



**Questionnaire for the evaluation of the  
implementation of the Council of Europe Convention  
on Preventing and Combating Violence against  
Women and Domestic Violence by the Parties**

**1<sup>st</sup> thematic evaluation round: Building trust by  
delivering support, protection and justice**

**Adopted by GREVIO on 13 October 2022**

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## Introduction

In accordance with Article 66, paragraph 1, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) shall monitor the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). Following its baseline evaluation procedure which provided an overview of the implementation of the full spectrum of provisions of the convention by each state party, Article 68, paragraph 3, of the convention and Rule 30 of the Rules of Procedure of GREVIO (the Rules of Procedure) mandate GREVIO to carry out subsequent evaluation procedures divided into rounds. At the beginning of each round, GREVIO shall select the specific provisions on which the evaluation procedure shall be based and shall send out a questionnaire (Rule 31 of the Rules of Procedure).

For its 1<sup>st</sup> thematic evaluation round, GREVIO adopted this questionnaire to be sent to all states parties that have undergone the baseline evaluation procedure, according to an order approved by GREVIO. States parties are requested to transmit to GREVIO a reply to this questionnaire within five months from the date it was sent.

GREVIO decided to focus its 1<sup>st</sup> thematic evaluation round on the theme of building trust by delivering support, protection and justice. To address this overarching theme, the present questionnaire aims, in its first section, to identify developments in key areas such as comprehensive and co-ordinated policies, funding and data collection that have ensued following the completion of the baseline evaluation procedure. In its second section, it sets to obtain more in-depth information on the implementation of selected provisions in the area of prevention, protection and prosecution, in respect of which baseline evaluation procedures and the Conclusions on the Recommendations of the Committee of the Parties to the Istanbul Convention have revealed significant challenges and the need for further sustained implementation. In its third section, it brings its attention to emerging trends in the area of violence against women and domestic violence. Its fourth and last section requests annual statistics for two complete calendar years prior to receiving this questionnaire on specific administrative and judicial data.

The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French) and should contain all the relevant information on the implementation of the Istanbul Convention since GREVIO's first baseline evaluation report, including copies or extracts of relevant legislation, regulations, case law and strategic documents or action plans referred to (Rule 33 of the Rules of Procedure).

## **Part I: 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 co-ordinated policies**

1. Please provide information on any new policy development since the adoption of GREVIO's baseline evaluation report on your country to ensure comprehensive policies covering the areas of prevention, protection, and prosecution in relation to stalking, sexual harassment and domestic violence, including their digital dimension, rape and sexual violence, female genital mutilation, forced marriage, forced abortion and forced sterilisation, thereby demonstrating further implementation of the convention. Please specify the measures taken particularly in relation to those forms of violence against women that have not been addressed in past policies, programmes and services encompassing the four pillars of the Istanbul Convention.
2. Where relevant, please provide information on any measures taken to ensure the alignment of any definitions of domestic violence and of violence against women in national legislation or policy documents with those set out under Article 3 of the Istanbul Convention and provide the relevant applicable provisions in English or French.
3. Please provide information on how your authorities ensure that policies on violence against women and domestic violence put women's rights and their empowerment at the centre and on any measure taken to enhance the intersectionality of such policies, in line with Articles 4 paragraph 3 of the convention.<sup>1</sup>

Since the adoption of GREVIO's baseline evaluation report on Albania, there has been provided a considerable level of policy development, by Albanian authorities. We can mention:

1. Improved legislation framework:
  - a. Law 47/2018 "On some addenda and amendments to Law No. 9669, dated 18.12.2006, "On Measures against Violence in Family Relations", followed the recommendations of GREVIO (2017). These amendments strengthened safeguards and procedural measures for a more effective response to domestic violence and protection of victims through the issuance of the Precautionary Immediate Protection Order (PIPO), preceded by a risk assessment, for each case handled. Additionally, for the first time, protection is provided to women and girls in intimate relationships without having formal ties with the perpetrators, such as marriage or cohabitation.
  - b. By-laws adopted according to the Law No. 47/2018:
    - i. Instruction No. 816, dated 27.11.2018, of the Minister of Health and Social Protection "On the adoption of the standards for the provision of services and the functioning of the Crisis Management Centers for sexual violence cases",
    - ii. Joint Instruction of the Minister of Health and Social Protection and the Minister of Interior No. 912, dated 27.12.2018 "On the procedures and model of the precautionary Immediate protection order",
    - iii. Joint Instruction of the Minister of Health and Social Protection and the Minister of Interior "On the procedures and model of risk assessment for domestic violence cases",
    - iv. Joint Instruction of the Ministry of Justice and the High Judicial Council No. 9, dated 17.06.2020 "On determining the rules for the creation of a special domestic violence cases database in the courts and the unification of their registration".
  - c. The amendments made through Law 125/2020 "On some addenda and amendments to Law No. 9669, dated 18.12.2006, "On Measures against Violence in Family Relations", lay down the measures for immediate removal of the perpetrator from the joint residence through PIPO by the State Police, or through Immediate Protection Order/Protection Order (IPO/PO) issued by the Court within the time limit specified in these orders, specific rehabilitation programs for perpetrators, creation of an IPO/PO register, etc
  - d. By-laws adopted according to the Law No: Decision of the Council of Ministers No.

327, date 2.06.2021 “On standard basic procedures for the coordination of work between the authorities responsible for the 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

- e. Law No. 35/2020 “On an Amendment to Law No. 7895, dated 27.01.1995, “Criminal Code of the Republic of Albania”, as amended, includes the criminalization of psychological violence, protection of persons in a relationship or former intimate relationship with the perpetrator of the criminal offense, etc., thus, harmonizing the content of this article with Article 3 of the Istanbul Convention and amendments to the law on domestic violence. The law further provides for toughening the sentences for certain actors of such criminal offenses
  - f. Law 35/2017 “On some addenda and amendments to Law No. 7905, dated 21.03.1995, “Criminal Procedures Code”, as amended, provides for new legal provisions that significantly improve the position of the victim in criminal cases, and special procedural rights for the juvenile victim, sexually abused and the victim of trafficking in human beings
  - g. Law 22/2018 “On social housing”, emphasizes the principle of non-discrimination for planning, equipping, distributing, and managing housing for social groups in need of housing. The specialized housing program benefits vulnerable groups, including victims of trafficking, domestic violence, and girls who are mothers.
  - h. Law no. 101/2020 “On Some Amendments and Addenda to Law No. 10019, dated 29.12.2008 “The Electoral Code of the Republic of Albania”, as amended, included the concept of “under-represented gender” (the gender with traditionally the smallest number of members of Parliament or, as the case may be, in the local councils nationwide), as well as laid down the definitions on electoral freedom and gender equality in Article 4 of this Code.
  - i. Law 18/2017 “On the Rights and Protection of the Child generates equality and nondiscrimination as its general principles. The law defines the meaning of child protection by clarifying the “protection measures” that social workers can apply when faced with cases of children in precarious situations due to violence, abuse, neglect, or exploitation. For the first time, the law provides for the protection of children in street situations or who are used/exploited for work, addressing various forms of violence against children, such as bullying, school violence, domestic violence, sexual abuse, economic exploitation, 14 online child safety, and protection for unaccompanied children or victims of trafficking.
  - j. Law 111/2017 “On legal aid guaranteed by the state among other things guarantees free legal aid for special categories: victims of domestic violence, sexual abuse, trafficking in human beings, minors in conflict with the law, children in social care institutions, persons whose rights have been violated through an action or omission that constitutes discrimination, and other categories.
2. Policies and institutional framework:
- a. National Strategy for Gender Equality 2021-2030 is the fourth of its kind and (similarly to the previous strategies) clearly reflects the priority and special attention to achieve gender equality, as well as ending gender-based violence and domestic violence, by taking into account women and girls adequate treatment as prerequisites to sustainable development.
  - b. Based on the Order of the Prime Minister No. 32, dated 12.02.2018 “On the Establishment of the National Coordinator for Gender Equality”, the Deputy Prime Minister has been appointed as the National Coordinator for Gender Equality, who is authorized to strengthen the gender equality mechanism at the central level and undertake a coordinating role.
  - c. According to DCM No. 508, dated 13.9.2017, the area of responsibility for issues of gender equality and the fight against gender-based violence and domestic violence was assigned to the Ministry of Health and Social Protection (MoHSP). The Ministry exercises such function through the leading role of the Minister in the National Council for Gender Equality and the Sector of Policies and Strategies for Social Inclusion and

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## Gender Equality.

**Challenges:** However, in addition to the changes and improvements to the civil and penal legal framework, the implementation of the legal framework continues to remain a challenge for the Albanian society, negatively impacting on the development outcomes of the country in general and on women in particular. Civil society organizations continue to bear the burden of providing social services in the country.

1. **Reporting Violence and Responsible Actors.** Data from assisted cases indicate that the police continue to be one of the primary actors to whom victims turn to report violence, making the Police Station the initial point of reference. When information about the existence of violence is received, the Police prepare a request for an Immediate Protection Order. The preparation of these requests by police officers is notably lacking in detailed circumstances and facts of the incident that occurred between the victim and the perpetrator, resulting in the lawsuit being deficient in evidence. Consequently, a significant number of lawsuits are subsequently dismissed by the court due to these deficiencies.
2. Despite recent changes, through Law No. 125/2020 "On some additions and amendments to Law No. 9669, dated 18.12.2006 'On measures against domestic violence'", where the court, as an immediate protective measure, orders the removal of the perpetrator from the residence for a specified period when the victim and the perpetrator reside in the same dwelling, this provision is not always effectively implemented in practice.
3. **Free Legal Assistance During Civil Legal Proceedings**  
The Law "On Measures Against Domestic Violence" as well as Law No. 111/2017 "On State-Guaranteed Legal Aid" ensure the provision of free legal representation for victims of domestic violence. However, the problem lies in the fact that victims must meet certain criteria, which they need to include in their application to receive this service for free. Therefore, administrative procedures and their failure to meet these criteria often result in the refusal of free legal assistance for many cases. Cases that have been referred or self-referred to the Vatra Center and other civil society organizations have successfully obtained this service for free, in a timely and effective manner.
4. **Enforcement of Court Decisions**  
The enforcement of court decisions, particularly Immediate Protection Orders (IPO/PO), remains one of the fundamental issues for the proper functioning of the judicial process. The issuance of Protection Orders by the court is a crucial moment, but their enforcement is the key indicator of the effectiveness of law enforcement. Responsible entities for executing protection orders and other court decisions, namely the respective enforcement offices, local police directorates, and Regional Social Service Offices, play a significant role in this regard. In practice, there have been instances of non-compliance with the enforcement of court decisions.

### **Article 8: Funding**

4. Please provide information on any new development since the adoption of GREVIO's baseline evaluation report on your country concerning the 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.
5. Please provide information on any development concerning the provision of appropriate and sustainable financial and human resources for women's rights organizations that provide specialist support services to victims, including those supporting migrant women and girls.
1. The Albanian government financially supports the shelters of the National Coalition of Anti-trafficking Shelters for the salaries of part of the staff of the shelters and for the food of the accommodated victims. In fact, the salaries of specialists who work in shelters that operate 24/7 are very low (net monthly salary 375 EUR) considering the difficulties they face during everyday work, and they are not paid for night shifts, Saturdays and Sundays, or official national holidays

during which specialists are obliged to work in shelter. For this reason, it is recommended that the Albanian government, specifically the Ministry of Health and Social Protection, take this concern into consideration in order for the shelter staff to feel motivated for the work they do. Besides that, the Albanian government should increase the financial support for shelters to create the sustainability of rehabilitation and reintegration services for VoTs.

2. As well, two of the centers of the National Coalition of Anti-trafficking Shelters, Vatra Psycho-Social Center and Different & Equal during 2021 have been supported with funds from The Agency for the Administration of Seized and Confiscated Assets.
3. Since 2011, Vlora Municipality has been supporting Vatra to cover the operational costs of the Counseling Office. For the year 2023, this fund has been increased by 7,000 EUR to also cover a portion of the shelter costs.

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

6. Please provide information on any new development since the adoption of GREVIO's baseline evaluation report on your country on the introduction of data collection categories such as type of violence, sex and age of the victim and the perpetrator, the relationship between the two and where it took place, for administrative data of relevance to the field of

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<sup>1</sup> The concept of intersectionality refers to the fact that "individuals (and groups) are affected by multiple inequalities based on various grounds of distinction rather than by discrimination based on one ground at a time. Therefore, discrimination, inequality and gender-based violence cannot be examined in relation to only one category of difference – for instance, gender – while precluding others – such as race, class, age, disability, sexual orientation or gender identity – because social categories intersect and interlock in multiple systems of discrimination that simultaneously affect an individual's life." See in this respect the study Ensuring the Non-discriminatory Implementation of Measures against Violence against Women and Domestic Violence: Article 4, paragraph 3, of the Istanbul Convention, A collection of papers on the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, p.12-13.

violence against women and domestic violence emanating from law enforcement agencies, the justice sector, social services and the public health care sector.

7. Where relevant, please provide information on any new development since the adoption of GREVIO's baseline evaluation report on your country to enable disaggregated data collection:

- a. on the number of Immediate barring and protection orders and the number of breaches and the resulting sanctions;
- b. on the number of times custody decisions have resulted in the restriction and withdrawal of parental rights because of violence perpetrated by one parent against the other.

8. Please provide information on measures taken to allow cases of violence against women and domestic violence to be tracked from reporting to conviction, at all stages of the law-enforcement and judicial proceedings.

Violence against Women (VAW) continues to be a serious concern and a serious violation of human rights in Albania, affecting the full and equal participation of women and girls in society. Every year Vatra produces reports about the activity of the center. These reports include 1) Annual Reports of the activity of the center (all the reports are published at Vatra Psycho-Social Center Website [www.qendravatra.org.al](http://www.qendravatra.org.al)); 2) Project reports according to each project that Vatra implement during the year and are sent to the donors; 3) Researches and Studies regarding thematic issues on human trafficking, gender based violence, and brochures for service provision, legislation and policies.

During 2021-2022 Vatra conducted a research and published the study "Access to and quality of services for victims of gender-based violence in Albania" ([http://www.qendravatra.org.al/previewdoc.php?file\\_id=751](http://www.qendravatra.org.al/previewdoc.php?file_id=751)). In total, 154 participants were involved in the study, including employees of direct services at local level in the 12 regions of the country, as well as 93 victims of gender-based violence from 19 municipalities of the country. The study generated several findings about service quality and recommendation for improvement of the services

Based on the data generated by Annual Reports of Vatra 2018- 2022 (the annual report for 2022, is in draft, not published yet), during the recent 5 years, Vatra has assisted with legal services, Psycho-Social Services, health support, sheltering and housing, empowerment services, etc, 1639 Cases of gender-based violence including domestic violence, sexual abuse. Vatra has supported with services 788 victims of human trafficking as well (72% of victims of human trafficking have been girls and women)

Based on the selected data about 80% of gender-based violence are women and girls and about 20% are mostly boys. About 80% of the assisted cases come from urban areas. About 40% of them are members of Roma and Egyptian communities. 71% of the cases are not married; 18% married and 11% are divorced cases.

727 of the victims suffered from psychological violence; 452 Of them physical violence; 44 are victims of sexual abuse and 416 are other forms of violence.

Domestic violence perpetrators are mainly with 9-year education (40 %) and secondary education (30.0 %). The age groups that have experienced the most frequent domestic violence from the intimate partner are the age groups from 45-54 years old and from 55-64 years old. All forms of violence are less common in the 18-24 age group.

**Challenges:** There is a noticeable lack of issuing Immediate Protection Orders (IPOs) by the Police, which is closely related to the risk assessment. In most cases, even when necessary, the risk is assessed as low or moderate, resulting in the non-issuance of Immediate Protection Orders, consequently affecting the provision of Order for Immediate Protection Measures.



## Part II: Information on the implementation of selected provisions in priority areas in the field of prevention, protection and prosecution

### Article 12: General obligations

9. Please provide information on any primary prevention measures aiming to change mentalities and attitudes in relation to violence against women and to reduce women's exposure to gender-based violence by:

- a. addressing harmful gender stereotypes and prejudices, customs and traditions based on the idea of the inferiority of women;
- b. addressing the heightened exposure to gender-based violence by women and girls at risk of intersectional discrimination;
- c. encouraging all members of society, including men and boys, to contribute actively to preventing all forms of violence against women covered by the scope of the Istanbul Convention, and promoting the empowerment of women and girls in all areas of life, notably their participation in politics at all levels and in the labour market.

During the 2018 – 2022, Vatra have been engaged through projects providing information and primary prevention activities with wide community, groups of women and girls economically marginalized, women and girls coming from rural and remote areas, migrant women and girls, by addressing gender stereotypes, women's rights, gender equality and promoting the empowerment of women and girls. Information sessions and meetings have been held in Vlora, Durrës, Berat, Diber, Fier, Lezha, etc.

During this period:

851 women and girls have benefited information and knowledge from information sessions; 1541 mix population have benefited information from information sessions and other public activities, in public places of these regions;

About 10 000 community members have been aware through TV broad casts (6), radio talks (5), through online social media of the center (Facebook, Instagram, YouTube, Web)

Different informative materials have been published and delivered to community members, such as:

- a. Videos (5 videos with information)
- b. Leaflets (5000 copies)
- c. Manuals for schools (1000 copies)
- d. Brochures with information regarding Online sexual abuse and trafficking (1000 copies)
- e. Different awareness materials, such as T-shirts with slogan; pens with slogan; handbags with slogan, masks with slogan, etc

Challenges:

1. There is a lack of programs handled by state social institutions, such as administrative units, which are in direct contact with community members, primarily women and girls, or other members.
2. Despite good local-level collaboration with state and non-state actors in providing primary prevention activities, civil society organizations are the ones that, through the projects they implement, organize awareness campaigns. State institutions have limited funds and resources for organizing, producing materials, and capacity building to provide information.
3. Local state institutions lack programs and financial capacity to enable not only the promotion but also the support of groups of vulnerable and marginalized women to empower them socially and economically.
4. There should be more information and education provided among migrant and asylum-seeking groups to inform them about issues of violence, exploitation, and victimization prevention, as well as the protection of unaccompanied children.

## Article 14: Education

10. Please provide a few examples of promising teaching or prevention programmes, materials, or initiatives for use in formal education (from pre-school to higher education) that:

- a. educate children and youth about equality between women and men, the right to personal integrity, mutual respect and non-violent conflict resolution in interpersonal relationships, including the notion of freely given consent;
- b. address some or all the forms of gender-based violence against women and girls covered by the Istanbul Convention;
- c. promote the inclusion of digital literacy and online safety in formal curricula as foreseen under GREVIO General Recommendation No. 1 on the digital dimension of violence against women;
- d. ensure that teaching material used in school does not convey negative gender stereotypes of women and men of all ages;
- e. offer tailored interventions aimed at preventing gender-based violence and empowering all girls, including those at risk of intersectional discrimination.

During the 2018 – 2022, Vatra has organized periodically informal education sessions and forums with young students of secondary and high schools, as well as with students of Universities, in Vlora, Durres, Berat, Lezhe, Diber, Fier, Lushnje, Tirana, etc. Vatra has delivered leaflets, brochures and other sensitizing materials to the young people, as well as to teachers and psycho-social professionals of the schools.

During these years a total of 196 information sessions and forums with youth of schools and students have been conducted, and as result of these activities

5411 Children, adolescents and University students have benefited information on gender issues and gender based violence issues.

Challenges:

- a. The education system in Albania, despite recent improvements, has made insufficient efforts regarding the systematization and revision of programs and curricula, which should be equipped with a gender-sensitive approach, reducing gender stereotypes, providing regular information about the occurrence and consequences of gender-based violence, and so on. Subjects focusing on civic education, sociology, etc., continue to lack proper emphasis in the educational program, which tends to focus more on the scientific aspect.
- b. Schools do not work effectively in organizing or seeking the assistance of specialists in the field to work on gender-based violence prevention, bullying, etc., as well as addressing new trends in gender-based violence, such as online violence.
- c. The psychosocial staff in schools lack proper training and do not give due importance to organizing informative sessions or working with specialized programs to address gender-related issues and gender-based violence. Also, coordination between these specialists and classroom teachers is often lacking when it comes to addressing suspected cases that may be subjects of violence and trafficking.
- d. Civil society organizations specializing in this field often face lengthy procedures to establish cooperation with schools and provide their contributions. Access to intervene in schools with prevention projects by the School Counseling and Health Centers (OSHC), which is in itself a right and in accordance with the law, is prolonged and, in some cases, exceeds the capacity of organizations to provide the service in a timely manner.
- e. School-community relationships remain weak, and community-based schools do not fulfill their social function as they should.

### **Article 15: Training of professionals**

11. Please complete tables I and II included in the Appendix in order to provide a comprehensive overview of the professional groups that receive initial and in-service training on the different forms of violence against women and domestic violence. Please specify the frequency and scope of the training and whether it is compulsory.

12. Please specify if the expertise of women's rights organizations or specialist support services is integrated in the design and/or implementation of the training.

One of the pillars of Vatra's work is providing capacity building for state and non-state professionals which work and are responsible for services for victims of gender based violence and human trafficking.

During the period 2018- 2023 Vatra has conducted 79 training session in the field of human trafficking and 26 training sessions on gender based violence, and services. General topics:

1. Knowledge on Legislation and policies and their implementation in the anti-trafficking field in Albania, their improvement.
2. Knowledge on Legislation and policies and their implementation against gender-based violence and about gender equality, their improvement
3. General knowledge regarding gender issues and gender – based violence
4. General knowledge regarding human trafficking, identification and protection of victims
5. Practices, planning and approaches for effective intervention to victims of gender based-violence
6. Legislation, policies and practices regarding child protection

During the reported period 650 professionals increased their capacity regarding gender based violence (detailed training in the Table 1) and 1501 professionals regarding human trafficking

Challenges:

- a. Despite an increase in collaboration between government institutions and civil society organizations in accessing and providing training for professionals, there is no organized approach from institutions in assessing their training needs. Often, this assessment is carried out by civil society organizations, which then implement capacity-building projects for both state and non-state professionals based on the assessments conducted.
- b. Government costs for providing training are insufficient and are largely covered by organizations.
- c. There is a need for increased training, especially for legal and law enforcement professionals, such as judges, prosecutors, and police officers. Legal changes in the Penal Code in 2017 not only require infrastructure improvement in these institutions to ensure the implementation of the rights of victims of criminal offenses but also training judges, prosecutors, and police officers to adopt a victim-centered approach.
- d. Training is needed for all professionals to implement a gender-sensitive approach when providing services to victims in accordance with their needs and profiles.
- e. Since institutional staff often undergo turnover, training should be planned continuously, with training cycles tailored to the capacities of responsible personnel.

### **Article 16: Preventive intervention and treatment programmes**

13. Please provide information on measures taken to increase the number of available preventive intervention and treatment programmes for perpetrators of domestic and sexual violence both for voluntary and mandatory attendance.

14. Please provide information on measures taken to:
- a. increase the number of men and boys attending perpetrator programmes for domestic and sexual violence;
  - b. ensure that the perpetrator programmes apply standards of best practice;
  - c. ensure the safety of victims and co-operation with specialist support services for victims;
  - d. ensure that the outcomes of the programmes are monitored and evaluated.

Since November 2019, at the Legal Clinic of "Vatra," Psycho-social Center alongside legal and psychological services for women, girls, and child victims of gender-based violence, there has also been an ongoing psychological service for men and boys who are perpetrators of violence, aiming at their rehabilitation and reintegration.

Through exploring new behaviors to distance the abuser from domestic violence, since 2019, 72 men have received specialized counseling with the goal of modifying and improving their violent behaviors within and outside the family. Generally, these problematic situations are closely related to deteriorated emotional and psychological states resulting from physical and psychological abuse within the family, property disputes, depression, mental health issues, jealousy, lack of income, poverty, etc.

Beneficiaries of the program are referred for the counseling cycle by the local violence coordinator in Vlora municipality and the Legal Clinic of Vatra, Vlora District Court, and the Police. Concerning this service, Vatra has established collaboration agreements with key institutions in the city of Vlora. Collaboration agreements have been established with Vlora General Jurisdiction Court, the Local Police Directorate of Vlora District, and the Probation Service of Vlora.

Protocols for the operation of the counseling office for men and boys at "Vatra" Center have been developed with the support and expertise of WWP-EN international network, with finalized protocols during September 2022.

Challenges:

- a. The service for men and boys as perpetrators is relatively new and is not widely spread in Albania. It is mainly available in 4 regions: Shkoder, Vlore, Tirana, and Elbasan. Therefore, there is a need to expand this service by increasing the capacities of social workers to provide the service.
- b. Although collaboration agreements have been established with relevant referring institutions, the number of cases referred by the court or Probation Service is low. Vatra continues to regularly involve the service for men and boys as perpetrators, both in informative sessions or workshops in schools and in public awareness activities, training sessions organized with employees of local institutions, etc.

### **Article 18: General obligations**

15. Please provide information on any multi-agency co-operation mechanisms, structures or measures in place designed to protect and support victims of any of the forms of gender-based violence against women covered by the Istanbul Convention (e.g., interdisciplinary working groups, case-management systems, cross-sectoral protocols/ guidelines...). Please describe:

- a. the state agencies involved in their functioning (law-enforcement agencies, judiciary, public prosecutor, local authorities, healthcare services, social services, educational institutions etc.);
- b. whether they involve specialist support services provided by civil society organisations, especially women's rights organisations;
- c. how they adopt a gender-sensitive approach to violence against women, including the prioritisation of the safety of women and girl victims, their empowerment and a victim-centred approach;
- d. the financial and human resources dedicated to their implementation; and

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e. any available information on the evaluation of their outcome or impact.

16. Please detail whether any such co-operation mechanisms or structures set up for the delivery of support services for a specific form of violence covered by the Istanbul Convention is based on a legal or policy document advocating for or requiring such approaches.

17. Please explain whether all or some of the services of protection and support offered for victims of the different forms of violence against women are provided on the basis of a one-stop-shop approach.

The coordinating body for Violence against Women and Domestic Violence issues at the central level is The Ministry of Health and Social Protection (MHSP) and at the local level is the Coordinated Referral Mechanisms of domestic violence' cases (CRM). The member institutions of CRM and their representatives very often are not gender-sensitive and lack the necessary knowledge and capacities to undertake the duties and responsibilities. These local actors need regular support and monitoring from the central level structures (Ministry of Health and Social Protection, other relevant line ministries, State Social Services) and other key actors like CSOs and donors.

Responsible institutions of the Referral Mechanisms need support in their everyday work with case management, considering that they lack specialized personnel and resources.

The mechanisms established and extended to all the municipalities in the country, should become fully functional considering that are the only instrument of the system that is responsible for the protection and security of the victims of domestic violence in the country. This requires for: continuous training for the involved actors; improved collaboration among the local actors to better assist all gender based violence victims (not only victims of domestic violence); increased attention in better addressing the needs of victims with disabilities; opening of Immediate shelters for the domestic violence victims in each municipality; increased access with information dissemination and services for DV survivors in rural and remote areas; making use where present/ and creation of rehabilitation opportunities/services for perpetrators; prioritization of empowerment of the women survivors through assistance for employment; simplification of the necessary procedures for rent bonus for the women survivors of gender based violence; better continuous follow up of the cases, etc. These measures would improve the functioning of the local Referral Mechanisms and therefore, protect and empower girls and women survivors of gender-based violence.

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

### **Article 20: General support services**

18. Please provide information on programmes and measures aimed at ensuring, through general services, the recovery of victims of violence, including in the health and social areas, financial assistance, education, training and assistance in finding employment and affordable and permanent housing.

#### **Questions specific to the public health sector:**

19. Have specific measures been taken to ensure that public health services (hospitals, health centres, other) respond to the safety and medical needs of women and girls victims of all forms of violence covered by the Istanbul Convention on the basis of national/regional standardised protocols?

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20. Do such protocols detail the procedure to:
- a. identify victims through screening;
  - b. provide treatment for all the medical needs of victims in a supportive manner;
  - c. collect forensic evidence and documentation;
  - d. ensure that a clear message of support is conveyed to the victim;
  - e. refer to the appropriate specialist support services that form part of a multi-agency co-operation structure; and
  - f. identify children who may have been exposed to domestic violence or other forms of gender-based violence against women and girls and require further support.
21. Please provide information on the procedures in place for the documentation and collection by actors of the public health sector of forensic evidence in relation to victims of domestic violence, victims of sexual violence, including rape, and victims of female genital mutilation.
22. Are all women victims of violence, irrespective of any of the grounds listed in Article 4 paragraph 3 of the Istanbul Convention, in particular asylum-seeking women, refugee women, migrant women, women from national or ethnic minorities, women with irregular residence status, women with disabilities and LGBTI women, able to benefit on an equal footing from existing healthcare services? Please describe any measure taken to reduce legal or practical barriers to their accessing regular healthcare services.
23. Please provide information on the measures in place to facilitate the identification and care of victims of violence against women in institutions for persons with disabilities and for the elderly as well as for those in closed reception facilities for asylum-seekers and to respond to their safety and protection needs.
24. Please provide information on how the authorities ensure that different groups of women and girls, *inter alia* women with disabilities, Roma women and other women belonging to national or ethnic minorities, migrant women and intersex persons are fully informed, understand and freely give their consent to procedures such as sterilization and abortion.

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

25. Please describe the type of specialist support services dedicated to women victims of the forms of gender-based violence covered by the Istanbul Convention (e.g., stalking, sexual harassment and domestic violence, including their digital dimension, female genital mutilation, forced marriage, forced sterilisation, forced abortion), including those specialist support services providing:
- a. shelters and/or other forms of safe accommodation
  - b. medical support
  - c. short- and long-term psychological counselling
  - d. trauma care
  - e. legal counselling
  - f. outreach services
  - g. telephone helpline
  - h. other forms of support (e.g. socio-economic empowerment programmes, online assistance platforms etc.)

26. Which type of specialist support service includes child psychologists or other professionals specialised in supporting children who have been exposed to domestic violence, including violence perpetrated by one parent against the other?

27. Do specialist support services exist that cater to the specific needs of migrant women and girls or those belonging to national or ethnic minorities who are victims of violence against women, including women and girls seeking asylum and those granted refugee or international protection status?

Vatra Psycho – Social Center offers a full package of rehabilitation and reintegration services for victims of trafficking, victims of gender-based violence, domestic violence and sexual abuse.

The reintegration services include: accommodation, security and reintegration plan; medical assistance; psychological and psycho-social assistance; intermediation/facilitation with the family of origin; assistance to education and attending school; legal assistance; vocational training; coaching for employment, counseling and support for employment; social activities, mentoring; services for economic empowerment including grants for microbusiness; assistance to children of victims; financial support and long term accommodation; information on available services in the community and respective contact information; monitoring and ongoing supervision of the beneficiaries of the program.

The reintegration program is divided into three phases, including Immediate services, rehabilitation services and long-term services and monitoring during the process of social inclusion:

#### **Phase #1: Crisis intervention and Accommodation**

The initial assistance for victims deals primarily with accommodation of victims in the residential center where beneficiaries are provided with basic needs and crisis services - e.g. accommodation, housing, clothing, feeding, medical assistance, psychological assistance, professional trainings, protection and security 24 hours, family mediation, as well as preparation for the next stages of reintegration. In this phase beneficiaries, together with the staff (multidisciplinary team), design and following their individual reintegration plans.

#### **Phase #2: Transition phase including semi-independent living**

Most of the beneficiaries are unable to go home because of the mentality and social stigma, security reason or they are rejected by the families so they are therefore provided with a full range of in-house assistance in preparation for independent living. Vatra provides rented apartments for beneficiaries who have begun to make the important transition into the society. Women are supported toward their economic independence - e.g. after completing vocational trainings and maintaining a job for some time, they move out of the shelter and into rented apartments, subsidized by the center. For minors, placements into families of origin and alternative care settings are facilitated. Staff of the center monitors beneficiaries' progress in these half-way houses and families, providing regular psycho-social assistance.

#### **Phase #3: Re/integration and social inclusion**

The support given to cases in this phase is to empower them and gradually leave the program. This support consists in: offering reintegration assistance to the family and community where the beneficiary resides; information on resources and services available in the community, assistance to the beneficiaries in strengthening relationships with the support institutions in the community in which they live; and regular case monitoring and follow-up. The services provided for victims of trafficking are not conditional upon victims' cooperation with law enforcement on prosecution.

**Access to justice** associated to free legal aid is one of the basic rights and of special importance for the protection of victims. In recent years, as part of justice reform in Albania, there has been an improvement in the domestic legal framework that regulates the right to free legal aid for vulnerable categories, including victims of violence and trafficking. The most important legal acts that serve to guarantee free legal aid from the state for victims are the Criminal Procedure Code (amendments to law no. 35/2017 article 58 and 58b) and the new law no. 111/2017 "On legal aid guaranteed by the state".

Vatra are authorized by Ministry of Justice for the period 2022 – 2024 to provide primary free legal aid. For all the victims supported by Vatra, legal assistance and counseling are provided by professional

lawyers.

**Challenges and difficulties in providing free legal aid to victims** - Despite the legal improvements, the practical implementation of new law no. 111/2017 "On legal aid guaranteed by the state", addressing victims remain a challenge.

- The law requires the completion of a procedure with certain requests for documents, which is difficult to be provided by victims, both for primary legal aid and secondary legal aid.
- NGOs authorized to provide free legal aid benefit from the state scheme only for providing primary legal aid and not for the secondary legal aid that a victim needs most;
- The list of lawyers engaged in providing secondary legal aid does not represent a group of lawyers specialized in representing and protecting the interests of the victims.
- The recent changes (law no 35/2017) to the Criminal Procedure Code related to the competence of dealing with cases of trafficking, which has passed to the Prosecutor's Offices and District Courts, has made the work of providing free legal assistance difficult because there is a lack of specialized capacities and structures at the district level to guarantee such service;
- Justice institutions, including the Courts, the Prosecutor's Office and the Police, continue to have a mentality and behavior oriented towards the perpetrator and less towards the victim.

### **Support with services in the framework of Local Government**

The financing mechanism for social care services has led to the increase in community services tailored to the assessed needs of vulnerable categories by local self-government units, in line with local social plans. According to a study funded by UNDP, data from the Ministry of Health and Social Protection (MHSP) indicate that there are currently 493 social services offered, compared to 228 services available in 2019. Out of these, 154 are pre-social services: 46% are provided by public institutions, while 42% are provided by non-public institutions.

The social fund aims to provide financial support to local government units to improve the standards and administrative capacities of existing social care services, including services for victims of violence and trafficking, the creation of new services, as well as the development of social policies. It is established and administered by municipalities in collaboration with the Ministry responsible for social issues. The legal basis for the establishment of the social fund at the local government level is Law No. 121/2016 "On Social Care Services in the Republic of Albania."

However, the majority of local municipalities have a very small social fund compared to the needs of vulnerable groups. Taking into account that 42% of services are provided by NGOs, primarily financed through projects from foreign donors, state funds (46%) would not be sufficient to enable support services for victims of gender-based violence and other forms of violence and exploitation.

#### **Services for migrant women, asylum-seeking women, and ethnic groups:**

Based on Law No. 121/2016 on social services, as well as Law No. 108/2013 "On Foreigners," all categories of disadvantaged women or specific groups have the right to benefit from support programs for services for women victims of violence, trafficking, or sexual abuse. Vatra Center provides supportive and reintegration services for these categories and offers legal assistance in facilitating residence permit procedures or asylum procedures in the Republic of Albania.

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

28. Please indicate if any of the below services are available in your territory:

- a. sexual violence referral centres (e.g. specialist support services offering immediate medical care, forensic examination and crisis intervention to victims of sexual violence);
- b. rape crisis centres (e.g. specialist support services offering long-term counselling, therapy and support to victims of sexual violence regardless of whether the sexual violence occurred recently or in the past);
- c. any other specialised services offering short-term and/or long-term medical, forensic and psycho-social support to victims of sexual violence.



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29. Please provide information on the number of such services and the number of women and girls supported annually.
30. Please indicate the procedures and time frames for collecting and storing forensic evidence in cases of sexual violence (e.g. existence of protocols, use of rape kits) in the relevant services.
31. Please describe any applicable access criteria for use of these services (e.g. affiliation with a national health insurance, residence status, prior reporting of the case to the police, other).

During 2022, with the support of UNDP, there has been produced the Protocol on managing domestic sexual violence cases at local level through the Coordinated Referral Mechanism (CRM)<sup>1</sup>. The protocol aims to assist local authorities at municipal level, members of the CRMs responsible for prevention and management of Sexual Violence cases, in particular members of the Multidisciplinary Technical Team (MTT), inadequately handling DV cases. According to this Protocol, victims of Sexual Abuse should be referred for services in the "LilliPO Center", opened in December 4th, 2018, which remains the only crisis management center for cases of sexual violence in Albania, which provides multidisciplinary service to all survivors of sexual violence.

According to the protocol, victims receive primary services at "LILLIUM" Center, including healthcare, medical-legal services, psychosocial support, clothing, food, referrals, testimony collection, initiation of criminal justice procedures, as well as psychological counseling for crisis management. In terms of its concept, "LILLIUM" Center is an Immediate center where all these services are provided for a period of up to 72 hours, and afterward, the victim's stay is not possible, and they are referred to another specialized support center.

The victim's departure from the center is communicated to the members of the Local Multidisciplinary Team (LMT) and is decided in cooperation with the Local Violence Coordinator, with the aim of ensuring that the case continues to be referred and monitored by them. The recipient of the center's service can choose to return to their family. If they do not return to their family, referral for shelter in shelters for survivors of violence and trafficking, psychosocial support, professional training, employment, childcare, children's return to school, etc., are long-term services that can only be realized through cooperation between the Center and the LMT to ensure long-term support through collaboration with specialized public and non-public institutions.

The protocol also outlines the long-term support process for victims of sexual abuse, which is carried out at the National Coalition of Anti-Trafficking Shelters (NCATS) Centers: at Vatra Psycho-social Center and various other organizations.

In the 5 years of this reporting period, the Vatra Center has assisted 16 victims of sexual abuse with Immediate and long-term reintegration services.

#### Challenges:

a. Despite improvement of policies and practices regarding treatment and management of cases of sexual violence against women and girls, this one remains a topic that needs to be thoroughly addressed in Albania. While other forms of violence are increasingly reported, sexual violence is not reported by girls and women. Data from the latest National Population Survey (INSTAT 2019) highlights that 8,6% of woman have experienced sexual violence in their lifetime, and 3,6% are currently experiencing sexual violence in their marriages or intimate relationships. The general findings show an equally alarming situation, where 38% of the respondents have been exposed to harassment or sexual assault during their lifetime.

b. Dealing with cases of sexual violence in schools or in the community continues to be a taboo, posing a barrier for women and girls to report due to shame and societal stereotypes about victims of sexual abuse.

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<sup>1</sup> <https://www.undp.org/sites/g/files/zskgke326/files/2022-07/Protokolli%20i%20dhunes%20seksuale.pdf>

c. The majority of reported cases of sexual abuse involve minor girls who, due to shame and societal prejudices, do not report the abuse and become subject to blackmail by the abusers. In around 90% of cases of minor victims and even adults who are victims of trafficking, they have experienced sexual violence within their families or in society before the trafficking period.

d. In the majority of municipalities and local units, specialized services for victims of sexual violence are lacking, primarily specialized psychosocial services, including specialized treatments for trauma and mental health. Considering that there is a higher number of minor girls reporting this form of violence, the lack of specialized staff for victimized minors is also evident.

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

32. Please indicate whether under national law incidents of violence covered under the scope of the convention must be taken into account in the determination of custody and visitation rights of children. If this is the case, please clarify to what extent these provisions:

- a. explicitly list domestic violence as a criterion to be taken into account when deciding on custody and/or visitation rights in the applicable legislation. If so, please clarify whether this criterion is/has been applied in practice in the determination of both custody and visitation rights;
- b. acknowledge the harm that witnessing violence by one parent against the other has on a child;
- c. ensure that custody with the non-violent parent is preferred over foster care;
- d. foresee the screening of civil proceedings related to the determination of custody or visitation rights for a history of domestic violence among the parties;
- e. foresee that judges conduct risk assessments or request the disclosure of risk assessments drawn up by law enforcement agencies or other competent stakeholders for victims of domestic violence, with a view to taking them into account and determining the best interest of the child in the context of custody and visitation decisions.

33. Please describe the measures in place to ensure that judges, court-appointed experts and other legal professionals:

- a. have sufficient knowledge of the law and understanding of the dynamics of intimate partner violence, including the psychological impact of witnessing violence on the child;
- b. duly take into account victims' grievances in cases of domestic violence and hear children victims/witnesses, where applicable, in the determination of custody and visitation rights;
- c. are informed of the unfoundedness of notions of "parental alienation"<sup>2</sup> or analogous concepts that are used to overshadow the violence and control exerted by perpetrators of domestic violence over women and their children.

34. Please provide details on the procedures in place to ensure that the competent court for family-related issues co-operate/communicate with other relevant bodies/professionals, including, but not limited to, criminal courts, law enforcement agencies, health and education authorities and specialist women's support services when taking decisions on custody and visitation or when offering family law mediation. Please specify whether the law provides a legal framework for any of the procedures in place.

35. Please provide detailed information on the procedures in place (including, if applicable, the relevant personnel used, the specific infrastructure available), in the exercise of custody and visitation rights, to:

- a. eliminate the risk for the abused parent to be subjected to further violence;
- b. eliminate the risk for the child to witness or experience violence;
- c. ensure that the responsible personnel are trained and that the facilities are suited to enable safe supervised visitation.

36. Please indicate whether national provisions foresee the withdrawal of parental rights in criminal sentences if the best interest of the child, which may include the safety of the victim, cannot be guaranteed in any other way.

Referring to the Family Code, all children deserve equal rights, including children born out of wedlock. According to the law "On measures against violence in family relationships," children who have been present/witnesses to violence automatically become part of the Protection Order. However, in practice, this is still a challenge faced by victims of family violence.

Additionally, the law reserves the right for the court to temporarily remove parental responsibility from the abusive parent for the duration of the Protection Order, thus creating more effective protection for children who are victims of family violence. When the court decides to remove parental responsibility from both parents or from a single parent, it appoints temporary custody of the children in accordance with procedural rules and those specified in the Family Code.

Furthermore, Law No. 18/2017 "On the rights and protection of the child" has defined protective measures aimed at the development and well-being of the child within their family environment or by placing them in alternative care when their best interests are taken into consideration.

The measures have been put in place to ensure that judges, experts appointed by the court, and other legal professionals have sufficient knowledge. Within the framework of legal changes, all actors and institutions responsible for enforcing legislation against family violence and protecting children's rights are required to train specialists in the relevant fields who are part of the judicial system, with the aim of providing professional assistance to minors.

Challenges:

- a. However, working with children in this context requires continuous training and qualifications. The measures put in place to ensure that judges, experts appointed by the court, and other legal professionals have the necessary knowledge are insufficient.

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b. A common issue is that police officers do not automatically include the minor child in the request for a Protection Order in most cases when they have been present or witnesses of violence. Instead, a separate request must be made to include the child and provide them with protective measures.

c. Often during court sessions where the minor needs to be questioned, the court neglects to call in a psychologist who should be present in every case involving questioning of minors and in every law enforcement institution.

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

##### **Criminal law:**

37. Please provide information on the measures taken to ensure that mandatory alternative dispute resolution processes are prohibited in criminal proceedings related to cases involving the different forms of violence against women covered by the Istanbul Convention.

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<sup>2</sup> In its baseline evaluation reports GREVIO has consistently referred to the statement of December 2017 by the European Association for Psychotherapy (EAP), which draws attention to the fact that the concepts of “parental alienation syndrome” (PAS) and “parental alienation” (PA) are unsuitable for use in any psychotherapeutic practice. This statement by the EAP, which is made up of 128 psychotherapy organizations from 41 European countries, acts as a guiding principle for European psychotherapists. Moreover, in February 2020 the World Health Organisation (WHO) published its new draft International Classification of Diseases, 11th Revision (ICD-11) and confirmed that it had removed parental alienation from index terms in the final ICD-11. See also the Platform of Independent Expert Mechanisms on Discrimination and Violence against Women (EDVAW Platform) statement of May 2019 “Intimate partner violence against women is an essential factor in the determination of child custody, say women’s rights experts”.

38. Where voluntary alternative dispute resolution processes exist for any criminal offences within the remit of the Istanbul Convention, such as conciliation or mediation, please provide information on the safeguards incorporated to ensure the free and informed consent of the victim to such processes and the measures taken to avoid that direct or indirect pressure is placed on the victim. Please also state whether the offer of alternative dispute resolution processes may result in the discontinuation of criminal investigation and prosecution or other consequences for the victim.

**Civil law:**

39. Please provide information on the measures taken to ensure that alternative dispute resolution processes such as mediation or procedures which can be considered tantamount to the latter are not used in family law proceedings such as divorce proceedings or proceedings related to custody and visitation of children, where there is a history of violence.

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

40. Please describe the human, financial and technical resources provided to law enforcement agencies to diligently respond to and investigate all cases of violence against women, including their digital dimension.

41. Which measures have been taken to ensure that the premises of police stations are accessible and suitable for receiving and interviewing victims of violence while ensuring their privacy? Is it possible to report cases of violence against women elsewhere than in police stations, including through digital means?

42. Please explain whether specialist police/prosecution units exist to investigate and prosecute violence against women and specify:

- a. which forms of violence against women they are competent for;
- b. whether such units exist in all police/prosecution districts throughout the country.

43. Please describe any measures taken to ensure swift investigation into and effective prosecution of cases of violence against women and domestic violence such as prioritisation through fast-tracking, benchmarking or other initiatives, without compromising the thoroughness of the investigation.

44. Are any measures taken to encourage women and girls who experience any of the forms of violence against women covered by the Istanbul Convention to report incidents of violence to the authorities? Please provide examples of any measures taken to instill confidence in law-enforcement officials, including those aimed at addressing any language or procedural difficulties they encounter when lodging complaints, in particular those of migrant women, asylum-seeking women, women with disabilities, women with addiction issues and other women and girls at risk of intersectional discrimination.

45. Please indicate whether protocols/standard operating procedures or guidelines for police officers are in place providing guidance on how to receive reports, interview victims, investigate and collect evidence in cases of rape and sexual violence, domestic violence, psychological violence, stalking, sexual harassment (including their online manifestation), forced marriage, female genital mutilation and forced sterilization/abortion. Please provide information on how the authorities ensure the comprehensive collection of evidence beyond the victim's testimony.

46. Please describe the efforts taken to identify and address all factors that contribute to attrition (the process whereby cases drop out of the criminal justice system) in cases of violence against women and domestic violence.

47. Please indicate if legislative or other measures have been taken to issue a renewable residence permit to migrant women who have become a victim of any of the forms of violence covered by the Istanbul Convention if the competent authority considers that their stay is necessary for the purpose of their co-operation in investigation or criminal proceedings.<sup>3</sup>

Since 2019, at the general jurisdiction prosecutor's offices, has been assigned a coordinator for the victims. These coordinators are supposed to provide assistance and counseling to victims with a special focus on minors, women, persons with disabilities, victims of domestic violence, victims of sexual violence or exploitation, and victims of human trafficking. However, as a matter of fact, the coordinators at the prosecutor's offices do not carry out any of the aforementioned duties.

The prosecutor's office should take measures to inform victims of violence/crime about their rights at every stage of the criminal process by prosecutors or judicial police officers in the presence of the coordinator for the victims, in accordance with the victim's age, mental and emotional state. Based on the law, the prosecution authority (prosecutor or judicial police) and victim coordinators regularly inform all victims of their rights without any discrimination based on age, race, language, religion, gender, or sexual orientation. Victims are assisted in exercising those rights, and, as the case may be, are referred to the necessary service providers established to guarantee their rights and protection. There have been no cases referred by the victim coordinator at the Prosecutor's Office of Vlore District to receive services from public-state institutions or NGOs.

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

48. Please describe any standardized and mandatory risk assessment tools in use by all relevant authorities in all regions for forms of violence against women such as stalking, violence committed in the name of so-called honor and domestic violence and to what extent these tools are being used in practice to assess the lethality risk, the seriousness of the situation and the risk of repeated violence with a view to preventing further violence. Please specify whether the following elements are considered as red flags when carrying out the risk assessment:

- a. the possession of or access to firearms by the perpetrator;
- b. the filing for separation/divorce by the victim or the break-up of the relationship;
- c. pregnancy;
- d. previous acts of violence;
- e. the prior issue of a restrictive measure;
- f. threats made by the perpetrator to take away common children;
- g. acts of sexual violence;
- h. threats to kill the victim and her children;
- i. threat of suicide;
- j. coercive and controlling behaviour.

49. Please specify how effective co-operation is ensured between the different statutory authorities and specialist women's support services in making risk assessments and whether the risks identified are managed by law enforcement agencies on the basis of individual safety plans that include also the safety of the victim's children.

50. Please describe the efforts made to analyse retrospectively all cases of gender-based killings of women, in the context of domestic violence and other forms of violence against women to identify the existence of possible systemic gaps in the institutional response of the authorities with the aim of preventing such acts in the future.

#### **Article 52: Immediate barring orders**

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51. Have any legislative or other measures been taken to introduce and/or amend the legal framework governing Immediate barring orders in order to align it with the requirements of Article 52? If yes, please specify whether:

- a. Immediate barring orders may remain in place until a victim can obtain a court-ordered protection order in order to ensure that gaps in the protection do not arise;
- b. support and counseling are made available to women victims of domestic violence in a pro-active manner by the authority competent to issue an Immediate barring order;

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<sup>3</sup> This question refers to the obligation contained in Article 59, paragraph 3. State parties that have entered a reservation in respect of Article 59 may reply to this question but are not required to do so.

- c. children are specifically included in contact bans issued under the Immediate barring order;
- d. any exceptions to contact bans are made and in which circumstances.

52. Please provide information on the measures taken to enforce Immediate barring orders and on responses to any violations of such orders.

With the amendments made to Law No. 9669 dated 18.12.2006 "On Measures Against Domestic Violence," through Law No. 47/2018 dated 23.07.2018, another protective measure is prioritized to assist victims of domestic violence in situations where the risk is deemed high, namely, the Order for Immediate Protective Measures (OIPM). As a matter of fact, OIPMs are not issued, with the reasoning that there are no reasons to assess the victim's risk. According to the Specialists against violence at the Police Station, risk assessment is performed and the risk is categorized as low or moderate, and this results in the non-issuance of OIPMs.

Furthermore, if we refer to Decision No. 327 dated 02.06.2021 "On the Mechanism of Coordination of Work Between Authorities Responsible for Referring Cases of Domestic Violence and Its Procedure for Supporting the Rehabilitation of Victims of Violence," risk assessment for cases of domestic violence is carried out by the Police in collaboration with the Municipal Coordinator against Violence, and when the risk assessment results indicate that the case is urgent and poses a high risk, the State Police authority immediately issues the OIPM and, in collaboration with the Municipal Coordinator against Violence, takes appropriate protective measures for its implementation.

Following, the coordination of work between the Police and the Municipal Coordinator is of particular importance during the process of risk assessment and the subsequent procedures for OIPM or PO (Protection Order). However, despite contacts with the Municipal Coordinator against domestic violence, the latter is not summoned in cases of risk assessment or to assist in drafting court applications for OIPM/PO.

Another recurring problem related to OIPMs is the preparation of incomplete court application forms by police officers, who neglect to provide all the necessary data and detailed descriptions of episodes of violence in template application forms for OIPM, with the aim of providing effective protection to the victim and subsequently making legally sound decisions based on evidence by the respective court.

### **Article 53: Restraining or protection orders**

53. Have any legislative or other measures been taken to introduce and/or amend the legal framework governing restraining and protection orders in order to align it with the requirements of Article 53? If yes, please specify whether:

- a. restraining or protection orders are available – in the context of criminal proceedings and/or upon application from civil courts - to women victims of all forms of violence covered by the Istanbul Convention, including domestic violence, stalking, sexual harassment, forced marriage, female genital mutilation, violence related to so-called honor as well as digital manifestations of violence against women and girls;
- b. children are specifically included in protection orders;
- c. any exceptions to contact bans are made and, if so, in which circumstances these may be made.

54. Please provide information on the measures taken to enforce protection orders and on responses to any violations of such orders.



**Article 56: Measures of protection**

55. Please provide information on the measures taken to ensure the following:
- a. that the relevant agency informs the victim when the perpetrator escapes or is released temporarily, at least when they or their family might be in danger (paragraph 1 *b*);
  - b. the protection of the privacy and the image of the victim (paragraph 1 *f*);
  - c. the possibility for victims to testify in the courtroom without being present or at least without the presence of the alleged perpetrator, notably through the use of appropriate communication technologies, where available (paragraph 1 *i*);
  - d. the provision of appropriate support services for victims so that their rights and interests are duly presented and taken into account (paragraph 1 *e*).

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### **Part III: Emerging trends on violence against women and domestic violence**

56. Please provide information on new developments since the adoption of GREVIO's baseline evaluation report on your country concerning:

- a. emerging trends in violence against women and domestic violence, including its digital manifestations (types of perpetration, groups of victims, forms of violence);
- b. emerging trends in domestic case law related to violence against women;
- c. emerging trends in the allocation of funding and budgeting by your state authorities;
- d. innovative approaches to primary prevention, for example, new target audiences and means of communication, public/private partnerships etc.
- e. emerging trends related to access to asylum and international protection for women victims of violence against women.

From the data available from Vatra Center, it is noted that, in addition to the more commonly reported forms of violence, there has been an increase in the number of cases reporting psychological abuse in recent years. Another trend observed is the increase in cases reporting violence experienced online. Both of these trends have primarily emerged during the COVID-19 pandemic and have continued as notable forms of violence, especially among girls and, in general, minors.

To raise awareness and knowledge among young people, but especially parents and teachers, about how forms of online abuse, violence, and exploitation occur, Vatra published a brochure in 2022 titled "Children Online Trafficking and Exploitation". This brochure provides detailed information about this form of violence and exploitation, with a focus on minors. It has been distributed to service providers as well as in schools.

#### Part IV: Administrative data and statistics

57. Please provide annual statistics for two complete calendar years prior to receiving this questionnaire on administrative and judicial data on:

- a. the number of reports, investigations opened, prosecutions, final convictions secured and sanctions imposed in respect of all forms of violence against women and domestic violence covered by the Istanbul Convention;
- b. the number of Immediate barring orders issued by the competent authorities, the number of breaches of such orders, and the number of sanctions imposed as a result of these breaches;
- c. the number of protection orders issued, the number of breaches of such orders and the number of sanctions imposed as a result of such breaches;
- d. data on the number of decisions issued by family courts on custody/visitation/residence of children that have expressly taken into account incidents of domestic violence.

During 2022, a total of 295 victims were supported, of which 129 victims were assisted in law enforcement institutions, as follows:

Court:

a) Civil cases:

31 cases for issues related to "Protection Order / Immediate Protection Order";  
46 cases for issues related to "Marriage Dissolution," "Verification of Legal Facts," "Exercise of Parental Responsibility," "Execution/Modification of Court Decisions," "Division of Marital Property," "Exemption from Court Fees and Charges," "Child Registration."

b) Criminal cases:

5 cases for criminal issues related to "Domestic Violence," "Destruction of Family Property," "Intentional Harm," "Measures for Child Protection," "Engaging in Sexual Relations with Minors."  
Police: 8 cases were assisted by the Police for the criminal issue of "Domestic Violence."

Prosecutor's Office: 7 cases were assisted by the Prosecutor's Office for the criminal issue of "Domestic Violence."

Other administrative institutions: 32 cases.

During 2021, a total of 242 victims were supported, of which 128 victims were assisted in law enforcement institutions, as follows:

Court:

a) Civil cases:

17 cases for issues related to "Protection Order / Immediate Protection Order";  
80 cases for issues related to "Marriage Dissolution," "Verification of Legal Facts," "Exercise of Parental Responsibility," "Execution/Modification of Court Decisions," "Division of Marital Property," "Exemption from Court Fees and Charges," "Child Registration," "Border Crossing Authorization," "Family Custody."

b) Criminal cases:

9 cases for criminal issues related to "Domestic Violence," "Destruction of Family Property," "Intentional Harm," "Measures for Child Protection," "Engaging in Sexual Relations with Minors," "Sexual Harassment of Minors."

Police: 6 cases were assisted by the Police for the criminal issue of "Domestic Violence."

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Prosecutor's Office: 8 cases were assisted by the Prosecutor's Office for the criminal issue of "Domestic Violence."

Other administrative institutions: 8 cases.

## APPENDIX

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

Please fill in the table and list the professionals (in the area of healthcare, law enforcement, criminal justice, social welfare, education, asylum and migration, media/journalism and support services) which have received initial training on violence against women. Please place each category of professional in a separate line.

Professionals	Do they benefit from initial training on violence against women and domestic violence?	Is this training mandatory?	Are training efforts supported by guidelines and protocols?	Who funds the training?	Please describe the content and the duration of the training
24 specialists of the Inter-sectorial Technical Group for Child Protection in Vlora municipality	Yes	No	Vatra's program and protocol	Funded by the European Union and implemented by Terre des Hommes in Albania in cooperation with the National Resource Centre of Training and Technical Assistance (ANTTARC)	3 day training 2019: Recognition and implementation of the law 18/2017 "On the Rights and Protection of the Child" "Case Management: framework of referral and case management procedures; intervention planning, its implementation and case monitoring, in accordance with DCM 578"
19 psychologists, social workers and nurses of LiliPO Center	yes	Yes	LiliPO Center Protocols	UNDP	1 day training 2019: "Recognition of sexual abuse/violence, communication with the victim in the center, needs assessment and management of cases of victims of sexual abuse and victims of trafficking "by the staff of "LiliPO" Center
30 participants from Police institutions, Administrative Units, Regional Employment Directorate, State Social Service, Regional Education Office, Directorate of Public Health and local organizations member of the Local Referral Mechanism for cases of domestic violence, Vlora.	Yes	No	Vatra's program and Protocol	Vatra	February 2020, one day training: Legal amendments to the law "On measures against domestic violence"
- 35 employees from police structures (police, judicial police officers) - 40 employees from the structures of social services - 30 local coordinators against violence - 31 representatives from	Yes	NO	Vatra's program and Protocol	Funded by the Norwegian Ministry of Foreign Affairs, and implemented by Balkan Trust for Democracy	During all the year 2021 One day training in each of the 12 regions of Albania: Berat, Durres, Fier, Vlora, Tirana, Elbasan, Lezha, Korca, Gjirokastra, Dibra, Kukes and Shkodra. Topic: Good practices

NGOs.					for the social and legal protection of victims of gender-based violence and domestic violence”
- 32 employees from police structures (police, judicial police officers) - 24 employees from health facilities (nurses, doctors) - 23 employees from the structures of Municipalities (Local Coordinators against Domestic Violence and Child Protection Employee) - 20 specialists of the Inter-Sectorial Technical Group	yes	No	Vatra's program and Protocol	GIZ	Period: September – December 2021 2 day training in Vlora, Berat, Fier and Gjirokaster. Topics: “Management of reported cases of domestic violence during crises, including cases of natural disasters and health emergencies such as Covid-19 pandemic, also in accordance with the provisions of the law on measures against violence in family relations”
24 professionals from Local Coordinated Mechanism against Violence of Selenica and Himara	yes	No	Vatra's program and Protocol	Funded from Sweden government through SIDA and implemented by FCG Sweden	September 2022, One day training in each municipality of Selenica and Himara Topic: “Domestic Violence and new changes in Legislation”.
10 police officers from Vlora Police Directorate	Yes	No	Vatra's program and Protocol	Funded from Sweden government through SIDA and implemented by FCG Sweden	September 2022. One day training in Vlora Topic: “Standard Operating Procedures for treatment of domestic violence cases. The role of Police structures”
16 representatives of Local Coordinated Mechanism against Violence of Berat Municipality	Yes	No	Vatra's program and Protocol	Funded by UN WOMEN, Albania and implemented by Different and Equal	September 2022 One day training in Berat Topic: Case management of gender-based violence and their support in reintegration process”
22 representatives of Local Coordinated Mechanisms against Violence of Fier and Vlora Municipalities	Yes	No	Vatra's program and Protocol	Funded by UN WOMEN, Albania and implemented by AWEN	November 2022 2-day training in Fier and Vlore Topic: Establishing an Action Plan for improvement of response to fight domestic violence and gender-based violence
16 representatives of Local Coordinated Mechanism against Violence of Berat Municipality	Yes	No	Vatra's program and Protocol	Funded by ADA Agency, Albania and implemented by AWEN	November 2022 One day training in Berat Topic: Building strategies for service improvement

