i> .....	21
II. Information on the implementation of selected provisions in priority areas, in the field of prevention, protection and follow-up.....	27
<i>Article 12- General obligations</i> .....	27
<i>Article 14- Education</i> .....	30
<i>Article 15- Training of professionals</i> .....	33
<i>Article 16- Preventive interventions and treatment programmes</i> .....	33
<i>Article 18- General obligations</i> .....	34
<i>Article 20: General support services</i> .....	38
<i>Questions specific to the public health sector</i> .....	40
<i>Article 22: Specialist support services</i> .....	43
<i>Article 25: Support for victims of sexual violence</i> .....	49
<i>Article 31- Custody, visitation rights and safety</i> .....	52
<i>Article 48- Prohibition of mandatory alternative dispute resolution processes or sentencing</i> .....	55
<i>Articles 49 and 50: General obligations and immediate response, prevention and protection</i> .....	56
<i>Article 51: Risk assessment and risk management</i> .....	60
<i>Article 52- Emergency barring orders</i> .....	63
<i>Article 53- Orders for provisional measures of protection</i> .....	64
<i>Article 56- Measures of protection</i> .....	66
III. Emerging trends on violence against women and domestic violence .....	67
IV. Administrative data and statistics.....	70
V. Annexes .....	74

## Abbreviations

<b>ASPA</b>	Albanian School of Public Administration
<b>CA</b>	Cash Assistance
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>CPD</b>	Commissioner for Protection from Discrimination
<b>CRM</b>	Coordinated Referral Mechanism for Domestic Violence
<b>DCM</b>	Decision of the Council of Ministers
<b>DFLA</b>	Directorate of Free Legal Aid
<b>DVC</b>	Domestic Violence Coordinator
<b>DVL</b>	Law No. 9669/ 18.12.2006, “On measures against domestic violence”.
<b>GBV/DV/SV</b>	Gender-based violence/Domestic violence/Sexual violence
<b>GDSP</b>	General Directorate of State Police
<b>GEO</b>	Gender Equality Officer
<b>GRB</b>	Gender-Responsive Budgeting
<b>HEI</b>	Higher Education Institutions
<b>HJC</b>	High Judicial Council
<b>INSTAT</b>	Institute of Statistics
<b>MCD</b>	Municipal Council Decision
<b>MDTG</b>	Multi-Disciplinary Technical Group
<b>MES</b>	Ministry of Education and Sports
<b>MoFA</b>	Ministry of Foreign Affairs
<b>MoFE</b>	Ministry of Finances and Economy
<b>MoHSP</b>	Ministry of Health and Social Protection
<b>MoI</b>	Ministry of Interior
<b>MoJ</b>	Ministry of Justice
<b>MTBP</b>	Medium-Term Budget Program
<b>NCGE</b>	National Council on Gender Equality
<b>NGO</b>	Non-profit organization
<b>NSGE</b>	National Strategy for Gender Equality
<b>OPMP</b>	Order for Provisional Measures of Protection
<b>OMB</b>	Ombudsman
<b>PO/EBO</b>	Protection Order/ Emergency Barring Order
<b>SUT</b>	Sports University of Tirana
<b>UN</b>	United Nations
<b>UN Women</b>	United Nations Agency for Women
<b>UNDP</b>	United Nations Development Programme
<b>UNFPA</b>	United Nations Population Fund
<b>UNICEF</b>	United Nations Children's Fund
<b>VaW</b>	Violence against woman
<b>VDV</b>	Victims of domestic violence

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## Introduction

Albania signed the Istanbul Convention in 2011 becoming the second member State to ratify such a significant international treaty without reservations. Albania has made huge efforts to implement the Convention's four pillars, focusing in particular on the support for victims of gender-based violence and domestic violence. Nowadays, Albania is among 37 Council of Europe Members to have ratified the Convention and among 45 countries that have signed the Convention. This demonstrates Albania's serious commitment to tackle violence against women and girls and observe human rights.

Albania submitted its first (baseline) report to GREVIO in January 2017 and underwent successfully a one-year baseline reporting procedure. Since the publication of the official version of GREVIO's baseline evaluation report in November 2017, Albania has focused firmly to implement 19 key immediate recommendations and has taken action on other mid- and long-term recommendations. At the end of June 2021, the Albanian Government submitted the respective report to the Committee of the Parties to the Istanbul Convention.

In the context of this report, the Ministry of Health and Social Protection (MoHSP) - the institution in charge of implementing and coordinating at the central level, policies and measures aimed at preventing and combating violence against women-coordinated the reporting process. The report was developed in collaboration with the other key responsible ministries and institutions, including the Ministry of Interior and State Police, Ministry of Justice, Ministry of Education and Sports, Ministry of Finance, Albanian Parliament, the Commissioner for Protection from Discrimination, Ombudsman, High Judicial Council, High Prosecutorial Council, General Prosecution Office, the Prosecution Offices and courts, the School of Magistrates, National Chamber of Notaries, Albanian Bar Association, the Order of Psychologists, INSTAT, Agency for Supporting Civil Society (ASCS), and Albanian School of Public Administration. We are thankful to UN Women in Albania for its valuable support in this process.

With regards to the methodology, the MoHSP collected and processed information to prepare the draft report, which was afterwards shared for consultations and input with all relevant stakeholders, including central and local State institutions, CSOs operating in the field of human rights and women rights, and international agencies. In addition, previous reports developed by different central and local authorities, CSOs and international organizations on violence against women and domestic violence were used as reference for analysis and data verification. The exiting information and data have been confirmed and validated to ensure the report present the most recent overview of the situation and measures to address violence against women and domestic violence in Albania.

## **II. Changes in comprehensive and co-ordinated policies, funding and data collection in the area of violence against women and domestic violence**

### ***Article 7- Comprehensive and coordinated policies***

#### **Information on new policies adopted to address violence against women and domestic violence, and information on measures taken to enhance the intersectionality of such policies, in line with Article 4 (3) of the Convention.**

The Albanian Government prioritized the implementation of recommendations put forward in GREVIO's baseline evaluation report on Albania, in 2017. During this reporting period, Albanian authorities adopted a series of comprehensive and coordinated measures aimed at combatting domestic violence and other forms of gender-based violence against women. In 2018 and 2020, Albania implemented the **immediate recommendations concerning the improvement of the legislation on violence against women and domestic violence**. It amended the existing Law against Domestic Violence, completed the relevant secondary legislation framework, and amended the Criminal Code. The sections below provide a summary of the main developments in terms of legal measures and policies having a direct impact in this regard.

#### **1. Developments in legal measures**

##### ***1.1 Changes in civil legislation against domestic violence and gender-based violence***

**Law No. 9669, dated 18.12.2006, “On measures against domestic violence”** is the primary legal instrument aimed at preventing and reducing all forms of domestic violence, as well providing protection and other services for victims of violence. During this reporting period, the Law underwent significant amendments in 2018 (with the Law 47/2018) and in 2020 (with the Law 125/2020), meeting key recommendations put forward in the Concluding Observations of CEDAW Committee (2016) and GREVIO Baseline Evaluation Report for Albania (2017). The amendments of 2020 included also measures to address domestic violence during civil emergencies, given the COVID-19 pandemic crisis.

The main elements of the 2018 and 2020 amendments include: (the changes are highlighted in red in Annex No. 7 of this Report)

- Modification of some of the definitions related to domestic violence to ensure harmonization with Article 3 of the Istanbul Convention and inclusion of specific references in the Albanian Constitution, CEDAW Convention, and the Istanbul Convention as the basis of this Law (Article 3);
- Introducing a gendered approach to violence against women in the Law and putting emphasis on special protection guarantees for women and girls, as victims of domestic violence, together with children and the elderly. In addition, the Law provides for a

special protection for persons with disabilities, in line with the principle of reasonable accommodation (Article 1, paragraph 1, Article 6 and other provisions of the Law).

- Extending the circle of family members by providing special protection also to those who are in an intimate relationship, notwithstanding whether there was a formal relation, such as marriage or cohabitation; (Article 7).
- Ensuring protection for migrants, asylum seekers, stateless persons and foreigners, in general, located in the Albanian territory, in cases of domestic violence; (Article 4)
- Extending the circle of central and local institutions responsible for handling the cases of violence; clarifying the respective specific tasks, and how they should coordinate the work among them. In particular, the duties of the main authorities in charge of implementation of this Law have been expanded (currently the Ministry of Health and Social Protection, the ministries responsible for justice, health, public order, education, social housing, employment, and local government) (Articles 6, 7, 8).
- Strengthening of parliamentary oversight over the implementation of the Law (Article 6/d).
- Clarification and specification of the tasks and duties of the national authority responsible for: (i) supervision of service provision at the National Centre of Social Care for Victims of Domestic Violence, and (ii) coordination and monitoring of the process of creation and functioning of social care services for victims of domestic violence, to be provided at local self-government units (Article 6).
- Adaption and harmonization of the tasks of the Ministry of Justice with the recent legislation on justice system governance bodies, including by ensuring cooperation with the High Judicial Council, the High Prosecutorial Council, and other bodies required for the preparation of training programs on issues related to domestic violence (Article 7).
- Clarification of responsibilities regarding the protection of children victims of violence, child custody to avoid any overlapping of the duties between the responsible bodies, in particular under the Juvenile Justice Code and the Law on Protection of the Rights of the Child (Article 7, 8, 10).
- Strengthening the safeguards and procedures for a more effective response to domestic violence by social service bodies, law enforcement agencies, and the judicial system; as well as better regulation of time limits and appeal procedures for judicial decisions on safeguards; (Articles 7/1, and Chapter III).
- Introducing a new protection measure, i.e., the Order for Provisional Measures of Protection, to be issued immediately by the Police following a risk assessment for every case in concern (13/1).
- Obliging the court to impose safeguards (protection measures) even if the parties claim to have settled the dispute, or the dispute is resolved by conciliation or mediation (Article 19).
- Including immediate removal of the perpetrator from the house, in the order for provisional measures of protection (Article 10).
- Introducing the application by Police to the court seeking a Protection Order, without requiring a prior Emergency Barring Order, if an emergency state is declared in the country (Article 13).

- Obliging the court to order the perpetrator to undergo rehabilitation programs for perpetrators, as well as more detailed regulation of the functioning of such programs. (10/1)

This Law focuses on prevention and protection against domestic violence, as well as other aspects of services to be provided in case of other forms of gender-based violence against women, such as sexual violence. Based on the amendments of 2018, the Ministry responsible for health is also responsible for setting up Crisis Management Centres handling cases of sexual violence and ensuring the functioning of emergency rooms close to the hospitals where the victims are treated. (Article 7)

According to the laws No. 47/2018 and No. 125/2020, a series of secondary legal acts are adopted aiming to clarify and help with the effective implementation of legal improvements, in compliance with the Istanbul Convention and GREVIO recommendations. Among the new second legislation, the most important is **Decision of the Council of Ministers No. 327, date 2.06.2021**<sup>1</sup>. This DCM governs the standard basic procedures for the coordination of work between the authorities responsible for prevention of domestic violence, protection, provision of support, and rehabilitation services to victims, while guaranteeing human rights and promotion of gender equality, and elimination of all forms of discrimination against women. The Coordinated Referral Mechanism for cases of domestic violence is set up at each municipality and its task is to prevent and handle the cases of domestic violence. The work of the Coordinated Referral Mechanism is based and adheres to a number of principles, including: easily accessible and approachable services; treating the victims with respect and dignity; c) prohibition of victimization, re-victimization and secondary victimization; ç) confidentiality and protection of personal data; d) life and health safety for the victims; dh) prohibition of discrimination; e) effective and individual care; and support and partnership.

This DCM includes an update of the list of institutions in charge of managing cases of domestic violence at the local level, on the basis of the previously mentioned 2018 amendments to the legislation and specifies their tasks to ensure a better coordination and harmonization of the working standards in all Municipalities. This DCM also consolidates the job position and duties of the Domestic Violence Coordinator (DVC) in managing and referring domestic violence cases, at the local level. This Decision regulates, for the first time, the most important standards of case management, based on a victim-centered approach. The Decision creates space for the Coordinated Referral Mechanisms to engage, where appropriate, not only in cases of domestic violence, but also in cases related to other forms of gender-based violence. The DCM pays a particular attention to the collection, retention and disclosure of data related to these cases, by means of a dedicated electronic system for data management (REVALB).

Other significant secondary legislation adopted to enact the above-mentioned legal amendments include:

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<sup>1</sup> Approved by DCM No. 327, dated 02.06.2021, repealing DCM No. 334/17.2.2011, National Coordinated Referral Mechanism for reporting and handling the domestic violence cases and the rules of proceedings.



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- Joint Instruction of the Minister of Health and Social Protection and the Minister of Interior, with No. 912, dated 27.12.2018, “On the procedures and template of the Order for Provisional Measures of Protection”,
  - Joint Instruction of the Ministry of Justice and High Judicial Council, No. 9, dated 17.06.2020, “On laying down the rules for setting up a special database on domestic violence cases in courts and unifying the registration thereof”.
  - Standard Operating Procedures (SOPs) in the matters of health and social care services (February 2020);
  - Instruction of the Minister of Health and Social Protection, No. 816, dated 27.11.2018, “Approving the standard service provision and operation of the Crisis Management Centres for cases of sexual violence”,
  - Joint Instruction of the Minister of Health and Social Protection and the Minister of Interior, “On the procedures and template Risk Assessment Form for cases of domestic violence”.
  - Instruction of the Minister No. 744 dated 15.11.2019, “Approving the minimum standards of social care services for victims/survivors of gender-based violence and domestic violence, in public and non-public (short-term) emergency residential centres (Emergency Shelters).
  - Domestic Violence Case Management Protocol to be used at the local level, through the Coordinated Referral Mechanism (CRM)
  - Case Management Protocol for cases of sexual violence against adults, to be used at local level, through a Coordinated Multi-Sectoral Approach
  - Standard Operating Procedures for handling the cases of domestic violence and gender-based violence, to be used by the Health Service Workers, as members of the Coordinated Referral Mechanism.

Additionally, the Ministry of Interior and the General Directorate of Police have prepared instructions addressed to the Police Station countrywide on the application of the primary and secondary legislation.

In 2020, some action was taken to improve the secondary legislation framework in response to the situation created by COVID-19 pandemic and, in particular, to the rapid increase in cases of domestic violence due to the lockdown measures. The specific secondary legislation included:

- MoHSP Protocol No. 254, dated 10.04. 2020, “On the functioning of public and non-public residential centres providing shelter services to victims/survivors of domestic violence and victims/survivors of trafficking in the situation of COVID-19 pandemic”.
- MoHSP Instruction No. 253, dated 10.04.2020, “On managing the cases involving children in need of protection during the COVID-19 emergency”.

- Council of Ministers Normative act No. 9, dated 25.03.2020 “On taking special measures in the field of judiciary during the entire duration of the epidemic caused by COVID-19”.

### 1.2 Changes in criminal legislation

In 2020, the Albanian Criminal Code underwent significant changes related to the domestic violence offences.<sup>2</sup> The principal novelty is that it criminalized psychological violence and extended protection also to the persons in a current or former intimate relationship with the perpetrator. It ensured thus harmonization between Article 130/a, of the Criminal Code and Article 3 of the Istanbul Convention and the amendments of 2018 to the Law on Domestic Violence. Additionally, the law provides for more severe penalties for certain authors of this criminal offense.<sup>3</sup>

**The criminal procedural law also underwent some amendments. The Law 35/2017 “On amendment to the Law No. 7905, dated 21.03.1995, “Criminal Procedure Code “, introduced new legal provisions, which improved significantly the position of victim in criminal proceedings, as well as provided particular procedural rights to victims of sexual abuse and victims of human trafficking (Articles 58 and 58/b) (see relevant provisions in Annex No. 7).**

### 1.3 Other legal acts related to on domestic violence and gender-based violence against women

<sup>2</sup> Law No. 35, dated 16.04.2020 “On some insertions and amendments to the Law No. 7895, dated 27.1.1995, “Criminal Code of the Republic of Albania”, as amended.

<sup>3</sup> See Article 130/a, Domestic violence, of the Criminal Code, as amended by Article 1 of the Law No. 35/2020. Article 130/a provides:

*“Battering and any other act of physical **or psychological** violence, against a person, who is the spouse, former spouse, cohabitant or former cohabitant, close family member (ascendant, descendant, brother, sister, uncle, aunt, grandson, granddaughter, nephew, niece), or close kin (father-in-law, mother-in-law, brother/sister-in-law, son-in-law, daughter-in-law, stepson, stepdaughter, stepfather and stepmother), or **in a current or former intimate relationship with the offender**, resulting in violation of physical, psychosocial and economic integrity of the person, is punishable by a term of imprisonment up to three years.*

*Serious threat of murder or serious injury against a person who is the spouse, former spouse, cohabitant or former cohabitant, close family member (ascendant, descendant, brother, sister, uncle, aunt, grandson, granddaughter, nephew, niece), or close kin (father-in-law, mother-in-law, brother/sister-in-law, son-in-law, daughter-in-law, stepson, stepdaughter, stepfather and stepmother), **or in a current or former intimate relationship with the offender**, resulting in a violation of the psychic integrity of the person, is punishable by a term of imprisonment up to four years.*

*The intentional injury against a person who is the spouse, former spouse, cohabitant or former cohabitant, close family member (ascendant, descendant, brother, sister, uncle, aunt, grandson, granddaughter, nephew, niece), or close kin (father-in-law, mother-in-law, sister/brother-in-law, son-in-law, daughter-in-law, stepson, stepdaughter, stepmother, stepmother), **or in a current or former intimate relationship with the offender** resulting in a temporary disability to work for more than nine days, is punishable by a term of imprisonment up to five years. The same offences when committed repeatedly, or in the presence of children, are punishable by a term of imprisonment between one to five years.”*

During the reporting period, Albania adopted a series of other legal acts that provide comprehensive services to victims of domestic and other forms of gender-based violence against women. These include:

- **Law No. 62/2022 “On the National Sex Offender Registry”.** This law aims at preventing sexual harassment, violence, abuse, or exploitation by laying down the rules for the creation and operation of the National Sex Offender Registry.
- **Law No. 13/2022 “On ratification of the Convention No. 190 of the International Labour Organization on Violence and Harassment, 1986”.** Based on the Albanian Constitution, this Convention is now part of the domestic legislation and marks an important benchmark in terms of protection of women, girls, men, and boys from harassment and violence in the field of employment.
- **Law No. 10/2021 “On Asylum in the Republic of Albania”.** This Law regulates the rules for processing asylum seekers applications, in accordance with international standards and provides additional guarantees for persons from specific groups, including, among others, pregnant women, victims of female genital mutilation, persons from the LGBTI community or persons victims of torture, rape or various forms of psychological, physical or sexual violence.
- **Law No. 13/2020 “On amendment to the Law No. 108/2013, “On Foreigners”.** This Law offers a better protection to foreign national victims of trafficking and victims of gender-based violence.
- **Law No. 124/2020, dated 15.10.2020 “On amendment to the Law No. 10 221, dated 04.02.2010 “On Protection from Discrimination”.** This Law introduced a series of significant improvements, such as recognition of new forms of discrimination particularly related to gender-based discrimination and violence against women and girls, such as multiple discrimination, intersectional discrimination, hate speech, segregation, sexual harassment, structured discrimination, incitement and assistance to discrimination and the announced purpose of discrimination. (Article 3). The Commissioner for Protection from Discrimination (CPD) has now broader competences, such as to review complaints of persons or groups of persons claiming to have suffered discrimination, not only under the Law on Protection from Discrimination, but now also under the Law on Gender Equality; and the power to monitor the implementation of the Law on Gender Equality.
- **Law No. 15/2019 “On Promotion of Employment”.** The victims/potential victims of trafficking, gender-based violence, domestic violence or young mothers under 18 are included in the special groups of jobseekers/disadvantaged jobseekers in the labour market, who benefit from employment promotion services and programs.
- **Law No. 22/2018 “On social housing”.** The vulnerable groups including victims of trafficking, domestic violence and young mother benefit from the specialized housing program, under this Law.
- **Law No. 57/2019 “On social assistance in the Republic of Albania”:** This law defines the beneficiaries/recipients of cash assistance, who are, among others, the victims of domestic violence, for the entire duration of the Protection Order or Emergency Barring Order, who do not received services in the social care institutions.

- **Law No. 111/2017 “On Legal Aid Guaranteed by the State”**. This Law guarantees free legal aid to special categories, including victims of domestic violence, sexual abuse, human trafficking, and the persons whose right has been violated under an act or omission that constitutes a discrimination. This mechanism, while guaranteeing access to the justice system through free legal aid, foreseen also the creation of institutions providing primary and secondary legal aid.
  - **Law No. 121/2016 “On social care services in the Republic of Albania”**. This Law provides for specialized services *inter alia* to women and girls victims of violence or human trafficking, pregnant women and girls or single parents with children up to 1 year old.
  - **Law No. 65/2016 “On Social Enterprises in the Republic of Albania”**. The objective of this Law is, among others, the employment of disadvantaged groups in the labour market, including women victims of violence and trafficking.
- 2. Developments in comprehensive policies against domestic violence and other forms of gender-based violence against women**

The legal framework discussed in the previous sections, is complemented by a series of policies, which include specific measures and respective financial plans for implementation of the legal obligations. These include:

The 4th National Strategy on Gender Equality and its Action Plan 2021-2030 (NSGE 2021-2030)<sup>4</sup>. This Strategy builds upon the objectives of the Albanian Government’ programme to ensure gender equality and fight against gender-based violence and domestic violence, the relevant domestic legal framework, and relevant international obligations. In view of Albania’s integration process, it is also in line with the respective European Union policies.<sup>5</sup> “NSGE 2021 – 2030” has four strategic goals, among which Goals 3: “Reduction of all forms of harmful practices, gender-based violence and domestic violence. The commitments under this Strategic Goal are based, in particular, on the Istanbul Convention and the GREVIO’s 2017 recommendations.

The Strategy adopts a comprehensive approach to tackle domestic violence and all forms of violence against women. The key areas of intervention in this context are:

- *Protection of women and girls in all their diversity from all forms of gender-based violence and domestic violence.* In this regard, Albania is working towards: (1) revising the relevant legislation to ensure that all forms of violence against women, as foreseen in the Istanbul Convention, are covered by the criminal and civil, administrative and procedural legislation; and (2) extending rehabilitation programs to perpetrators countrywide;

<sup>4</sup> Approved by DCM No. 400, dated 30.6.2021, “On Approval of the National Strategy for Gender Equality 2021–2030 and its Action Plan” NSGE 2021 – 2030;  
[https://albania.unwomen.org/sites/default/files/2022-02/WEB\\_Strategjia%20Kombetare%20-%20EN.pdf](https://albania.unwomen.org/sites/default/files/2022-02/WEB_Strategjia%20Kombetare%20-%20EN.pdf)

<sup>5</sup>The Recommendations of the European Commission put forward in the “Albania 2020 Report” are taken into consideration for this Strategy, and special consideration is paid to issues for 2021. The action plan of “NSGE 2021 – 2030” aims to ensure alignment with the EU GAP III, especially in terms of strategic goals, specific objectives and progress measurement indicators.

- *Increased access to specialized services to the persons living under harmful practices, sexual violence and other forms of gender-based violence and domestic violence, both in normal situations and humanitarian crises and natural disasters.* The expected outcomes in this regard are: 1) strengthening and expanding specialized services to victims of violence; strengthening Coordinated Referral Mechanisms across the country with persons specialized and able to ensure effective treatment of all cases of harmful practices, gender-based violence and domestic violence.
- *Improved access to justice for women, young women and girls in all their diversity, to protect their rights, by making available free legal aid service in countrywide.*
- *Preparing a new generation equality, where women, men, youth, girls and boys in all their diversity are change agents fighting against discriminatory social norms, gender stereotypes, preventing and combating sexism.* This objective aims at: (i) educating society about the principles of gender equality; and (iv) investing in positive parenting.

NSGE 2021-2030 and its Action Plan stress the importance of intersectionality recognizing the challenges that women and girls from certain groups face not only because of gender, but also other factors. Therefore all interventions, including those dealing with the elimination of violence, devote a special attention to women and girls from rural areas and disadvantaged communities, including ethnic minorities, persons with disabilities, LGBTI+ community, single mothers, trafficked persons, elderly, migrants and asylum seekers. The strategy includes also budget planning for all the measures included. (for more, please refer to the information in Article 8 below)

NSGE 2021-2030 draws upon an assessment of achievements and challenges of the previous Gender Equality Strategy and Action Plan 2016-2020.<sup>6</sup> Based on this assessment and referring to the relevant data about indicators, around 80 percent of the overall Strategy's measures were achieved, while the strategic goal concerning the reduction of gender-based violence and domestic violence was met at 84.8 percent.

To ensure that specific measures against domestic violence and other forms of violence against women are coherent with other policies in respective areas, the NSGE 2021-2030 has been aligned with other sectorial strategies and policies in relevant areas. Here we can mention the National Strategy for Development and Integration, the National Strategy on Social Protection (2020-2023), the National Strategy for Social Housing (2020-2023), the Juvenile Justice Strategy (2022-2026), the National Strategy for Employment and Skills (2019-2022); the Policy Paper on Social Inclusion (2016–2020) and the national plans: on the Fight against Human Trafficking, the National Youth Plan (2022-2029), Integration of Roma and Egyptians community (2021-2025), LGBTI\_ persons (2021-2027), the Implementation of Resolution 1325 (2018-2020), and others.

The **National Strategy for European Development and Integration 2021- 2030 (NSDI)**, for example, ensures a continuing implementation of the National Strategy for Development and

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<sup>6</sup> Evaluation Report: Implementation of the National Strategy for Gender Equality and its Action Plan 2016 – 2020, drafted by the Ministry of Health and Social Protection, with the support and technical expertise of UN Women Albania

European Integration 2016-2020 (NSDEI II) in all strategic areas of Albania's development and its EU integration process. One of the main pillars of strengthening human rights is “Democracy and empowerment of institutions and good governance”. Its strategic objectives directly related to the National Gender Equality Strategy and the objective to reduce domestic violence and violence against women are: improving and implementing legislation and policies that contribute to the prevention of discrimination and achievement of gender equality; better protection of women and girls in all their diversity<sup>7</sup> from all forms of harmful practices, sexism, gender-based violence and domestic violence, by improving and ensure effective implementation of the legislation, providing specialized supporting services to victims of violence, punishing perpetrators and making available rehabilitation programs; increased access to financial services and products, and productive resources of women, young women and girls in all their diversity; improved access to justice of women, young women and girls in all their diversity, and others.

### *Measures taken by the local government<sup>8</sup>*

The work of local government units (LGUs)<sup>9</sup> is focused on the rights, protection and inclusion of women and girls. A great number of municipalities have undertaken a series of measures, at the policy level. These include the signature of by ten municipalities of the European Charter for Equality of Men and Women in Local Life. Five of these municipalities developed and approved Local Gender Equality Action Plans (LGEAPs) 2018-2020, in alignment with this Charter. Pursuant to its LGEAP, Tirana Municipality has set up a Commission for Gender Equality and Women's Entrepreneurship. In addition, all LGUs have prepared Social Plans, adopted by the Municipal Councils, which include support measures for victims of violence and trafficking, and support to other disadvantaged groups of women. They can apply to the Social Fund to meet their needs for social services to groups in need. (More detailed information is given in Article 8.)

In addition, the Coordinated Referral Mechanisms on Domestic Violence (CRMs) have been established in all 61 Municipalities and they are working to strengthen and increase their effectiveness and capacity in handling of cases of violence and carrying out all respective tasks and responsibilities (i.e. to be effective not only in case management in a coordinated multi-agency approach, but also in other functions, such as coordination, prevention, and information, training and strengthening the capacities of professionals, data collection, processing and analysis).

### *Higher Education Institutions*

Higher Education Institutions have undertaken a series of initiatives, including adopting regulatory acts against violence and signing of cooperation agreements with institutions and non-profit organizations to prevent gender-based violence. Tirana University, for example, has

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<sup>7</sup> from rural areas, ethnic minorities, persons with disabilities, LGBTI+, elderly, single mothers, girls over 16, survivors of violence/trafficking, young mothers, migrants, and asylum seekers, etc.

<sup>8</sup> 40 municipalities have sent information reporting on the implementation of the Istanbul Convention

<sup>9</sup> LGUs are smaller local governance units within one municipalities (Albania has a total of 61 municipalities)

adopted the “*Policies and procedures for the elimination of violence, harassment and sexual harassment*”<sup>10</sup>, and the *Gender Equality Plan (GEP) 2022-2024*. The Sports University of Tirana (SUT) and Fan. S. Noli University of Korça are still in process of developing such policies. Ismail Qemali University of Vlora has adopted, under an Academic Senate decision, the Strategy on Gender Equality.

## ***Article 8- Financial resources***

### **1. Allocation of appropriate and sustainable financial and human resources for the implementation of integrated policies, measures and programmes to prevent and combat all forms of violence covered by the Istanbul Convention.**

#### ***Financial and human resources at central level***

The proper implementation of Gender-Responsive Budgeting, both at the central and the local self-government level, is of paramount importance in the allocation of funds for activities aimed at preventing and combatting all forms of violence against women covered by the Istanbul Convention. Gender Equality was included as one of the core principles of budgetary system in the Organic Budget law in 2016 and the Local Finance Law in 2017. The inclusion of the gender equality principle into the Organic Budget Law enables that all budgetary programs of line ministries and other budgetary institutions should consider and clearly state their policies pertaining gender equality, without any exceptions. As a result, in the 2017-2019<sup>11</sup> Medium-Term Budget Programme (MTBP), the planned gender responsive budget funds amounted to USD 90 million or 2.3% of the total planned budget; in the 2018-2020 MTPB it went up to USD 120 million (2.4% of the total planned budget) while in the 2019-2021 MTPB, USD 298 million (6.3% of the total planned budget). For 2020-2022 the GRB planned funds amounted up to 348 million USD (7.2% of the total planned budget), 506 million for 2021-2023 (9% of the total planned budget) and 410 million USD (9% of the total planned budget) for 2022-2024 and same 9% for 2023-2025 (for more details, see table in Annex no 2).

The Gender-Responsive Budgeting both at central and local level is a key tool to implement the activities aimed at preventing and combating all forms of violence against women covered by the Istanbul Convention. In application of the GRB tool, the funds devoted to gender issues were USD 90 million in MTBP 2017-2019.<sup>12</sup> This amount went up to USD 120 million, in MTPB 2018-2020, USD 2285 million in MTPB 2019-2021, USD 348 million in MTBP 2020-2022, USD 506 million in MTBP 2021-2023, and USD 410 million in 2022-2024 (for more details, see Annex No. 2).

For the first time in 2020, the new Albanian Financial Management Information System enabled the monitoring of budget execution and made it possible to calculate the exact amount of GRB funds spent from the central institutions. 6.7% of the total budget has been spent to

<sup>10</sup> This document was prepared by Tirana University with the support of UNDP Albania, as part of the United Nations Joint Programme “Ending Violence against Women in Albania”, funded by the Government of Sweden.

<sup>11</sup>The numbers can change also due to the exchange rate of USD.

<sup>12</sup>The numbers can change also due to the exchange rate of USD.

address gender inequalities in almost every sector of activity of the Government of Albania for 2020. Only 0.5% of the GRB funds have not been spent according to the initial plan of expenditures approved from the Government in the 2020-2022 MTBP document. 710691 women and girls have benefited from ALL 36.1 billion public funds spent during 2020 for the realization of public services.

At the local level, the Law on Local Self-Government Finance (2017) enables the Local Self-Government Units (LGUs) to make an efficient GRB planning, in all stages of local financial management cycle (annual and mid-term budget planning, monitoring and reporting, evaluation and auditing). It is mandatory for LGUs to address gender inequality or full respect for gender equality, in at least one of the programme policy objectives by setting clear and identifiable gender outputs and indicators. In their compulsory financial reporting, LGUs should include also the share of total expenditure devoted to policies supporting gender equality. Based on the Evaluation Report of 2020 for the Implementation of the National Strategy for Gender Equality and its Action Plan 2016-2020, only 37 budget programs at central level make an effective application of GRB, in 2020. About 10 LGUs have prepared and approved the Local Gender Equality Action Plans including GRB among the actions planned and they have also appointed a Gender Equality Coordinator.<sup>13</sup>

In addition to the state budget, the United Nation joint programme “Ending Violence against Women” implemented by UNDP, UNFPA, UN Women, and funded by the Swedish Government played an important role in financing programmes tackling gender-based violence and violence against women. The total budget funded to cover all types of costs of this programme was around USD 3,103,903 for the period January 2019-June 2022.

The National Gender Equality Strategy (2021-2030) is implemented by several central government institutions, local government, and other institutions. The Strategy expands its financial effects for a period of 10 years. The financial costs estimated for each measure and activity are based on the Action Plan accompanying this strategic document. The implementation of NSGE 2021-2030 is estimated to require a total cost of ALL 3,358,697,259, or EUR 27,086,268. The funding of the Action Plan is provided from different sources such as the state budget, local government funds and donors’ support.

The Albanian Government provides financial assistance to the victims of domestic violence. The cash economic assistance given to victims of domestic violence, who have a Protection Order, tripled to ALL 9,900 (about EUR 89) in 2022 compared to ALL 3,000 (about EUR 27) in 2017.<sup>14</sup> Additionally, to mitigate the financial effects that disadvantaged groups, including victims of domestic violence for whom a Protection Order had been issued, suffered due to Covid-19 pandemic and the war in Ukraine, a series of secondary legislation were adopted in 2020, 2021 and 2022 aiming at increasing the economic assistance. Women victims of violence also benefited from these measures for certain periods of time.<sup>15</sup>

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<sup>13</sup> This process is supported by UN Women projects, Sida, EU and various donors.

<sup>14</sup> In 2021 and 2022 the amount of cash assistance increased. Under DCM. No. 868, dated 29.12.2021, it raised at ALL 9,000, while under DCM No. 617, dated 22.09.2022, it went up to ALL 9,900

<sup>15</sup> Under DCM no. 254, dated 27.03.2020, according to which in the period April-June 2020, the amount of cash assistance doubled for the period April-June 2020 amounting to ALL 6,000 (about EUR 53.72). Under DCM no. 85/2021, it increased at ALL 6,000 for a 6-month period (January-June 2021). DCM No. 159, dated 12.03.2022, aimed to mitigate the effects of the war in Ukraine. As a result, in April and June 2022, the victims of domestic violence and trafficking received ALL 3,000 support per month (ALL 9,000 for three months, i.e., about EUR



The number of women benefiting cash assistance has increased over the years. In 2017, about 226 women victims of domestic violence with a Protection Order were recipients of monthly cash assistance (about EUR 6,208.79); 408 women in 2018 (about EUR 11,208.79); 509 women in 2019 (about EUR 13,983.52), 603 women in 2020 (about EUR 16,565.93), 732 women in 2021 (about EUR 20,109.89) and 1,017 women in 2022 (about EUR 92,200.55).

The Ministry of Health and Social Protection also funds two specialized supporting services, at the national level. They offer long-term accommodation (shelter) and support services, focusing on the reintegration of victims of domestic violence and human trafficking. The Ministry allocates budget funds to two centres. The National Centre for Treatment of Cases of Domestic Violence received an ALL 22,190,000-fund in 2018 (about EUR 197,196), ALL 22,860,000 in 2019 (about EUR 203,562), ALL 22,840,000 in 2020 (about EUR 203,384), and ALL 21,530,000 in 2021 and 2022 (about EUR 191,719). The National Reception Centre for Victims of Trafficking received ALL 22,476,939 in 2018 (about EUR 200,251), ALL 20,910,000 in 2019 (about EUR 186,198), ALL 20,920,000 in 2020 (about EUR 186,286), and ALL 22,350,000 in 2021 and 2022 (about EUR 199,020).

On behalf of the Ministry of Health and Social Protection, the Gender Equality Policies Sector, within the Social Inclusion and Gender Equality Policies Directorate, and the General Directorate of Social Protection Development, carries out the coordinating tasks. The Gender Equality Policy Sector is composed on one Department Head and two Specialist Officers. This Sector is in charge of : designing, managing and monitoring the implementation of programs and action plans addressing non-discrimination on the ground of sexual orientation; promoting and fostering gender equality in society and addressing gender-based violence and domestic violence. The budget, in particular in the account of staff salaries, has increased. The other activities aimed at awareness raising, capacity building of professionals dealing with gender-based violence issues, and monitoring and evaluation processes, are carried out with the support of international organizations. Thanks to the experts provided by these international organizations (mainly United Nations agencies and the Council of Europe), this Sector has received technical assistance.

*The Ministry of Justice (MoJ) is one of the institutions that allocates funds for:*

- Free Legal Aid to women and girls in need. MoJ allocated respectively: ALL 11,000,000 (about EUR 92,000) in 2018; ALL 18,000,000 (about EUR 150,000) in 2019; ALL 18,000,000 (about EUR 150,000) in 2020; ALL 28,000,000 (about EUR 233,000) in 2021; and ALL 20,500,000 (about EUR 187,728.94) in 2022. About 1,000 women and girls have received free legal aid.

It has to be noted that the free legal aid to women and girls in need, mostly dominated by victims of domestic violence, increased in 2018 by 10% compared to 2017; 64% in 2019 and 56% in 2021. In 2019, the Ministry of Justice signed a project with UNDP concerning the “Expansion of free legal services to women and men in Albania”, for EUR 1,000,000, for the period 2019-2022.

- With regard to the salary cost of State Bailiffs and other expenses incurred for the enforcement

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81). In late 2022, according to DCM.899, dated 29.12.2022, victims of domestic violence and trafficking received financial support only once amounting to ALL 8,000 (about EUR 72).

of Protection Orders, we note as follows: The enforcement of Protection Orders issued to protect women cost: ALL 5,402,000 (about EUR 45,000) in 2018; ALL 4,570,000 (about EUR 38,000) in 2019; ALL 3,195,000 (about EUR 26,600) in 2020; and ALL 4,492,000 (about EUR 37,400) in 2021.

Thus, the spending on Protection Orders issued to protect women increased by 8% in 2018 compared to 2017, and by 41% in 2021. The Medium-Term Budget Programme 2022 has no specific information on the number of Enforced Protection Orders issued to protect women. However, based on the normal trend, we can assume that the majority of the 21,481 total orders enforced in 2021, costing at ALL 146,854,000, were issued to protect women victims of domestic violence.

### *State Police*

Another important institution that has increased its funding and human resources capacities to tackle violence against women is the Ministry of Interior. From 2007 and onward, the General Directorate of State Police, specifically in the Criminal Police Department of the Directorate against Crimes against Person and Property, has in place a Juvenile and Domestic Violence Sector. This sector is composed of one Head of Sector and two Specialists. The twelve Local Police Directorates have one Specialist Officer, part of the Crime Sector, in charge of protection of juvenile protection and domestic violence. The annual administrative expenses going on the account of salaries of staff in charge of domestic violence and children amount to ALL 20,711,000, i.e., about EUR 186,585.59. In 2018, the State Police reorganized its organic structures and functions in order to cover the tasks and duties related to “children and domestic violence”, at all levels and structures. So, 1 to 3 job positions as “Specialist Officer for Investigation into Crimes, Children and Domestic Violence”, were raised with the Police Stations, depending on the territorial coverage and number of cases received.

### ***Financial and human resources at local level***

All 61 municipalities of the country have now a Coordinated Referral Mechanism (CRM), as the primary multi-agency structure dealing with cases of violence at local level. (In 2017, only 29 CRMs were operational in Albania). The Local Coordinators managing cases of domestic violence and other forms of violence play a key role in the functioning of CRMs. All 61 municipalities of the country have now a full-time Local Coordinator whose tasks and duties are aligned with the legislation on domestic violence and other forms of gender-based violence against women. Through various continuing training, the capacities of CRM members have been increased. The objective of these trainings is increasing capacities of the Local Coordinators on the effective implementation of the legal measures for prevention of violence and protection of victims.

From a financial point of view, the Social Fund is one of the most important funding sources, at local level, providing funds for services and projects in the field of violence against women and domestic violence. In 2018, Albanian Government set up the Social Fund, as a facility to allocate funds from the central budget to municipalities. The Municipalities can then apply to this Fund for resources to cover the cost of social services to groups in need.

With the support of international organizations and the Social State Service, almost 80% of municipalities have prepared Social Plans, which include measures for victims of violence and trafficking, and other disadvantaged groups of women.

From 2020, the Social Fund started funding the supporting services for victims of domestic violence and persons at risk, provided at **four municipalities** of the country, namely Gjirokastra, Berat, Maliq and Kukës. It is also funding the provision of **three specialized services** in the region of Tirana for the Counselling Line for Women and Girls (116 117), Free Online Counselling and Child Abuse Reporting Services “Alo 116-111”, and the “SHELTER” Centre providing assistance service for integration and empowerment of LGBTI youth and victims of violence. In 2021, the Social Fund allocated ALL 11,258,165 (or EUR 94,000) to four municipalities for services to victims of domestic violence and persons at risk. (More detailed data in this regard is provided in Annex No. 3).

In 2022, the Social Fund allocated ALL 7,126,725 (EUR 64,320.62) funds for three services to victims of domestic violence and persons at risk. During the period 2020-2022, the Social Fund funded a total of 15 community and specialized services aimed at empowering the family, preventing and providing support to tackle situations of domestic violence and gender-based violence. During the period 2020-2022, 14,416 persons benefited from ALL 254,184,892 (EUR 2,294,087.47) funding in total, while 130 persons were employed to deal with gender-based violence issues. (More detailed data in this regard are provided in the table of Annex No. 3).

## **2. Allocating appropriate and sustainable financial and human resources to women rights organizations that are providing special support to victims, including supporting migrant women and girls.**

**Allocation of funds through the Agency for the Support of Civil Society (ASCS).** Part of the state budget for gender equality and domestic violence is also the amount allocated to civil society organizations by ASCS<sup>16</sup>. ASCS is a central public entity that, through the financial support to civil society, promotes and supports the principles of rule of law, human dignity, freedom, equality, non-discrimination, and observance of human rights. Fostering cooperation with NGOs working in the field of overseeing the fight against corruption, the fight against human trafficking and the treatment of its victims, against domestic violence and violence against children, is one of ASCS objective.

During **2017, 2019, 2021, and 2022**, ASCS signed 220 contracts with NGOs for a total of ALL 415,750,000 (about EUR 3,752,256.32) disbursed, out of which ALL 17,900,000 (EUR 161,552.35) or 46.67% of the total budget were awarded to projects related to violence against Women/Domestic Violence. **In 2018 and 2020**, there was no funding awarded for projects in the field of domestic violence.

**Allocation of funds through social enterprises.** The Fund supporting social enterprises was set up in 2018, under the Law No. 65/2016 on Social Enterprises. The DCM provided a total of ALL 249,760,000 (or about EUR 2,081,000) subsidy, for the period 2019-2021, where only ALL 37,000,000 (or about EUR 308,000) is devoted to creation of new jobs. ALL 7,776,000 (about EUR 65,000) is devoted to compulsory social and health insurance of employees of social enterprises belonging to disadvantaged groups and the rest for their activity, provided they submit a business plan. The economic undertaking is required to hire at least 30% new staff from the disadvantaged categories, within 12 months from the date of receipt of the

<sup>16</sup><https://amshc.gov.al/raporte-vjetore-te-veprimtarise/>

subsidy. The granting of subsidies is preconditioned on the employment of persons from disadvantaged groups and the duration of the contract in this case should not less than 2 years. During the reporting period, nine non-profit organizations took the status of social enterprises and they will receive funding in the second half of 2023.

**Allocation of funds through the Directorate of Free Legal Aid<sup>17</sup>.** From 2019 and onwards, the Ministry of Justice, in the account of “Free Legal Aid” Program, allocates ALL 4 million for each budget year for non-profit organizations providing primary legal aid to women and girls in need. The sub-legal framework<sup>18</sup> governing the funding of NPOs is adopted and this enabled DFLA to initiate funding procedures. In March 2021, the first call was opened for granting funds from the state budget to NPOs authorized by the Minister of Justice for the provision of primary legal aid. None of the ten applicant NPOs received an award by the Evaluation Commission and the Appeal Commission composed of members from MoJ and DFLA. To further the grant funding procedures, the DFLA prepared a methodology to be used as a guidance for a unified implementation of criteria, procedures and evaluation method of the draft proposals applying for funding from the state budget.

**Allocation of funds from the state budget at the District level (including some municipalities).** MoHSP, upon request of the District Authorities, has provided funds to three organizations providing shelter services to victims of violence and trafficking. These include “Different and Equal” in Tirana; “Other Vision” Organization in Elbasan, and “Vatra” Centre in Vlora. Such funding amounted at ALL 26,086,232 in 2017 (about EUR 217,386), ALL 26,796,602 in 2018 (about EUR 223,305), ALL 28,320,466 in 2019 and 2020 (about EUR 236,004), ALL 28,879,324 in 2021 (about EUR 248,994), and EUR 29,932,553 in 2022 (about EUR 270,149.40).

Additionally, in 2019, the MoHSP funded the Counselling Line for Women and Girls (116 117) in the amount of ALL 2,926,125 (about EUR 26,314) to cover salaries and social insurance for nine months for five employees. In 2020, this fund amounted to ALL 3,901,500 (about EUR 35,085), while in 2021, an ALL 6,768,552 (about EUR 60,868) - fund went to cover the salaries and social insurance of eight employees. In 2022, the funding amounted at ALL 6,768,552 (about EUR 60,868).

**Tirana Municipality.** The majority of the country's population lives in Tirana Municipality. Since 2018, this Municipality is providing an ALL 474,000 support to the “Counselling Line for Women and Girls” (CLWG 116 117 - a national helpline service managed by and NPO). In 2020, such funding was multiplied to ALL 922,725 under a special agreement between Tirana Municipality and the Counselling Line for Women and Girls intended to empower the Counselling Line for Women and Girls and the Counselling Line for Men and Boys supporting of victims of domestic violence, following the COVID-19 pandemic. Additionally, for several years, Tirana Municipality is supporting financially the ARSIS Initiative that is providing emergency shelter for up to seven days to the persons in need, including women and girls victims of domestic violence. In 2022, the Municipality supported also “Edlira Haxhiymeri Shelter”, a member organization of CRM Tirana. Tirana Municipality is cooperating for years (including the period 2018-2021) with the “Different & Equal” Organization, which is

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<sup>17</sup> DFLA is a public legal person subordinated to the Minister of Justice. Its mission is to guarantee free legal aid.

<sup>18</sup> DCM No. 55, dated 06.02.2019 “On setting the procedures and documentation for the authorization of non-profit organizations providing primary legal aid guaranteed by the state”. DCM No. 110, dated 06.03.2019 “On setting the procedures and rules for the selection of non-profit organizations authorized to provide primary legal aid guaranteed by the state, which receive funding from the state budget and the funding method”.

providing services for children of mothers victims of violence or former victims of trafficking (day care in the morning and afternoon). This childcare programme contributes to the integration of victims of domestic violence and victims of human trafficking through their employment. Tirana Municipality has made available to the Organization a part of premises of the “Shkoza e Re” Kindergarten, where children stay after coming back from the kindergarten or even on Saturdays, while the parents are at work. During their stay there, the children are fed, cared for and assisted by the staff to do their home works.

## ***Article 11- Data collection and research***

### **1. Data collection by law enforcement agencies, the justice sector, social services and the public health care sector.**

MoHSP is the main authority responsible for coordinating the work for the collection and retention of statistical data on domestic violence, including the annual analysis, publication and reporting to the responsible parliamentary Sub- Committee on Gender Equality and Prevention of Violence Against Women (Law on Domestic Violence, Article 6) and has access to the data of REVALB system. To meet such obligations, the Ministry cooperates with the principal line authorities that collect disaggregated data, such as the State Police that reports quarterly these data to the Social Inclusion and Gender Equality Policies Directorate of MoHSP.

#### *Justice System*

The statistical yearbook 2019 of the Ministry of Justice (MoJ) included for the first time a chapter on domestic violence with information collected from all courts countrywide. This chapter provides new data regarding the perpetrator such as: residence, age, gender, marriage status, number of children, education level, employment status, request for a protection order, and family relation with the victim of violence. More detailed information on the data that MoJ collects in the statistical yearbook can be found in Annex No. 4. Through Department of Free Legal Aid (DFLA), MoJ collects data on victims of domestic violence, victims of sexual abuse, victims of human trafficking, child victims, etc. benefiting from free legal aid. These data form the basis for drafting and implementing further policies in the field of free legal aid<sup>19</sup>.

The Ministry of Justice and the High Judicial Council (HJC) drafted and approved a Joint Instruction No. 9, dated 07.06.2020, “Laying down the rules for a special database on domestic violence cases in courts and unification of such data entry”, as amended. HJC is in charge of managing the database on domestic violence cases, whereas MoJ is responsible for the statistical data processing, analysis and publication in the statistical yearbook. The database is set up based on the Istanbul Convention (Article 11), as well as the 2017 recommendations of the GREVIO expert group. It retains data such as gender, age, marriage status, education level, employment status, family relation with the perpetrator, and request for EBO/PO from the victim, etc. Samples of the forms are given in Annex No. 5.

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<sup>19</sup><https://ndihmajuridike.gov.al/wp-content/uploads/2022/04/Analiza-Statistikore-Janar-2022-ndihma-juridike-paresore-dhe-dytesore-converted-converted.pdf>

HJC has improved the Court Case Management System. The court portal enables access to the data on EBOs and DV, under Article 130 of the Criminal Code. Additionally, the portal<sup>20</sup> has created also a Domestic Violence Report that is updated in real time by the courts.

For the first time, an Integrated Juvenile Justice Data System is set up. Such juvenile justice database generates information on child victims of domestic violence or gender-based violence. The MoJ, HJC, and GDSP have adopted the necessary secondary legislation<sup>21</sup>, orders<sup>22</sup> and instructions<sup>23</sup> for the functioning of this System.

#### *Local Government-REVALB System*

REVALB system play a key role in collecting case data identified and managed in a concerted multi-agency approach, under the Coordinated Referral Mechanisms at local level. This system is specially designed to collection certain data, such as cases of domestic violence handled at local level, the performance of institutions, protection orders issued and their monitoring. During this reporting period, this system underwent a series of upgrades, while at the same time the Local Coordinators were trained to be able to enter updated data. The Section in charge of monitoring the Protection Orders and their breach is added as a user of this system following the respective recommendation of the Committee of the Parties to the Istanbul Convention put forward for Albania in 2021. Samples of data processed by REVALB system are provided in Annex No. 6.

#### *Institute of Statistics (INSTAT)*

Based on Article 11 of the Istanbul Convention and Albanian legislation, INSTAT, in cooperation with UN Women and UNDP, conducts **the Survey on “Violence against Women and Girls in Albania”** every 5 years. In 2018, the third round of this survey was conducted. In addition to questions about violence from an intimate partner, questions about other forms of violence were included, such as violence from a non-partner, sexual harassment and stalking. The types of violence surveyed were psychological, physical, sexual, economic, and controlling behaviour. The survey included also questions about social norms and attitudes related to violence against women and girls. The data and the report are published in INSTAT website and are freely accessible to the public, thus meeting Article 11, paragraph 4, of the Istanbul Convention<sup>24</sup>. Law enforcement agencies and the judiciary (namely General Directorate of State Police, General Prosecution Office and General Directorate of Prisons) provide regularly to INSTAT statistical data on crimes and criminal justice<sup>25</sup> concerning the cases of domestic violence, as provided for in Domestic Violence legislation and Criminal Code (Article 130/a). They also provide data on cases reported to the police, suspects and

<sup>20</sup> <https://gjykata.gov.al/rrethi-durrës/gjykata-e-rrethit-durrës/statistika/dhuna/>

<sup>21</sup> DCM No. 149, dated 20.03.2019 and DCM No. 655, dated 10.10.2022;

<sup>22</sup> Ministry of Justice Order No. 7639, dated 05.7.2018 approving detailed rules for the use of the Integrated Juvenile Justice Data System by the General Directorate of Prisons and the General Directorate of Probation Service; and GDSP Order No. 513, dated 04.06.2021 “On the use and entry of data in the Integrated Juvenile Justice Data System”.

<sup>23</sup> HJC Instruction No. 427, dated 14.10.2022 “On use and entry of data in the Integrated Juvenile Justice Data System by the Courts of the Republic of Albania”.

<sup>24</sup> The publication can be accessed at: <https://www.instat.gov.al/media/6123/publication-violence-against-women.pdf>

<sup>25</sup> <https://www.instat.gov.al/al/temat/treguesit-demografik%C3%AB-dhe-social%C3%AB/krimet-dhe-drejt%C3%ABsia-penale/#tab3>

defendants. The judiciary sends data on criminal cases, types of sentences imposed on perpetrators of domestic violence<sup>26</sup>. The main variables refer to the number of offenses, the demographic characteristics of the injured persons and the perpetrators, by gender and age group, as well as the relation between victim and perpetrator.

**2. Collecting disaggregated data on the number of Order for Provisional Measures of Protection, Protection Orders, number of breaches and relevant sanctions; the number of cases when court decisions, in addition to the prison sentence, also imposed the restriction and removal of parental right, due to the violence that one parent had exercised against the other.**

Based on the Albanian legislation, the General Directorate of State Police, General Prosecution Office, Courts, Prosecution Offices, Local Government Units, MoJ, MoHSP, and HJC, collect annual data on domestic violence and violence against women. The databases are designed and governed by the secondary legislation. These systems generate data on the number of Order for Provisional Measures of Protection and Protection Orders issued, breach thereof and relevant sanctions. HJC is in charge of generating statistical information from the electronic IT system on domestic violence. The courts report these data to HJC by 20th of the second following month for the quarter, and by 20th of February for the annual data. Based on the data reported by the courts, HJC generates various statistics on violence against women and domestic violence concerning the cases of Emergency Barring Orders, Protection Orders and violations thereof.

Under the Minister of Interior Instruction No. 274, dated 10.09.2014 “On Crime Statistics”, General Director of State Police Order No. 1531, dated 24.10.2014 “On producing crime statistics”, the General Directorate of State Police keeps statistics on the victims ( such as the age (under 14 and from 14-18 years, and over 18 years), sex, marriage status, education, age, employment, relation to the perpetrator, place of residence) and perpetrators (criminal offense committed, sentence imposed, breach of court decisions, etc).

**3. Information on the measures undertaken to enable prosecution of cases of violence against women and domestic violence, at all stages of law enforcement and judicial proceedings, from reporting of the case to the sentencing.**

*Reporting*

The 2018 amendments of the Law on Domestic Violence broadened and clarified the responsibilities of institutions to strengthen protection measures and procedures for a more effective response to domestic violence. The Law introduced the Order for Provisional Measures of Protection (OPMP) to be issued after a risk assessment, for every case under consideration. Under the said legal amendment, each body or authority, which receives a request for protection from a victim, has the responsibility to provide immediate support, notwithstanding the victim’s place of dwelling or of residence.

<sup>26</sup> The data can be found at: <http://database.instat.gov.al/pxweb/en/DST/?rxid=39215f95-a5cb-4284-982c-b7fdec668c08>

Victims of violence can submit a request to the nearest Police Station (in the place of residence or location), the respective local government unit (commune, municipality), the health centre of the place of residence or location, or to file a lawsuit before the court of the district of the perpetrators residence or location, asking the respective authority to take the necessary protection measures. Upon receiving the report, the responsible authorities have the duty to respond to any notice made by the victim or other persons, under the law, in cases of violence or threat of violence, or in case of violation of EBO or PO, and to keep the respective minutes.

The responsible authorities shall also use the reasonable means to protect the victim and to prevent the continuation of violence, including the following:

- (a) To inform the victim or the person accompanying her/him of the measures to be taken under the applicable law and about the institutions to whom she can address;
- (b) To inform the victim or the person accompanying her/him about the available social services and to accompany them to the relevant centres and institutions;
- (c) To ensure transportation for the victim and the person accompanying her/him to medical or social services centres;
- ç) To make available a police officer in case someone's life is at risk;

The social worker for domestic violence cases at the LGU and the Needs Assessment and Referral Unit, in cooperation with the CRM are responsible to draft an Individual Intervention Plan including the necessary measures and services to protect the victim from future violence; offer immediate services and minimize the consequences of violence; and to prepare a report on the mental health and psychosocial state of the victim.

In case of doubt that the perpetrator might have threatened, or exercised domestic violence, or has violated the Protection Orders issued under a court decision, the police shall take immediate actions by filling in the necessary documentation and sending the case to the Prosecution Office in charge of initiating a criminal proceeding against the perpetrator. Anyone who receives information because of his/her duty or authority vested by this law and omit to take action under this law, is held liable for an administrative and/or criminal charge, which is punishable under Articles 248 and 251 of the Criminal Code. The police authorities have the duty to record the relevant findings in a written report, and to initiate ex-officio investigations.

### *Protection Measures*

The 2020 amendments of Law on Domestic Violence improved the legal framework, in particular in terms of protection measures against domestic violence. As such, the court can order immediate removal of the perpetrator from the home, for a certain period of time, when the victim and the perpetrator live in the same home. The Order for Provisional Measures of Protection issued by the Police can also provide the immediate removal of the perpetrator from the home, when the victim and the perpetrator live in the same home, unless the perpetrator is a child, an old person or a person with a disability, until the court issues an Emergency Barring Order or a Protection Order; the Police can file an application to the court seeking a Protection



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Order, without requiring a prior Emergency Barring Order, if an emergency state is declared in the country.

Based on the improved legislation on domestic violence, the Police conducts a risk assessment as part of procedures for management of domestic violence cases and can order the removal of the perpetrator from the residence if the level of risk indicates an emergency case (more detailed information is provided in articles 10-12 of the Law on Domestic Violence in Annex 6).

The Police officers at the local level participate regularly in all the meetings organized by municipalities in the framework of Coordinated Response Mechanism (CRM) and in meetings discussing emergent cases. The Ministry of Interior (MoI) and the General Directorate of State Police (GDSP) have drafted and approved a series of internal acts (orders, recommendations, and instructions) for the implementation of primary and secondary legislation providing concrete measures and procedures for dealing with cases of domestic violence, sexual abuse or harassment of children, sexual violence, and others. The GDSP follows up the cases not only at the reporting stage, but also at different stages of investigation and enforcement of judicial decision, under its tasks and powers laid down in the Law on Police, the Criminal and Civil Procedure Codes, the Criminal Code, DVL, its secondary legal acts, DCM No. 327, dated 2.06.2021.

The Law on Domestic Violence makes direct reference to the CEADW and Istanbul Convention as binding and applicable obligations for Albania. Also, based on the Constitution, these ratified treaties have primacy over the domestic laws. Therefore, beyond domestic violence, all authorities and the courts in charge of implementing and enforcing domestic violence legislation, are required to take into consideration the measures provided for in Conventions for the protection of women and girls from all forms of violence against women. On this grounds, the DCM No. 327/2021 on the functioning of the CRM, in addition to services to victims of domestic violence, requires local authorities to provide support services to women and girls victims of other forms of violence, beyond the family domain.

The court, State Police, and local bodies implement the legal measures against domestic violence as per the the civil and administrative legislation on domestic violence. Whereas the criminal proceedings of domestic violence and other forms of violence against women are conducted under the criminal legislation. The civil, administrative and criminal proceedings do not however exclude one another under the Law on Domestic Violence. To the contrary, the processes complement and inform each other.

The justice system and other CRM institutions<sup>27</sup> in their response for protection of women victims of violence are guided several principles including provision of immediate and non-conditional support to the victim, and simplification of procedures. The Law on Domestic Violence highlights the importance of responding promptly and taking decisions swiftly in

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<sup>27</sup> See DCM No. 327, dated 2.6.2021, “On the Coordinated Referral Mechanism between the bodies responsible referring domestic violence cases, and its proceeding, to support and rehabilitate victims of violence”.

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domestic violence cases, setting concrete and fixed deadlines for each stakeholder, including for the Court of Appeal.

### *Monitoring of Protection Measures*

Monitoring the implementation of protection orders is a shared responsibility of the police officers and the Local Coordinators against Domestic Violence in the municipality. After constant monitoring of implementation of Protection Orders through contacts of various forms with the victim/survivor, the municipality staff duly prepares a monitoring report and submits it every 60 days to the police structures. If during the monitoring process, evidences of violation of Protection Orders are notices, the Local Coordinators prepares and submits the monitoring report prior to the 60-day deadline, thus informing the Police promptly. Guidelines on the monitoring and relevant forms are prepared and are part of the “Domestic Violence Case Management Protocol, at the local level, through CRM members”.<sup>28</sup>

### *Criminal Process*

The amendments to the Criminal Procedure Code improved the position of victims in the criminal process and guarantee a number of rights, both during the investigation phase and the criminal trial. Referring to the General Prosecutor's Instruction No. 17, dated 23.12.2020 “On the effective investigation and prosecution of criminal offenses against violence against women, domestic violence, and hate-based violence”, relevant measures are taken to prosecute cases of violence against women and domestic violence. These measures are related to the speed of handling such cases during both investigation and trial phase. A special importance is given to the claiming and setting of pre-trial detention measures against perpetrators, as well as to the type and measure of sentence to be imposed, in order to strengthen the criminal policy for this category of criminal offense.

To improve and regulate the internal functioning of courts, HJC adopted in 2019 the Instruction No. 79, dated 30.05.2019 “On assigning judges to hear juvenile justice cases”, which aimed at increasing the accountability and professionalism of judicial bodies in management of juvenile justice cases. The Instruction set a definite number of judges in the Juvenile Sections of the first instance and appellate courts, depending on the total number of judges at these courts. The judges of juvenile sections are required to attend the continuing training programs to be specialized in the field of Juvenile Justice. Additionally, HJC adopted the Decision No. 78, dated 30.05.2019 “On the calendar of hearing cases before the Appellate Courts”. This Decision defines the categories of cases that, due to their specific nature and category, or because of particularly serious and reasonable grounds, when not contrary to the law, can be expedited, at the request of the parties. One of the categories included in this Decision are the “cases dealing with the rights of the child or that have an impact on a minor child”.

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<sup>28</sup> See [Protocol on managing domestic violence cases at local level| United Nations Development Programme \(undp.org\)](https://www.undp.org)

### III. Part II- Information on the implementation of selected provisions in priority areas, in the field of prevention, protection and follow-up

#### *Article 12- General obligations*

- 1. Information on primary prevention measures aiming to change mentalities and attitudes, addressing harmful stereotypes and prejudices, involving men and boys; encouraging all members of society; addressing the increased exposure to GBV by women and girls at risk of intersectional discrimination.**

#### *Awareness raising campaigns countrywide*

Public awareness of harmful gender stereotypes and prejudices aiming to change mentalities and attitudes regarding violence against women is among the strategies already used for years in Albania and which has brought its own results. Awareness raising campaigns, information and education activities are constantly taking place in the country. MoHSP, in partnership with line ministries, local institutions, and civil society organizations, and with the support of United Nations Agencies and other international organizations, coordinates such activities.

For years, Albania has been organizing awareness-raising activities in the context of 16 Days of Activism against Gender-Based Violence (from 25 November to 10 December). These are concerted activities under different slogans. In 2017, the campaign's slogan was “End Violence against Women and Girls!”; in 2018 - “Listen to me!”. The campaign of 2019, although in difficult conditions due to the civil emergency caused by the earthquake of 26 November and the resulting losses and damages, was organized under the slogan “The equality generation against sexual violence!” In 2021, the campaign's slogan was - #Orangetheworld, while in 2022, “UNiTE! Activism to end violence against women and girls, emphasizing the role of activists and women rights movements. Other campaigns and activities are also carried out in March of each year, on the occasion of the International Women's Day.

Many activities were organized all over the country, in the campaigns of 2019, 2020, and 2021. Millions of interactions were reached out through messages, videos and infographics posted on social media (Facebook, Instagram, Twitter, Youtube), and also in meetings, exhibitions, TV interviews, publication of promotional messages against violence on the screens of shopping malls or public squares or televisions.<sup>29</sup> Several businesses, representatives of institutions and media have joined the awareness-raising activities.<sup>30</sup>

Some activities organized in the context of these campaigns include:

- (1) Messages conveyed by women, survivors of violence, as agents of change in communities, on how to move away from violence and start living a life free from violence<sup>31</sup>;

<sup>29</sup> The data are taken from the annual reports of the Joint UN Programme with the MoHSP “Ending Violence against Women in Albania”, January 2019- June 2022, supported by the Government of Sweden. About 3,000,000 interactions were carried out in these campaigns during the period 2019-2021.

<sup>30</sup> For example, in the 2020 campaign, around 150 businesses, public institutions, media and sports institutions changed their social media logo during the # Orangetheworld movement with the support of UN Women.

<sup>31</sup> <http://abcnews.al/grise-masken-folfushata-kunder-dhunen-ne-familje/>

- (2) Engagement of different groups, e.g., Roma women or persons with disabilities, who suffer multiple discrimination<sup>32</sup>;
- (3) Members of CRMs who jointly transmit anti-violence messages and on the supporting role they have<sup>33</sup>;
- (4) Various advocacy platforms, including youth voices, media and networks of civil society organizations lobbying together to address harmful practices and gender-based violence<sup>34</sup>;
- (5) Use of innovative tools to attract more public attention and involve them in actions against gender-based violence (“Not only on 8 March” was the title of the video that won the boot camp developed with students of Tirana University, for the preparation of awareness campaigns)<sup>35</sup>;
- (6) Lighting in orange various public and symbolic buildings, at the opening of each campaign for the 16 Days of Activism;
- (7) Other innovative activities, such as exhibitions, theatre performances, camps, life skills training and rewriting of old stories to address gender stereotypes and roles.

Traditional and social media have been widely used to promote these activities reaching millions of viewers and interactions with various target groups and stakeholders (public officials at central and local level, men, women, boys and young girls in urban and rural areas as well as Albanian diaspora).

#### *Changing of stereotypes.*

Thanks to the three-year UN Women Regional Programme “Implementing norms, changing minds 2017-2019”, implemented in six Western Balkan countries and Turkey, with the financial support of the European Union, considerable efforts are made to mobilize the community and change mentalities and attitudes.

The State Police, as one of the principal links in the chain of institutions responsible for domestic violence and gender-based violence, is engaged also in awareness raising campaigns organized with the support of organizations or institutions focusing on violence prevention.<sup>36</sup>

#### *Inclusion of boys and men, and religious communities*

An interesting project was launched in 2017 working with school boys to turn them into change agents and trainers, through a cycle of trainings and awareness-raising activities on the role and support that boys and men can and should provide for gender equality and against domestic violence<sup>37</sup>. In the context of the UN Joint Programme Against Violence, a series of activities focusing on the inclusion of boys and men were organized, for example “Be a Man Club” created in eleven municipalities and in the high schools of Tirana. This initiative brings together young people discussing on issues of equality and harmful gender stereotypes and VaW-GBV.

<sup>32</sup> <https://www.youtube.com/watch?v=rejoAqVHIB4>

<sup>33</sup> <https://www.facebook.com/PNUDSHQIPERI/photos/pcb.1669355986456504/1669355389789897/?type=3&theater/https://twitter.com/PoliciaeShtetit/status/943867810295566341?s=19>

<sup>34</sup> UNFPA works in particular to inform young people and civil society organizations, but also to advocate with women MPs on issues related to gender-based violence and ICPD.

<sup>35</sup> [www.al.undp.org/content/albania/en/home/presscenter/articles/2016/03/08/on-international-women-s-day-students-launch-an-innovative-campaign-to-end-violence-against-women-and-girls-.html](http://www.al.undp.org/content/albania/en/home/presscenter/articles/2016/03/08/on-international-women-s-day-students-launch-an-innovative-campaign-to-end-violence-against-women-and-girls-.html)

<sup>36</sup> In this regard, the Swedish Community Policing Project (SCPA) has made a significant contribution.

<sup>37</sup> Young Men Initiative Project is implemented by the “ACT for Society” Centre, with the support of CARE

About 1,700 young boys and girls, men and women took part in these activities aimed particularly at involving boys and men.<sup>38</sup>

In November 2015, the former Ministry of Social Welfare and Youth<sup>39</sup> (currently MoHSP) signed a Memorandum of Understanding with the highest representatives of religious communities in Albania (Muslim, Catholic, Orthodox, Bektashi), aimed at engaging them in joint activities to combat domestic violence. Its title was “Religious communities joined against violence against women”. For almost three years, they worked with young people from these communities<sup>40</sup> organizing various capacity building activities, to prepare them as change agents against violence against women and girls in Albania. About 40 young leaders of religious communities were trained for this purpose, who in turn scheduled the calendars of activities and a spot against domestic violence<sup>41</sup>.

Similar initiatives are undertaken by CSOs: the Women's Forum in Elbasan for example held nine public forums (2019-2020) with members of five religious' communities<sup>42</sup> in Elbasan District for DV-GBV. About 229 community members (157 women/girls and 72 men/boys) attended the events. As part of 16 Days of Activism 2020 campaign, the Albanian Centre for Population and Development held a meeting with religious community leaders in Vlora, who in turn signed an agreement to support the CRM. Other actions and activities were organized engaging boys and men, during this reporting period<sup>43</sup>.

*Inclusion of other stakeholders:*

*Media:* The Audio-visual Media Authority is pursuing a strategy to raise awareness of the audio and video editorial staff to change the conduct and behaviour towards reporting of domestic violence and human trafficking. The Media Forum, created in 2019, conducts periodic training of journalists from different media channels. About 32 journalists have been trained on legal and ethical reporting standards on gender-based violence against women and protection of the privacy of victims. The trainers are various experts in the field.<sup>44</sup>

*Civil society organizations* play a significant role by their awareness-raising and educational activities, organized as part of their community interventions<sup>45</sup>. The Local Self-Government Units also organize or take part in the above-mentioned campaigns, thus playing their role in terms of education and awareness-raising. The Centre for Extremism pursues the approach of involving the whole society in the prevention of violent extremism where frontline actors play a key role. They are the first to respond at grassroots level to address the safety of women and girls in public and private life.

*The Ministry of Justice (Free Legal Aid Directorate)* conducted and/or participated in 411 awareness-raising meetings/events (in 2021 and 2022) and 13 television interviews to promote free legal aid and legal education to the public. Other activities were organized with girls, young women and women in all their diversity<sup>46</sup> about the amended legislation on women's

<sup>38</sup>supported by UN Women, UNFPA and UNDP funded by Swedish Government.

<sup>39</sup>supported by UN Women, UNFPA and UNDP funded by Swedish Government.

<sup>40</sup> From the Children Today Centre, with the support of UN Agencies, namely UN Women, UNFPA and UNDP

<sup>41</sup> [https://www.youtube.com/watch?v=HPC6sp2PN\\_Y](https://www.youtube.com/watch?v=HPC6sp2PN_Y)

<sup>42</sup> Muslims, Catholics, Orthodox, Evangelists and Suni

<sup>43</sup>Thanks to the three-year UN Women Regional Programme “Implementing norms, changing minds 2017-2019”, implemented in six Western Balkan countries and Turkey, with the financial support of the European Union, considerable efforts are made in terms of community mobilization and changing mentalities and attitudes.

<sup>44</sup>Also supported by the UN program, as mentioned above.

<sup>45</sup> Here, we can mention the work of the AWEN Network, the Monitoring Network against Domestic Violence, the Child Protection Network, Network of organizations against Trafficking, etc.

<sup>46</sup> From rural areas, ethnic minorities, persons with disabilities, LGBTI+, single mothers, survivors of violence/trafficking, young mothers, migrants, and asylum seekers, etc.

property rights<sup>47</sup>; about their rights on sexual and reproductive health, in different municipalities.

*The Commissioner for Protection from Discrimination* made 188 media appearances from 2018 to 2022 that include, among others issues related to domestic violence and violence against women, as well as organised informative and education activities, awareness-raising, publications, studies, and dissemination of information materials. Against

#### *Raising awareness on violence against women and girls in politics and elections*

While the number of women in politics in Albania is increasing significantly, efforts are being made to raise awareness on violence that these women face, mainly manifested in the digital form. In this regard, a series of studies and monitoring were conducted to collect and generate data. In 2020 a compliance analysis was carried out between Albanian legislation and international standards in this field. A media monitoring was also conducted done during the parliamentary elections of 2021. While in 2022, the Ombudsperson, the Commissioner for Protection from Discrimination and the Parliament conducted a joint study on violence against women in politics.<sup>48</sup> The recommendations put forward in these studies are under implementation.

### **Article 14- Education**

**Improvement of curricula.** The Ministry of Education and Science (MES) has reformed the pre-university education curriculum in order to involve men and boys in the prevention of GBV & DV. The new curriculum is focusing on education for prevention of violence by changing behaviours and attitudes at schools and in the community and based on gender equality principles. New subjects addressing and training students on the prevention of violence and promoting mutual respect have been introduced. The new curriculum started to be implemented in 2017, and ever since all teachers in pre-university education have been trained.

The training module on prevention of violence at school is accredited by MES. During the period 2018-2020, about 350 teachers from twenty basic education schools are trained on prevention of violence at school and interventions to improve behaviours. In addition, a toolkit (manuals, modules, brochures)<sup>49</sup> with measures preventing gender-based violence at school and in the community is designed and approved by the MES, and intended for school principals, teachers, students, and parents in twenty schools in the Local Pre-University Education Offices (LPUEOs) in four municipalities.<sup>50</sup>

<sup>47</sup> Ministry of Agriculture and Rural Development in cooperation with UN Women, FAO and MoHSP, and with the support of UN Women and the Center for Legal and Civic Initiatives

<sup>48</sup> These activities are organized in cooperation with UN agencies (UN Women and UNDP), under the joint programme “Ending violence against women in Albania”(2019-2021) funded by Swedish Government; <https://albania.unwomen.org/en/digital-library/publications/2021/05/analysis-of-the-albanian-legislation-on-protection-from-violence-against-women-in-elections>; [https://albania.unwomen.org/sites/default/files/2022-06/media\\_brief\\_web.pdf](https://albania.unwomen.org/sites/default/files/2022-06/media_brief_web.pdf)

<https://www.undp.org/albania/publications/violence-against-women-politics>

<sup>49</sup> Under the cooperation programme between MES, the Agency for Quality Assurance of Pre-University Education and UNICEF: “Prevention of School Violence”,

<sup>50</sup>in Berat, Tirana, Korça and Lezha.

Several tertiary institutions have introduced in their curricula specific awareness-raising courses on GBV & DV, and inclusion of boys and men. “Eqerem Çabej” University of Gjirokastra, in its study programs preparing future teachers, has introduced some lectures on GBV, in various study disciplines. Furthermore, specific classes or curricula are included in this regard also by the University of Medicine in Tirana, “Fan Noli” University in Korça, “Aleksandër Xhuvani” University in Elbasan, “Ismail Qemali” University in Vlora, and “Bedër” University College. The Social Sciences and Law Faculties, at Tirana University, have introduced GE-GBV-DV issues in the curricula of some subjects, in all study cycles, such as “Human Rights”, “Protection from Discrimination”, and “Gender Identity and Social Work”. “University Fan S. Noli” in Korça pursues a gender equality policy, under its Strategic Plan 2022-2027.

**Protection.** At the beginning of every academic year, the schools create a database of students in specific family situations that make them vulnerable to violence and discrimination. This includes students suffering from domestic violence and girls who have experienced various forms of domestic violence in the family or other settings. The school's psychosocial service includes these students in group activities to cultivate appropriate behaviours, and implementing individual intervention plans, as part of their psychosocial support. By collaborating with psychologists/social workers in schools, the education staff creates a positive, accepting, and inclusive environment in the classrooms. In addition, the Heads of the Psycho-Social Service Unit, in all Local Education Offices (LEOs), participate in the meetings managing cases of domestic violence, held by the Coordinated Referral Mechanisms (CRMs). They collaborate in the intervention plan to support children, i.e., pupils at schools, who are victims or involved in domestic violence. School psychologists/social workers refer any suspected cases or incidents of girls suffering any form of violence; or cases of children reporting to have suffered violence in their families. These cases are referred to the CRM (DV Local Coordinator) or to the Child Protection Multi-Disciplinary Group (Child Protection Worker). According to the legal framework into force, every education staff has the duty to report cases of violence among students.

**Prevention measures.** In terms of actions preventing violence in school, the MES has:

- Drafted intervention plans, including all school and extracurricular mechanisms;
- Conducted periodic and systematic interventions, in cooperation with the school bodies, in the form of information and awareness-raising activities for the prevention and elimination of all forms of violence in the school (abuse, exploitation, neglect)
- Organized thematic activities at the class/school level, on specific days such as 2 October- International Day of Non-Violence, 18 October - EU Anti-Trafficking Day, 19 November - World Day for the Prevention of Child Abuse, 20 November - World Children's Day.

Creating an environment free of violence in the schools is the main priority of the school's e Psycho-Social Service Unit through different measures, including:

- Identification of all forms of violence in schools;
- Continuous consultation and updating of information about the situation of

- violence in cooperation with teachers, principals or other school staff;
- Drafting intervention plans in case of conflicts among students, teacher-students or other;
- Evaluation of the psychosocial state of abused children;
- Individual and group counselling of children victims of bullying and those with anti-social behaviour predispositions;
- Referring to the Child Protection Unit of the respective municipalities cases not resolved within the school protection system;
- Addressing sensitive topics against violence, bullying in school, and anti-social behaviours
- Focusing in particular on the creation of periodic evidence and reporting, for the identification and treatment of cases of violence.

A series of activities were organized in the context of the health education programme focusing on “Sexual education as a life skill in a safe school environment” (2022-2026), including advocacy for inclusion and implementation of health education with a focus on sexual education and sexual abuse. In addition, information materials were prepared on sexual abuse and violence manifested in the digital form.<sup>51</sup> A number of schools that will serve as coordinating centres for this programme have already been identified and are being supported to exercise this function.

In addition, the MES has carried out other activities, such as information and awareness raising meetings with students, parents, teaching staff, Local Child Protection Units (LCPU) and the Social Service at the municipality level, focusing the discussions on issues related to gender equality, gender-based violence, and gender-based discrimination. During these events, questionnaires on the rights and obligations of students, including questions on their relations with the peers have been shared. At the same time, physical education teachers have been trained in the context of a self-empowerment programme through self-defence techniques, for prevention of violence (Empowerment through Self-Defence, ESD). Many secondary-school students have received ToT and have become ESD trainers.

In 2021, the Platform “Safe from Gender-Based and Sexual Violence” was launched to improve capacities and knowledge among young people, teachers, parents, and communities on inclusive sex education (ISE) and sexual violence.<sup>52</sup> A manual is designed for experienced trainers, sex education teachers, CSOs activists, and other professionals working with young people at risk of social marginalization, such as LGBTIQ+, Roma and young people at risk of gender discrimination. Many participants have also been trained on how to apply the ISE, to identify and handle violence and abuse, and how to refer cases.

Under the Law No. 75/2019 “On Youth”, MES has taken measures to create a national youth movement for gender equality and against GBV & DV, through the National Youth Council (NYC) and the Local Youth Council (LYC), which are respectively advisory bodies to the Minister responsible for youth (NYC) and local self-government units (LYC). A series of

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<sup>51</sup> Programme launched by the Agency for Quality Assurance of Pre-University Education (ASCAP) in cooperation with MES and UNFPA.

<sup>52</sup> From Albanian Center for Population and Development, see: <http://acpd.org.al/?p=1054>



trainings and capacity building activities for young people were organized during the implementation period of NSGE 2016-2020.

At the higher education level, the Sports University of Tirana (SUT) has signed two cooperation agreements with organizations focusing on initiatives supporting victims from any form of gender-based violence. Based on these agreements, the education module “Skills for Life” is developed. It aims to examine gender equality and prevent violence among young people, in general, and women and girls, in particular. SUT also participated in the charity evening “Dressed in White” for the empowerment of girls and women victims of violence and it is now conducting an analysis of the situation for women's representation at the university. “Ismail Qemali” University in Vlora also works closely with the Centre for Countering Violent Extremism in Albania and they hold regular meetings. “Metropol Tirana” University launches regular annual awareness campaigns on gender equality for students and staff, as well as open lectures during activism days for protection of children and women.

### ***Article 15- Training of professionals***

See information in tables I and II that are part of Annex No. 1.

### ***Article 16- Preventive interventions and treatment programmes***

According to the amendments of the legislation on domestic violence, the court in its Protection Order decision is required to order the perpetrator to participate in psychosocial rehabilitation programs and/or parental training programs organized by public or private entities. This service is currently provided by three organizations, including within the penitentiary system, in several municipalities of the country. The National Gender Equality Strategy (NSGE 2021-2030) provides a series of measures for development of the secondary legislation governing the content and form of the rehabilitation programs and their extension to all twelve districts of the country. The MoHSP, which is responsible for achieving these objective within 2026-2030 is in the process of developing a roadmap and plan for piloting the national rehabilitation programs in different districts of Albania.

The General Directorate of Prisons (GDP) and the General Directorate of Probation Service offer rehabilitation programs for perpetrators in cooperation with the Counselling Line for Men and Boys (CLMB). During the period 2017-2022, about 206 men/boys received such services while serving their sentence in prison (Institution for Enforcement of Criminal Sentences)<sup>53</sup>. During 2018, ten cases were referred to CLMB for advanced psychological therapy, and six of them accepted to attend individual programs. Only in two cases the programme was completed, and one case attended the follow-up program, while one gave up. During 2019, fifteen persons, who accepted to be part of the programs, underwent treatment programs and received the

<sup>53</sup>32 cases in 2017; 48 cases in 2018; 46 cases in 2019; 18 cases in 2020; 10 cases in 2021; 52 cases in 2022.

specific advice packages. 80 specialists of Probation Service broadened their professional skills for the rehabilitation of DV perpetrators. These trainings were organized in cooperation with the Counselling Line for Men and Boys.

The Counselling Line for Men and Boys is based in Tirana Municipality. During the period, 2016-2020, in addition to criminal offenders, it provided consultation to 366 persons accepting freely to participate in their programme (90 cases in 2018, 110 cases in 2019 and 98 cases in 2020 respectively). Out of these 78 of the cases in 2018, 76 in 2019 and 44 of the cases in 2020 were required by the court to enrol in rehabilitation programmes for perpetrators.

From 2016 to 2020, the Office for Boys and Men in Shkodra Municipality provided counselling to 157 men, domestic violence perpetrators, and to 137 boys, who were referred to by the school psychological service and received individual and group counselling (reflection groups of aggressive young people). In 2018, this organization launched a remote/online counselling programme with perpetrators in other municipalities of the Shkodra district (Vau Dejës and Malësi e Madhe). Additionally, a mobile service is provided in these areas, where counsellors are accommodated in the town hall offices to provide counselling to perpetrators, who cannot visit the office and do not have access to technology.

Vatra Psycho-Social Centre in Vlora municipality also provides similar services. It cooperates with local stakeholders of the CRM, such as the Police, the Court, the Probation Service, who refer cases for treatment. A series of awareness-raising activities were organized relevant to the perpetrators training programme.

### ***Article 18- General obligations***

**Policies and measures taken.** The legal amendments and other measures at policy level, discussed above in Article 7 Section, aimed to strengthen the inter-institutional cooperation among central and local actors. During this reporting period, the cooperation between key central and local stakeholders - including MoHSP, the Ministry of Education and Science and Education Directorates, State Police, Ministry of Defence, Ministry of Europe and Foreign Affairs, Department of Public Administration, Parliament, municipalities, National Human Rights Institutions, civil society, academia, media and businesses - has intensified. The main goal is to ensure effective protection and support to victims of violence through legal and institutional measures.

Some of the most important policies and measures in the field of prevention, protection and prosecution include the following:

In coordination with other institutions, MoHSP<sup>54</sup> drafted **three standard protocols of management of DV and sexual violence cases** in normal and COVID-19 pandemic situation. The first protocol standardizes the actions to be carried out by all members of the Coordinated Referral Mechanisms (CRMs) at local level, aiming to:

- ensure an immediate, comprehensive and responsible response, in accordance with the legal competences and duties laid down in the amended DVL;

<sup>54</sup> In the context of implementation of the project “Ending Violence against Women”, in cooperation with UNDP, UN Women, UNFPA, and with funds of the Swedish Government.

- protect adequately victims of gender-based violence; and
- provide specialist supporting services accordingly.

The second protocol helped the local authorities, members of CRMs in charge of prevention and management of DV cases, in particular the members of Multi-Disciplinary Technical Group (MDTGs) to handle properly DV cases, during the COVID-19 situation. The third protocol provides standard operating procedures for all professionals of public and non-public entities, members of CRMs, to make an effective management of sexual violence cases.

The State Police drafted a Guidance of Practical Steps for Management of DV Cases by Police Officers, members of CRMs at local level, in accordance with the DVL amendments, the standard procedures in handling DV cases<sup>55</sup>.

The policies and procedures are in place against harassment, sexual harassment and all forms of violence, in order to create a safe working environment for women and men in several institution, including the Ministry of Defence<sup>56</sup>, State Police, Public Administration Department<sup>57</sup>, and Tirana University<sup>58</sup>.

Operating Procedures (SOPs) for handling the cases of domestic violence and gender-based violence are adopted to be used by the health service workers, as members of the Coordinated Referral Mechanism.<sup>59</sup> In addition, Standard Operating Procedures (SOPs) are adopted for health service staff/employees aiming to reduce the risk of experiencing domestic violence, gender-based violence, in civil emergencies<sup>60</sup>; The

To measure the outcome and the impact of measures taken, the MoHSP has adopted the following standards: Instruction No. 816, dated 27.11.2018 “ON standard service provision and operation of the crisis management centres for cases of sexual violence”; Instruction No. 744 dated 15.11.2019, “On the minimum standards of social care services for victims/survivors of gender-based violence and domestic violence, in public and non-public (short-term) emergency residential centres (Emergency Shelters”); Instruction No. 564, dated 05.10.2022 “On standards for the centres accommodating children victims or witnesses of sexual abuse and severe forms of violence”.

Please refer to Article 8 of this report, for detailed information on the Social Fund, as an important source of financial support funding or co-funding the services in the field of prevention and supporting of GBV-DV victims, in close cooperation with the local government units, which in turn fund the CSOs providing specialized supporting services to women victims of domestic and other forms of violence against women.

### **State Structures addressing gender-based violence against women and their role in Coordination.**

<sup>55</sup> [Guidance for Police Officers to handle Domestic Violence Cases | United Nations Development Programme \(undp.org\)](https://www.undp.org/publications/guidance-for-police-officers-to-handle-domestic-violence-cases)

<sup>56</sup> [MFP-I08-13-20200915111829 \(mod.gov.al\)](https://www.mod.gov.al/mfp-i08-13-20200915111829)

<sup>57</sup> [GUIDE ON PREVENTING AND ADDRESSING VIOLENCE, HARASSMENT AND SEXUAL HARASSMENT IN THE WORPLACE IN STATE ADMINISTRATION INSTITUTIONS \(dap.gov.al\)](https://www.dap.gov.al/guide-on-preventing-and-addressing-violence-harassment-and-sexual-harassment-in-the-workplace-in-state-administration-institutions)

<sup>58</sup> [Policy Document and Procedures for Eliminating Violence, Harassment and Sexual Harassment, Tirana University | United Nations Development Programme \(undp.org\)](https://www.undp.org/publications/policy-document-and-procedures-for-eliminating-violence-harassment-and-sexual-harassment-tirana-university)

<sup>59</sup> Minister Order No.101, dated 21.02.2020

<sup>60</sup> Minister Order No. 103, dated 21.02.2020

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### *Central level*

In Albania, several structures are in place and in charge to address different aspects of gender equality and GBV-DV issues, at both the central and local level.

**MoHSP** is the main authority responsible for designing, implementing, coordinating and monitoring of policies and measures aimed at preventing and combating violence against women, but also for coordinating data collection, analysis and publication of results. Central and local state institutions have the legal duty to cooperate with MoHSP, to share information, and support this institution to fulfil its functions. Such cooperation is enabled by the Gender Equality Officers (GEOs), assigned at eleven ministries and the contact points at the State Police and INSTAT (National Statistics Office).

Advisory institutions monitoring the policies and measures aimed at preventing and combating violence against women include:

- **The National Council on Gender Equality** (the authority fulfilling the requirements of Article 10 of the Istanbul Convention) is an advisory body in charge of guiding, defining and developing state policies on gender equality. It has also the duty to coordinate, implement, monitor, and evaluate policies and measures aimed at preventing and combating all forms of violence covered by the Istanbul Convention. The Council is set up by Order of the Prime Minister and renewed every four years. It is chaired by the Minister of Health and Social Protection and is composed of nine representatives of line ministries, at deputy ministers and senior executive level, as well as three representatives of civil society. During this reporting period, the NCGE has discussed GBV issues in three of its sessions and an inter-institutional group on gender statistics was set up with representatives of MoHSP and the line ministries.
- **Albanian Parliament:** Under the Standing Committee on Labour, Social Affairs and Health, a Sub-Committee on Gender Equality and Prevention of Violence against Women is set up in accordance with the Resolution on condemning violence against women and girls and increasing the effectiveness of the legal mechanisms to prevent such violence.<sup>61</sup> The Sub-Committee requires from different authorities updated information on the implementation of the National Gender Equality Strategy; information on the overall situation of domestic violence and the activity of CRMs, as well as or other issues related to gender equality. The Sub-Committee holds regular hearings with stakeholders and institutions. The MPs members of this Sub-Committee play an important role on the improvement of the legislation on gender equality, as it was the case with the amendments of the legislation on domestic violence.
- **National Human Rights Institutions** have an important role in monitoring government activities at central and local level, in the field of violence against women. During the reporting period, the Ombudsperson, for example, monitored the budget spending on services to victims of violence in 2018, measures taken by the central and local government to address VAW during d 2020-2021, and prepared an alternative report submitted to CEDAW Committee, on the fifth periodic review of Albania (2020). Under ILO Convention C190- Eliminating Violence and Harassment in the World of Work, the Commissioner for Protection from Discrimination (CPD), with the help of

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<sup>61</sup> Approved by the Parliament on 04.12.2017

ILO experts, started collaboration with the State Labour and Social Insurance Inspectorate in the context of their role as responsible bodies for monitoring the implementation of the legislation related to labour standards and violence and harassment in the world of work.

## Local level

At the local level, **the Coordination Referral Mechanisms (CRMs)** are functional in 61 Municipalities, based on a coordinated multi-agency approach, and serve as a one-stop shop for victims. The Municipalities are responsible for setting up and strengthening these mechanisms. The CRMs comprise all local institutions in charge of implementing the legal framework in the field of violence against women and domestic violence. These include representatives from: the municipality and its social services, the police, prosecution offices, courts, forensic medical staff, bailiffs office, health, education, social state services, employment, probation service, and regions/districts, as well as civil society organizations specialized in case management and provision of support services to women victims of violence.

The CRM structure consists of:

- a) A **Steering Committee** coordinating the activities of the responsible bodies, at the local level, and the referral of cases of domestic violence. It is chaired by the Mayor;
- b) A **multi-disciplinary technical group** (MDTG) composed of the technical staff of previously mentioned institutions;
- c) A Local Coordinator for the referral and management of cases of domestic violence. The LC is an employee of the Local Self-Government Unit, responsible for the referral and management of cases of domestic violence and violence against women. In six municipalities, the role of Local Coordinators on DV is separated from the Gender Officer and Child Rights Protection Worker and efforts are continuing to do the same in other municipalities.

Several measures are taken in terms of case management, to strengthen cooperation among members of the Steering Committee and MDTGs, increase their capacities on the amended legislation, address the challenges they face while managing cases of violence against women, and to increase the effectiveness of their work building upon the lessons learnt.<sup>62</sup> In this context, exchange visits, where less experienced CRM members visited experienced CRMs, have been an effective way of cooperation across all existing CRMs. Sharing know-how and using good practices is important not only for public, but also non-public service providers working on prevention and service provision. Learning from challenges and failures in DV case management have brought together professionals from different sectors at central and local level.

Capacity building activities have helped to create “informal” networks of professionals supporting each other on a daily basis. This is of particular importance for the Domestic Violence Coordinators in 61 municipalities. They created their first network in partnership with MoHSP. This network provides opportunities for Domestic Violence Coordinators to share and learn from the existing experience and know-how and to maximize the professional support of colleagues in responding to work challenges and preventing and handling DV cases at local level.

<sup>62</sup> Through trainings organized by MoHSP with the support of UNDP

REVALB system is installed in all municipalities. 61 Local Coordinators and 110 members from 57 CRMs are trained how to enter data in the REVALB system. The majority of Domestic Violence Coordinators in 32 municipalities<sup>63</sup> are systematically using REVALB as a key data generation tool for DV case management and decision-making. This system enables them to follow and track each DV case by all CRM members and to ensure timely coordination while preparing the necessary documentation. In addition, capacities of the GE-GBV Section staff at MoHSP are strengthened in terms of analysis of the REVALB system data, reporting and supervision for an effective use of data to generate periodic quality reports on service delivery.

The information collected through REVALB system provides disaggregated data, including on sex, disability, ethnicity and age. These data have been important sources also for the development of national policies in other sectors, which include support measures for women victims of violence, such as the Social Housing Strategy, Social Protection Strategy, Action Plan for Roma and Egyptian communities, and others. Beyond, REVALB, the General Directorate of State Police also has upgraded the computer system designed for the processing of statistical data on domestic violence and gender-based violence, collected on a monthly basis.

In terms of one-stop-shop approach, as explained in previous sections, in cases of domestic violence, the victim can present a request to the closest Police Station, the respective local government unit (commune, municipality), the health centre of the place of residence or location, or to file a lawsuit before the court of the district of her or her perpetrators residence or location, asking them to take the necessary measures. The responsible authorities have the duty to respond to any notice made by the victim or other persons, under the Domestic Violence Law, in cases of violence or threat of violence, or in case of violation of the Protection Order or of the Emergency Barring Order. The members of CRMs have the duty to respond to the victim's report, as soon as they receive the report, by coordinating their actions and measures, in order to ensure their protection, guarantee of their rights and rehabilitation, as well as any other necessary services to the victims of domestic violence.

The victims of sexual violence can receive services in one of three one-stop-shop centres: the first crisis management centre for sexual violence - LILIUM, and two new centres, established recently with the initiative of MoHSP to provide immediate support and protection for children victims of sexual abuse and other severe forms of violence. More detailed information on these centres is provided under Article 25.

## *Article 20: General support services*

- 1. Information on programs and measures aimed at ensuring, through general services, the recovery of victims of violence, including health and social areas, financial assistance, education, training and assistance in finding employment and permanent housing.**

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<sup>63</sup> MoHSP supported by UNDP for targeted municipalities: Bulqiza, Devoll, Maliq, Malesi e Madhe, Memaliaj, Pustec, Fushe Arrez, Lushnje, Divjake, Dropull, Pogradec, Maliq, Tirana, Skrapar, Mat, Kolonje, Vau Dejes, Selenice, Klos, Kucove, Kavaja, Dimal, Patos, Has, Roskovec, Puke, Libohove, Konispol, Polican, Himare, Korça, and Delvina.

### *Policies on general support services*

The legal amendments taking place from 2017 to 2022 have improved women's legal status in several areas such as economic empowerment, employment, social protection, property rights, social housing and social enterprises.<sup>64</sup> Under these laws, victims of domestic violence, gender-based violence against women and human trafficking are among the categories that are given priority when it comes to different services (more detailed information on these legal measures is available in the answer to the questionnaire for Article 7).

Pursuant to these laws, specific measures have been designed in the framework of the 1st strategic goal<sup>65</sup> of the "National Strategy for Gender Equality 2021-2030", which provides for an increased access of women and girls from different groups<sup>66</sup> to: financial services and products; activities for promotion of and support of women entrepreneurs, including in the innovative projects in the areas of green economy and digitalisation; non-traditional employment sectors; labour market through funding of social enterprises; as well as to capacity building for developing business skills.

CSOs specialised in providing services to certain groups of women<sup>67</sup> play an important role in improving women's participation in the labour market, including of women victims of violence<sup>68</sup>. Based on agreements with different state institutions, these organisations provide information, professional development training courses at the workplace, as well as facilitation for employment, thus improving women's and young women's access to the labour market, through the implementation of the legislation and policies in force.

### *Measures at the central and local levels*

**Social services:** Multifunctional community services, the map of which has expanded in Albania, focuses on prevention of some of the causes of domestic violence, by providing family empowerment programs through counselling and raising awareness of women and girls about their human rights. During 2022 multifunctional community services were provided in 5 municipalities (Durrës, Elbasan, Pogradec, Sarandë and Devoll). In addition, over the period 2020-2022, a total of 15 community and specialised services were financed by the Social Fund, with a view to strengthening family, preventing and supporting the treatment of cases of domestic violence and gender-based violence.

Some municipalities offer social services to victims of domestic violence in local community centres, which they fully administer (the Municipality of Tirana has seven community centres,

<sup>64</sup>Law no. 110/2018, dated 20.12.2018, "On the notary"; Law 59/2019 "On social welfare in the Republic of Albania"; Law No.15/2019 "On promoting employment"; Law No. 22/2018 "On social housing"; Law No.65/2016, "On social enterprises in the Republic of Albania"; Law no. 48/2022, dated 12.5.2022 "On the ratification of the loan agreement, between the Council of Ministers of the Republic of Albania and the French Agency for Development, for a loan based on policies on supporting gender equality in the access to economic opportunities in Albania"

<sup>65</sup> The fulfillment of economic and social rights for women, young women, girls and men, the young, boys in the society and the empowerment of women, young women and girls from all the groups, aiming at an increase in and stability of the environment (green) economy, as well as their equal participation in digitalisation.

<sup>66</sup>Women from rural areas, ethnic minorities, with disabilities, LGBTI+, elderly, single mothers, girls over 16, survivors of violence/trafficking, mother-girls, migrants and asylum-seekers etc.

<sup>67</sup> An important role was also played here by the Center for Community Development "Today for the future", whose projects have supported **1,391 beneficiaries** in the county of Shkodra, Lezha and Korça since the year 2014, **67%** of whom have managed to be integrated and re-integrated in the formal labour market in the form of employment and self-employment. **139 women and girls** have been given support in the region of Durrës oriented towards formalisation of jobs, particularly in the field of services and production enterprises, a focus being on ensuring they get paid, especially in cases where informal pay was below the minimum wage and the social security cover, thus saving them from informal work and getting paid less than minimum wage.

<sup>68</sup> We could mention here the important role of the organisation "Different but equal" in the integration of the victims of human trafficking into the labour market, the role of the Center "Human rights in democracy", mainly in the integration in the labour market of the victims of domestic violence, Women's Center "Light steps", etc.

Shkodër Municipality has set up 12 community centres “For the family”, seven in urban areas and five in rural ones), pursuant to Law 121/6 “On Social Care Services in the Republic of Albania. Services in these centres include the identification and notification of beneficiaries of social care services, referral to specialised services and assistance based on the specific needs of the, initial assessment, support and assistance in making the choice tailored the beneficiary's needs in the social services system”.

Similarly, some municipalities have taken various measures related to the economic empowerment of women, such as employment promotion programs, including “Empowering Women and Encouraging Entrepreneurship” in the Municipality of Tirana, where during 2017-2022, 71 beneficiaries were supported with start-up or existing enterprises. Priority in this programme has been given to the categories in need, such as women as heads of households, women from rural areas, women with disabilities, women from ethnic minority groups, women victims of domestic violence and trafficking.

The Municipality of Elbasan has cooperated with the Labour Office and the Vocational Training Centre, CSOs, businesses in order to ensure inclusion in the labour market women of and girls victims of domestic violence and gender-based violence. Through these initiatives, they have ensured the employment of several victims of violence in the private sector and offered vocational training courses or provided assistance in setting up small businesses for returned migrants and other at-risk cases with the support of the non-profit organisation ADRA Albania.

Through the Rrashbull Multi-functional Community Centre, the Municipality of Durrës has supported the reintegration of migrant families in need who returned from insecure migration or of persons at risk of insecure migration. In total, support has been provided in 14 cases, 9 out of whom are returned migrant women/at risk of insecure migration for the creation of micro-businesses and part of the paid training program, who have been provided assistance in finding employment.

### ***Health Sector***

In the “National Health Strategy, 2021-2030”, Specific Objective 5 of the Policy Goal I, aims at improvement of mother’s and her child’s health, adolescents’ health, as well as the sexual and reproductive health. Health care for women and reproductive health are the main chapters of the Basic Package of Primary Health Care.

This package is offered by primary health care services through health centres across the country. The prevention, identification and management of cases of violence or abuse takes place based on a series of rules to be followed, starting at the first health visit with an assessment whether the woman or girl has been victim of different forms of violence occurred at different periods of her life, or at the present moment, starting from the age of 14, In addition, every girl and woman starting from the age of 14, during the health visit at home or at the centre once a year, should be screened to find out whether she has experienced physical, sexual violence or emotional abuse. The medical staff are also required to ask any pregnant woman at her first antenatal visit, during each trimester of pregnancy and at post-natal check-up visits, about issues of violence and abuse. In this chapter, the Package provides details on the modalities that the health staff should follow with regards to counselling for referral to the gynaecologist, the social worker, the psychologist or other specialized services, as well as for the referral of the case to the CRM members, in addition to provision of information and written materials related to gender-based violence (leaflets, brochures, contacts, etc.). In support of these services, the “Clinical Practice Handbook for Safe Abortion” and sheets for obtaining



informed consent from the patient in hospital for surgical, curettage or medical abortion have also been approved<sup>69</sup>.

Other strategic documents that include specific objectives to address gender- based violence include:

- The Health Promotion Action Plan 2017-2021 and 2022-2030, which has set as one of its specific objectives, the reduction of violence among the Albanian population (all forms of violence and for each age- group).
- The Sexual and Reproductive Health Action Plan 2022-2030 include as an objective preventing intimate partner violence, as well as providing the necessary support and assistance to victims and perpetrators.

Another important document is the “Standard Action Procedures for Addressing Cases of Domestic Violence and Gender-Based Violence by Health Services Workers in the Framework of Cooperation as Members of the Coordinated Referral Mechanism (SAPs)”, approved by the Ministry of Health and Social Protection<sup>70</sup>. The procedures include information health care workers should know and the steps they should follow, regardless of whether they are primary, secondary or tertiary services (although the tertiary services rarely encounter or get involved in the treatment of such cases). The SAPs are based on the best international practice<sup>71</sup>, adapted, discussed and updated to be easily applicable in the Albanian context. A number of key health services are required to support persons who have experienced domestic violence, or women, young women and girls who have experienced other forms of gender-based violence. Five fundamental elements have been identified as necessary for a complete and effective clinical health service response:

- **Frontline support (including referrals)** The first line of support provides practical care and caters to a woman's/individual's emotional, physical, safety and support needs without intruding on her privacy.
- **Care for wounds and emergency medical problems.** History and examination (medical examination, treatment, referral for collection of forensic evidence, providing information to third parties such as the police and courts and emergency treatments.
- Examination and treatment for sexual assault (which contains information on full history of violence, Emergency Contraception, HIV Post-Exposure Prophylaxis, Infection/STD Post-Exposure Prophylaxis)
- Mental health evaluation
- Stress management

As regards the medical and forensic documentation, health service providers are under a professional obligation to document the details of every consultation with a patient. When a woman has given her informed consent for the collection of forensic evidence, it is important that the collection of the evidence is carried out by a doctor or a forensic pathologist and stored

<sup>69</sup>Approved by Order no. 491 dated 17.11.2015 of the Minister of Health

<sup>70</sup>Approved by Minister's Order no. 101, dated 21.02.2020

<sup>71</sup>Their original version was prepared by the Eastern European Institute for Reproductive Health (EEIRH, Romania) and published by the UNFPA Regional Office for Eastern Europe and Central Asia (UNFPA EECARO), in 2015 (with ISBN 978-973-87875 -9-9).

properly. The healthcare worker refers the woman to the forensic service, in cases when it is not possible to conduct this examination at the same place (or to a centre where it is possible to follow all the procedures at the same time - such as the centre for the treatment of victims of sexual assaults “Lilium”) and the 2 one-stop centres. In addition, every medical doctor within the healthcare personnel, regardless of the specialty they have, must treat every case of domestic violence referred to them and also provide them with the relevant medical report<sup>72c</sup>. In cases of civil emergencies, MoHSP Order No. 428, dated 04.10.2016, “On the approval of the strategy document for sexual and reproductive health in case of crisis and humanitarian emergency” and the General Platform of the Ministry of Health and Social Protection are in place and applicable. The order requires that in cases of civil emergencies health services take special care of pregnant women, women with children up to 6 years old, as well as women victims of sexual and other forms of violence. A Minimal Initial Packages (MISP) should be provided to these groups and these packages should be available, preferably for 30 percent of Regional Health Directorates and the municipal Public Health Directorates. The Ministry of Health and Social Protection also conducts inspections time after time and has organised trainings in several health departments, including in Korçë, Gjirokastrë, Sarandë, Shkodër, Kukës, Dibër and other municipalities<sup>73</sup> Every 3 months, the Ministry of Health and Social Protection collects information from all health departments on the number of pregnant women, women with children up to 6 years old, women victims of rape or other forms of violence, as well as pregnant women who are tested for HIV/AIDS.

Standard Action Procedures for Health Service Workers for the Reduction of the Risk of Experiencing Domestic Violence and Gender-Based Violence in Civil Emergency Situations<sup>74</sup> describe concrete actions and measures to provide proper care and assistance to survivors who have been subjected to DV-GBV, when dealing with different civil emergency situations in Albania, from preparedness to recovery. The issue of gender-based violence and domestic violence affecting girls and women with disabilities is addressed in several paragraphs/chapters of this instruction, but in particular through general measures and measures that are specific to prevention and response to DV/GBV, in civil emergency situations, guaranteeing, inter alia, special measures to meet the needs of different groups at risk (children, LGBTI, persons with disabilities, etc.) and ensuring that sharing information about and reporting of DV/GBV cases within the health sector or with partners in the larger humanitarian community is done safely and according to ethical standards and using formats and information tools adapted in accessible format (Braille, sign language, simplified messages such as pictures and photographs, etc.) for all community residents.

In addition to the implementation of the legal framework and policies previously described, the focus of the health sector has also been on strengthening the capacities of health workers in this areas. Thus, over the period 2016-2018, 1,626 primary and secondary level health workers were trained in all 12 regions of the country, with modules accredited by the National Centre for Continuing Education, among others, for the prevention and treatment of sexual violence.<sup>75</sup> The Institute of Public Health in cooperation with the relevant Directorates of Public Health,

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<sup>72</sup>Pursuant to the Law on Domestic Violence and Order no. 14, dated 23.01.2008 “On providing persons who have been abused in family relationships with the relevant medical record and documenting cases of domestic violence in the record for victims of domestic violence”

<sup>73</sup>In cooperation with the Albanian Center for Population and Development (ACPD) and the United Nations Population Fund (UNFPA)

<sup>74</sup> Approved by Minister's Order no. 103, dated 21.02.2020

<sup>75</sup>The trainings were made possible by the Albanian Center for Population and Development with the support of the International Planned Parenthood Federation and UNFPA

as well as with the support of national and international organizations, frequently organizes trainings and awareness-raising activities to improve the capacities of health workers to deal with cases of violence against women and domestic violence.<sup>76</sup> In the same way, activities for the improvement of, and inclusion in, the curricula of issues of gender equality and especially the aspects of the treatment victims of violence against women and domestic violence have been also organized in cooperation with the Faculty of Technical Medical Sciences, as a result of which it was possible to include topics on violence against women and domestic violence in some of the Bachelor's and Master's study programs for the 2018-2019 academic year.<sup>77</sup> The final goal is to include a complete module on this issue in the curriculum of this Faculty.

### ***Article 22: Specialist support services***

The expansion of the existing specialized services for women victims of violence, as well as the improvement of their operating standards have been the focus of the Albanian Government, in cooperation with international organizations and specialized CSOs in this area. Some of the most important developments over the last five years include the National Counselling Line becoming fully operational for victims of domestic violence; the establishment of the first crisis management centre for sexual violence “Lilium”, and 2 one-stop centres for children victims of sexual abuse; and provision of specialized legal assistance to women victims of violence and others. It is worth mentioning that in parallel progress has been made to:

- improve the existing standards or develop new standards for the functioning of these service centres;
- develop basic instructions and standard operation procedures, in the framework of the multi-sectoral coordinated response; and
- reduce the risk of gender-based violence in civil emergency situations.

The Ministry of Health and Social Protection has attached importance to the continuous financing of services to ensure their sustainability, through the state budget but also thanks to the financial assistance provided by international partners.

At local level, municipalities have reported that they have taken continuous measures to improve and increase the range of specialised services, including emergency and long-term services related to the protection, recovery from violence, empowerment and reintegration of victims of various forms of violence into society. Mainly, the services offered consist in:

- emergency shelter

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<sup>76</sup>An important role has been played here by the support of the UNFPA with the preparation of the relevant module and with the continuation of the training of health workers. UNDP and UN Women have also contributed to the training of representatives of health institutions that are members of the Coordinated Referral Mechanisms in some of the country's municipalities. The “Human Rights in Democracy” Center has also provided training to increase the capacities of the staff of some of the biggest health centers in the Municipality of Tirana and the Municipality of Kamëz concerning the responsibilities assigned to them by the legislation against domestic violence and gender-based violence. This center, as an organization that has been monitoring the detention institution for women/girls for years, has continuously lobbied for the improvement of their medical treatment in detention facilities and in the prison hospital.

<sup>77</sup>This UNFPA initiative, which is implemented through the partner organization the Albanian Center for Population and Development, started in 2017, enabling the training of the academic staff of this Faculty by international and national trainers. Likewise, a whole range of supporting materials have been made available and the relevant lecturers have been provided help with the preparation of specific information on the topics added to their syllabi. One of the training activities with this faculty consisted in the discussion of the draft Basic Services Package and Standard Action Procedures for health in the treatment of cases of gender-based violence and domestic violence, translated and adapted for Albania by UNFPA with the support of UN Women, as well.

- health care, purchase of medicine for mothers and children, blood tests
- psychological counselling for victims
- free legal aid
- financial support
- food/sanitary/clothing packages
- rental bonus (depending on the specifics of the case)
- support for attending vocational courses
- employment opportunities provided in cooperation with the Regional Employment Office
- long-term services provided by community centres of the Municipality
- free childcare (day-care and kindergarten) or at reduced price for the children of the victims of domestic violence
- monitoring the implementation of protection measures set out in the Court's decision

The Ministry of Health and Social Protection with the support of UN Women has conducted a mapping of specialist support services cases of domestic violence and violence against women, which has been sent to all CRMs. This mapping has been recently updated by the MoHSP with information on 38 specialist support services, providing details on the type of service, year of creation, field of activity, geographical coverage, as well as the contacts for all these existing services. In addition, as clarified in the sections above about Articles 8 and 20, the MoHSP is funding fifteen of these specialized services.

**Shelters and other forms of safe accommodation.** Currently, the Albanian Government guarantees safe and long-term accommodation through two national public shelters, one for victims of domestic violence and one for victims of human trafficking/potential victims of trafficking. In addition, other housing services include emergency housing, specialized centres (Lilium), two one-stop centres, as well as other services provided by the municipalities.

The National Centre for the Treatment of Victims of Domestic Violence (NCTVDV) is a government institution, subordinate to the State Social Service. This centre operates based on the standards, procedures and policies of the Ministry of Health and Social Protection in compliance with the legislation on the social protection system. The aim of the centre is to protect, rehabilitate and integrate girls and women (and their children) who are victims of domestic violence so that they can have an independent life. This centre accommodates women and girls over 18 years old and their children (girls/boys) aged 0-18. The largest age group that benefits from services provided at this centre are women and girls aged 25-35 years old. The centre offers a number of services, including: basic services (food, clothing, temporary housing), psycho-social assistance, legal assistance, medical assistance, school education for children, qualifications and employment/vocational training, occupational and rehabilitating activities, referral for reintegration; preparation for reintegration<sup>78</sup>, undertaking negotiations

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<sup>78</sup> a) Through public and private employment; b) attending vocational courses in cooperation with DRFPP 1 and DRFPP4 Tirana as well as reintegration through social housing. a) In the social housing programme offered by the Municipality of Tirana or the Administrative Units where they are integrated, women are given assistance in completing the application file and its submission to the aforementioned units. b) Acting as liaison with various non-profit organisations for the possibility of paying rent or other types of help for women during the integration process

for reintegration<sup>79</sup>, monitoring and evaluation of cases after referral to reintegration centres or the community<sup>80</sup>.

The MoHSP monitors the centre based on the annual action plan of the Directorate of Social Services at the State Social Service, every year and whenever the centre encounters challenges to in the performance of its activities. Meanwhile, the State Social Service is reviewing the centre structure to include a full-time lawyer and psychologist as important professionals to support the cases accommodated at the centre. These jobs positions have been covered by different CSOs that provide such services and in many cases by the State Social Service psychologist.

Protection and assistance for victims/potential victims of trafficking (VT/PVT) are provided in shelters set up for victims of trafficking as well as in the community. There are four centres: the (public) National Reception Centre for Victims of Trafficking (NRCVT), the organization “A vision of a different kind”, the Psycho-Social Centre “Vatra”, and “Different but Equal” (non-public) that provide direct and reintegration services for VT/ PVT such as: psychological, health and legal assistance, vocational training, mediation for family reunification, acting as liaison for employment and education for potential victims and victims of trafficking, be them foreign or local, children or adults, male or female. For several years, the payments for 29 social workers providing services in non-public residential centres are covered by the state budget and so is the fund of food for the victims and potential victims of trafficking (3 shelters are financed by the state budget, see information under Article 8).

**Other residential centres (long-term shelters): In total there are 8 centers** that offer long-term services to victims of gender-based violence and domestic violence located in 4 municipalities (5 in Tirana<sup>81</sup>, 1 in Shkodër<sup>82</sup>, 1 in Vlorë<sup>83</sup>, and 1 in Elbasan<sup>84</sup>). They provide the following services: (a) safe accommodation; (b) psycho-emotional support; (c) economic empowerment programs; (d) acting as liaison with institutions for legal support, education, employment and long-term housing; (e) follow-up of cases for safe and sustainable integration. There are **16 public and non-public emergency residential centres** (emergency shelters) in total that offer services for 24 to 72 hours to victims of gender-based violence and domestic violence and specifically:

- Centres managed by the municipalities in: Përmet, Pogradec, Roskovec, Sarandë, Urë Vajgurorë, Krujë, Kukës
- Centres managed by CSOs in: Shkodër, Korçë, Elbasan, Vlorë, Tirana
- Centres managed by the municipality and NPOs in: Dibër
- LILIUM Centre managed by the Ministry of Health and Social Protection in Tirana
- Two new integrated services “One-stop centres” in the regional hospital in Fier and Shkodër

<sup>79</sup> Most of them, according to the statistics, go on to live independently in the community; Some return to their biological families. After leaving the center, the cases are referred to the Local Administrative Units where they are integrated for further assistance during the integration process.

<sup>80</sup> For all the residents who are integrated, an official letter has been sent for follow-up, monitoring and support to the Administrative Units where they went, as well as to the Police Stations, telephone contacts, direct contacts. There are family visits and workplace visits, as well.

<sup>81</sup> The National Center for the Treatment of Victims of Domestic Violence; Shelter for Abused Women and Girls, Tirana; National Reception Center for Victims of Trafficking; ‘Different but Equal’ Center; LGBTI shelter;

<sup>82</sup> Papa Xhovani (Pope Giovanni) Community

<sup>83</sup> ‘Vatra’ Psycho-Social Center

<sup>84</sup> Another Vision

The minimum services offered at emergency shelters for the first 24-72 hours are: safe accommodation; (b) clothing; (c) food; (d) psycho-social support; (e) referral. Other additional services that are offered based on the needs are: (a) psychological services; (b) medical services; (c) legal services; (d) financial services; and (e) educational assistance.

The municipalities that manage the emergency centres have made efforts to improve the standards of services, living conditions and their staff capacities. Particular improvements are noted in the municipalities of Shkodër, Berat, Tirana and Gjirokastër.

Other forms of safe accommodation include the housing program, the rental bonus, and social housing. Based on the data provided by the Ministry of Finance and Economy (MoFE), in 2021, 302 out of a total of 2,700 beneficiaries from housing programs, or 11.2% of them, were women heads of households and victims of domestic violence. The total amount of funds allocated was ALL 398,365,000, about 11.2% of which, or approximately ALL 44,616,880, has been allocated to women heads of households and victims of domestic violence. As for 2022, (end of August), it appears that out of approximately 2400 beneficiaries, 174 or 7.2% of them were women heads of households and victims of domestic violence. The total amount of funds allocated was ALL 534,713,429 ALL, about 7.2% of which or approximately ALL 38,499,366.9 was allocated to women heads of households and victims of domestic violence.

Since 2015, the National Housing Authority has entered several cooperation agreements with the Municipality of Korça for providing access to temporary housing for victims of domestic violence, and pursuant to this repeated agreement, it has entered a lease contract (social rent) for an apartment with this municipality.

Strengthening the housing service within the CRM system is one of the most important objectives set by some municipalities. The real costs incurred and support that the municipalities provide to emergency shelters and other centres offering shelter (including specialized CSOs that deal with cases of human trafficking and support survivors of domestic violence by offering long-term housing, clarified in Article 8) are specified in the two Local Action Plans for Gender Equality 2018-2020 and 2022-2024 of the Municipalities of Tirana and Elbasan. As regards the period July 2017-2022, the municipalities of Tirana and Elbasan continued to prioritize cases of domestic violence in social housing programs. In the Municipality of Tirana, 34 victims of violence and 345 women heads of families, including girl-mothers, were beneficiaries of the rental bonus program, while in the Municipality of Elbasan there were 21 cases(women) in need and victims of domestic violence and gender-based violence who have benefited. Furthermore, in cooperation with CSOs in both municipalities, rent payments for the period of 2 to 3 months are covered until the completion of the rental bonus procedures. Other municipalities provide housing for victims of violence through the rental bonus but have not reported any data yet.

The National Housing Authority, while carrying out its activity for the investment and construction of new homes in different cities of the country, in the cooperation agreements entered with the relevant municipalities where the investment has been made or is being made, has also foreseen the possibility of selling the service units or even apartments, in some cases, to the municipality of the city where the apartments are located if the latter shows interest in buying the premises for social purposes use.

**Medical support.** In case of need for healthcare services, i.e., if the victim' is suffering health problems due to violence she is accompanied by the police officer and/or the Local Coordinator

against Domestic Violence to the local health care unit or the nearest hospital to receive the health services needed (while other actions for the issuance of the Order for Provisional Measures of Protection are performed). In the local health care units or in the nearest hospital, where the victim is given an examination, she receives the necessary medical treatment, psychological support and is provided with a medical report, which constitutes important evidence when seeking the issuance of protection orders. Moreover, in cooperation with specialised CSOs<sup>85</sup> municipalities provide long-term medical support to victims of gender-based violence.

**Short-and long-term psychological counselling.** Short-and long-term psychological services for victims of domestic and gender-based violence are offered through psychologists in the community centres of the municipality and schools, the National Counselling Line for Women and Girls at the toll-free number 116117, members of the CRMs specialized in provision of this service, psychologists in health centres, the Police Station (Vlora, Elbasan), other organizations authorised to provide psycho-social services for free, as well as through the Order of Psychologists.

**Special care in case of trauma.** More detailed information about the one-stop centres and the Liliu Centre can be found in Article 25. Municipalities have reported that one of the principles of the victim-centred approach adopted by CRMs is sensitivity to the victim's trauma. According to this principle, members of the Multi-Disciplinary Technical Group are aware of both the wide-ranging and lasting impact of trauma and understand the potential paths for recovery. The rehabilitation and reintegration of victims of violence is a long process that can take 2 to 5 years.

**Legal counselling.** Based on Law 111/2017 “On legal aid guaranteed by the state”, victims of domestic violence, as well as victims of sexual violence and human trafficking are among the categories that benefit from: a) primary (legal counselling); b) secondary (representation in court) legal aid free of charge provided by the state; and c) exemption from court fees and tariffs for the execution of court’s decisions. Primary legal aid is provided by 41 providers: 14 Primary Legal Aid Service Centres (*Tiranë, Durrës, Elbasan, Lushnjë, Berat, Fier, Vlorë, Pogradec, Gjirokastrë, Lezhë, Shkodër, Dibër, Korçë, Kukës*), 12 Law Clinics at Higher Education Institutions and 15 non-profit organizations authorized to provide this service by the Ministry of Justice. During the pandemics, persons who could not appear in person presented their problems on the jurisdictionline.al platform and the green toll-free number 08001010, made available by the Ministry of Justice. In 2022 secondary legal aid was provided by 157 lawyers operating in 12 regions of the country. Based on the data obtained, 6,209 cases benefited from primary legal aid in 2022, 591 of whom were victims of domestic violence and 60 were victims of trafficking. 884 citizens benefited from secondary legal aid, 63 of whom were victims of violence. CSOs play an important role in providing free legal services, some of which are part of the CRMs. For example, the Municipality of Tirana has informed that Human Rights in Democracy Centre (CHRD), which is a member of the CRM in Tirana, during the period 2017-2022, provided free legal counselling in 1359 cases and court representation in 573 cases.

Importance has been attached particularly to the support of disadvantaged groups, an example of which is the provision of legal assistance and psycho-social counselling for women with

<sup>85</sup>Albanian Center for Population and Development, Tiranë, Vlorë, Shkodër; “Aulona” Center in Vlorë, Association of Women with Social Problems, Durrës

disabilities, Roma and Egyptian women, and women from the LGBTI community in seven municipalities<sup>86</sup>.

**Socio-economic reintegration models:** During 2021 and 2022, six of the largest municipalities in the country (Durrës, Tirana, Pogradec, Elbasan, Vlorë, Shkodër) were supported to develop and implement new models/schemes for the socio-economic integration of the survivors of gender-based violence. 483 service providers in municipalities were trained to provide services and 136 women and 201 children were provided with supporting services according to tailored reintegration plans. In addition, during 2022, reintegration plans were drawn up in 4 other municipalities (Kukës, Berat, Dibër, Korçë)<sup>87</sup>.

In the framework of this project, 15 administrative units were supported<sup>88</sup> to increase capacities of local municipal staff in addressing cases of gender-based violence as well as in offering these services even in emergency situations as well as service providers from all key sectors (police, health, education and social services); to provide free legal aid and representation in court of women and girls who are victims of gender-based violence, in relation to protection orders as well as other family matters such as divorce, child custody etc.

**Outreach services.** Throughout the 2017-2022 period, a lot of importance was attached to awareness-raising meetings in the community with women and girls from vulnerable groups such as Roma and Egyptian women, women with disabilities, elderly women, and women from rural areas who have been the focus of outreach services. Field teams are also the first outreach groups to assess problems and identify families with social-economic problems in the municipalities. Field teams are groups of professionals, in whose structure there are municipal employees, employees of administrative units and representatives of organizations.<sup>89</sup>

**Helpline. National Counselling Line for Women and Girls 116-117,** is a 24/7 service that operates according to standards approved in accordance with the Istanbul Convention. During 2018, it received 2,540 phone calls and provided 708 face-to-face counselling; in 2019, the Center received 3,014 phone calls and provided 861 face-to-face counselling; in 2020, it received 5,597 phone calls and provided 650 face-to-face counselling, as well as legal assistance, accompaniment to court, or other legal support for 750 cases; in 2021, it received 3,469 phone calls and in 2022 there were 3117 phone calls. The Counselling Line was fully operational even during the isolation period due to the COVID-19 pandemic. The forms of violence reported to the Line include psychological (57%), physical (42%), economic (31%) and sexual (7 cases), often combined. Sexual violence remains dramatically underreported.

Abused children can call **ALO 116111**, which is a specialized, free 24/7 service provided by a CSO and also supported by the state budget. ALO 116111 received 2212 calls and referred 1034 cases in 2018; 4765 calls and 979 referred cases in 2019, as well as 34,912 calls and 983 referred cases of violence, abuse, neglect, exploitation and bullying reported to this service and

<sup>86</sup> Sarandë, Fier, Korçë, Pogradec, Dibër, Vlorë and Rrogozhinë with the support of UN Women

<sup>87</sup> In the framework of the UN Joint Programme “Ending violence against women in Albania” 2019-2021 funded by the Swedish Government and the EVAW Regional Program, implemented by UN Women funded by EU. UN Women project in collaboration with the organizations “Different but Equal (D&E) and the Albanian Women’s Empowerment Network (AWEN).

<sup>88</sup> Kamëz, Vorë, Krujë, Fushë-Krujë, Lezhë, Kurbin, Mirditë and Tiranë (Local Self-Government Units No. 4 and 6, Farkë, Petrelë, Vaqarr, Ndroq and Berzhitë)

<sup>89</sup> The municipalities of Tirana, Elbasan, Vlorë, Has, Përmet, Bulqizë, Klos, Kolonjë, Lushnjë, Poliçan, Vau i Dejës



referred to the relevant institutions in 2020. In 3570 calls children received psycho-social support from an online counsellor.

**During the period 2019-2022**, the State Police made 112 and 129 line operational in the whole territory of the Republic of Albania to report all forms of violence. When the victim of violence does not wish to go to the police station, she can report it from home or wherever she can. In 2019 there were 1855 calls about DV, in 2020 there were 2043 calls about DV, in 2021 there were 2277 calls about DV, in 2022 there were 1734 calls about DV, all of which were made through the emergency numbers 112 and 129.

At local level, the municipalities have financed 24-hour lines (the Municipality of Vlora), 24-hour toll-free number (the Municipality of Durrës<sup>90</sup>). The Municipality of Elbasan, the Department of Social and Community Care Services has a Standby System in service 24 hours a day, 7 days a week, which contains the phone numbers of employees who are ready to answer 24/7 the calls from all CRM members. In cooperation with UNDP, there is a telephone number in place in the premises of Kamëz and Konispol Municipalities to report violence at any time.

**Services for migrant women, asylum-seeking women, and ethnic groups:** Based on Law No. 121/2016 on social services, all categories of disadvantaged or specific groups of women are entitled to benefit from support programs for services for women victims of violence. CRMS provide, migrant, asylum-seekers of refugee women and girls victims of violence with all needed multidisciplinary and specialist services.

During 2021, the Ministry of Health and Social Protection in cooperation with the State Police and with the support of international organizations<sup>91</sup> organized two training with representatives of the border police, the state police and the members of the CRMs municipalities of Korça and Gjirokastër (45 participants in both meetings), where participants discussed and shared information about the identification of cases of women and girls asylum-seekers who were victims of gender-based violence and domestic violence and their referral to the relevant services of the CRMs in both municipalities. Following these trainings, work is already under way on the preparation of an informative material to be considered when working with emigrants at both border points.

In the Municipality of Elbasan, in the structure of the Directorate of Social and Community Care Service there is a specialist specially dedicated to the Roma and Egyptian ethnic minorities who takes part in the Multi-Disciplinary Technical Group meetings whenever cases of women from these groups are being discussed.

### ***Article 25: Support for victims of sexual violence***

The first crisis management centre for sexual violence cases “LILIUM” was established in December 2018 with funds distributed from the state budget following the recommendations of CEDAW and GREVIO’s initial evaluation report. In this one-stop centre, a short-term (24-72 hours) emergency service is provided for victims/survivors of sexual violence and their family members. The setting up of this service was preceded by the assessment of the situation,

<sup>90</sup>During the year 2022, 232 phone calls were made by means of which the cases (women) were offered assistance concerning psychological and legal services, information on other services, needs management.

<sup>91</sup>UN Women, UNFPA, UNHCR and Albanian Caritas

the presentation of international models and study visits to other countries, in parallel with the preparation of the standards on the functioning of the centre. LILIUM offers a social health model, with a multidisciplinary team of forensic pathologists, gynaecologists, paediatricians, psychiatrists, clinical psychologists, social workers, police officers, prosecutors, lawyers and nurses. Cooperation with the CRM plays a special role in the long-term treatment of cases. The reconstructed premises of the centre meet the service standards. During the COVID-19 pandemic, an additional regulation was prepared for the functioning of the centre during emergencies.

*Referral:* Victims of sexual violence can be accompanied to the “Lilium” Centre by a police officer, when the victim presents herself at a police station, by a Local Coordinator when the case is presented at the municipality or by any other professional who is in contact with the victim due to work-related reasons, always based on the victim’s informed consent. The victims goes to centre after the centre’s manager has been informed and has agreed to it, based on the centre’s reception capacity at the moment. The victim herself can contact the Crisis Management Centre for sexual violence cases when she is informed on how it functions. In any case, taking into account even the written report on the victim’s provisional emergency needs assessment (in cases when the victim is referred by a member of the Multi-Disciplinary Technical Group and this report has been prepared) the staff at the centre proceed with the assessment of mid-term and long-term emergency needs, in accordance with the coordinated services that can be provided.

#### **Services:**

At the “LILIUM” Centre the victim is offered primary services such as health care, psycho-social support and counselling, clothing, and food. In addition, after obtaining an informed consent from the victim, the centre supports the evidence collection process for the criminal proceeding, starting by performing a physical and examination as soon as possible and continuing with the collection of evidence by the forensic expert. The victims can also provide her testimony. Since this is an emergency centre, all these services are offered for a period of up to 72 hours, and after that the victim's stay is no longer possible and a referral is made to another specialist support service centre.

The centre coordinator is responsible for: welcoming victims and identifying her/his immediate needs; informing the Multi-Disciplinary Technical Group about the case; and management and follow-up of the case during next 72 hours. The manager also coordinates with the Local Coordinator of the municipality of residence or other municipalities for the following steps of the case management and provision of services beyond those offered by the “Lilium” Centre.

In close cooperation with the victim, the Centre Coordinator develops an individual assistance plan for addressing emergency needs during the 72-hour period of stay at the centre, based on the assessment of these needs and in accordance with the coordinated services offered by the centre. The victim's needs assessment is conducted right after the reporting, taking into consideration even the assessments conducted earlier by other Multi-Disciplinary Technical Group members who were the first point of contact for the victim, if there is a written report for this purpose. This assessment is conducted in cooperation with the victim, collaborating even with the Local Coordinator when it comes to continuing with the services even after being discharged from the “Lilium” centre. The case evaluation constitutes evidence which is added to other evidence when it comes to the process related to the issuance of an UM, but also when seeking damages in a criminal or civil court.

In this Crisis Management Centre, priority is given to the healthcare support, since in case of sexual violence the health damage can be serious and can put the victim's life in danger. Thus, the safety, health and well-being of the victim come first. The Centre is placed in hospital premises, which facilitates the provision of emergency healthcare in cases where the victim may come with acute health problems, which require immediate medical intervention and treatment.

*Forensic services.* In case of a sexual assault/sexual violence/rape reported within three days from the moment the event occurred, the forensic examination services such as the collection of evidence, taking of testimony, the initiation of criminal justice proceedings are crucial to the whole process of supporting the victim and the investigation process to make sure the offender is held accountable.

*Psychological services* aim to restore security and trust, address the trauma and the effects of the sexual assault, and support the victim to establish some emotional and functional balance. This service is provided during the victim's stay at "Lilium" by a clinical psychologist who has a collaboration agreement with the Centre. The clinical psychologist is knowledgeable and has experience working with victims of sexual violence, including children, women or men.

*Legal services.* During her/his stay at the Centre the victim of sexual violence is offered legal assistance by lawyers contracted by the Centre or by any other institution that offers legal assistance, such as CSOs specialized in this field, legal clinics at higher education institutions, or lawyers who are included in the list approved by the National Chamber of Advocacy. The legal service is delivered in a professional, qualitative, efficient and effective manner. Legal aid is offered regardless of the victims'/survivors' income and property because victims of sexual violence belong to the special categories of beneficiaries of legal aid. Victims of sexual violence are informed not only about their legal rights based on administrative-civil legislation against all forms of gender-based violence but also about criminal procedural laws. The Centre's manager has a duty to establish contact between the victim and the lawyer.

*Clothing, food etc.* Depending on the case, victims of sexual violence are provided with food, clothing and medication. This is made possible through the service of the Centre as part of the health service institution or the service package offered by the centre. Provision of mid-term and long-term services, after the victim is discharged from "Lilium", is ensured by the members of the CRM.

*Follow-up services:* The discharge of the victim from the centre is made known to the members of the CRM at local level and the decision about it is taken in cooperation with the local coordinator against domestic violence so that the case is further referred and monitored by him/her. The beneficiary of the Centre's services can choose to return to the family. In this case, the LILIUM Centre still cooperates with the CRM to ensure the provision of services in the mid- and long term. If the victim decides not to return to the family, the referral (for housing) to shelters for survivors of violence, the psycho-social support, vocational training, employment, childcare, children's return to school, etc., are long-term services that can only be delivered through the cooperation between the Centre and the CRM to ensure long-term support through cooperation with specialized public and non-public institutions. In any case, it is worth bearing in mind that the help and/or support offered to the victim does not depend on her availability to report the perpetrator, nor on whether the victim has sought protection measures. The Centre manages and protects the victims' data pursuant to the relevant legislation in force.

*Availability and Accessibility:* The LILIUM Centre ensures that services are available for and accessible to all the categories of victims of sexual violence belonging to various marginalized groups, such as persons from Roma and Egyptian communities, persons and children with disabilities, persons from rural areas, emigrants, asylum seekers, and persons from the LGBTI+ community etc. In the centre's list of "on call" professionals, there are also several professional translators, including sign language interpreters, for the persons who need this type of service. In the case of victims living in remote areas, far from the Centre, it is advisable to cooperate with the CRM operating in that area to ensure that the victim is transported to the "Lilium" centre. When there is evidence that the victim of sexual violence has serious mental health problems, is addicted to alcohol or other substances, there should be collaboration with specialist services at local or national level. When the victim is a foreign national and is in Albania as a visitor, asylum seeker or for other reasons, an interpreter is needed and then all the services the centre offers can be provided. The centre provides services for children in a physical environment suitable for them, with special equipment for interviewing them (e.g. glass rooms or recording cameras). The centre also enables referrals, in cooperation with the local coordinator against domestic violence, to other additional services such as housing in residential centres, long-term psychological services, medical services and legal services. The Sexual Assault Treatment Centre "Lilium" treated 128 victims of sexual violence over the 2019-2022 period. More specifically: **in 2019:** 23 minor girls and 8 adult women, 6 minor boys and 2 adults; **in 2020:** 21 minor girls and 3 adult women, 1 minor boy; **in 2021:** 28 victims, about 80% of whom were minor girls; **in 2022:** 31 minor girls and 1 adult woman, 4 minor boys.

### *One- stop centres*

In recent years, two new "One-stop centres" services have been set up in Albania at the premises of the regional hospitals in Fier and Shkodër for minor girls and boys who are victims of sexual violence. Placing the centres in close proximity to hospital facilities makes it possible for children to receive rapid, integrated 24-hour treatment as well as healthcare services, including trauma-specific interventions, counselling and therapy. Parents of children who have been sexually abused are also offered support by these centres in case of a crisis. The centres offer: first aid, emergency care; support during a crisis; specialized medical support and counselling; specialized psychological counselling and therapeutic intervention; safe transportation; referral of the case to relevant institutions. UNICEF Albania has supported the Ministry of Health and Social Protection in the adaptation of hospital premises, where this new service model is offered, and it has also contributed to the development of work standards and protocols for the professionals who are part of the "One- Stop Centres" teams.

## ***Article 31- Custody, visitation rights and safety***

### *Legislative measures for child custody and visitation rights*

According to Article 6/g of the 2018 amendments to the Law on Domestic Violence in 2018<sup>92</sup>, the main responsible authority for the law's implementation (MoHSP) has the duty to draft policies and monitor the measures taken for the elimination of the consequences of child abuse by parents or legal custodians or, in the event that children live in families where parents or custodians are in an abusive relationship; and place them in alternative care or provide

<sup>92</sup>Law No.9669/2006 "On measures against domestic violence" as amended

emergency protection measures under the legislation into force on children rights and protection.

Child protection is an important principle in this law. Children are considered family members regardless of their parents' status [married or not] and regardless of how parenting came about [through birth or adoption] including custody [de jure or de facto]. The spouse's or cohabitant's children are also considered family members and enjoy the same protection under this law regardless of the custodial or adoptive relationship. It is important that this is taken into account by every authority, including the court, which has a duty to document the presence of children in domestic violence cases and their protection.

The law provides for a quicker reaction of the court in cases where the Emergency Barring Order (EBO) concerns children - a maximum of 24 hours (Article 18). Measure of protection for children are included in the Protection Order (PO)/EBO, not only if they have experienced direct violence, but also if they were present or are at risk of being present when violence is used between family members (Article 10, paragraph 3/1).

Article 10/j provides for the temporary removal of parental responsibility from perpetrators or, if applicable, removal of custody of a minor, of a person with disabilities, or of a person whose capacity to act has been removed or restricted. The PO/EBO, issued by a court decision, or the termination of its effects does not permanently infringe ownership or custody rights (Article 11). When the court decides to remove parental responsibility from both parents or from a single parent, it assigns temporary custody of children, in compliance with the procedural rules and those provided for in the Family Code. In addition, the Family Code contains a number of articles related to violence against the spouse and children. It determines parental rights and obligations to children in family life, child abuse and negligence<sup>93</sup>, and the right to use the custodial parent's apartment after the divorce.

In addition, Law No. 18/2017 "On the rights and protection of the child" has determined the protection measures aimed at the development and well-being of the child in his or her family environment or by placing him/her in alternative care, among other things, when considering his/her best interest, he/she cannot be left in the care of his parents (Article 53). Custody and visitation rights of children are determined taking into account the situation in which the child is in relation to the parents/legal guardians. If there is evidence that they have exercised one of the forms of violence defined in this law<sup>94</sup>, then restrictive measures are taken based on the best interest of the child, including even the placement of the child in an alternative care environment. When implementing this measure, priority is given to placing the child in a family environment (kinship care, foster family) and as a last measure the child is placed in a child care institution for as short a period of time as possible (Article 31/ 2).

The respect for the rights and safety of victims or children is clearly stated in the measures expected to be included in the OPMP/EBO/PO, in the protocol for the management of domestic violence cases through a coordinated multi-sectoral approach. Even the philosophy of the CRMs in actual practice in itself is primarily based on the approach that provides the safety and protection of the victim and her children (the main principle: "Safety is essential!").

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<sup>93</sup>National survey based on the population of 2018: Violence against women and girls in Albania, p.32 <http://www.instat.gov.al/media/6121/publikimi-dhuna-ndaj-grave-dhe-vajzave.pdf>

<sup>94</sup>According to Law No. 18/2017, "Violence against a child" is any intentional act or omission that causes any form of physical or mental violence, injury or abuse, neglect or negligent treatment, mistreatment or exploitation, including sexual abuse.

As regards enforcement, the police play an important role in the execution of court decisions on EBO/PO. Pursuant to Law no. 26/2019 “On private bailiff service” and Order no. 136, dated 04.02.2020, issued by the General Director of the State Police, the standard procedures for the actions carried out by the State Police structures when supporting Private Bailiffs in the execution of court decisions are approved. Decision of the Supreme Judicial Council No. 78, dated 30.05.2019, concerning custody decisions are clarified in Article 7 of the report.

In terms of monitoring the courts activities, Law No. 115/2016 “On the governing bodies of the justice system” established the institution of the Inspectorate of Justice, which conducts thematic and institutional inspections on every aspect of the activity of courts. (GREVIO's recommendation on monitoring court practice is implemented).

*The measures taken for the professionals in the justice system for the protection of children, within the framework of the gender-based violence, its dynamics and putting the legislation into practice.*

In the framework of legal amendments, all actors and institutions responsible for the implementation of legislation against domestic violence and the protection of children's rights are under the obligation to train specialists in the relevant fields who are part of the justice system, in order to provide professional assistance to minors (clarified in Article 15). In order to support justice system professionals, state police employees, the central and local public administration, lawyers, civil society organizations and other interest groups in gaining a better understanding of the law and its proper application in actual practice, the School of Magistrates and the Ministry of Health and Social Protection<sup>95</sup> drafted the 'Commentary on the law on measures against domestic violence'<sup>96</sup>.

The members of the CRMs at local level also play an important role in judicial proceedings. In their contribution to this report, the Municipalities have explained that incidents of violence that are taken into account by the court when determining child custody and visitation rights and, generally, judges are informed about international legislation and standards.

*The role of the police.* In situations of violence where children are involved, the police officer, in cooperation with the Local Domestic Violence Coordinator/social worker and the child protection worker, performs a risk assessment, which serves as important evidence in court proceedings to determine not only the necessary protective measures but also the custody and visitation rights.

*The role of the child protection worker.* If violence is reported to the child protection worker, who is part of the child protection units at municipality level, the case management steps are followed in accordance with the legislation in force. On a case-by-case basis, as required by the court, the child protection officer performs the necessary assessments and is at the disposal of the judicial process. In the event that children are abused by both parents, they request from the court to protect them and take measures to place them in custody. In the course of the procedures for the execution of court decisions on divorces/exercise of parental responsibility/awarding custody, visitation rights where violence has been identified are carried out in the presence of a child protection officer.

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<sup>95</sup>United Nations Joint Programme “Ending Violence against Women in Albania” supported by UNDP, financed by the Government of Sweden

<sup>96</sup>[Commentary on the Domestic Violence Law April 13.pdf \(undp.org\)](#)

*The role of the psychologist.* Psychologists (providing assistance and making evaluations) who serve in the justice system have been trained and are specialized to provide services related to minor victims as well as to provide quality and impartial services in the best interest of the child, paying special attention to the process of “parental alienation” and the circumstances under which this process was formed. The report prepared by psychologists is important evidence that serves the court to make decisions in the best interest of the children, to decide custody and allow or not allow visitation of the child by the abusive parent.

*The role of the court.* The court is the main competent body that guarantees the effective protection of minors in civil proceedings. Other actors such as child protection workers, expert psychologists, specialized lawyers, or the police assist the court in the course of proceedings. Protection is ensured through the issuance of EBO/PO imposed the following measures of protection:

- removal of the perpetrator from the residence;
- removal of parental responsibility;
- ordering the perpetrator not to harm, harass, contact or communicate directly or indirectly with the victim or members of the victim's family;
- immediately ordering the perpetrator not to go within a certain distance of the victim or members of the victim's family;
- immediately ordering the perpetrator to stay a certain distance away from the home, workplace, the residence of the family of origin or the residence of the future couple or of other persons and particularly the children's school, or places frequented most by the victim;
- immediately placing the victim or victims and children in temporary shelters, always bearing in mind the best interests of the minor;
- placing restrictions on perpetrator’s right to have contact with the victim's child, under such conditions as may be appropriate;
- monitoring measure of court decisions by ordering the competent bodies, the social services of the relevant local self-government units and/or the organizations that provide services, as the case may be, to support the persons who have been abused in the family by offering psychosocial, health and financial assistance; observance of protection orders by the parties, presenting the relevant reports to local coordinator for the referral of cases of domestic violence.

A visitation schedule, days, the time, as well as the frequency of meetings are determined by court decision to enable monitoring of civil proceedings. The abusing parent’s visitation with the child is supervised by experts (psychologists, social workers, child protection workers, bailiffs).

#### ***Article 48- Prohibition of mandatory alternative dispute resolution processes or sentencing***

**Criminal law.** The criminal legislation provides for conciliation in the case of offenses prosecuted at the request of the victim- considered to be the person(s) injured by the criminal offenses under Articles 90, 91, 92, 112, first paragraph, 119, 119/b, 120, 121, 122, 125, 127, 254. However, none of these legal provisions is related to the offense of gender-based violence. In addition, pursuant to the criminal law provisions, Article 2/3 of the Law No. 10 385, dated

24.2.2011 “On mediation in resolution of conflicts”, as amended, provides: “Mediation in criminal matters is applicable to disputes examined by the court at the request of the victim, or upon complaint of the injured party, under Article 59 and 284 of the Criminal Procedure Code, and also to any other cases allowed by special law.”

The General Prosecutor, in Order No. 17, dated 23.12.2020, “On effective investigation and prosecution of offences of violence against women, domestic violence and hate-based violence”, Article 5, “Collecting information from the victims”, provides that “while questioning, the victim shall not be guided to conciliate with the perpetrator”.<sup>97</sup>

An important role in the criminal processes is played by the victim coordinators who are employed by prosecutorial offices at the judicial districts and have the responsibility to inform the victims about their rights, as well as procedural and judicial steps.

**Civil law.** Prohibiting mediation and conciliation in cases of domestic violence (Article 19 paragraph 2/1) is one of the most important amendments of 2018 to the Domestic Violence Legislation. The above-mentioned Article guarantees that the court does not consider the option of conciliation, while issuing an Emergency Barring Order, even if the parties claim that the conflict is resolved or will be resolved by conciliation or mediation.

If the court takes a decision to remove parental responsibility from both parents or from a sole parent, it shall decide on temporary custody of children under the provisions of the Family Code and procedural legislation, which do not provide for mediation or conciliation in such cases. The Family Code entered into force in 2003, but marriage dissolution provisions did not undergo any modification. Article 134 provided that: “*In considering the lawsuit for dissolution of marriage, the court shall first schedule a conciliation hearing where both spouses must appear in person. The judge can hear them separately and then jointly, without the presence of their representatives. When a conciliation is reached, a record is kept and the trial is dismissed based on this ground.*”

Article 19/2 of the Law No. 10 385, dated 24.2.2011 “On mediation in resolution of conflicts”, as amended provides: As an exemption from the confidentiality rule, the data and content of the agreement reached are published:

- b) If necessary to prevent or stop physical or psychological violence against any person, in particular children or persons with disabilities;
- c) If necessary to prevent or stop maltreatment, physical or psychic violence against persons with disabilities.

### ***Articles 49 and 50: General obligations and immediate response, prevention and protection***

#### *Human, financial and technical resources available to law enforcement agencies*

The State Police does not have units specialising exclusively in domestic violence or gender-based violent crimes. However, from 2018, domestic violence structures operate in every police station, with members trained to deal with domestic violence, sexual violence, stalking, trafficking and violence against minors. In 2018, subject to territorial size and incidence rate, Police Stations increased their staff number with 1 to 3 specialist/s on investigation of crimes against minors and domestic violence. The new staff members are trained on domestic violence legislation, other crimes occurring within the family, sexual crimes, and crimes against

<sup>97</sup> <https://www.pp.gov.al/Legjislacioni/?ser=1185&rpp=2&msv=>



children. The Cybercrime Investigation Sector is composed of one Director, one Chief Commissar, two Commissars, and one civilian officer. They are trained to deal with all cybercrimes, not just crimes against women/girls. Part of the General Police Directorate, is the Investigative Directorate, or Unit “C”, Investigation of Computer Crimes, composed of one Director, two Commissars, six Deputy Commissars, and a civilian Specialist. The Local Police Directorate of Tirana incorporates the Sector for the Investigation of Traffic and Narcotics, which has a special Section on Cybercrime Investigation, composed of two Commissars who are trained to deal with cybercrime, committed not just against women/girls.

The State Police has placed at the disposal of GBV victims’ various tools for reporting all forms of violence. Apart from the police stations, violence may be reported on the helpline 112, 129, by e-mail at [policiaeshtetit@asp.gov.al](mailto:policiaeshtetit@asp.gov.al), via the application “Digital Commissariat” and the cybercrime reporting platform. Juvenile interview rooms have been established in all 12 Regions in the country and in the Police Stations No. 5 and 6 in Tirana, Kurbin and Saranda, where privacy and other standards are guaranteed according to international standards. Also, in order to increase access and to guarantee services for victims of violence, especially for women and girls with disabilities, based on DCM no. 1503, dated 19.11.2008,<sup>98</sup> the General Directorate of State Police has made sure to build/add tramps in all the new buildings, rehabilitated or refurbished facilities with budget resources.

*Measures taken to ensure timely investigation of cases and prosecution perpetrators of violence against women and domestic violence.*

The legal changes mentioned in Article 7 and the issuance of relevant administrative acts are important to guarantee timely investigation and effective prosecution of violence against women and domestic violence cases.

*The General Prosecutor’s Office has already issued normative acts, i.e., two instructions<sup>99</sup> and two orders,<sup>100</sup> which, among other things, include administrative and procedural measures in respect of meeting the recommendation made by the Albanian Assembly’s Resolution against gender-based violence (2017), namely, **warranting the implementation of measures to enhance the quality of investigations on the criminal offenses of domestic violence and violence against minors, such as supervision of implementation of general instructions on this issue, including guidance on new statistics and periodic reporting on accurate data and statistics.** Likewise, due steps were taken to implement the priority recommendation of the Council of Ministers, **“On increasing the quality of investigations and toughening criminal policy against perpetrators of the criminal offense of domestic violence.”** These normative acts, among other things, provide for the orientation of institutional policies towards pursuing a unified approach in meeting priority recommendations, in order to increase effectiveness of*

<sup>98</sup> Decision of the Council of Ministers “On the approval of the regulation ‘On access to public space by persons with disabilities’ and DCM no. 1074, dated 23.12.2015, ‘On the determination of measures to remove communication and infrastructure obstacles in public service delivery for persons with disabilities.’”

<sup>99</sup> General instruction no. 4/2021, dated 07.09.2021; Instruction no. 2/2022, dated 29.07.2022, “On the priority recommendations of the Council of Ministers in the fight against criminality in 2021 and 2022 in the general jurisdiction prosecutorial offices.”

<sup>100</sup> Order no. 78 dated 09.07.2021 on the approval of the Action Plan on the implementation of the Resolution of the Assembly of Albania, dated 14.06.2021; Order no. 56 dated 29.07.2022 on the approval of “Action Plan on the implementation of the Resolution of the Assembly of Albania dated 14.07.2022.”

the fight against crimes against minors, domestic violence, gender-based violence, and sexual crimes through administrative and procedural measures, as well as ensuring the effective implementation of criminal procedural rights of victims, and enhancing professional skills of prosecutors and judicial police officers in the investigation and prosecution of these crimes.

In implementing the recommendations of the GREVIO expert group for Albania, the General Prosecutor approved General Instruction no. 17/2020, *“On the effective investigation and criminal prosecution of criminal offenses against violence against women, domestic violence, and hate-based violence”* in order to unify procedural measures undertaken by general jurisdiction prosecution offices in prosecuting criminal offenses against violence against women and hate-based violence against women. Such unification covers optimal timelines, efficiency, and requests to the court to deliver effective, proportional and deterrent punishment measures, as well as further complementing the unifying secondary legislation designed to ensure a victim-centred approach and human rights protection.

Three other by-laws have been approved to guarantee the investigation and protection of minors in conflict with the law, minor victims and witnesses, specifically, General Instruction no. 8/2021 *“On effective criminal investigation and prosecution of criminal offenses involving minors in conflict with the law, minor victims and/or witnesses,”* General Instruction no. 5/2018 defining assistance to minor victims and witnesses of criminal offenses, and Order no. 87/2021 *“On the adoption of rules on the use of the integrated system of juvenile justice data,”* which enshrine rules on the collection, processing and publication of data regarding minor and women victims of criminal offences.

*Creation and putting in operation the office of victims’ coordinator at the prosecution offices.* In January 2016, the Office of Victims’ Assistance was established at the General Prosecutor’s Office, while at general jurisdiction prosecutorial offices victim coordinators<sup>101</sup> have been appointed and operate since 2019. These coordinators provide assistance and counselling to victims with a special focus on minors, women, persons with disabilities, victims of domestic violence, victims of sexual violence or sexual exploitation, and human trafficking.

The Prosecution Office has taken measures so that the victims of violence in criminal proceedings are informed about their rights at every stage of the criminal process by the prosecutors, or judicial police officers in the presence of the coordinator of the victims, in accordance with the latter’s age, mental and emotional state. Pursuant to the law and general instructions mentioned above, the prosecuting body (prosecutor or judicial police) and victims’ coordinators regularly inform all victims about their rights without any discrimination based on age, race, language, religion, gender and sexual orientation. Victims are assisted to use their rights and, where appropriate, are referred to the necessary service providers established to provide for their rights and protection. The Prosecution Office has attached special importance to the continuous training of victim coordinators in this field.

Additionally, other measures have been taken such as provision of trainings by the School of Magistrates and other trainings supported by national and international organizations designed

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<sup>101</sup> “Personnel of the assistance section in the prosecutorial offices for providing services and enabling the exercise of rights by victims and witnesses of criminal offences”.

to increase the capacities of prosecutors, judicial police officers (JPOs), and victim coordinators (described in Article 15). The Prosecutor's Office has attached great importance to institutional cooperation with local and international actors.

#### *Measures taken by the State Police*

Over 2017-2019, the State Police approved standard operating procedures on, "The handling of cases of domestic violence"<sup>102</sup>; "Treatment of minors in the phase of preliminary investigations"<sup>103</sup>; "Treatment of victims of sexual crimes/investigation of sexual crimes"<sup>104</sup>, which define concrete steps to be performed by police officers in the case of intervention against violence. The legal amendments of 2018 and 2020, along with the adoption of by-laws on risk assessment and Order for Provisional Measures of Protection, the conduct of awareness campaigns, capacity building, and the creation of special interview rooms in the police facilities, providing access for persons with disabilities, are measures conducive to trust building between the victim and police officers.

As regards language difficulties, the civil and criminal legislation provides for the right of victims and foreign citizens to be assisted by Ministry-of-Justice-accredited translators/interpreters appointed for the stage of investigations and throughout civil and criminal court proceedings. The State Police, in compliance with procedural provisions, collects the necessary evidence to facilitate the establishment of truth in the civil process, but also in the investigation phase. Free legal aid is granted to every foreign and stateless citizen in our country.

#### *Efforts to identify and address all factors that contribute to the process whereby the case is excluded or fails to be considered by the court system, in cases of violence against women and domestic violence*

The civil and criminal legislation clearly define the obligation for an timely and coordinated response by the responsible institutions from the moment of the victim's report to protection by instituting civil measures, up to the delivery of punishment for the perpetrators. Based on the law on domestic violence, Article 8, Paragraph 6, the police bodies have the duty to note down the relevant findings in a written report, as well as to start investigations *ex officio*. Under Article 130/a of the Criminal Code, Domestic Violence is a criminal offense subject to *ex officio* prosecution, i.e., the police have the obligation to continue criminal proceedings regardless of the victim's change of attitude or approach vis-a-vis the perpetrator. All cases are referred to the prosecutor's office within the legal timeline set forth by the Criminal Procedures Code.

#### *Legal measures for issuing renewable residence permits to migrant women victims of one of the forms of violence covered by Istanbul Convention*

The Albanian State has taken legal measures to guarantee the stay of trafficked victims in the county of Albania as well as guaranteeing protection for other victims of gender-based violence. Law no. 79/2021 "On foreigners,"<sup>105</sup> has changed the previous law by enshrining a series of guarantees for victims, in partial alignment with various EU directives, and Council Directive 2004/81/EC, dated April 29, 2004, "On the residence permit issued to third-country

<sup>102</sup> By order no. 1118, dated 13.11.2017 of the General Director of State Police

<sup>103</sup> By order No. 336, dated 04.04.2018 of the General Director of State Police

<sup>104</sup> By order No. 762, dated 18.06.2019 of the General Director of State Police

<sup>105</sup> <file:///C:/Users/irisa/Downloads/FZ-2021-162.pdf>

*nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.*”<sup>106</sup> In this framework, residence permits are granted according to the various motives, including for victim of trafficking in human beings (Article 39).

For migrant women who have become victims of one of the forms of violence covered by the Istanbul Convention, the law provides in Article 42 that, *‘In the event of the dissolution of relationship of the spouse, or the unmarried partner within the period of 5 -years after receiving the first residence permit for family unification, this right is lost. Exceptionally, when the dissolution of relationship with the spouse/cohabitant is due to domestic violence or other forms of gender-based violence, victims of gender-based violence are granted, upon request, an autonomous residence permit, regardless of the duration of the marriage or relationship’.*

The Border and Migration Authority shall cancel the residence permit for the foreigner, who received it by way of family reunification, where it is proven that the marriage was dissolved **due to domestic violence**; the residence permit has been revoked to both parents or one of the parents or legal guardian/s and the minor is not guaranteed residence by the other parent or legal guardian (Article 45).

Article 52 of the law also provides for granting residence permits in humanitarian cases, subject to meeting criteria such as, when *[the foreigner] has been subject to exploitative work conditions in the Republic of Albania and cooperates in a criminal process against the employer, until the end of the process and up until the foreigner receives their compensation in the amount determined by the process*; has cooperated or agrees to cooperate with the justice bodies, at the proposal of the state or national security bodies; is an abandoned minor or has been left without parental protection, guardian or companion for other reasons. Article 53 guarantees the right of victims and potential victims of human trafficking to be provided with a residence permit.

The local border and migration authority deliver a deportation order to the foreigner when s/he has served a sentence pronounced by the Albanian courts for a crime committed intentionally subject to no less than 2 years of imprisonment by Criminal Code of the Republic of Albania. Given that the punishment for the crime of gender-based violence is more severe, this law warrants the deportation of the perpetrator from the territory of the Republic of Albania. At the time of the enforcement of the deportation order, the highest interest of the child, vulnerable persons<sup>107</sup>, family life, as well as the health condition of the foreigner subject to deportation shall be taken into consideration (Article 99).

### ***Article 51: Risk assessment and risk management***

Following the amendments of 2018 to the domestic violence law, for the first time, the drafting of procedures, standards/protocols, risk assessment, intervention plans and monitoring thereof

<sup>106</sup> CELEX number 32004L0081, Official Journal of the European Union, series L, no. 261, dated 6.8.2004, p. 19–23.

<sup>107</sup> “Vulnerable persons” are foreign minors, unaccompanied minors, persons with disabilities, the elderly, pregnant women, single parents with minor children, as well as persons who have been subjected to torture, rape or forms of other serious psychological, physical and sexual abuses, migrants who due to their specific situation are unable to enjoy their rights and are in particularly delicate conditions, such as domestic workers, migrants with a certain sexual orientation, migrants with serious health conditions and those with disabilities.

had to be done jointly with other line authorities. The same applies to the adoption of instructions on risk assessment, Order for Provisional Measures of Protection issued by the police and upgrading the capacities of Police employees on handling domestic violence cases. Thus, in this line, the Joint Instruction<sup>108</sup> no. 866, dated 20.12.2018 adopted the risk assessment model and procedures on domestic violence cases. It defined the risk assessment procedures to be carried out by the responsible structures of the State Police, in cases of domestic violence, along with the assessment model.

***Risk assessment and compilation of the report.*** The head of the responsible Police structure receiving a domestic violence report, takes all the relevant measures to stop violence and to conduct the risk assessment procedures, thereupon issuing the Order for Provisional Measures of Protection. The employee responsible for performing the risk assessment notifies the relevant coordinator at the local self-government unit. The coordinator may assist in drafting the risk assessment report for the particular DV case. If unable to appear in person, he/she is immediately replaced by a social worker of the structure responsible for social services at the local self-government unit. The police officer carries on with the risk assessment and completes the report as soon as possible. The risk assessment report determines the level of risk and suggests, in proportion to the risk, one or several of the measures provided for in the domestic violence law. In cases of child victims of domestic violence, the Police takes custody of the child and refers the case to the Child Protection Unit/Child Protection Employee(s) in the administrative unit of the Municipality and compile a risk assessment report in the presence of the representative(s) of the Child Protection Unit or the Child Protection Employee(s). In the case of children who have witnessed domestic violence, the police notify the Local Coordinator on Domestic Violence, requests the presence of the Child Protection Unit/Employee(s) and that that the latter necessarily attends the risk assessment and report writing.

***Analysis and key elements of risk assessment.*** A risk assessment is conducted promptly, based on the available information. The information is those collected with the identification or reporting of the violence case, as well as by interviewing the victim, the perpetrator, or other family members, and the institutions, organizations or individuals having information on the case.

The collection of information aims to clarify whether weapons are at play, not only in cases of suspected illegal possession of weapons, but also with a license (the violence law provides that the perpetrator's weapon shall be immediately blocked, a measure that is applied until the expiry of measures on the Emergency Barring Order/Protection Order.). Thereafter, the Police determines if domestic violence is repetitive and its causes; if the court has previously issued any protection orders or emergency barring order; the conduct of the perpetrator towards previous protection orders in case of domestic violence, or criminal court decisions against him; the psychological state of the perpetrator, if he/she is a user of alcoholic or narcotic substances, or if they pose a threat to the life, health or freedom of the victim, children or other family members. The list of factors is not limited, thus leaving room to consider also other factors likely to put in danger the life of victims.

To conduct a risk assessment report, the police officer takes into account:

- a) The short-term risk level to the life, health and freedom of family members and its possible dynamics;
- b) The need for provisional measures of protection and duration thereof;

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<sup>108</sup> The Minister of the Interior and the Minister of Health and Social Protection

c) The need to prevent further escalation of violence, by stopping the actions of the perpetrator.

The level of risk could be urgent, moderate or low. After preparing the risk assessment report, the police officer presents it to the Head of the local police structure, recommending the specific measures proportionate to the respective risk level.

**Risk management.** As part of the risk management process, the Chief of Police can issue an order for provisional measures of protection, the implementation of such measures, the placement of the victim in an emergency or long-term residential shelter, the placement of the victim in crisis management centres in cases of sexual violence, the implementation of the Order for Provisional Measures of Protection (OPMP), taking other necessary measures for risk management and OPMP implementation. In this regard, the violence coordinator ensures the participation of respective institutions and other members of the Coordinated Referral Mechanism. Subsequent steps include court validation of provisional measures of protection and issuing an Emergency Barring Order/Protection Order, implementation thereof, criminal prosecution of the violator, etc. An important part of risk management is also the individual intervention plan. It is based on a needs assessment and relevant services, and is prepared by the violence coordinator in cooperation with the members of the Coordinated Referral Mechanism. The victim is placed in an emergency or long-term shelter only when necessary based on the following considerations: risk to the victim's life; the best interest of children who should not stay with the perpetrator without supervision; the will of the victim to be placed in a shelter; the legislation into force on the standards and procedures for admission to these centres.

**Case evaluation and closing.** The Multi-Disciplinary Technical Group (MDTG), after conducting a careful monitoring and evaluation process, taking all actions as planned for the follow-up of a case, and ensuring that each institution has responsibly fulfilled its obligations, decides to close the case. At closing a case, the MDTG carefully assesses the victim's situation, whether the victim has benefited from the services provided as needed, whether the trauma of the experienced violence has passed, whether the level of risk has been reduced or minimized, etc. The decision to close the case is made when:

- interventions undertaken have reduced the level of risk to low risk or no risk;
- during the continuous monitoring, there have been no circumstances or facts that could return the case to the previous situation of violence, such as, for example, violation by the perpetrator of specific measures under the PO, or impossibility of re-integrating the victim (for reasons related to lack of housing, employment, etc.).
- owing to the services and support provided, it turns out that the trauma of the violence sustained by the victim has been overcome.

Low-risk cases are closed by the coordinator if, after the services provided, another assessment is done, based on the results of which the MDTG members and the professional(s) who provided the services, agree to close it.

### ***Ex-post evaluation of gender-based homicide and prevention thereof***

Taking into consideration all the information presented in this report, divided in sections and articles, it should be emphasised that a number of measures have been undertaken in order to prevent femicide, such as design policies, legal amendments, effect service improvement, budget increases, etc. In addition to the clarifications in the report, each specific case has been analysed in detail by the Police. As a result, the failing links in the chain have been identified,

measures have been taken to improve the shortcomings in the future, as well as to punish the responsible employees who did not implement the DV standard procedures.

Law no. 5/2020 “On the institution of amnesty,” bars from the amnesty persons who are convicted of:

- sexual crimes, provided for in articles 100, 101, 102, 102/a, 103, 104, 105, 106, 107/a, 108 and 108/a, of the Criminal Code;
- criminal offenses against morality and dignity, provided for in Article 114, second and third paragraphs of Article 117, Articles 119, 120, 121, of the Criminal Code;
- criminal offenses against children, marriage and the family, provided for in the second paragraph of Article 124, in the second and third paragraphs of Article 124/b, in Articles 128/a, 128/b, 129 and 130/a, of Criminal Code, which are criminal offenses related to gender-based violence.

The Albanian criminal legislation does not provide for gender-based murders. However, the Criminal Code (CP) provides for certain criminal offenses that may be classified as femicide.<sup>109</sup> Such are murder (Article 76 of the Criminal Code), intentional murder in connection with another crime (Article 77), premeditated murder (Article 78), murder in other qualifying circumstances (Article 79), domestic violence, murder committed in a state of severe mental shock (Article 82) and serious intentional injury resulting in death (Article 88, paragraph 2). Article 88 of the Criminal Code stipulates as serious intentional injury in aggravating circumstances the criminal offense against several persons, against the person who is a spouse, ex-spouse, cohabitant or ex-cohabitant, a close kin or close in-law to the perpetrator, or when it results in death. Murder due to family relations is a criminal offense provided for by Article 79/c of the Criminal Code. The victim of this criminal offense can be the spouse, ex-husband, cohabitant or ex-cohabitant, close kin or close in-law of the perpetrator.

### ***Article 52- Emergency barring orders***

#### *Measures to implement emergency barring orders and response to breaches thereof*

The legal amendments discussed in previous sections improved the existing protective measures and reinforced them with the adoption a new protective order such as the order for ***provisional measures of protection, which*** is imposed by the Police based on the mandatory risk assessment procedure. The legislator has chosen this formula to strengthen the administrative measures for the immediate prevention and end of domestic violence. However, this is a temporary interim measure valid over 48 hours, within which the court proceeds with an Emergency Barring Order, as appropriate. The order for provisional measure of protection represents a new tool for the immediate prevention of violence until a protection order is issued by the court. It allows the police to play a more active role in the management of the DV risk and its prevention. The order for provisional measure of protection is issued by the Police when the risk assessment shows that the perpetrator poses a risk to the life, health and freedom of family members. Until the court issues the Emergency Barring Order, or the protection order, the Order for Provisional Measures ordering the perpetrator to vacate the dwelling, and bars him from communicating with and contacting the victim, children and other family members.

<sup>109</sup> Femicide and attempted femicide in Albania (2017-2020), Centre for Civil Legal Initiatives and Femplaz, with the support of UN Women within the regional programme EAW in the Western Balkans and Turkey, 2023 Information obtained from the study, page 38 <https://www.qag-al.org/publikime/femicidi.pdf>

The law also provides protection for victims of domestic violence in exceptional situations. In situations where emergency measures are imposed throughout the country or part of it, the head of the responsible structure of the State Police has the obligation to issue an order for provisional measures of protection in any case of violence. When appearing in court to validate the above referenced order, the police must ask the court to issue a protection order, without the order for provisional measures of protection.

In cases where violence is perpetrated against or in the presence of children, the Police takes immediate custody of the child and at the same time refers the case to the Child Protection Unit in the local self-government unit, as explained in Article 31. Pursuant to the law, the Joint Instruction,<sup>110</sup> No. 912, dated 27.12.2018, “On approval of the model and procedures for the Order for Provisional Measures of Protection,” was adopted.

As regards support and counselling for women victims, the competent authorities which issue the EBO also implement the legislation and standard procedures on handling cases of domestic violence. Here, among other things, the Police has the obligation to inform the victim and to coordinate the immediate actions with the other members of the mechanism. Victims of domestic violence are informed that they have the right to benefit from free-of-charge primary and secondary legal assistance and are directed to relevant specialised providers.

### ***Article 53- Orders for provisional measures of protection***

As explained in the article above in a summarized way, the implementation of administrative measures through the orders for provisional measures of protection by the State Police provide for effectiveness and continuity of protective measures, because they are taken from the first moment of DV risk assessment and continue until the court makes a decision on an Emergency Barring Order (EBO) or Protection Order (PO). This ensures better protection for DV victims, more effective DV prevention, as well as more effective coordination of state institutions.

In order to guarantee the protection of victims of domestic violence, in 2018 and 2020, the legislator also amended the articles related to the issuance of EBOs and POs. According to the law, an EBO is issued by a court decision and provides for protective measures for the victim, children and, as the case may be, as well as measures for perpetrator’s rehabilitation. EBO is a temporary court warrant, valid until a PO is issued by court decision. The amendments also improved the protection of children victims of domestic violence or who witness DV violence, assigning the court a more active role in the child’s best interest (as explained in Article 31). A newly introduced amendment, which the court may impose in any case, warrants the perpetrator to vacate the dwelling. This is the main measure with a direct impact on the prevention and/or ending DV episodes, which may be reinforced with other protective measures. The decision to dissolve the marriage, pronounced by the court during the implementation of the EBO/PO as a concurrent consequence, begins to take effect from the day of EBO/PO expiry. In case the court has imposed different sustenance arrangements for children in its decisions, the decision most favourable for the children prevails.

Domestic violence, stalking, sexual harassment, sexual violence, forced marriage, and forced abortion are provided in the Penal Code as criminal offenses and if they occur, they are prosecuted. Criminal prosecution does not prevent the issuance of EBOs/POs, when these offenses occur within

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<sup>110</sup> Minister of Interior and Minister of Health & Social Protection



the family circle. Other forms of violence against women are prosecuted according to the relevant articles in the Criminal Code. Female genital mutilation is not considered an Albanian problem and until now, there have been no steps to address this form of violence in the legislation or the protective measures. However, the meetings, trainings and information sessions held by various actors, address this offence, too, in terms of not only the causes and consequences, but also of the issues that may occur due to the lack of such provision in the Albanian legislation.

“Sexual Harassment”, was added in the law No. 10 221 dated 04.02.2010 “On Protection from Discrimination” which introduces the concept of “Sexual Harassment” as a form of discrimination that occurs in the case of unwelcomed behaviour, whether verbal or non-verbal, with a sexual nature and for the purpose or effect of infringing upon the dignity of the person and creating an intimidating, hostile, contemptuous, humiliating or offensive environment for the target, in line with the provisions of the Istanbul Convention. In addition, with the recent changes, new forms of discrimination have been added, such as intersectional discrimination, multiple discrimination, structural discrimination, hate speech, abetting or aiding discrimination, declared intent of discrimination, etc. It should be emphasized that now, any discriminatory behaviour that is motivated by more than one cause, when it is committed more than once, when it has lasted for a long period of time, or when it has brought particularly harmful consequences to the victim constitutes a form of severe discrimination. In terms of “Forced Abortion,” in 2018, the Commissioner participated in the hearing held by the Committee of Labour, Social Affairs and Health, together with the Sub-Committee on Gender Equality and Prevention of Violence against Women, the Sub-Committee on Human Rights with the participation of interest groups, to discuss on the implementation of legislation on selective sex abortion. The Commissioner for Protection from Discrimination raised the concern of the shortcomings in the numbers, reports, and data from state institutions and bodies.

#### *Measures taken to enforce protective orders and response to breaches thereof*

Legal amendments of 2018 enshrine a number of provisions on the effective implementation of EBOs/POs, as follows:

- Article 19, paragraph 2. The court cannot refuse the issuance of an Emergency Barring Order due to another judicial proceeding involving one of the parties.
- Article 19, paragraph 2/1. The court issues the protection order even in cases where the parties claim that the conflict has been resolved or should be resolved through conciliation or mediation.
- Article 19, paragraph 6. The decision of the court issuing an Emergency Barring Order constitutes an enforceable title. The decision is executed immediately by the Police, in cooperation with the judicial enforcement service and the social services office of the local self-government unit where the victim and the other persons, subject to the decision, have permanent or temporary residence.
- Article 23, paragraph 1 - The judicial decision to issue the protection order is final and constitutes an executive title from the day of its pronouncement. Together with the Emergency Barring Order, the court issues the relevant execution order. The decision is executed immediately by the structures of the State Police, in cooperation with the judicial enforcement service and the social services office of the local unit where the victim and the other persons mentioned in the decision have permanent or temporary residence.
- Article 23, paragraph 3/1 – Over the duration of the court decision on the EBO/PO, the social services office of the local self-government unit monitors compliance with the

protection order by the parties and prepares a report every 60 days, which, in any case, is sent to the State Police. The parties charged with responsibility by the court decision shall cooperate to enable the representatives of the social services office of the local self-government unit and other relevant institutions, to visit the victim's dwelling, in accordance with the court warrant in the Emergency Barring Order and/or the Protection Order, as well as providing service providers with the necessary information.

- Article 23, paragraph 6 - In the event of failure to execute protection orders, or obstruction of implementing bodies to discharge their duties as provided for in this law and/or in the court's decision, the relevant punishments provided for in Criminal Code shall apply.
- The 2020 amendments (effected by law 125/2020) take into consideration the situation caused by the Covid-19 pandemic as explained above.

The above is clearly reflected in the protocol on management of DV cases by members of the Coordinated Referral Mechanism, as well as in the Standard Operating Procedures for health and social care providers and social workers who handle domestic violence and gender-based violence. These procedures are always the subject of activities for strengthening the capacities of professionals involved in case management.

The General Enforcement Directorate, specifically the state judicial enforcement service, enshrined in its 2017-2022 programme the objective to execute all executive titles of "Protection Orders/ Emergency Barring Orders." This objective was reached 100 per cent.

## ***Article 56- Measures of protection***

### *Informing the victim when the perpetrator escapes or is released temporarily*

The criminal legislation provides the right of the victim to be informed about the arrest and release of the perpetrator. The victim, her legal representative or defender, have the right to ask for information on the imposition, continuation, replacement or lifting of pre-trial detention measures against the defendant, except when such notification may endanger the life or health of the defendant. In addition, based on legal<sup>111</sup> and sub-legal acts<sup>112</sup>, the release of convicts is notified to the police station in whose jurisdiction their place of residence is located. Pursuant to law no. 62/2022 "On the National Register of Sexual Crime Convicts," the General Directorate of Prisons issued Order No. 559, dated 23.03.2023, "On reporting the data of persons who have completed their prison term, the data of perpetrators of sexual crimes, and information on the release of other prisoners," which provides for notifying the State Police and the Police Station in whose jurisdiction sexual crime perpetrators reside.

### *Protection of the victim's privacy and image*

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<sup>111</sup> Law no. 81/2020 "On the rights and treatment of those sentenced to imprisonment and pre-trial detainees" (Article 79/6)

<sup>112</sup> In articles 1/b/g, 4/8, article 5/10 of the Cooperation Agreement between the General Directorate of Prisons and the General Directorate of the State Police, no. 2194 prot., dated 05.03.2019 for GDP and no. 897/3 prot., dated 03.04.2019 for GDSP, on prison release procedures and victim notification.

Criminal legislation provides for the obligation of public bodies to guarantee that victims of criminal offenses are treated with respect for their human dignity and are protected from re-injury, during the exercise of their rights (Criminal Procedure Code, Article 9/a). Minor victims have the right to confidentiality of their personal data (CPC article 58/a, paragraph 1/b). Sexually abused victims and victims of human trafficking have the right to refuse to answer questions about their private life, which is clearly not related to the criminal offense (CPC article 58/b). The court may decide that criminal proceedings, or parts thereof, take place behind closed doors (CPC, Article 340) in cases where publicity may harm social morals or may lead to leakage of data that should be kept secret in the interest of the state, if such a thing is required by the competent body; where it is deemed necessary in the questioning of minor witnesses; and where sexually abused victims and victims of human trafficking request a closed-doors hearing. Judicial examination always takes place behind closed doors when juveniles are tried or adult defendants are tried, who are accused of committing criminal offenses against minor victims, the age of the victim at the time of trial notwithstanding. The presiding judge informs the participants in a closed-doors trial about the obligation to preserve the confidentiality of information learned in the hearings.

*The possibility for victims to testify without being present in the courtroom, or at least without the suspect's presence, mainly using relevant information technologies*

Article 58/a of the CPC provides that the minor victim has the right to request, through the representative, that the trial take place without the presence of the public and to be questioned without delay by duly specialized persons. When possible and appropriate, the conversation is recorded both on audio and video. This recording can be used as evidence in criminal proceedings and is evaluated together with other evidence, according to the criteria set forth in the Criminal Procedure Code. When the minor victim is under 14 years old, the conversation takes place in environments adapted for minors.

Based on the Criminal Procedure Code, sexually abused victims and victims of human trafficking have the right to request to be heard through audio-visual means (CPC, Article 58/b). Victims of sexual crimes, trafficking crimes or crimes committed within the family, upon their request, can be questioned as witnesses through audio and audio-visual means.

*Providing appropriate support services to victims so that their rights are represented as they should and taken into consideration.*

The victim of the criminal offense has the right to benefit from medical care, psychological assistance, counselling and other services provided by the authorities, organizations or institutions responsible for assisting the victims of the criminal offence; to be summoned to the preliminary hearing and the first court hearing; to be heard by the court, even there is no request by the parties for her to testify.

#### **IV. Emerging trends on violence against women and domestic violence**

*New trends in violence against women and domestic violence, including their digital manifestation (types, groups of victims, forms of violence).*

Information received from the municipalities shows that new trends in online violence are noticed while managing cases of domestic violence. Therefore, the protection measures imposed by the court is prohibition of any form of harassment and violence on social networks, via

telephones or any other form. All cases of digital domestic violence involve women and girls as victims, with the perpetrators being intimate partners, cohabitants or husbands.

*Emerging trends in the allocation of funds and budgeting by state authorities*

As explained in article 8 of the report, the Social Fund is a new trend in supporting specialized services for gender-based violence (GBV) victims. The resources are allocated by the central government at regional level. The National Gender Equality Strategy (NGES) 2021-2030 provides for multiple forms of support for women and girls of marginalized groups in sub-urban and rural areas, including victims of gender-based violence, such as funding for start-ups and businesses, subsidies for enterprises that implement innovative ideas with a focus on digitization and environmental economy, freedom from local taxes in the first two years, etc. The budgeting of social services by the Municipalities for victims of domestic violence is another positive trend that guarantees social housing, a counselling line, legal and psychological support, and other services for victims of domestic violence.

*Innovative approaches to early prevention, e.g., new target audiences and means of communication, public/private partnerships, etc.*

In addition to the actions described in response to Article 12 of this report, mention should be made of the measures taken by the Audio-visual Media Authority (AMA) to include, for the first time ever, the principle of gender equality and non-discrimination in the Broadcasting Code for Audio-visual Media. These measures aim to improve gender equality in the Media, avoid sexist language and protect women and girl victims of gender-based violence and domestic violence from re-victimization during the reporting of specific cases in media broadcasts. According to the newly added section in the Broadcasting Code, “Promotion of gender equality, prevention and fight against discrimination in audio-visual media,” broadcasting operators are encouraged to take concrete measures to combat gender-based discrimination, and re-victimization of victims; to protect the right to private life of victims of gender-based violence and any other form of violence against women and their children.<sup>113</sup>

Also, during 2018, an assessment of the legal, institutional and human resource framework on violence against children in Albania was carried out, with a focus on the children’s sexual exploitation and abuse in the virtual space. The Government of Albania and civil society (ALO 116, [www.isigurt.al](http://www.isigurt.al)) have been supported to create reporting and awareness mechanisms for boys, girls and parents about online abuse. Efforts have been invested in empowering peer educators to ‘help boys and girls better understand and protect themselves from online dangers. This is how the U-Report platform was created, which, in addition to being a mechanism for hearing the voice of children and teenagers on issues of concern to them, was conceptualized as a safe, convenient and accessible place for teenage girls to participate in public opinion and decision-making. As of May 2018, 438 teenage girls and 471 boys have become regular U-Reporters.

The program, “End Violence against Women” supported the partnership between Vodafone Albania, Ministry of Health and Social Protection and Ministry of Interior to design and launch the Bright Sky application, a new online support programme for women victims/survivors of DV and GBV accessible from June 2021. The application is free to download and can be used

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<sup>113</sup> Audiovisual Media Authority, Report of the public consultation on changes to the Media Broadcasting Code in Albania, [ama.gov.al](http://ama.gov.al)

on mobile phones and/or other smart devices, providing support and information to anyone who may be in an abusive relationship, or to those who are concerned about someone they know. The application has an extensive [Albanian] directory of support agencies, questionnaires to assess the safety of a relationship, dispel myths about domestic and sexual abuse, and suggested steps to take to improve online safety. The app can also be used to provide information to anyone who wants to learn about domestic abuse, starting from the main issues, to some of DV types, and support available.

In addition, the program<sup>114</sup> worked jointly with Aikido Albania and ESD Global Self Defence to organize a Level 1 Instructors' Training Course on Women's Empowerment through Self Defence (ESD) for 14 CSO representatives, especially those providing services to women survivors of violence, along with the provision of five online courses for university and high school students. In addition, in 13 schools was organized the tour "FREE to choose" - empowerment through Self-Defence (ESD) as a technique that helps prevent violence and reduce bullying in schools. 439 women and girls and 64 men and boys participated in the self-defence courses. As a follow up to this program, the Ministry of Education and Sports has accepted the request for implementing the project "Strong as a woman," supported by UN Women and ESD Global Self Defence, to train teachers on self-defence awareness, and collect evidence on the impact of integrating ESD in the curriculum of pre-university education in Albania. The Minister of Education and Sports has approved the revised Guideline "On the implementation of the National Programme on Arts, Crafts, and Sports as extra-curricular activities." In the framework of the latter, sports include Self-Defence Empowerment, a holistic discipline that aims to empower students, build harmonious relations at school, and reduce cases of conflict and violence as a whole, either verbal, psychological or physical, inside and outside the school environment.

The awareness-raising campaigns are organized in innovative forms, i.e., not only through meetings with the community, stakeholders, and partners engaged in the fight against gender-based and domestic violence, but also by using online platforms, reaching out a big number of people. This is evidenced by the increasing number of cases identified by the Coordinated Referral Mechanisms.

The UN Joint Program, "End violence against women" used a variety of communication channels to expand the scope of campaigns contributing to awareness raising, as reflected in the increasing number of reported cases. It promoted the role of the media in the advancement of gender equality and protection of women's rights and engaged boys and girls as agents of change to challenge gender stereotypes. The legend, "Doruntina's Besa"<sup>115</sup> and the children's book, "They lived as they wanted happily ever after"<sup>116</sup> were rewritten. They targeted teachers, kindergarten educators, children, students and parents, emphasizing gender roles and equality, especially for the younger generation. Other activities in collaboration with 14 CSOs mobilized youth and local communities through photo exhibitions, songs, dance videos, youth street performance, information sessions with young people in schools, online forums with professionals in various disciplines to convey the message, "Listen, believe and support women and girls, victims of violence." The Women's Museum<sup>117</sup> located in an old traditional house in the city of Shkodra, through a variety of installations, gave clear messages against violence against women and girls, gender roles, and patriarchal stereotypes. Part of these partnerships

<sup>114</sup> End violence against women

<sup>115</sup> [Doruntina's Besa | United Nations Development Programme \(undp.org\)](#)

<sup>116</sup> [They lived as they wished happily ever after | United Nations Development Programme \(undp.org\)](#)

<sup>117</sup> [https://twitter.com/MonicaMerino\\_D/status/1501202924852158467](https://twitter.com/MonicaMerino_D/status/1501202924852158467)

with CSOs, were the activities that engaged young women and men in Shkodër, Durrës and Pogradec,<sup>118</sup> designed to deal with discrimination and violence and contribute to the empowerment of women and girls in non-traditional ways through innovative tools in storytelling using digital multimedia production.<sup>119</sup> Also, on March 8, 2022, the FEMFEST festival was organized for the first time to promote women's empowerment and leadership. Young artists from the Albanian Artists' Association, "Bash-Art," implemented the initiative "Violence OFF- Power ON" under which 14 works of art (murals) were painted in 14 cities in Albania.

## V. Administrative data and statistics

*Number of reports, open investigations, prosecutions, final convictions and sanctions imposed against all types of violence against women and domestic violence, under the Istanbul Convention.*

**In 2021**, a total of 5,312 cases of domestic violence and other crimes within the family were recorded, where 2,046 of domestic violence and other crimes within the family were referred to the prosecutor's office. Of the latter, 1,631 cases were based on Article 130/a "Domestic violence," while 638 perpetrators were arrested in flagrante delicto. In 3,266 cases of domestic violence, an Emergency Barring Order/Protection Order was claimed before the court. Sixteen murders within the family were recorded causing 16 victims, where ten were women/girls and eight were spouses.

During this period, 130 cases involving sexual crimes (Article 100-108/a) were recorded, with 104 women/girls injured. As regards the "Trafficking in persons," provided for by Article 110/a, 13 cases were recorded, with one woman/girl injured. 177 cases recorded for "Stalking", with 141 injured women/girls. Nine cases were registered for the offense of "Extortion or obstruction to cohabitation or dissolution of marriage," provided for by Article 130 of the Criminal Code, with seven women/girls injured. No case was recorded during this period for the criminal offense, "Termination of pregnancy without the consent of the woman," provided for by Article 93 of the Criminal Code.

**Women/girls damaged by criminal offenses (not only in the family).** In 2021, 4711 women/girls were subject to criminal offenses.

**In 2022, State Police data show:** A total of 5,214 cases of domestic violence and other crimes within the family are recorded, and 2,274 of them were referred to the prosecutor's office. Of the latter, 1,887 cases were based on Article 130/a "Domestic violence", and 683 perpetrators were arrested in flagrante delicto. 2,940 cases of domestic violence were subject to lawsuits requesting "The issuance of an Emergency Barring Order /Protection Order."

Ten cases of murders in the family were recorded, causing 12 victims, of which six were women/girls and of these four were spouses.

<sup>118</sup> Centre Science and Innovation for Development (SCiDEV)

<sup>119</sup> [UNDP in Albania on Twitter: "#WomenInSTEM- Our @MonicaMerino D at the event organized by @SCiDEV\\_Center "Our shared goal is 2 achieve gender equality in STEM by increasing women&girls'access to STEM&digital skills 4education&employment, spreading awareness among stakeholders&decision makers @SwedeninAL https://t.co/mApAS0wDro" / Twitter](https://twitter.com/SCiDEV_Center)

During this period, 169 cases of sexual crimes were recorded (Article 100-108/a), with 124 women/girls injured. For the criminal offense, “Trafficking in persons,” provided for by Article 110/a, 21 cases were recorded with two injured women/girls. For the criminal offense, “Stalking” 158 cases with 121 injured women/girls were recorded. Seventeen cases were recorded for the offense of “Extortion or obstruction to cohabitation or dissolution of marriage,” provided for by Article 130 of the Criminal Code, with nine injured women/girls. For the criminal offense, “Termination of pregnancy without the woman’s consent,” provided for by Article 93 of the Criminal Code, no case was recorded during this period.

**Women/girls injured by criminal offenses (not only in the family).** In 2022, 4,200 women/girls were injured by criminal offenses.

*Number of Orders for Provisional Measures of Protection issued by the competent authorities, breaches and sanctions thereof.*

**In 2021**, in 415 cases was applied the order for provisional measures of protection; in 237 cases, the perpetrator was ordered to vacate the dwelling.

**In 2022**, in 424 cases was applied the order for provisional measures of protection, while in 221 cases the perpetrator was ordered to vacate the dwelling.

*Number of Protection Orders, breaches of EBO/PO and sanctions thereof*

**During 2021**, lawsuits were filed for 3,266 cases of domestic violence requesting, “Issuance of an Emergency Barring Order/Protection Order”. A number of 163 EBO/PO breaches were recorded which were prosecuted as criminal offenses under Article 321 of the Criminal Code, “Actions contrary to the court’s decision.” Of the perpetrators, 45 were arrested in flagrante delicto, 11 were detained, and the rest were investigated without being taken in police custody.

**During 2022**, lawsuits were filed for 2940 cases of domestic violence requesting, “Issuance of the Emergency Barring Order/Protection Order.” A number of 158 EBO/PO breaches were recorded and prosecuted as criminal offences under Article 321, of the Criminal Code, “Actions contrary to the court’s decision.” Of the perpetrators, 48 were arrested in flagrante delicto, 5 were detained, and the rest were investigated without being taken in police custody.

### **Trends in and statistics on domestic violence for the last three years**

The prosecutors at the general jurisdiction prosecution offices, pursuant to the law and general instructions, gave priority to and improved the quality of investigations. Therefore, an efficient punitive criminal policy was implemented relative to cases of violence against women and domestic violence. Each case was duly analysed and evaluated, thus enabling the application of adequate pre-trial detention measures. The pronouncement of correct sentences on the crime of domestic violence contributed to further increasing the effectiveness of the fight against this crime, as well as for the special and general prevention of this offense, while providing support to victims of violence against women, domestic violence, and violence against minors.

In terms of statistical data, the table below provides the figures on the criminal proceedings in 2020, 2021 and 2022 against the criminal offense of “Domestic Violence,” provided for by Article 130/a of the Criminal Code, as follows :

Offence	2020					2021					2022				
	No of Reg. Proceedings	No of Proceedings put on trial	No of Reg. suspects	No of Suspects tried	No of Suspects convicted	No of Reg. Proceedings	No of Proceedings put on trial	No of Reg. suspects	No of Suspects tried	No of Suspects convicted	No of Reg. Proceedings	No of Proceedings put on trial	No of Reg. suspects	No of Suspects tried	No of Suspects convicted
Domestic violence Article 130/a	1251	914	1114	979	711	1406	1037	1234	1119	879	1453	1093	1216	1182	1016

**In 2022**, about 1,453 criminal proceedings were registered, involving 1,216 defendants, indicating 3.3% increase in proceedings and 1.4% decline in the number of registered defendants compared to 2021. 1,093 proceedings with 1,182 defendants were put on trial, representing a 5.4% increase in proceedings and 5.6% in defendants put on trial, compared to 2021.

- i. In 2022, the effectiveness of criminal prosecution against “Domestic violence”, is high. The share of cases sent to trial are much higher than the cases dismissed, respectively 82.7 % to 17.3 %.
- ii. With regard to “Domestic violence”, an offence foreseen by Article 130/a of the Criminal Code, the statistics indicate as follows:
  - in 87.7% of cases the prosecutors asked the court to impose pre-trial detention measures, while in 12.3% of the cases, the obligation appear before the judicial police. Thus, pre-trial detention has declined by 1.5 % compared to the year 2021;
  - in 61.7% of the cases the prosecutors claimed a prison sentence for the defendants charged with domestic violence offences, while in 38.3% of the cases for an alternative punishment. Thus, prison sentence by 5.6% compared to 2021.

**In 2021**, about 1,406 criminal proceedings were registered, with 1,234 defendants, with an increasing trend, respectively by 12.39% and 10.77%. About 1,037 proceedings with 1,119 defendants were put on trial, with an increasing trend, respectively by 13.45% for proceedings and 14.3% for defendants put for trial compared to 2020.

- ii) In 2021, the effectiveness of criminal prosecution against “Domestic violence” was high. The share of cases sent to trial was higher than the share of cases dismissed, respectively 84.04 % to 15.96 %.
- iii) With regard to “Domestic violence”, the statistics indicate as follows:
  - in 89.22% of cases the prosecutors asked the court to impose pre-trial detention measures, while in 10.88% of the cases, the obligation appear before the judicial police. Compared to 2020, these figures ratio.
  - in 56.1% of the cases the prosecutors claimed a prison sentence for the defendants charged with domestic violence offences, while in 43.9% of the cases for an alternative punishment.



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**In 2020**, about 1,251 criminal proceedings were registered, with 1,173 defendants, indicating an increasing trend, respectively 9.74% for criminal proceedings and 8.8% for registered defendants. 914 cases were put on trial involving 979 defendants, with an increase of 8.75% for proceedings and 9.3% for defendants respectively, as compared to 2019.

- i) In 2020, the effectiveness of criminal prosecution against “Domestic violence” was high, with 83 % of cases sent to train and 17% of cases dismissed.
- ii) With regard to “Domestic violence, the statistics indicate as follows:
  - in 88 % of cases the prosecutors asked the court to impose pre-trial detention measures, while in 12 % of the cases, the obligation appear before the judicial police, resulting in an increase of the former compared to 2019.
  - in 63.7% of the cases the prosecutors claimed a prison sentence for the defendants charged with domestic violence offences, while in 36.7% of the cases for an alternative punishment, resulting in a 3.7 % increase in prison sentences compared to 2019.

## VI. Annexes

### ANNEX NO.1: TRAININGS

**Table 1: Initial training (education or vocational training)**

Professionals	Did they participate in the initial training programs on violence against women and domestic violence?	Is this training mandatory?	Are trainings based on Guidelines or Protocols?	Who funds the trainings?	Please describe the content and durations of training
2159 trainees from the Security Academy	Yes	Yes	The trainings are based on the programme of “General Policing,” on the Course programme “General Patrol,” approved by the Security Academy. (over 2017-2022)	State Police	<ol style="list-style-type: none"> <li>1. Investigations in cases of physical violence (duration 4 hours);</li> <li>2. Investigations of domestic violence and violence against minors (duration 4 hours);</li> <li>3. Legal issues on domestic violence (duration 4 hours);</li> <li>4. Reaction to cases of domestic violence (duration 4 hours);</li> <li>5. Domestic violence (duration 6 hours);</li> <li>6. Hate crimes. Diversity and non-discrimination (duration 6 hours).</li> </ol>
Local coordinator for the referral and management of cases of domestic violence <sup>120</sup>	Yes	Yes	The trainings are based on guidelines and protocols.	Civil Society Organisation (CSO) jointly with MoHSP	<ol style="list-style-type: none"> <li>1. Domestic violence, gender-based violence</li> <li>2. Istanbul Convention</li> <li>3. Protocols on sexual violence, and domestic violence</li> <li>4. REVALB system</li> <li>5. General gender budget</li> </ol>

<sup>120</sup> Municipalities of Devoll, Dimal, Fushë-Arrëz, Gramsh, Has, Klos, Kamëz, Kolonjë, Kuçovë, Lezhë, Lushnjë, Librazhd, Maliq, Mat, Mallakastër, Prrenjas, Roskovec, Pustec, Elbasan, Sarandë, Tiranë, Vlorë, Vau Dejes, and Mirditë.

					6. Case management jointly with the Coordinated Referral Mechanism (training duration: 4 hours and 2 days)
Child protection employees <sup>121</sup>	Yes	Yes	The trainings are based on guidelines and protocols.	CSO jointly with MoHSP	<ol style="list-style-type: none"> <li>1. Domestic violence, gender-based violence</li> <li>2. Abuse, neglect, the hallmarks of an abused and battered child.</li> <li>3. Case management of children in situations of violence or abuse.</li> </ol>
Employees of the Social Service Directorate <sup>122</sup>	Yes	Yes	The trainings are based on guidelines and protocols.	CSO jointly with MoHSP	<ol style="list-style-type: none"> <li>1. Legal amendments to the law on violence</li> <li>2. Protocols on the management of cases of domestic violence through Coordinated Referral Mechanisms (CRM) in normal and Covid-19 situations</li> <li>3. Protocol on the management of cases of sexual violence at the local level through a multi-sectoral coordinated approach</li> <li>4. Mental health and management of cases of domestic violence.</li> </ol> <p>(Duration of trainings 1 and 2 days)</p>

<sup>121</sup> Municipalities of Devoll, Dimal, Fushë-Arrëz, Gramsh, Has, Kamëz, Kolonjë, Kuçovë, Lezhë, Tiranë, Vlorë, Vau Dejës, Tropojë, Elbasan, Mirditë, Lushnjë, Librazhd, Maliq, Mat, Mallakastër, Prenjas, Roskovec, Selenicë.

<sup>122</sup> Municipalities of Lushnjë, Selenicë, Tiranë, and Elbasan

Social workers	Yes	Yes	The trainings are based on guidelines and protocols.	CSO, MoHSP	<ol style="list-style-type: none"> <li>1. Domestic violence, gender-based violence</li> <li>2. Istanbul Convention</li> <li>3. Protocols of sexual violence, domestic violence</li> <li>4. REVALB system</li> <li>5. General gender budget</li> <li>6. Case management jointly with CRMs</li> <li>7. Providing quality services to working target groups; Professional consumption; Strengthening the role of women and girls in contemporary society</li> </ol>
Teacher, psychologist, social worker, security worker, students <sup>123</sup>	Yes	Yes	The trainings are based on guidelines and protocols.	Ministry of Education and Sport, Municipalities, Schools, Police, NPO-UNICEF, Centre “New Epoch”, RAYS, European Centre, NPO “I, the Women” in Pogradec, Centre for legal and Civic Initiatives, Centre for Protection of Children’s Rights , NPO ‘Different and Equal’, Women’s Forum, Elbasan	<ol style="list-style-type: none"> <li>1. Istanbul Convention</li> <li>2. Domestic violence, GBV, violence against children, gender equality, access of victims to justice with the new judicial map, case management</li> <li>3. Re-integration of survivors of GBV, addressing needs according to socio-economic plans.</li> <li>4. Trafficking in human beings, for terrorism purposes</li> <li>5. Violent Extremism</li> <li>6. Gender Education in the Pre-University Education System.</li> <li>7. The risk of youth involvement in organized crime.</li> <li>8. Healthy ways of conflict resolution</li> <li>9. Anger management and avoiding conflicts with children.</li> <li>10. Issues of women's rights in the family, women's freedom, behaviour in society</li> </ol> <p>(duration: 2 hours, 18 hours, 1-3 days)</p>

<sup>123</sup> Local Pre-university Educational Offices in Belsh, Berat, Librazhd, Devoll, Pogradec, Elbasan, Dimal, Vlorë, Himarë, Gjirokastër, Libohovë, Lushnje, Roskovec, Selenicë, Mallakastër, Fier.

Psychologist	Yes	Yes	The trainings are based on guidelines and protocols.	CSO, MoHSP	<ol style="list-style-type: none"> <li>1. Providing quality services to working target groups (2 days)</li> <li>2. Professional consumption, strengthening the role of girls and women in society (2 days)</li> <li>3. Art therapy (1 day)</li> </ol>
107 psychologists certified as assistants and evaluators from the special training for psychologists in the Justice System	Yes	Yes		Order of the Psychologist jointly with the Justice Ministry and SIDA	<p><b>Module for the psychologist as an assistant:</b>  Knowledge of the legal context: International standards; Disciplinary measures; Juvenile Justice Code; Experts in the process of reintegration of minors in conflict with the law; Ethical principles of the psychologist; Methods and procedures for the implementation of the assistance process</p> <p><b>Module for the psychologist as an evaluator:</b>  Law No 18/2017 dated 23.02.2017; Child protection measures; Ethical decision-making models in legal psychology; Methods of psychological assessment in civil and criminal cases; psychological assessment process; Data management and interpretation; Use of evaluation data; Assessment interview; Interviews with children in the legal context; Mental status examination; Psychological evaluation report  (Duration May-December 2018, about 120 hours)</p>
Economic aid administrators, Librazhd	Yes	Yes	The trainings are based on guidelines and protocols.	NPO	<ol style="list-style-type: none"> <li>1. Various types of violence.</li> </ol>
Hospital emergency staff, Librazhd	Yes	Yes	The trainings are based on guidelines and protocols.	CSO	<ol style="list-style-type: none"> <li>1. First aid provision</li> </ol>
Educator and Guardian	Yes	Yes	The trainings are based on guidelines and protocols.	CSO, MoHSP	<ol style="list-style-type: none"> <li>1. Professional consumption (1 day)</li> <li>2. Power of your potential, potential of character, abundance, discipline, purpose (1 week)</li> </ol>

**Table 2: Training in the workplace**

Professionals	Number of people trained	Is training mandatory?	How often?	Are trainings based on Guidelines and Protocols?	Please describe the content and timeline of training
Judges, Prosecutors, Legal Advisors, Legal Assistants, Judicial Police Officers, Lecturers, Specialists.	200	No	2-3 times a year (14 trainings delivered over 2018-2022)	Trainings are based on modules designed by experts and facilitators.	<ol style="list-style-type: none"> <li>1. <u>Protection from domestic violence in civil and criminal law (two 2-day training held in May and June 2018)</u></li> <li>2. <u>Domestic violence and GBV. The role of the court, with a focus on case law (2-day training held in February 2019);</u></li> <li>3. <u>Gender equality and GBV with a focus on legal amendments, victim services and rehabilitation work with perpetrators (1-day training conducted in June 2019);</u></li> <li>4. <u>Measures against GBV (four 2-day training held on October 31 - November 2019, February, May and July 2020);</u></li> <li>5. <u>Measures against domestic violence: efficiency of processes (2-day training held in December 2019);</u></li> <li>6. <u>Law on violence and relevant amendments (2-day training held in December 2019);</u></li> <li>7. <u>Domestic violence and GBV. Obligations arising from the Istanbul Convention and the Recommendations of the GREVIO Committee for the justice system (a 2-day training held in November 2020);</u></li> <li>8. <u>Techniques of questioning the victim of domestic violence in the framework of the implementation of the law on violence and proceedings against the criminal offense of</u></li> </ol>

					<p><u>“domestic violence” according to the Criminal Code (1-day training held in June 2021);</u></p> <p>9. <u>Domestic legislation and international standards in the field of GBV and domestic violence. Responsibilities deriving from the normative framework for judges and prosecutors (1-day training held in December 2021);</u></p> <p>10. <u>Criminal offenses in respect of domestic violence added or amended in the Criminal Code in 2020-2021 (2-day training held in April 2022)</u></p>
Police employees	1182	No		Trainings are based on guidelines and protocols.	<p>1. Sexual harassment in the workplace (trainings conducted in 2017);</p> <p>2. For an effective response to domestic violence (7 trainings over 2017)</p> <p>3. For the investigation of sexual violence (trainings over 2018);</p> <p>4. Identification of cases of women and children victims of gender-based violence and domestic violence and their referral to the relevant services of the CRMs (6 trainings over 2020-2021 in the framework of preparations for the migratory flow at the country’s borders);</p> <p>5. Implementation of the legislative amendments of 2020 (33 trainings over 2021 and 2022);</p> <p>6. Standard operating procedures and investigation of sexual crimes (1 training in 2021);</p> <p>7. “Women, Peace and Security” Agenda (a training cycle conducted over 2022).</p>
Prosecutors, judicial police officers, victim coordinators, statistics specialists.		No		Trainings are based on guidelines and protocols.	<p>1. Domestic violence;</p> <p>2. Online sexual exploitation of minors and investigation methods thereon;</p> <p>3. The victim, as the subject of the criminal process; Definition and her locus standi in</p>

					<p>the criminal process. Filing a civil claim within the criminal process and its importance. The procedural powers of the victim. Complaint, recourse, or review of court decision upon request of the victim. Independent investigation conducted by the victim of criminal offence (2-day training held in December 2022)</p> <ol style="list-style-type: none"> <li>4. The rights of victims of criminal offences, victims of trafficking and their reintegration (5 meetings held in the period May-June 2021);</li> <li>5. Integrated Juvenile Justice Data System (2-day training held in July 2021);</li> <li>6. Investigation and identification of human trafficking (4-day simulation training held in October 2021);</li> <li>7. Proactive engagement in the protection and implementation of the law on victims of gender-based violence and domestic violence (1-day training held in March 2022);</li> <li>8. Participation of trafficked victims in anti-trafficking efforts (1-day training held in March 2022);</li> <li>9. Investigation and trial of cases of human trafficking through the victim-centred approach (3-day training held in June 2022);</li> <li>10. Rights of victims of trafficking and case management with potential victims of trafficking (2 1-day trainings held in February and October 2022).</li> </ol>
Local coordinators for referral and management of domestic violence cases	600	No	The trainings are organized every year, at intervals of mainly 3 months, and one training generally lasts 1-2 days.	Trainings are based on guidelines and protocols.	<ol style="list-style-type: none"> <li>1. Implementation of the Recommendation of the Council of Europe on “Preventing and combating sexism” (12 1-day trainings held in 2021;</li> </ol>



					<ol style="list-style-type: none"> <li>2. Populating the REVALB system with data.</li> <li>3. Training on difficulties and challenges in managing cases of domestic violence and violence against women.</li> <li>4. Mechanisms against human trafficking and child protection mechanisms.</li> <li>5. Initiation of appropriate action on gender integration and the achievement of gender equality, using the tools published for this purpose by the EC, etc. (5 trainings conducted);</li> <li>6. Introduction to DCM No. 327 dated 02.06.2021 on support for and rehabilitation of victims of violence.</li> <li>7. Practical aspects of the implementation of the law on violence, coordination in risk assessment, monitoring of protection orders, etc.</li> <li>8. Gender-responsive planning and budgeting in the MTBF (7 trainings delivered).</li> <li>9. Understanding and addressing GBV</li> </ol>
Various members of the coordinated domestic violence referral mechanisms	1563	Yes	Trainings are organized every year, at different times. They are mainly 2–3-day trainings. Some training modules last even 3 months.	Trainings are based on modules.	<ol style="list-style-type: none"> <li>1. Trainings and support for the empowerment of CRMs.</li> <li>2. 9 trainings for collecting data on cases of domestic violence, based on the REVALB form.</li> <li>3. 7 trainings for contributing to the collection of data on cases of domestic violence in rural areas, based on the REVALB form.</li> <li>4. Improved legal framework and response as MDTGs;</li> <li>5. Sexual violence and management of cases of this form of violence by MDTGs;</li> </ol>

					<ul style="list-style-type: none"> <li>6. Gender stereotypes and pro-violence attitudes originating in childhood;</li> <li>7. Training on DCM 327/2021;</li> <li>8. Protocol on the management of cases of domestic violence and improvements to the legal framework; Recognition of signs/indicators of violence; The role of CRMs and reporting methods;</li> <li>9. Legal Obligations (risk assessment and PO monitoring);</li> <li>10. Techniques of interviewing survivors of domestic violence.</li> <li>11. 2 trainings on the identification of cases of women and children seeking asylum, victims of gender-based violence and domestic violence and their referral to the relevant services of the CRMs in the respective municipalities.</li> <li>12. Online training of CRM members to comprehend and implement the Recommendation of the Council of Europe Rec/KM/ (2019)1 on “Preventing and combating sexism”.</li> </ul>
Health workers	613	No		<p>Trainings are based on: 1) modules designed by experts and facilitators; 2) Standard Operating Procedures for health workers.</p>	<ul style="list-style-type: none"> <li>1. Standard Operating Procedures for health workers in handling cases of domestic violence through a coordinated multi-sectoral approach and practical implementation thereof (1 and 2-day trainings were held in 2020 and 2021);</li> <li>2. Reducing the risk of experiencing domestic violence and gender-based violence in civil emergency situations (1-day training held in November 2021);</li> <li>3. Protocol for the Management of Cases of Sexual Violence against adults at the local level, through a coordinated multi-sectoral approach (trainings delivered in July 2021);</li> </ul>

					<p>4. Provision of essential services by health workers (1-day trainings held in 2022);</p> <p>5. Provision of essential, non-prejudicial, age-appropriate and comprehensive sexual and reproductive health services for women, men, youth, girls and boys from all groups of society (PWD, LGBTI+, ethnic minorities, etc.), including in the conditions of civil emergencies and natural disasters (1-day trainings held in 2022);</p> <p>6. Reaction to child abuse (1-day training held in 2021).</p>
Teachers, school leaders, psychologists, psycho-social service workers, security workers, students, parents	1805	No	Training takes place throughout the year. Some trainings are organized every three months and other trainings vary every 1-3 months.	Trainings are based on modules designed by experts and facilitators.	<ol style="list-style-type: none"> <li>1. Improving the professional capacities of teachers and school psychologists for the practical implementation of improved curricula designed to engage men and boys against GBV&amp;DV (1-day trainings delivered over 2017-2022);</li> <li>2. Prevention of school violence and interventions to improve children's behaviour (1-day trainings over 2018-2020);</li> <li>3. Violent extremism (1-day trainings over 2018-2020).</li> <li>4. Capacity building of staff dealing with and providing services to victims of GBV (two-day training, October 2022)</li> <li>5. Domestic violence. GBV, Gender Equality (2-day training)</li> <li>6. Protection of children from domestic violence (1 day training)</li> <li>7. Training of students on GBV and case management of human trafficking, and bullying.</li> <li>8. Conflict Management, Gender Bullying, Classroom Management.</li> </ol>

					9. Trainings with parents on teenagers' anger management in teenagers, successful parenting, and parenting styles.
Public administration employees	3607	No	Trainings took place between 2018-2022 with different durations	Trainings are based on modules designed by ASPA-hired experts.	<ol style="list-style-type: none"> <li>1. Gender responsive budgeting at the local level (trainings delivered in 2018, 2019, 2021 and 2022);</li> <li>2. Domestic violence and the role of responsible authorities (training conducted in 2020);</li> <li>3. Improving the capacities of the network of gender officials at local self-governments (trainings over 2017-2020);</li> <li>4. Gender equality, discrimination</li> </ol>
Housing services employees	37	No		Trainings are based on modules designed by experts and facilitators.	<ol style="list-style-type: none"> <li>1. Provision of housing services even during the situation of restrictions and lock down due to the COVID-19 pandemic (1-day trainings in 2020).</li> </ol>
Employees of the Crisis Management Centre for Cases of Sexual Violence (Lilium)	Yes	No		Modules designed by experts	<ol style="list-style-type: none"> <li>1. Gender Justice and Non-discrimination (5-day training module delivered in 2019)</li> </ol>
Journalists	130	No		Modules designed by experts; Broadcasting Code for Audio-visual Media.	<ol style="list-style-type: none"> <li>1. Improving the capacities of media professionals to correctly handle issues, as well as to promote zero societal tolerance to GBV&amp;DV</li> <li>2. Creating and using non-stereotypical, balanced and diverse images of women and girls in the media (trainings in 2018);</li> <li>3. Aspects of gender equality and avoiding hate speech;</li> <li>4. Comprehending the phenomenon of trafficking (training delivered in 2019).</li> </ol>
Probation Service employees	80	No		Trainings are based on modules.	<ol style="list-style-type: none"> <li>1. Improvement of professional skills for the provision of services for the rehabilitation of perpetrators of domestic violence by the Probation Service (training in 2018).</li> </ol>

Employees of Free Legal Aid	234 students engaged in Law Clinics Primary legal aid service providers	No	Trainings are based on modules designed by experts and facilitators.	Trainings are based on modules.	1. Property rights of young women and girls, including ownership of agricultural land, as well as marital rights and property regimes (12 online trainings). 2. Legal aid legislation 3. Law on domestic violence
Members of Municipal Councils and Alliance of Councillor Women	103	No	Trainings are based on modules designed by experts and facilitators.	Trainings are based on modules.	1. Gender problems of rural women and addressing such problems via the local budgeting processes; 2. Gender analysis and application of gender responsive budgeting (GRB) at the local level to achieve gender equality (9 trainings delivered in the first 6 months of 2022).
Employees of the State Labour Inspectorate		No	Trainings are based on modules designed by experts and facilitators.	Trainings are based on modules.	1. Elimination of violence and harassment in the world of work.
Lawyers providing secondary legal aid	400	Yes	1-2 annually	Trainings are based on guidelines and protocols.	1. Albanian legislation on gender-based violence / domestic violence and international standards thereon.

## ANNEX NO. 2: USE OF GENERAL GENDER BUDGETS (GGB) OVER THE YEARS

Year	No of budget programs	No of budget programs including GRB	No of objectives	No. of Outputs (by type)	GRB related budget funds (in million USD)	% of total budget expenditures
2017-2019	84	24	32	33	90	2.3%
2018-2020	84	28	41	41	120	2.4%
2019-2021	74	33	52	52	285	6.3%
2020-2022	75	38	57	57	348	7.20%
2022-2024	75	45	41	61	410	9%

Year	No. of Budget Programs (total):	No. of Budget Programs that include GRB:	No. Objectives: of	No. Outputs (by type): of (by	GRB related budget funds (in million USD):	% of Total Budget Expenditures:
2017-2019	84	24	32	33	90	2.30%
2018-2020	84	28	41	41	120	2.40%
2019-2021	75	33	52	52	298	6.30%
2020-2022	75	38	57	57	348	7.20%
2022-2024	75	45	41	61	410	9%

**ANNEX NO.3: SOCIAL FUND – INFORMATION ON THE MUNICIPALITIES BENEFITTING SUPPORT FOR PROJECTS ON VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE**

No.	Project	Total monetary resources over the years	Beneficiaries	Number of total beneficiaries over the years	Number of staff	Funding year	Line of subordination
1	Free online counselling and reporting services on violence against and abuse of children “ALO 116-111”	23,935,200	Children – Online Counselling / abuse cases	7,991	8	2020-2022	REGION OF TIRANË
2	“Services for victims of gender-based violence in Albania”, Counselling line for women and girls	24,207,156	Women and girls victims of trafficking - online counselling	2,439	8	2020-2022	REGION OF TIRANË
3	Assistance for integration and empowerment of LGBTI youth and victims of violence, people at risk and homeless.	21,834,300	LGBTI	354	8	2020-2022	REGION OF TIRANË
4	Residential social care service for TV/PTV in Tirana	36,328,861	Women and girls victims of trafficking/potential victims of trafficking	530	9	2020-2022	REGION OF TIRANË

5	Residential and community service. Direct assistance to TV/PTV women and girls and those at risk.	46,649,038	Women and girls victims of trafficking/potential victims of trafficking	485	12	2020-2022	REGION OF VLORË
6	Residential social care service for TV/PTV in the Municipality of Elbasan	35,089,997	Children victims of trafficking/potential victims of trafficking	150	9	2020-2022	REGION OF ELBASAN
7	Child and Family Protective, Empowering and Emergency Services	17,556,096	Children and Families in need	791	22	2020-2022	MUNICIPALITY OF DURRËS
8	Services for Victims of Gender-Based Violence	14,494,570	Women and girls victims of trafficking	308	6	2020-2022	MUNICIPALITY OF GJIROKASTËR
9	Services for victims of domestic violence – the Shelter Centre	6,180,000	Women and girls victims of trafficking	73	11	2021-2022	MUNICIPALITY OF BERAT
10	Emergency shelter service for abused women and girls living in rural areas.	6,896,458	Women and girls victims of trafficking	333	8	2021-2022	MUNICIPALITY OF KUKËS
11	Multifunctional community services for children, young people and the family in the Shushicë administrative unit	9,018,848	Children and Families in need	354	6	2021-2022	MUNICIPALITY OF ELBASAN
12	Community mobile service for people in need in the Devoll Municipality - 4 wheels in service	3,532,500	Categories in emergency need	404	8	2022	MUNICIPALITY OF DEVOLL
13	Multifunctional Services for Children's Development and Strengthening of Families	5,907,544	Children and Families in need	50	7	2022	MUNICIPALITY OF SARANDA
14	Emergency service for children in situations of immediate danger.	869,524	Children and Families in emergency situation	40	5	2021	MUNICIPALITY OF MALIQ
15	Multifunctional services for family empowerment, at the Multidisciplinary Centre	1,684,800	Children and Families in need	114	3	2021	MUNICIPALITY OF POGRADEC





<b>130/a</b>	1	362	16	2	145	4	5	0	3	1	0	0	0	<b>539</b>
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**2020 data**

## Criminal cases

Article	Found guilty	Found guilty	Case rested	Returned for complementary investigations	Incompetence pronounced	Completed
<b>101</b>	8	1	0	0	0	<b>9</b>
<b>102</b>	3	0	0	0	0	<b>3</b>
<b>130/a</b>	521	8	8	3	2	<b>542</b>

## Punishments

Article	Fine imposed	Imprisonment up to 2 years	2 - 5 years	Application of article 39	Incarceration	Application of article 59/a	Application of article 63	Meeting the warrants	Forced medical treatment (article 46)	5 - 10 yrs	10 - 25 yrs	25 - 35 yrs	Life imprisonment	Convicted
<b>101</b>	0	0	2	0	0	0	0	0	0	7	2	0	0	<b>11</b>
<b>102</b>	0	1	2	0	0	0	0	0	0	0	0	0	0	<b>3</b>
<b>130/a</b>	1	412	17	5	88	7	8	0	15	0	0	0	0	<b>553</b>

**2021 data**

## Criminal cases

Article	Found guilty	Found guilty	Case rested	Returned for complementary investigations	Incompetence pronounced	Completed
<b>101</b>	7	0	0	0	0	<b>7</b>
<b>102</b>	6	1	0	0	0	<b>7</b>
<b>130/a</b>	846	11	10	0	1	<b>868</b>

## Punishments

Article	Fine imposed	Imprisonment up to 2 years	2 - 5 years	Application of article 39	Incarceration	Application of article 59/a	Application of article 63	Meeting the warrants	Forced medical treatment	5 - 10 yrs	10 - 25 yrs	25 - 35 yrs	Life imprisonment	Convicted
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									(article 46)					
<b>101</b>	0	0	1	0	0	0	0	0	0	0	0	0	0	<b>1</b>
<b>102</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<b>130/a</b>	6	700	19	1	144	1	8	1	5	0	0	7	0	<b>892</b>

### ANALYTICAL SUMMARY OF DOMESTIC VIOLENCE IN 2019

Place of residence	Town/city	Suburb	Village				
	1304	335	756				
Age	0-15	16-18	19-25	26-35	36-45	46-55	55+
	23	35	280	638	643	349	417
Gender	Female	Male					
	1651	744					
Marital status	Single	Married	Divorced	Cohabitation	Widowed		
	301	1595	294	106	99		
Number of Children	None	1 child	2 children	3 children	4+		
	411	594	755	389	163		
Educational Level	Without education	Elementary (1-5 grades)	9-year (1-9 grades)	Secondary	Higher		
	72	189	1105	856	162		
Employed/unemployed	Unemployed	Employed in the Public Sector	Employed in the Private Sector	Self employed	Student	Pupil	Retired

	933	92	463	367	25	34	200
<b>Request for Protective Order</b>	<b>Sustained</b>	<b>Overruled</b>	<b>Rested</b>	<b>Terminated</b>			
	1571	291	526	7			
<b>Relationship with the perpetrator</b>	<b>Spouse</b>	<b>Sister</b>	<b>Brother</b>	<b>Child</b>	<b>Parent</b>	<b>Other</b>	
	1337	14	109	212	165	590	

#### ANALYTICAL SUMMARY OF DOMESTIC VIOLENCE IN 2020

<b>Place of residence</b>	<b>Town/city</b>	<b>Suburb</b>	<b>Village</b>				
	1369	355	910				
<b>Age</b>	<b>0-15</b>	<b>16-18</b>	<b>19-25</b>	<b>26-35</b>	<b>36-45</b>	<b>46-55</b>	<b>55+</b>
	20	37	307	712	617	411	530
<b>Gender</b>	<b>Female</b>	<b>Male</b>					
	2069	565					
<b>Marital status</b>	<b>Single</b>	<b>Married</b>	<b>Divorced</b>	<b>Cohabitation</b>	<b>Widowed</b>		
	320	1785	266	146	117		

<b>Number of Children<sup>124</sup></b>	<b>None</b>	<b>1 child</b>	<b>2 children</b>	<b>3 children</b>	<b>4+</b>		
	413	560	904	481	242		
<b>Educational Level</b>	<b>Without education</b>	<b>Elementary (1-5 grades)</b>	<b>9-year (1-9 grades)</b>	<b>Secondary</b>	<b>Higher</b>		
	90	204	1299	844	197		
<b>Employed/unemployed<sup>125</sup></b>	<b>Unemployed</b>	<b>Employed in the Public Sector</b>	<b>Employed in the Private Sector</b>	<b>Self employed</b>	<b>Student</b>	<b>Pupil</b>	<b>Retired</b>
	844	140	635	419	32	42	241
<b>Request for Protective Order</b>	<b>Sustained</b>	<b>Overruled</b>	<b>Rested</b>	<b>Terminated</b>			
	1596	347	489	7			
<b>Relationship with the abuser<sup>126</sup></b>	<b>Spouse</b>	<b>Sister</b>	<b>Brother</b>	<b>Child</b>	<b>Parent</b>	<b>Other</b>	
	1420	40	124	268	172	613	

<sup>124</sup> For the remaining cases, decisions do not mention whether they have children or not.

<sup>125</sup> For the remaining cases, decisions do not mention whether they are employed or unemployed

<sup>126</sup> Number is greater because one defendant may have abused many victims.

**ANALYTICAL SUMMARY OF DOMESTIC VIOLENCE IN 2021**

<b>Place of residence</b>	<b>Town/city</b>	<b>Suburb</b>	<b>Village</b>				
	1,452	380	963				
<b>Age</b>	<b>0-15</b>	<b>16-18</b>	<b>19-25</b>	<b>26-35</b>	<b>36-45</b>	<b>46-55</b>	<b>55+</b>
	24	50	364	698	661	483	515
<b>Gender</b>	<b>Female</b>	<b>Male</b>					
	2,215	580					
<b>Marital status</b>	<b>Single</b>	<b>Married</b>	<b>Divorced</b>	<b>Cohabitation</b>	<b>Widowed</b>		
	320	1,814	376	164	121		
<b>Number of children<sup>127</sup></b>	<b>None</b>	<b>1 child</b>	<b>2 children</b>	<b>3 children</b>	<b>4+</b>		
	471	611	1,015	461	203		
<b>Educational Level</b>	<b>Without education</b>	<b>Elementary (1-5 grades)</b>	<b>9-year (1-9 grades)</b>	<b>Secondary</b>	<b>Higher</b>		
	109	238	1,259	942	247		

<sup>127</sup> For the remaining cases, decisions do not mention whether they have children or not.

<b>Employed/Unemployed<sup>128</sup></b>	<b>Unemployed</b>	<b>Employed in the Public Sector</b>	<b>Employed in the Private Sector</b>	<b>Self employed</b>	<b>Student</b>	<b>Pupil</b>	<b>Retired</b>
	929	162	651	452	47	54	219
<b>Request for Protective Order</b>	<b>Sustained</b>	<b>Overruled</b>	<b>Rested</b>	<b>Terminated</b>			
	1,696	342	552	7			
<b>Relationship with the abuser<sup>129</sup></b>	<b>Spouse</b>	<b>Sister</b>	<b>Brother</b>	<b>Child</b>	<b>Parent</b>	<b>Other</b>	
	1,528	48	133	242	175	672	

## ANNEX NO. 5: DATA GENERATED BY COURTS ON DOMESTIC VIOLENCE CASES

### Form no.1

<sup>128</sup> For the remaining cases, decisions do not mention whether they are employed or unemployed

<sup>129</sup> Number is greater because one defendant may have abused many victims.

Formular nr. 1	TE DHËNAT STATISTIKORE PËR DHUNËN NË FAMILJE PËR TREMUJORIN....						
Ligji 9669	Urdhëra mbrojtje	Urdhëra të menjëhershëm mbrojtje	Gjithsej	Pranim i kërkesës	Pushimi i gjykimit	Rrëzimi i kërkesës	Shkelje e urdhërit të mbrojtjes
Neni	1	2	3	4	5	6	7
Neni 10 pika 1							
Neni 13							
<b>Totali</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Kancelar I Gjykatës së shkallës së parë							

Form no. 1	STATISTICAL DATA ON DOMESTIC VIOLENCE IN QUARTER ...						
Law	Protective Orders	Immediate Protective Orders	Total	Request sustained	Case rested	Request overruled	Breaches of protective order
Article	1	2	2	4	0	0	0
Article 10 paragraph 1							
Article 13							
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Chancellor of First Instance Court							

Form no. 2

Formular nr. 2							
TE DHËNAT STATISTIKORE PËR DHUNËN NË FAMILJE PËR VITIN 20							
VENDBANIMI	Qytet	Periferi	Fshat				
MOSHA	0-15	16-18	19-25	26-35	36-45	46-55	55+
GJINIA	Femër	Mashkull					
STATUSI CIVIL	Beqar/e	Martuar	Divorcuar	Bashkëjetesë	i/e ve		
NUMRI I FËMIJËVE	Asnjë	1 fëmijë	2 fëmijë	3 fëmijë	4+		
NIVELI ARSIMOR	Pa shkollë	Filllore (1-4 klasë)	9-vjeçare (1-9 klasë)	I mesëm	I lartë		
STATUSI I PUNËSIMIT	I papunë	I punësuar në sektorin publik	I punësuar në sektorin privat	I vetëpunësuar	Studente	Nxënëse	Pensionist
KËRKESË PËR URDHËR MBROJTJEJE	Pranuar	Hedhur poshtë	Pushuar				
LIDHJA FAMILJARE ME DHUNUESIN	Bashkëshorti/ja	Motra	Vëllai	Fëmija	Prindi	Të tjerë	
KËRKESË NGA PËRFAQËSUESI LIGJOR							
KËRKESË NGA PROKURORIA							
KËRKESË NGA POLICIA							
KËRKESË NGA BASHKITË, QËNDRAT SOCIALE etj.							
KËRKESË PËR NDRYSHIM OSE NDËRPRERJE TË URDHËRIT TË MBROJTJES							
Kancelari i Gjykatës së Rrethit Gjyqësor							

## Form no. 2

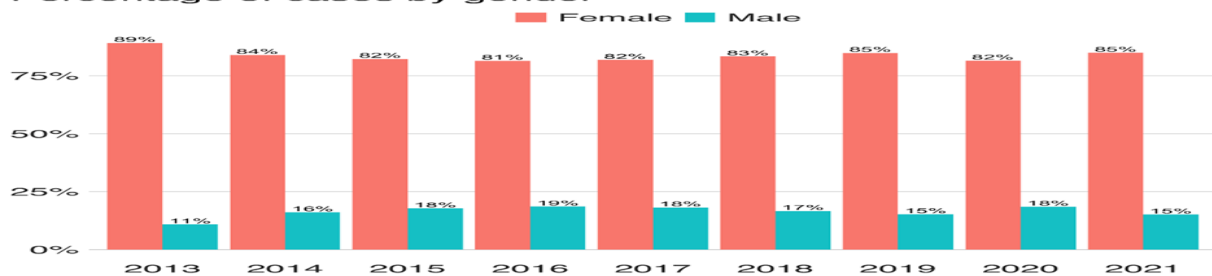
Form no. 2						
DOMESTIC VIOLENCE STATISTICS IN 2020						
PLACE OF RESIDENCE	Town/city	Suburb	Village			
AGE	0-15	16-18	19-25	26-35	36-45	46-55
GENDER	Female	Male				
MARITAL STATUS	Single	Married	Divorced	Cohabitation	widowed	
NUMBER OF CHILDREN	None	1 child	2 children	3 children	4+	
EDUCATIONAL LEVEL	Without education	Elementary (1-5 grades)	9-year (1-9 grades)	Secondary	Higher	
EMPLOYED/UNEMPLOYED	Unemployed	Employed in the Public Sector	Employed in the Private Sector	Self employed	Student	Pupil
REQUEST FOR PROTECTIVE ORDER	Sustained	Overruled	Rested	Terminated		
RELATIONSHIP WITH THE ABUSER	Spouse	Sister	Brother	Child	Parent	Other



<b>REQUEST BY LEGAL REPRESENTATIVE</b>						
<b>REQUEST BY PROSECUTION OFFICE</b>						
<b>REQUEST BY POLICE</b>						
<b>REQUEST BY MUNICIPALITIES/SOCIAL CENTRES</b>						
<b>REQUEST FOR MODIFICATION OR TERMINATION OF PROTECTION ORDER</b>						
<b>CHANCELLOR OF THE DISTRICT COURT</b>						

**ANNEX NO.6: DATA GENERATED FROM REVALB SYSTEM**  
**Gender Violence in Albania**

Percentage of cases by gender



Source: Ministry of Health and Social Protection Albania, REVALB

Year	Cases	Request for Emergent Protection Order	Requests for EPO towards the % of total cases	Requests for EPO approved	Approved EPO in % towards the number of requests for EPO	Request for Protection Order	Requests for PO towards the % of total cases	Requests for PO approved	Approved PO in % towards the number of requests for EPO	PO monitored	PO/EPO violated	PO timeframe in months	Maximum timeframe of a PO issued (in months)
2013	350	1	0%	1	100%	0	0%	0		0	0		
2014	604	11	2%	11	100%	2	0%	2	100%	0	0	12	12
2015	546	6	1%	6	100%	3	1%	3	100%	0	0	8	11
2016	867	5	1%	5	100%	10	1%	7	70%	0	0	6	11
2017	975	25	3%	23	92%	23	2%	13	57%	0	0	6	12
2018	895	24	3%	24	100%	11	1%	10	91%	3	0	9	12
2019	796	136	17%	135	99%	77	10%	69	90%	51	1	8	12
2020	974	339	35%	327	96%	190	20%	180	95%	107	0	8	15
2021	384	158	41%	154	97%	75	20%	70	93%	7	0	8	12

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**ANNEX NO.7 LEGISLATION**

**LAW**

No. 9669, dated 18 December 2006

**ON MEASURES AGAINST VIOLENCE IN FAMILY RELATIONS<sup>130</sup>**  
*(amended through law no. 9914, dated 12.5.2008, no. 10 329, dated 30.9.2010, 47/2018,  
dated 23.7.2018, no. 125/2020, dated 15.10.2020)*

*(updated)*

Pursuant to Article 78 and paragraph 1 of Article 83 of the Constitution of the Republic of Albania, upon the proposal of 20 thousand voters,

**THE ASSEMBLY  
OF THE REPUBLIC OF ALBANIA**

**DECIDED:**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1**

**Purpose**

*(Amended through law no. 47/2018, dated 23.7.2018, and law no. 125/2020, dated 15.10.2020)*

The purpose of this law shall be to:

1. Prevent and reduce domestic violence, in all its forms, through adequate legal measures and other necessary measures.
2. Guarantee protection to family members who are victims of domestic violence, through legal measures and other necessary measures, paying special attention to women, girls, children, elderly, and persons with disabilities, subject of this law, in accordance with Article 3.

**Article 2**

**Subject matter**

*(words amended in letter "c" through Law No. 47/2018, dated 23.7.2018)*

The subject matter of this law shall be to:

- a) establish a coordinated network of responsible institutions for the protection, support, and rehabilitation of victims, mitigation of consequences and prevention of domestic violence;

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<sup>130</sup> Law no. 9669, dated 18.12.2006, published in Official Journal no. 150, dated 18 January 2007.

Law no.9914, dated 12.5.2008, published in Official Journal no. 76, dated 28 May 2008.

Law no.10 329, dated 30.9.2010, published in Official Journal no. 142, dated 25 October 2010.

Law no. 47/2018, dated 23.7.2018, published in Official Journal no. 115, dated 3 August 2018.

Law no. 125/2020, dated 15.10.2020, published in Official Journal no. 191, dated 3 November 2020

- b) steer efforts on the establishment of responsible structures and bodies at a central and local level to support victims and prevent domestic violence;
- c) strengthen the judiciary system in taking protection measures against domestic violence;
- ç) ensure/guarantee – to victims of domestic violence – speedy, affordable, and simple service in compliance with the law, in the court or other law enforcement bodies.

### Article 3

#### **Definitions**

*(Amended through law no. 47/2018, dated 23.7.2018, paragraph 3 amended through Law No. 125/2020, dated 15.10.2020)*

For the purposes of this law, except where otherwise explicitly defined under special provisions hereof, the terms below shall mean as follows:

1. “Violence,” any act or omission of a person against another person, resulting in a violation of physical, moral, psychological, sexual, social, economic integrity.
2. “Domestic Violence,” any act of violence defined under paragraph 1 of this article that occurs within a family or a household, exercised between family members as defined under paragraph 7 of this Article, that are or have been in family relationships, regardless of whether the perpetrator shares or used to share the same dwelling with the victim.
3. “Perpetrator,” any person suspected and/or reported to competent bodies for having exercised violence in family relations.
4. “Child,” any person under the age of 18. The term “minor”, as used herein, shall bear the same meaning.
5. “The Coordinated Referral Mechanism of cases of domestic violence” (hereinafter: CRM), the organised network of responsible institutions at the local level for the prevention and protection, support and rehabilitation of victims of domestic violence.
6. “Household,” a dwelling or any environment used and adapted as such, regardless of whether it is owned or in use by the family.
7. “Family members” shall include:
  - a) spouse or cohabitant or former spouse or former cohabiting partner;
  - b) siblings, including, where appropriate, their spouse or cohabitant, as well as nieces and nephews, where the later are members of the household;
  - c) lineal ancestors and descendants, without limitation, including cases where this relationship is established through adoption;
  - ç) the parents of the spouse or cohabitant, including the step-father/mother, even if this relationship originates from adoption;
  - d) the lineal kin, including the parents and the adopted children of the spouse or cohabitant;
  - dh) siblings of the spouse or cohabitant;
  - e) children of the spouse or cohabitant;
  - ë) persons who are or have been in intimate relationships, not necessarily accompanied by cohabitation, shall enjoy the same protection;
  - f) the custodian and the person under their custody during the custodianship, according to the provisions on the custody of minors and that of persons with disabilities and the person whose ability to act has been removed or restricted in accordance with the provisions of the Family Code.”
8. “Intimate Relationship,” the interpersonal relationship that involves physical or emotional intimacy.
9. “Victim,” the person subjected to violence in accordance with paragraph 1 of this article.
10. “Protection Order,” an order issued through a court decision providing for protection measures for the victim, children and, as appropriate, measures for the rehabilitation of the perpetrator.
11. “Immediate Protection Order,” an order issued temporarily through a court decision, valid until the issuance of a protection order through a court decision.



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12. “Order on immediate protection preliminary measures,” a reasoned order issued pursuant to the provisions of Article 13/1 hereof, which contains immediate measures to stop the violence, taken by the bodies of the State Police responsible for dealing with cases of domestic violence, until a court decision is issued.

Article 3/1

**Applicable legislation**

*(added through Law No. 47/2018, dated 23.7.2018)*

1. This law is based on the principles enshrined in the Constitution of the Republic of Albania, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, and other international acts ratified by the Republic of Albania.

2. The implementation of the provisions of this law, in particular the measures for the protection of the rights of victims, shall be provided without discrimination, for any cause provided by the applicable legislation on the protection from discrimination.

3. The special protection measures, provided for in Article 10 and Article 13/1 hereof, which are necessary for the prevention and protection from violence in family relations, shall not be considered as discrimination when applied in accordance with the rules and criteria provided for in this Law.

Article 4

**Subjects**

*(amended through law no. 47/2018, dated 23.7.2018)*

1. Subjects protected by this law shall include all subjects determined in paragraph 7 of Article 3 hereof, who are Albanian citizens residing or staying in the territory of the Republic of Albania.

2. Subjects protected by this law shall also include foreign nationals or stateless persons who have applied for international protection under the applicable asylum legislation in the Republic of Albania, and foreigners with regular residence for various reasons, according to the applicable legislation on foreigners included in the category of subjects set out in paragraph 7 of Article 3 hereof.

CHAPTER II  
RESPONSIBLE BODIES

Article 5

**Responsible authorities**

*(letter “d” added through Law No.9914, dated 12.5.2008, amended through Law No. 47/2018, dated 23.7.2018)*

1. The ministry responsible of gender equality issues and fight against domestic violence shall be the main authority responsible for the implementation of this law.

2. Other line responsible authorities shall include:

- a) the ministry responsible for social issues;
- b) the ministry responsible for issues of public order and security;
- c) the ministry responsible for health issues;
- ç) the ministry responsible for justice issues;
- d) the ministry responsible for education issues;
- dh) the ministry responsible for housing issues;
- e) the ministry responsible for employment and vocational training issues;
- ë) the local government units.

3. The list of other responsible line authorities, provided in paragraph 2 of this article, shall change when one of them undertakes the role of the main responsible authority. In that case, said authority shall have a main responsible role and cover the issues of the respective area.

#### Article 6

##### **Duties of the main responsible authority**

*(letters “f” and “g” added through Law No.9914, dated 12.5.2008, letter “gj” added through Law No.10 329, dated 30.9.2010, letters “c”, “ç”, “d”, “g”, “gj” amended and letters “h” and “i” added through Law No. 47/2018, dated 23.7.2018)*

The main responsible authority shall have the following duties:

a) draft and implement national strategies and programmes in the area of protection and care for victims of violence in family relations;

b) fund and co-fund projects aimed at the protection and consolidation of the family, as well as at the care for victims of violence in family relations;

c) support the establishment of auxiliary structures, in cooperation with the referral mechanism, for the purpose of coordination, implementation, monitoring, and assessment of policies and measures for the prevention and fight of all forms of violence, supplementing them with all necessary infrastructure in accordance with the principle of “reasonable accommodation”, which serves to support and fulfil all needs of victims of domestic violence, including financial assistance, as well as medical and social services, in accordance with the effective legislation;

ç) organise trainings on the prevention and handling of domestic violence cases for social service officers who provide services in each local government unit, state police structures, medical staff and NPOs’ employees licensed for the provision of social services. Trainings may be organised in cooperation with the Albanian School of Public Administration, the School of Magistrates, the Order of Psychologists and the Order of Social Workers, or with organisations and agencies accredited to provide trainings on topics related to issues of violence in family relations to all responsible administrative, law enforcement and judicial authorities;;

d) coordinate the work on keeping and collecting statistical data on domestic violence cases, including annual analysis, publication and reporting to the parliamentary committee/subcommittee responsible of gender equality issues and prevention of violence against women.

The retention and processing of data pertaining to cases of domestic violence shall be carried out pursuant to the applicable personal data protection legislation. They shall be published in accordance with the rules provided for in the effective legislation on official statistics.

dh) support and monitor the establishment of rehabilitation centres for victims of domestic violence;

e) support and monitor the establishment of rehabilitation centres for the persons causing violence in family relations;

ë) licence different NPOs that will provide social services for victims and perpetrators;

f) take measures to educate the young generation with good behaviour mentality and rules, and on ending violence in family relations;

g) draft policies and monitor the measures taken for the elimination of consequences of child abuse by parents or legal custodians or, in the event children live in families in which parents or custodians violate each other, by putting them on alternative care or providing emergency protection measures, in accordance



with the provisions of the effective legislation on children rights and protection;

- g) provide and monitor service in the National Social Care Centre for victims of domestic violence.
- h) in cooperation with other line authorities, draft procedures, standards or protocols related to risk assessment and intervention plans in cases of domestic violence, and monitor their implementation;
- i) coordinate and monitor the establishment and operation of social care services for victims of domestic violence to be provided near the local government units.

Article 7

**Duties of line responsible authorities**

*(Paragraph 3/1 added through Law No.9914, dated 12.5.2008, amended through law no. 47/2018, dated 23.7.2018)*

1. The ministry responsible for issues of public order and security shall have the following tasks:

- a) establish special sectors in police directorates for the prevention and fight of domestic violence;

- b) train State Police officers who are to address domestic violence cases, so to improve their capacities in identifying domestic violence cases, assessing the risk, and interviewing victims and perpetrators, as well as about other aspects related to the fulfilment of the obligations provided for by this Law;";

- b/1) through a joint instruction with the ministry responsible for gender equality issues and fight against domestic violence, approve the template and procedures for risk assessment in cases of domestic violence.

2. The Ministry responsible for healthcare shall provide family healthcare assistance through emergency services, family doctor, and healthcare centres in local government units:

- a) to provide at any time health, social and psychological assistance to victims of domestic violence;

- b) to make the necessary examinations in relevant public healthcare institutions at any time;

- c) to identify cases of domestic violence in the relevant medical documentation approved by the Ministry of Healthcare;

- ç) to equip the victim with the relevant medical report also;

- d) to refer and guide the victim to other support and protection from domestic violence services.

2/1. The Ministry responsible of Healthcare shall also perform the following tasks:

- a) organise trainings and specialisations for the medical and psychological staff and for social workers in the area of domestic violence, and draft a list of professionals trained and specialised in such areas, in cooperation with the orders established in accordance with the effective legislation;

- b) monitor the fulfilment of the obligations by the medical staff, as provided hereby;

- c) provide for the establishment of crisis management centres for cases of sexual violence to ensure the availability of emergency rooms in hospitals where the victim is treated. Standards for the establishment and operation of crisis management centres for cases of sexual violence shall be defined by instruction of the minister responsible for healthcare.

3. The ministry responsible for justice shall perform the following tasks:

- a) train forensic experts in recognising, diagnosing, evaluating and reporting on domestic violence and acts of violence against children;

- b) take measures for the vocational training and specialization of bailiffs on the execution of

protection orders, and supervise their activity in the fulfilment of the obligations provided hereby;

b/1) cooperate with the High Judicial Council, High Prosecutorial Council, School of Magistrates, National Chamber of Advocates in relation to drafting training programmes on matters related to domestic violence, and provide responsible authorities with the updated list of persons trained on such matters;

c) monitor the operation of the legal assistance provision system for victims of domestic violence, as per the rules determined by the effective legislation on legal assistance guaranteed by the state;

ç) cooperate with the High Judicial Council in relation to determine the rules on the establishment of a special database in courts on cases of domestic violence and ensure unification of registration for such cases;

d) draft special forms for processing and reporting statistical data on domestic violence, and publish these data on the statistical yearbook;

dh) through subordinate responsible structures, make sure the forensic staff fulfils the obligation to draft the forensic and psychiatric report, upon the request of the competent institutions and/or the victim.

3/1. The ministry responsible for education and the ministry responsible for employment and vocational training, according to the areas of responsibility they cover, shall have the following duties:

a) draft education programmes for high schools and higher education on the rules of conduct in the family;

b) draft school texts and other supplementary materials for the education of pupils and/or students with the mentality of ending violence in family relations;

c) provide for programs of pre-university and vocational education of minors and juveniles from 18 to 21 years of age who are perpetrators and those who are victims, for the purpose of their rehabilitation, reintegration, and resocialisation.

4. Pursuant to the provisions of the effective legislation on local governance and for the purpose of this law, local government units shall have the following tasks:

a) engage in the establishment of social service specialised structures for cases of domestic violence regarding the way cases of domestic violence are referred, and in monitoring the execution of protection orders and immediate protection orders;

b) establish social and rehabilitation centres for victims and provide services to them; coordinate work with the existing centres, giving priority to the centres specialised in the relevant areas and to the emergency centres for the immediate treatment of victims of domestic violence;

c) establish public structures and centres for the treatment, training and rehabilitation of perpetrators;

ç) take measures, in cooperation with law enforcement bodies, to separate the perpetrator from the family, in order for the dwelling to be used by the victim and the children;

d) take measures so that the local authorities where the victim is residing and/or staying execute the court decision;

dh) cooperate with the probation service to monitor the execution of the protection orders, according to the rules provided by the applicable legislation on electronic monitoring of persons whose freedom of movement is restricted by a court decision.

For the purpose of obligations provided for in this Article, local government units may cooperate with one another through the joint agreements, pursuant to the applicable legislation on local government.

5. The Ministry responsible for housing issues, shall provide financial support to local government units for the provision of specialized housing, pursuant to the applicable legislation on social housing.

#### Article 7/1

#### **Protection guarantee**

*(Added through law No. 47/2018, dated 23.7.2018)*

1. Each body or authority responsible of handling domestic violence cases and whom the victims address to, shall guarantee protection pursuant to this law, regardless of the victim's place of residence.

2. This protection shall mean temporary housing assistance, transportation to a safe shelter or to the required services, escort to emergency or necessary medical services or to the services for the protection of





victims of domestic violence.

Article 8

**Responsibilities of responsible authorities**

*(paragraphs 7 and 8 added through Law No.10 329, dated 30.9.2010, letter “dh” of paragraph 3 added through Law No. 47/2018, dated 23.7.2018)*

1. Responsible authorities shall be in charge of establishing the special structures and appointing the persons responsible of the implementation of this law. **The fulfilment of this obligation shall be monitored by the ministry responsible for gender equality issues and fight against domestic violence.**

2. Responsible authorities shall have the obligation to respond to any report made by the victim or other persons indicated in this law, in cases of violence or threats for violence or in cases of violation of protection orders or immediate protection orders. They shall keep relevant records and submit a copy to the victim or their companion.

3. Responsible authorities shall make use of reasonable means to protect the victim and to prevent the continuation of violence, by:

a) informing the victim or their companion about measures to be undertaken in accordance with the effective law and about institutions they must address to;

b) informing the victim or their companion about existing social services and accompaniment to relevant to centres and institutions;

c) ensuring transport to the victim and their companion in medical or social service centres;

ç) having a police officer available in the event of threat to life.

**dh) having a social worker responsible for issues of domestic violence in the local government unit, and the referral and needs assessment unit, in cooperation with the Coordinated Referral Mechanism for cases of domestic violence, draft an individual intervention plan containing the necessary measures and services to be provided in order to protect the victim from further violence, providing immediate services and minimizing the consequences of violence, and drafting a report on the mental health and the psycho-social status of the victim.**

4. In the event of suspicions that the perpetrator has threatened or exercised domestic violence or has breached protection orders issued by court decision, police structures shall make the immediate observations.

5. In the event they do not act, persons who become aware because of their duty or the authority in charge of the implementation of this law shall bear administrative and/or criminal responsibility, and be subject to sanctions determined in articles 248 and 251 of the Criminal Code.

6. Police structures shall have the duty to record the relevant observations in a written report and to start investigations on their own initiative. The victim shall be informed by the police about the relevant number of the case reported.

7. Officers providing social care and service to victims of domestic violence, who work for public institutions and licenced not-for-profit organisations, as well as lawyers and legal representatives of victims of domestic violence shall protect the secrecy of personal data and of information provided by the victim concerning their situation, except for when otherwise stated by the victim in written.

8. The work coordination mechanism between the authorities responsible for the referral of cases of violence in family relations, and the procedures for support and rehabilitation of victims of violence shall be determined by decision of the Council of Ministers.

## Article 9

**Subjects who can inform responsible bodies**

*(word added and amended in paragraph 1 through Law No.10 329, dated 30.9.2010 and Law No. 125/2020, dated 15.10.2020)*

1. In the event of domestic violence, the victim may address a request to the nearest police station (in the area where they live or are located), the relevant local unit (commune, municipality), healthcare centre of the area where they live or are located or a lawsuit to the district court where they or the perpetrator lives or is located, in order for necessary measures to be taken.

2. Any person observing a case in which domestic violence is exercised, may address a request to the authorities above for the purpose of necessary measures to be undertaken.

CHAPTER III  
PROTECTION MEASURES

## Article 10

**Protection measures against domestic violence**

*(paragraphs 1, 2, and 3 amended, words amended in letters "a", "b", "ç", "d", "dh", "e", "f", "gj", "h", "l" of paragraph 1, letters "c", "m", and "m/l" repealed through Law No. 125/2020, dated 15.10.2020)*

1. As a protection measure against domestic violence, the court shall immediately order the removal of the perpetrator from the household for a certain period of time, in the event the victim and perpetrator live in the same household. When deciding on this measure and when appropriate, the court shall consider the special needs of the perpetrator when they are a minor, elderly, or person with disabilities and, in such cases, the order for removal from the household shall only be imposed in the event no other measure guarantees the protection of the victim from violence.

Along with the measure of removal of the perpetrator from the household, protection from domestic violence, for the purpose of this law, shall also be provided as follows:

a) immediately ordering the defendant (perpetrator) not to commit or threaten to commit acts of domestic violence against **the plaintiff** (victim) or other family members of the victim, as determined in paragraph 3 of Article 3 of this law, or as determined in the order;

b) immediately ordering **the defendant (perpetrator)** not to infringe, harass, contact or communicate directly or indirectly with the victim or family members of the victim, as determined in paragraph 3 of Article 3 of this law, or as determined in the order;

**c) Repealed**

ç) immediately prohibiting the defendant (perpetrator) to approach, - beyond a certain distance, - the victim or family members of the victim, as determined in paragraph 3 of Article 3 of this law, or as determined in the order;

d) immediately prohibiting **the defendant (perpetrator)** to approach the house, workplace, dwelling of the family of origin or the dwelling of the future couple or other persons, and especially the school of the children, or the places that are visited by the victim the most, with the exception of cases when the visits occur for working reasons;

dh) immediately placing **the victim or victims** and minors in temporary shelters, while always considering the best interest of the minor;

e) limiting or prohibiting **the defendant (perpetrator)** to meet the child of the victim, as per adequate circumstances;

ë) prohibiting **the defendant (perpetrator)** from entering or staying in the temporary or

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permanent dwelling of the victim, or in parts of it, regardless of the perpetrator's right to property or possession;

f) ordering a person authorised by the court (public order officer or bailiff) to accompany the victim or the defendant (perpetrator) to the dwelling of the victim and monitor the removal of personal property;

g) ordering law enforcement bodies to **sequester** any weapon belonging to the perpetrator during the search or ordering the perpetrator to hand over any weapon belonging to them;

gj) ordering the defendant (perpetrator) to allow the victim to possess the dwelling they jointly use, or parts of it;

h) ordering **the defendant (perpetrator)** to pay the rent of the permanent or temporary dwelling of the victim, as well as the alimony for the victim, children, or other family members under their care;

**i) for as long as the protection order is in force, the treatment of property shall be conducted in compliance with articles 57, 58, and 60 of the Family Code;**

**j) temporarily depriving the perpetrator of parental responsibility or, if appropriate, custody of the minor, custody of the person with disabilities, or of the person whose capacity to act has been removed or restricted. When the court decides to deprive both parents or one of them of the parental responsibility, they shall decide on the temporary custody of the children, by applying the rules set out in the Family Code and the applicable procedural legislation;**

**k) ordering the competent bodies, social services of the relevant local government units and/or organisations providing services to support, where appropriate, the victims of domestic violence with psycho-social, healthcare, and financial assistance, and to monitor the compliance of the parties with the protection orders, by submitting the relevant reports to the local coordinator for the referral of cases of violence in family relations;**

l) ordering the defendant (perpetrator) to make a periodic payment to the cohabitants, whom, due to the measure above, are deprived from living means. In order to ensure payment, the court may decide that the amount is deposited by the employer to the beneficiary. Such a decision represents an executive title;

ll) including the domestic violence victim in rehabilitation programs;

m) Repealed

m/1) Repealed

**2. The protection order issued by court decision may include, along with the measure envisaged in the first paragraph of point 1 of this article, according to the circumstances of the case, one or more of the protection measures envisaged in letters "a" to "ll" of paragraph 1 of this Article.**

**3. The immediate protection order issued by court decision may include, along with the measure envisaged in the first paragraph of point 1 of this article, according to the circumstances of the case, one or more of the protection measures envisaged in letters "a" to "g" of paragraph 1 of this article."**

**3/1 The court, at its own initiative, in the immediate protection order or/and in the protection order, may provide for protection measures for children who have been subjected to violence or who have been present when domestic violence has been committed. The Court may, when it deems it appropriate, may also apply protection measures and procedures provided for by the applicable legislation on the children's rights and protection, unless the timelines of the judicial proceeding provided hereby are violated.**

**3/2 The decision on the divorce ruled by the court during the implementation of IPO/PO on the simultaneous consequences, shall start implementation on the day of termination of the IPO/PO. In the event the court rules different alimonies for the children, the decision that is most favourable for the children shall apply.**

**4. For the purpose of letter g", the court decision shall provide for:**

a) suspension of the arms licence until the termination of the protection order, as well as notification of the relevant administrative body on whether the weapon has been sequestered and whether the person has an authorisation for bearing arms;

b) return of the sequestered weapon, in the event the person possesses an authorisation to bear arms, only after the termination of the timeframe determined in the protection orders.

“Article 10/1

### **Rehabilitation of the perpetrator**

*(added through Law No. 125/2020, dated 15.10.2020)*

1. The protection order issued through court decision shall order the perpetrator to participate in psychosocial rehabilitation programmes and/or parental training programmes, as organised by public or private entities.

2. The persons responsible of the rehabilitation programme shall periodically report before the local coordinator on the referral of cases of violence in family relations about the participation of the defendant in the programme and its progress and about the rehabilitation results of the perpetrator. In the event the perpetrator fails to participate in the programme, except when due to objective reasons, and legitimate causes, upon request of the *ad-hoc* meeting of the Coordinated Referral Mechanism on cases of domestic violence or of entities envisaged in Article 13 of this law, the provisions of the Criminal Code on actions conducted in contradiction to the court decision on protection orders shall apply.

3. The protection order issued by court decision shall order the defendant or perpetrator, if appropriate, to participate in rehabilitation programmes in hospital centres, ambulance centres, or community centres that provide mental healthcare services, alcoholology services, or toxicology services.

4. The persons responsible for the rehabilitation programme shall inform the local coordinator with the Coordinated Referral Mechanism on cases of domestic violence about the participation of the defendant in the programme and their progress.

5. A perpetrator who is sentenced by court order to serve the sentence in institutions for the execution of criminal decisions may participate in psychosocial rehabilitation programmes. The participation and collaboration in the programme shall be taken in consideration for the purpose of the perpetrator’s risk assessment when it comes to conditional release, rewarding or special permissions, visits.

### **Article 11**

#### **Effects of the protection order**

*(words replaced in paragraph 1 through Law No. 47/2018, dated 23.7.2018)*

1. Notwithstanding any other order or decision issued by the court or any other institution, a protection order containing the measures envisaged in Article 10 of this law shall be issued by the court in the cases provided by this law.

2. The protection order or the immediate protection order, upon its issuance or expiration, shall not permanently affect property or custody rights.

## **CHAPTER IV**

### **JUDICIAL PROCESS FOR PROTECTION ORDERS**

#### **Article 12**

#### **Competent body for issuing protection orders on domestic violence cases**

*(words replaced in paragraph 1 through Law No. 47/2018, dated 23.7.2018)*



**1. The first instance court of general jurisdiction shall be the competent body for issuing protection orders in domestic violence cases.**

The court shall issue protection orders or immediate protection orders to establish the security measures mentioned under article 10 of this law.

2. The interested party may, on a case-by-case basis, request the court, in compliance with this law, the issuance of a protection order without prior request for an immediate protection order.

3. After the court has issued an immediate protection order, the interested party may request issuance of a protection order, as provided by this law. The respective protection order shall serve to reconfirm the continuance of the immediate protection order and ensure the protection measures stipulated in article 10 of this law.

Article 13

**Subjects entitled to request for protection orders**

*(letters “dh” and “e” of paragraph 2 added through Law No.10 329, dated 30.9.2010)*

1. The request for protection orders may be submitted by:

- a) the victim themselves;
- b) the victim’s legal representative or attorney;
- c) the police/prosecutor’s office.

2. The request for protection orders on behalf of the minor may be submitted by:

- a) the minor’s parent or custodian;
- b) the minor’s legal representative or attorney;
- c) his/her family relatives;
- ç) representatives of the social services office at municipality or commune, where the minor resides temporarily or permanently, who have been informed on the violence exercised;
- d) domestic violence victim protection and rehabilitation centres and services, **recognised/licensed by the ministry responsible for gender equality issues and fight against domestic violence.**

dh) the police/prosecutor’s office;

e) persons who are legally responsible for the child.

3. The request for immediate protection orders may be submitted by:

- a) the victim themselves;
- b) the victim’s legal representative or attorney;
- c) the police/prosecutor’s office;
- ç) a family member of the victim;
- d) representatives of the social services office at the municipality or commune, where the victim temporarily or permanently resides, who have been informed on the violence exercised;
- dh) domestic violence victim protection and rehabilitation centres and services, **recognised/licensed by the ministry responsible for gender equality issues and fight against domestic violence.**

4. When the request is submitted by the police/prosecutor’s office, the victim’s withdrawal from the process shall not consequently lead to non-adjudication of the initiated case.

Article 13/1

**Order on preliminary measures for  
immediate protection**

*(Added through Law No. 47/2018, dated 23.7.2018, paragraph 2 amended, paragraph 3/1 added through Law No. 125/2020, dated 15.10.2020,)*

1. When the risk assessment shows that the exercised violence represents a threat to the life, health and freedom of family members, the State Police structures responsible for handling domestic violence cases shall immediately take preliminary measures to protect the victim/s and stop the violence.

2. The order on preliminary measures for immediate protection, pursuant to paragraph 1 of this Article, until the court issues the immediate protection order or the protection order, shall rule the immediate removal of the perpetrator from the dwelling, in the event of the victim and perpetrator living under the same roof, except for when the perpetrator is a minor, an elderly person, or a person with disabilities, and/or shall determine one or several of the following measures:

a) ordering the perpetrator not to commit or threaten to commit further acts of domestic violence against the victim or any other member of the victim's family;

b) ordering the perpetrator not to threaten, harass, contact, or directly/indirectly communicate with the victim or any member of the victim's family;

c) immediately preventing the perpetrator to get close to the shelter, working place or house of the family of origin or dwelling of any other person or to the education institutions or any place attended mostly by the victim, except where the attendance occurs strictly for working purposes;

ç) immediately putting the victim in a residence or emergency centre for victims of domestic violence, until the court's decision-making;

d) ordering a State Police officer to escort the victim to the residence or emergency centre, pursuant to letter "ç" of this paragraph;

dh) ordering a State Police officer to escort the victim to their place of residence and supervise him/her while he retreats all their personal belongings;

e) seizing any weapon held with a permission by to the perpetrator, found during the conducted control, or confiscating any weapon held without permission by the perpetrator, until the court rules a decision .

3. The order on preliminary measures for immediate protection shall be issued by the head of the responsible structure of the State Police under whose jurisdiction the violence has been reported, according to the procedure and template defined by a joint instruction of the minister responsible for issues of public order and security and the minister responsible for issues of gender equality and the fight against domestic violence.

A copy of the order on preliminary measures for immediate protection shall be immediately sent to the local coordinator for the referral of the cases of violence in family relations.

3/1. In the event of emergency measures being in place in the entire country or in parts of its territory, the head of the responsible structure of the State Police shall be obliged to issue immediate protection preliminary measures, in accordance with paragraph 2 of this article, in any case they observe the exercise of violence. During the entire extent of extraordinary measures, through the request addressed to the court on the determination of preliminary protection measures, taken through the immediate protection preliminary measures' order issued, the police should ask the court to issue a protection order, without initially requesting the issuance of the immediate protection order.

4. In cases where the violence is exercised against or in the presence of children, the State Police shall immediately take the child under protection and simultaneously report the case to the Child Protection Unit in the local government unit, pursuant to the rules provided by the applicable legislation on children's rights and protection.

5. Within 48 hours after the measures are taken, as defined under paragraph 1 hereof, the State Police structures responsible for handling domestic violence cases shall submit to the court a request to review the immediate protection preliminary measures and a lawsuit to issue the immediate protection order.

6. The right to submit a request to review the order on the preliminary measures for immediate protection to the court shall be also enjoyed by the victim and the subjects stipulated under paragraph 3, Article 13 of this law, within 48 hours after its issuance.

7. The court, no later than 48 hours from the submission of the request, through a court session, shall decide:



a) to review the protection measures set out in the order on the immediate protection preliminary measures and to issue an immediate protection order;

b) to annul the order on the immediate protection preliminary measures and terminate its consequences, unless the facts and circumstances based on which it was issued are proven.

8. The court, for trial purposes, may convene the representative of the State Police and/or the local coordinator for the referral of cases of violence in family relations to provide explanations during a court session.

#### Article 14

##### **Lawsuit form**

*(a sentence added at the end of paragraph 3, and paragraph 4 amended through Law No.10 329, dated 30.9.2010, paragraphs 3, 4, 5 amended and paragraph 6 added through law No. 47/2018, dated 23.7.2018, words amended in letter b” of paragraph 1 through Law No. 125/2020, dated 15.10.2020)*

1. The lawsuit for the issuance of protection and immediate protection orders shall also contain the following:

a) personal data on the family or blood relations between the victim and perpetrator;

b) a clear presentation of the facts and circumstances in which the domestic violence incident occurred, including explanations on the violation of security, health, or wellbeing of the victim by **the defendant (perpetrator)**, as mentioned under paragraphs 1 and 2 of Article 3 of this law;

c) specific protection measures requested;

ç) signature of the claimant.

2. The lawsuit for protection orders may be presented at any time to the court by the persons who are legitimized to do so. Whenever immediate help is requested, the request may also be compiled and presented at the nearest police commissariat and the police officer shall act in conformity with the law “On the State Police”.

3. In order to draft the lawsuit, prepare the acts and representation during the court proceedings, the claimant shall be assisted by a lawyer that provides secondary legal aid, in compliance with the conditions and rules envisaged by the applicable legislation on legal aid, provided by the state.

4. The applicant for IPO/PO and the holder of OIPPM (order on immediate protection preliminary measures) shall be exempted from:

a) paying the court fees and expenses, in compliance with the applicable legislation on legal aid provided by the state;

b) the obligation to pay in advance the fee for the execution of the order by the state plaintiff's service, in compliance with the applicable legislation on legal aid provided by the state;

c) paying the fees for the psycho-social expertise, sign language interpretation services, forensic expertise, expertise to assess the risk of domestic violence or any other expertise act.

Upon the issuance of the IPO/PO, the court expenses shall be incurred by the party that exercised domestic violence.

5. The lawsuit shall be recorded in a special registry, it shall be given a number of protocol upon its delivery and a toss shall be called the next day. The court shall make its judgement within the timelines provided by the law and shall apply those forms of notification envisaged by the provisions of the Civil Procedure Code for parties or other entities. For the purposes of conducting the trial, where the circumstances of the case dictate so, the court may, if necessary, hold a court hearing in the absence of the parties, irrespective of the confirmation of the receipt of notification.

6. The court shall, in the decision to issue the protection order, decide also for the cases provided under paragraph 4 hereof.

#### Article 15

##### **Evidence during the hearing**

*(last sentence of paragraph 2 amended and paragraph 2/1 added through Law No. 47/2018, dated 23.7.2018)*

1. The necessary evidence to be submitted to the court may be the following: witness statements, police reports, medical reports, acts of expertise, examinations and statements/explanations by the parties, other documents issued by the social workers of the social services office at the local government unit, documents issued by legal persons (NPOs) registered pursuant to legislation in force.

2. When the data in the request clearly indicate that police commissariats, local government offices or health centres possess written proof of the occurrence of domestic violence, these shall immediately issue a certified copy thereof (with official seal) upon the request from the claimant or from the court. When the applicant declares the inability to provide the documentation envisaged under this paragraph, and in any other case where the court finds that the fulfilment of the requirement may be the cause of delays that violate the essence of the victim's rights, the court may order that the necessary documentation be submitted by the public administration bodies that have access to it.

2/1. Failure to issue the documentation provided under paragraph 2 hereof, shall constitute a cause to take disciplinary measures against the responsible person, pursuant to the provisions of the special legislation.

3. When the court does not possess all evidence mentioned in paragraph 2 of this article, it shall issue the protection order, based on the description of circumstances and facts regarding occurrence of domestic violence, and based on its own conviction.

#### Article 16

##### **Adjudication on the issuance of protection orders**

*(paragraph 1 amended through Law No. 47/2018, dated 23.7.2018, words amended in letter "b" of paragraph 2 through Law No. 125/2020, dated 15.10.2020 )*

1. The court shall decide to issue the protection order within 15 days from the registration of the request.

2. While examining the request, the court shall hear testimony from the following persons:

- a) the victim, her/his legal representative or attorney;
- b) the defendant (perpetrator), their legal representative or attorney;
- c) the prosecutor, when he or she filed the request;
- ç ) representatives of the police;

d) the representatives of the social services office at the local unit where the claimant temporarily or permanently resides, when the claimant is younger than 18, when the claimant is legally incapacitated or when the domestic violence affects the afore-mentioned persons;

dh) the personnel of health centres and staff of services and rehabilitation centres, who assisted the victim after they had undergone domestic violence;

e) witnesses deemed necessary by the court.

3. When the request is presented by the police/prosecutor, the victim's withdrawal from the process shall not consequently lead to non-adjudication of the initiated case.

#### Article 17

##### **Court decision for protection orders**

*(words amended in letter "b" of paragraph 1, sentence reduced in letter "ç" of paragraph 3, paragraph 6 added through Law No. 125/2020, dated 15.10.2020)*



# Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

1. The court may issue a protection order only against the defendant mentioned in the lawsuit. This order shall include only the measures set forth in article 10 of this law. The court shall issue a protection order containing one or more of the measures stipulated in article 10 of this law, if it finds that:

a) there are reasonable suspicions to believe that the perpetrator poses a threat for committing an act of domestic violence;

b) the issuance of the protection order by court decision is necessary to protect the security, health, wellbeing of **the victim or victims**. The court shall deem that such order, in addition to the claimant, may also involve other persons with whom the claimant has family or intimate relations, which may become cause for violence exercised against the latter.

2. The court should not reject the issuance of a protection order because of the existence of any other pending legal proceedings involving any party.

3. The court's final decision to issue the protection order, which should meet the requirements of article 310 of the Civil Procedure Code, shall also contain the following:

a) the measure determined by the court;

b) time limits for this protection order which should not exceed 12 months, but with a possibility of extension;

c) notification that violation of a protection order shall be considered a criminal offence under article 320 of the Criminal Code;

**c) notification on the right to appeal the protection order,**

4. The issuance of the protection order by court decision shall be notified immediately to the perpetrator who was not present at the hearing, pursuant to article 316 of the Civil Procedure Code. The victim shall be provided with two copies of the original decision, one for their own record and the other to be presented to the police if and when necessary.

5. The court shall send within 24 hours a copy of the protection order to the following persons:

a) the victim and other persons mentioned in the protection order;

b) the prosecutor, when they present the request;

c) the social services office of the local unit where the victim or other persons mentioned in the protection order reside temporarily or permanently;

ç) the police commissariat covering the location where the victim or other persons mentioned in the protection order reside temporarily or permanently.

**6. The decision on the protection order and immediate protection order shall be recorded in a special register that is administered in each court in accordance with the template, rules, and procedures approved by decision of the High Judicial Council.**

## Article 18

### **Adjudication on the issuance of immediate protection orders**

*(paragraph 1 amended through Law.10 329, dated 30.9.2010, letter "b" of paragraph 2 amended through Law No. 125/2020, dated 15.10.2020)*

1. The court shall decide on the request for immediate protection:

a) of a minor, within 24 hours after the submission of the request;

b) other subjects of violence in family relations, within 48 hours from the submission of the request.

2. When examining the request for immediate protection order, the court shall hear the following persons:

- a) the victim, their legal representative or attorney;
- b) the perpetrator, their representative or attorney;**
- c) the prosecutor, if participating;
- ç) other claimants mentioned in article 13 of this law;
- d) witnesses deemed necessary by the court.

#### Article 19

#### **Court decision on issuing immediate protection orders**

*(letter “d” added in paragraph 5 through Law No.10 329, dated 30.9.2010, paragraph 2/1 added, letter “ç” of paragraph 3 repealed and paragraph 6 amended through Law No. 47/2018, dated 23.7.2018, words amended in letter “b” of paragraph 1 through Law No. 125/2020, dated 15.10.2020)*

1. The court shall issue the immediate protection order including one or some of the measures described in article 10 of this law, if it finds that:

- a) there are sufficient grounds to believe that the defendant (perpetrator) has committed or threatened to commit an act of domestic violence; or
- b) the defendant (perpetrator) presents a direct and immediate threat to the security, health or well-being of the victim or their family members; or**
- c) the issuance of the immediate protection order is necessary to protect the security, health and welfare of the victim or their family members who are protected through this order.

2. The court shall not reject the issuance of an immediate protection order because of the existence of any other pending judicial process involving any party.

**2/1. The court shall issue the protection order even where the parties claim that the conflict has been settled or shall be settled through reconciliation or mediation.**

3. The final decision to issue the protection order, which should meet the requirements of article 310 of Civil Procedure Code, shall contain:

- a) the measure determined by the court;
- b) the time limits for this immediate protection order which expires at the moment the protection order issued by the court is implemented;
- c) the notification that violation of an immediate protection order constitutes a criminal offence, pursuant to article 320 of the Criminal Code;
- ç) repealed;
- d) the date of the hearing for the verification of the immediate protection order, which should take place within 20 days from the issuance of the immediate protection order.

4. The issuance of the immediate protection order by court decision shall be notified immediately to the perpetrator who was not present at the hearing, according to article 316 of the Civil Procedure Code.

The victim shall be provided with two copies of the original decision, one for their own record and the other to be presented to the police if and when necessary.

5. The court shall send, within 24 hours, a copy of the immediate protection order to the following persons:

- a) the victim and other persons mentioned in the immediate protection order;
- b) claimants under the meaning of article 13 of this law;
- c) the social services office of the local unit where the victim or other persons mentioned in the protection order reside temporarily or permanently;
- ç) the police commissariat covering the location where the victim or other persons mentioned in the protection order reside temporarily or permanently.
- d) bailiff offices covering the execution area.



6. The court decision on the issuance of the immediate protection order shall constitute an executive title and may not be appealed. The decision shall be immediately executed by the police structures, in cooperation with the plaintiff's service and social services office of the local government units where the victim and other persons included in the decision reside permanently or temporarily.

Article 20

**Adjudication for the verification of the immediate protection order**

*(first sentence amended through Law No. 47/2018, dated 23.7.2018)*

1. The court shall organise the session, pursuant to Article 16 hereof, not later than 20 days from the issuance of the immediate protection order. At the conclusion of the judicial proceedings, the court shall:

a) decide the withdrawal and termination of the effects of the immediate protection order issued previously by the court when there is no evidence to sustain it;

b) refuse to issue a protection order by court decision when evidence does not support the previously issued immediate protection order;

c) issue a protection order pursuant to article 17 of this law. This court decision may alter terms and conditions of the previously issued immediate protection order, as needed.

Article 21

**The appeal**

*(Article 21 reworded through Law No. 125/2020, dated 15.10.2020)*

1. The court decision on the issuance of the protection order, verification of the immediate protection order, as well as non-issuance of the immediate protection order may be appealed. The appeal may be filed within 5 days following the publication of the reasoned decision. The Court of Appeal shall come up with a decision no later than 15 days following the registration of the appeal. The decision of the Court of Appeal cannot be appealed to the Supreme Court. The decision of the court that issued the protection order may not be appealed by the victim, except for when then the victim claims that the stipulated measures do not safeguard protection.

2. The submission of an appeal shall not suspend the execution of the court's decision on issuing the immediate protection order or the protection order.

Article 22

**Circumstances for amendment, termination  
or continuation of protection orders**

*(words amended in paragraph 1 through law no. 125/2020, dated 15.10.2020)*

1. If circumstances have thoroughly changed, the victim (their representative), perpetrator or prosecutor, if participating in the process, may submit a request for the amendment or termination of the protection order.

2. Upon receipt of this request for termination or amendment of the protection order, the court shall examine it, pursuant to article 16 of the present law. Upon the completion of examination, the court may:

a) decide the protection order should remain effective;

b) decide the protection order should be amended, if circumstances have fundamentally changed; or

c) decide the protection order should terminate if the criteria established under paragraph 1, Article 10 are no longer valid because of fundamental change in the circumstances.

3. The submission of the request for the amendment or termination of the protection order does not suspend the implementation of the protection order.

4. Fifteen days prior to expiration of the protection order, the victim or the person authorised by them may present the request for the continuation of the protection order. When no such request is presented, the protection order shall terminate automatically on the expiration date.

5. Upon receiving the request for the continuation of the protection order, the court shall examine it, pursuant to article 16 of this law. Following such examination, the court may decide to:

a) certify the termination of the protection order up to its expiration date; or

b) extend the validity of the decision to issue the protection order if the criteria set forth in paragraph 1, article 17 of this law are met.

#### Article 23

### **Implementation of judicial decisions**

*(paragraph 1 and 6 amended, paragraph 3/1 added and paragraphs 2 and 5 repealed through law no. 47/2018, dated 23.7.2018)*

1. The court decision on the issuance of the protection order shall be final and shall constitute an executive title from the day of its publication. In parallel to the immediate protection order, the court shall also issue an order for its execution. The decision shall be immediately executed by the police structures, in cooperation with the plaintiff's service and social services office of the local government units where the victim and other persons mentioned in the decision have their permanent or temporary residence.

2. Repealed.

3. Social workers and police officers shall take all necessary steps to ensure the immediate and continuous execution of protection measures stipulated pursuant to article 10 of this law.

3/1. Throughout the duration of the court decision for the IPO/PO, the Social Services Office of the local government unit shall monitor the compliance of the parties with the protection order and shall, every 60 days, prepare a report, on which the State Police shall be informed, on a case-by-case basis. The relevant parties in the court decision shall cooperate to ensure that the representatives of the Social Services Office of the local government unit and the responsible institutions the implementation carry out their visits to the dwelling, according to the court decision on the immediate protection order and/or the protection order, providing also the necessary information.

4. Institutions, shelters, service centres, NPOs licensed to offer services shall implement the measures established by the court decision and shall coordinate their actions with the local government units and police directorates, which are the direct implementers of these decisions.

5. Repealed.

6. In case of voluntary non-execution by the parties or hindrance in the execution of protection orders by enforcement bodies, as envisaged in the provisions of this law and/or in the court decision, the provisions of the Criminal Code shall apply to the persons responsible for committing acts that challenge the court decision, with respect to the tasks deriving from the protection orders.

#### CHAPTER V

#### FINAL PROVISIONS

#### Article 24

### **Criminal Proceedings**

*(sentence added through Law No. 125/2020, dated 15.10.2020)*

Issuance of a protection order or immediate protection order shall not inhibit interested parties to also initiate criminal proceedings with regard to acts or omissions that are classified as criminal

# Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

offences. In any event, the police officer whom the victim approaches for protection, shall refer the case to the prosecutor's office in order to proceed with the criminal prosecution of the perpetrator, in accordance with the rules determined in the Criminal Procedure Code.

## Article 25

### Secondary legislation

The Council of Ministers shall issue all the necessary secondary legislation to the implementation of this law within 3 months from its entry into force.

## Article 26

### Entry into force

This law shall enter into force on 1 June 2007.

**Promulgated through Decree No. 5182, dated 12 January 2007, of the President of the Republic of Albania, Alfred Moisiu**

## Criminal Procedures Code

### Article 58

The rights of the victim of the criminal offence  
(Amended by Law No. 35/2017 of 30.03.2017, article 40)

1. The victim of a criminal offence has the right:
  - a) to require the prosecution of the perpetrator.
  - b) to seek medical care, psychological assistance, counselling and other services provided by the authorities, organizations or institutions responsible for assisting the victims of criminal offences.
  - c) to communicate in his or her own language and to be assisted by a translator and an interpreter of the language of signs or communication facilitator for people who are not able to speak and hear;
  - ç) to choose a defence lawyer and when it is the case to receive free legal aid pursuant to the legislation into force;
  - d) to seek at any time information about the status of the proceedings, and to be acquainted about the acts and evidence, without breaching the principle of investigatory secret;
  - dh) to require to receive the evidence and submit other requests to the proceeding authority;
  - e) to be informed about the arrest of the accused person and his release under the conditions stipulated in this Code;
  - ë) to be informed for the non-initiation of the proceeding, the dismissal of the case, the initiation and the completion of the adjudication;
  - f) to make an appeal in the court against the decision of the prosecutor for the non-initiation of

the proceeding and the decision of the prosecutor or of the judge of the preliminary hearing to dismiss the charge or the case;

g) to ask a compensation for the damage and be accepted as a civil plaintiff in the criminal process;

h) to be excluded, in the cases provided for by the law, from the payment of every expense for

receiving the acts and judicial fee for the submission of the lawsuit connected with the status of

the victim of the criminal offence;

i) to be summoned in the preliminary hearing and in the first hearing;

j) to be heard by the court even when none of the parties requires him to be summoned as a witness;

k) exercise other rights provided for by this Code.

2. The proceeding authority shall immediately notify the victim on the rights referred to in paragraph 1 of this Article and record the notification about it.

3. The victim who does not have legal capacity to act shall exercise rights through his/her legal

representative or the legal guardian, unless this is not in the interest of the victim. When incompatibility is noticed between the interests of the victim and the ones of the legal representative or the guardian, the court appoints a special guardian in compliance with the provisions of the Family Code.

4. Heirs of the victim defined by this Code shall have the rights provided in paragraph one, letters: a), e), ë), f), gj) and k) of this article. If the heir of the victim is a child, he shall be represented by the legal guardian.

#### Article 58/b

The rights of the sexually abused victim and human trafficking victim  
(Added by Law No. 35/2017 of 30.03.2017, article 42)

1. Besides the rights provided for in Article 58 and 58/a of this Code, the sexually abused victim and the human trafficking victim shall also be entitled to:

a) be heard without delay by a judicial police or prosecutor of the same gender;

b) refuse to answer questions regarding his/her private life obviously not related to the criminal offence;

c) request to be heard during the trial through audio-visual tools pursuant to the provisions of this Code.

### **Criminal Code**

#### Article 130/a

##### Domestic violence

(Added by law no. 23/2012, dated 1.3.2012; last paragraph amended by law no. 144, dated 2.5.2013, amended by law no. 35/2020, dated 16.4.2020)

Beating, as well as any other act of physical or psychological violence, against a person who is the spouse, ex-spouse, cohabitant or ex-cohabitant, close kin (born before or after the person, brothers, sisters, uncles, aunts, grandsons, granddaughters, children of brothers and sisters), or a close in-law (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law,

## **Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)**

COUNCIL OF EUROPE



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brother-in-law, stepson, stepson, stepdaughter, stepmother, stepfather), or in an intimate relationship or former intimate relationship with the perpetrator of the criminal offense, with the consequence of violating the person's physical, psycho-social and economic integrity, shall be punished with imprisonment of up to three years.

Serious threats of murder or serious injury against a person who is the spouse, ex-spouse, cohabitant or ex-cohabitant, close kin (born before or after the person, brothers, sisters, uncles, aunts, grandsons, granddaughters, children of brothers and sisters), or a close in-law (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, stepson, stepson, stepdaughter, stepmother, stepfather), or in an intimate relationship or former intimate relationship with the perpetrator of the criminal offense, with the consequence of violating the person's psychic integrity, shall be punished with imprisonment up to four years.

Intentional injury to a person who is the spouse, ex-spouse, cohabitant or ex-cohabitant, close kin (born before or after the person, brothers, sisters, uncles, aunts, grandsons, granddaughters, children of brothers and sisters), or a close in-law (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, stepson, stepson, stepdaughter, stepmother, stepfather), or in an intimate relationship or former intimate relationship with the perpetrator of the criminal offense, causing the person's temporary inability to work for more than nine days, shall be punished with imprisonment up to five years.

These crimes, when committed repeatedly, or in the presence of children, shall be punished with imprisonment of one to five years.