



Home Office

Country Policy and Information Note

Albania: Women fearing domestic abuse

Version 2.0

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Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country information

COI in this note has been researched in accordance with principles set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#) and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), namely taking into account its relevance, reliability, accuracy, objectivity, currency, transparency and traceability.

All information is carefully selected from generally reliable, publicly accessible sources or is information that can be made publicly available. Full publication details of supporting documentation are provided in footnotes. Multiple sourcing is normally used to ensure that the information is accurate, balanced and corroborated, and that a comprehensive and up-to-date picture at the time of publication is provided. Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source is not an endorsement of it or any views expressed.

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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Policy guidance

Updated: 20 December 2017

1. Introduction

1.1 Basis of claim

- 1.1.1 Women in fear of persecution or serious harm due to domestic abuse.

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1.2 Points to note

- 1.2.1 Domestic abuse is not just about physical violence. It covers any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality. It can include psychological, physical, sexual, economic or emotional abuse. Children can also be victims of, or witnesses to, domestic abuse. Anyone can experience domestic abuse, regardless of background, age, gender, sexuality, race or culture. However, to establish a claim for protection under the refugee convention or humanitarian protection rules, that abuse needs to reach a minimum level of severity to constitute persecution or serious harm
- 1.2.2 Where a claim is refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as Albania is listed as a designated state.

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2. Consideration of issues

2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check whether there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Particular social group (PSG)

- 2.2.1 Women at risk of domestic abuse in Albania are not considered to form a particular social group within the meaning of the 1951 UN Refugee Convention. Although they share an immutable (or innate) characteristic – their gender – which cannot be changed, and although traditional views of their subordinate position in society are still prevalent in parts of the country, the Country Guidance case of [DM \(Sufficiency of Protection – PSG – Women – Domestic Violence\) Albania CG \[2004\] UKIAT 00059 \(1 April 2004\)](#)

concluded that the state offers sufficiency of protection (paragraph 18) and that women do not form a particular social group (paragraph 10).

- 2.2.2 In the absence of a link to one of the five Convention reasons necessary for the grant of refugee status, the question to be addressed in each case is whether the particular person will face a real risk of serious harm as a result of domestic abuse, sufficient to qualify for Humanitarian Protection (HP).
- 2.2.3 For further guidance on particular social groups, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#); on gender issues, see the [Asylum Instruction on Gender Issues in the Asylum Process](#); and on HP, see the [Asylum Instruction on Humanitarian Protection](#).

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2.3 Assessment of risk

2.3.1 According to a study conducted in 2013:

- 58.2% of Albanian women have experienced psychological abuse,
- 23.7% of Albanian women have experienced physical domestic abuse, and
- 7.9% have experienced sexual abuse in intimate relationships during their lifetime (see [Statistics on prevalence of domestic abuse](#)).

2.3.2 There are suggestions by e.g. the OHCHR Committee on the Elimination of Discrimination Against Women, the Albania Helsinki Committee (referring to data from the Ministry of Social Welfare and Youth) and the US Department of State that domestic abuse is under-reported (see [General observations on the law in practice](#) and [Statistics on responses to domestic abuse](#)).

2.3.3 However, an increase in the number of cases reported suggests that a variety of awareness-raising campaigns are proving successful in changing that. Other initiatives have been pursued also. The UN reported an increase from 95 reported cases in 2005 to 4,100 in 2016; data from the Ministry of Social Welfare and Youth reported an increase in reported cases in 2016 compared with the previous year, and AWEN noted a 'significant increase over the years,' with 3020 reported cases in 2013 rising to 4121 reported cases of domestic abuse in 2014 (see [Statistics on responses to domestic abuse](#) and [Training and awareness raising](#)).

2.3.4 Domestic abuse is a widespread issue in Albania. An assessment of risk to a person will depend on the specific circumstances of their particular case.

2.3.5 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Humanitarian Protection](#).

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2.4 Protection

2.4.1 In the country guidance case of [DM \(Sufficiency of Protection – PSG – Women – Domestic Violence\) Albania CG \[2004\] UKIAT 00059 \(1 April 2004\)](#) the Tribunal held that the state offers a sufficiency of protection against domestic abuse (paragraph 18).

- 2.4.2 Since then, a number of measures have been taken to improve both the law in regard to domestic abuse as well as services and support for victims. For example, the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence came into force in Albania on 1 August 2014 (see [Legal provisions](#)).
- 2.4.3 The UN CEDAW Committee noted in July 2016 that the Government had made efforts to raise awareness of gender issues among the judiciary and law enforcement personnel but suggested that the provisions of the CEDAW Convention were not well understood either by legal professionals or by women themselves (see [General observations on the law in practice](#)).
- 2.4.4 The number of reported domestic abuse cases has greatly increased over the years, suggesting that actions to raise awareness have been effective. It was noted that 37% of cases were dropped after the woman decided not to continue with the case; suggested reasons for this include a lack of money or fear of bringing shame on the woman herself or her family (see [Statistics on responses to domestic abuse](#)).
- 2.4.5 However, this does not indicate a lack of willingness or ability on behalf of the state to investigate cases of domestic abuse.
- 2.4.6 There is evidence of arrest and prosecutions in cases of domestic abuse. Out of 3,886 cases of reported domestic abuse in 2015, 2,148 protection orders were issued and 1,300 cases led to criminal proceedings. More than 4,100 cases were reported in 2016 (see [General observations on the law in practice](#), [Statistics on responses to domestic abuse](#) and [Resolution of domestic abuse complaints](#)).
- 2.4.7 Two types of protection order are issued in cases of domestic abuse, although there were reports that these were not always enforced (see [General observations on the law in practice](#) and [Resolution of domestic abuse complaints](#)).
- 2.4.8 Various initiatives are being taken forward to tackle domestic abuse, including a national strategy for the period 2016 to 2020 and a National Action Plan for the years 2014 to 2019. The Integrated Policy Management Group monitors the implementation of policy. Work is also being done with male perpetrators to change behaviour (see [Strategies](#) and [Work with perpetrators](#)).
- 2.4.9 Although many programmes aimed at gender equality are currently funded by donors such as the United Nations, gender budgeting was introduced in 2012 and the Government has taken significant steps to provide funding. It was noted that funding is an ongoing concern for providers of shelters (see [Shelters for victims and Funding](#)).
- 2.4.10 Currently, twenty-seven (out of sixty-one) municipalities have set up National Referral Mechanism (NRM) offices, which provide both short-term and long-term assistance to victims of domestic abuse. Twenty-five municipalities have Coordinated Community Response mechanisms (set up at a local level to extend the provisions of the National Referral Mechanism), which provide multi-disciplinary services to victims of gender-based abuse. Another five municipalities are expected to provide these mechanisms soon. However, further resources are needed for the NRM work to be fully effective and the European Commission stated that services need to be improved for the

victims of domestic abuse (see [Overview of the services and support available](#), [The National Referral Mechanism \(NRM\)](#) and [Challenges facing the National Referral Mechanism \(NRM\)](#)).

- 2.4.11 There are ten shelters in Albania. It has been reported that an additional 127 beds are needed for the requirements of the Council of Europe Convention to be met; however, this does not indicate that sufficiency of protection is therefore not available. Furthermore, it was reported that in 2014 there were no instances of women in need being unable to access a place (although four children could not be accommodated due to lack of space). Shelters are located only in cities, so women in rural areas would need to move to access this form of assistance (see [Shelters for victims](#)).
- 2.4.12 There are also five women's centres in the major cities which provide practical help and advice for victims of gender-based abuse. There are also regional crisis centres for victims of domestic abuse and three centres for female victims of trafficking. A national hotline for victims of domestic abuse is available 24 hours per day but support services specifically for victims of rape or sexual assault or for women from ethnic minority groups are described as lacking (see [Womens' centres](#), [Support for victims of sexual abuse](#) and [Telephone helpline](#)).
- 2.4.13 There are comprehensive legal provisions for dealing with gender-based abuse and appropriate sanctions are handed down by the courts. Strategies are in place to deal with the issue of domestic abuse. Shelters, womens' centres, crisis centres and a hotline are available.
- 2.4.14 The authorities are in general willing and able to provide effective protection for women experiencing domestic abuse, especially given both the law and the support and services available for women have improved since the Country Guidance case of [DM \(Sufficiency of Protection – PSG – Women – Domestic Violence\) Albania CG \[2004\] UKIAT 00059 \(1 April 2004\)](#).
- 2.4.15 See also the country policy and information note on [Albania: Background information, including actors of protection and internal relocation](#).
- 2.4.16 For further guidance on assessing the availability or otherwise of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.5 Internal relocation

- 2.5.1 Decision makers must give careful consideration to the relevance and reasonableness of internal relocation on a case-by-case basis, taking full account of the individual circumstances of the particular person. The onus is on the person to demonstrate why they believe they would be unable to relocate to a specific location to mitigate any risk.
- 2.5.2 The Constitution guarantees freedom of movement for all citizens of Albania. In some cases, women may have to seek permission from their husbands or family before travelling within Albania, but this is not a legal requirement (see [Unmarried women](#)).

- 2.5.3 In 2010, the Albanian Institutes of Statistics and Public Health in 2010 noted that women who are divorced, separated or widowed are most likely to be employed (about 45 percent), which is because previously married women are likely to be single mothers who are ‘heads of households and the main income earners in the family.’ This indicates that women may be able to find employment and support children financially. However, in March 2017, the United Nations noted that average salaries for women are 18% lower than those of men, with wages for both men and women particularly poor in rural areas. In 2015 The People’s Advocate of Albania stated that women, particularly those who may be vulnerable, such as divorced women and single mothers, Roma women, and women with disabilities, faced inequality in the workplace, and barriers in receiving the social and economic benefits to which they are entitled (see [Unmarried women](#)).
- 2.5.4 The British Embassy in Tirana reported that single women/mothers returned to Albania are assisted in finding employment by the regional employment offices. They are entitled to receive state benefits, and this would include a payment for victims of domestic abuse if the case has been reviewed by a Court and a restraining order issued. They are also entitled to receive social housing and children are given priority in the school registration system and offered language lessons if required (see [Unmarried women](#)).
- 2.5.5 There are ten shelters in Albania, which are situated in urban areas. In addition, there are five women’s centres which offer assistance with accessing accommodation (see [Shelters for victims](#) and [Womens’ centres](#)).
- 2.5.6 See also the country policy and information notes on [Albania: Background information, including actors of protection and internal relocation](#) and [Albania: Trafficking](#).
- 2.5.7 For further guidance on internal relocation and the factors to be considered, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.6 Certification

- 2.6.1 Where a claim is refused, it is likely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002. This is because, following the Country Guidance case of [DM \(Sufficiency of Protection – PSG – Women – Domestic Violence\) Albania CG \[2004\] UKIAT 00059 \(1 April 2004\)](#), and the subsequent improvements to the law, provision of shelters and other awareness-raising programs, effective state protection is generally available.
- 2.6.2 For further information on certification, see the [Appeals Instruction on Non-Suspensive Appeals: Certification Under Section 94 of the NIA Act 2002](#).

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Country information

Updated: 11 December 2017

3. Prevalence of domestic abuse

3.1 General comments about prevalence of domestic abuse

- 3.1.1 The Albanian Women Empowerment Network (AWEN), which is a network of eight organisations with the aim of supporting, protecting and promoting the rights and interests of women and girls, published a report in December 2016 ('the December 2016 AWEN report') which described domestic abuse in Albania as '[...] particularly sensitive as this is a widespread phenomenon taking on a variety of forms with alarming damages not only for women victims of violence but also children.'¹
- 3.1.2 In November 2016, the European Asylum Support Office published a report on Albania citing various sources, which stated that 'Domestic violence affects women differently depending on their education and age, kind of work, and marital status. Perpetrators are often direct family members or partners.'²
- 3.1.3 In April 2017, the Albania Helsinki Committee reported 'Domestic violence ... remains disturbing in terms of its spread in society. Women, minor children, the elderly or marginalized groups are the most frequent victims of this phenomenon. The use of violence toward women still appears very disturbing, with some cases leading the the [sic] death of the victim as a result.'³
- 3.1.4 The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) is an independent human rights monitoring body mandated to monitor the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. In November 2017, GREVIO published a baseline evaluation of Albania in relation to violence against women. The report stated: '[P]ublic opinion in Albania lacks a gendered understanding of violence against women and tends to view violence restrictively as a by-product of low socio-economic development. Many professionals share this vision as well. Thus, the notion that violence is mostly confined to poverty-stricken parts of the country, underprivileged neighbourhoods and poorly educated women is common currency. Such a notion erroneously implies that violence spares women and girls not falling into any such situation. It

¹ Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,' December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

² European Asylum Support Office. 'Albania Country Focus,' November 2016, available via http://www.ecoi.net/file_upload/2162_1479371057_easo-coi-albania-country-focus-final-final-201611.pdf. Accessed: 14 August 2017.

³ Albanian Helsinki Committee. 'Report on the situation of respect for human rights and freedoms in Albania during 2016,' April 2017. http://ahc.org.al/wp-content/uploads/2017/04/Albanian_2016_Human-Rights-Report_AHC_ENG.pdf. Accessed: 18 July 2017.

disregards widespread evidence that women's position in society and their susceptibility to violence are affected by a combination of political, cultural, social, religious, ideological and environmental considerations, and are not determined by economic factors alone.'⁴

- 3.1.5 The same report continued, '[T]here is a tendency in Albania to promote forgiveness under the pretext of traditional family values. Women and girls themselves believe, to a large degree, that they should tolerate violence to keep the family together. This tendency transpires, for instance, in the actions of public officials in law enforcement and the judiciary who promote mediation outside any legal framework and without proper consideration for the safety of victims.'⁵
- 3.1.6 The July 2016 CEDAW report noted '[...] with concern the re-emergence of concepts of justice (kanun) and codes of conduct that condone killings of women and girls in the name of so-called "honour".'⁶
- 3.1.7 The same report added it was '[...] particularly concerned about the revival of patriarchal attitudes in rural areas, often resulting in gender-based violence.'⁷

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3.2 Statistics on prevalence of domestic abuse

- 3.2.1 In March 2017 the United Nations stated that, 'Official statistics reveal that one in two women in Albania have experienced some form of violence. This situation is more severe in rural areas where women are also faced with stigma, isolation, lack of opportunities and social exclusion.'⁸
- 3.2.2 The December 2016 AWEN report provided the following statistics:
'According to a study conducted in 2013, 59.4% (more than half of participant women) reported to have experienced domestic violence during their lifetime while 53.0% (almost 1 in 2 participant women) were "actually" experiencing domestic violence. In specific, 58.2% (more than half of participant women) had experienced psychological domestic violence while 52.8% (almost 1 in 2) were "actually" experiencing psychological violence.'

⁴ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). 'Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),' Albania, 24 November 2017 (page 9) <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

⁵ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). 'Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),' Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

⁶ UN Committee on the Elimination of Discrimination Against Women. 'Concluding observations on the fourth periodic report of Albania' [CEDAW/C/ALB/CO/4], 25 July 2016, available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 15 August 2017.

⁷ UN Committee on the Elimination of Discrimination Against Women. 'Concluding observations on the fourth periodic report of Albania' [CEDAW/C/ALB/CO/4], 25 July 2016, available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 15 August 2017.

⁸ United Nations. 'Sweden helps make homes violence-free in Albania,' 25 March 2017. <http://www.un.org.al/stories/sweden-helps-make-homes-violence-free-albania>. Accessed: 21 July 2017.

23.7% (almost 1 in 4) had experienced physical domestic violence “during their lifetime” while 14.7% were “actually” experiencing physical violence. In regards to sexual abuse, 7.9% of participant women had experienced sexual abuse in their marriage/intimate relationships “during their lifetime” while 5.0% were “actually” experiencing sexual abuse. 24.6% of women (1 in 4) had experienced both physical and sexual abuse “during their lifetime” while 16.2% were “actually” experiencing both physical and sexual abuse in their marriage / intimate relationships.

‘Official statistics show that the number of persons harmed by domestic violence in 2015 was 3542, out of which 817 (23.1%) male victims and 2725 (76.9%) female victims.’⁹

3.2.3 The December 2016 AWEN report also provided the following statistics:

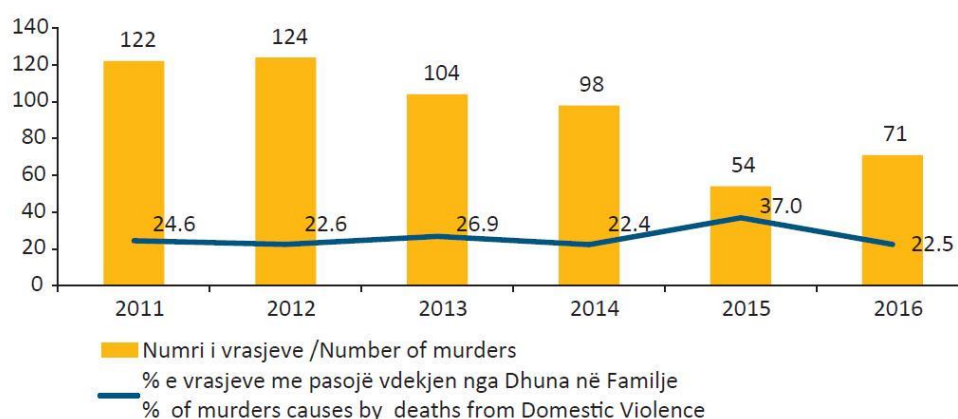
‘Of the total number of victims affected by domestic violence, 3090 (or 74.9% of the total number of victims of violence) were women (wife, sister, sister-in-law, mother, daughter) and 1031 men (or 24.1%). The number of female spouses affected by violence was 1798 (43.6%).

‘In 2014, 17 murders were committed causing 22 victims, of which 10 were women/girls and 12 men/boys (6 perpetrators committed suicide). Compared to 2013 when 26 murders within the family, causing 28 victims, in 2014 there was a drop by 9 cases and 6 victims. The main causes of these murders were petty motives, depression, and property disputes.’¹⁰

3.2.4 The Institute of Statistics in Albania (INSTAT) included the following graph of the number of deaths caused by domestic abuse from 2011 to 2016:¹¹

Përqindja e vrasjeve me pasojë vdekjen nga Dhuna në Familje, 2016

Percentage of murders causes by deaths from Domestic Violence, 2016



⁹ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

¹⁰ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

¹¹ Institute of Statistics in Albania (INSTAT). ‘Women and men in Albania 2017’ <http://www.instat.gov.al/mwg-internal/de5fs23hu73ds/progress?id=AxQMS-YckGwmQspJRvVCa-IWUpzqx9Y93oqxq3kYXw8> Accessed: 5 September 2017

- 3.2.5 The Institute of Statistics in Albania (INSTAT) also provided the following statistics on domestic abuse for the year 2016:

'554 Men

462 Adult persons damaged

92 Juvenile persons damaged

1.204 Female

1.154 Adult persons damaged

50 Juvenile persons damaged

1.758 Total'¹²

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4. Legal provisions

4.1 International conventions to which Albania is signatory

4.1.1 The December 2016 AWEN report stated:

'The legal framework regarding women's rights, domestic violence and violence against women in Albania has improved through ratification of a series of key international documents, essential amendments and alignment to the national legislation. Albania ratified CEDAW Convention in 1993 and its optional protocol in 2003. Although developments regarding the women's rights have been under way since 1995, the most significant developments concerning gender equality, domestic violence and anti-discrimination date back no earlier than 2006.'¹³

4.1.2 The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in Albania was signed by Albania on 19 December 2011, ratified on 04 February 2013 and entered into force on 01 August 2014.¹⁴ The text of the Convention (the 'Istanbul Convention') and an explanatory report are available [here](#).

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4.2 Domestic laws

4.2.1 The US Department of State's Country Report on Human Rights Practices for 2016 ('the USSD's report for 2016') noted that 'Rape, including spousal rape, is a crime. Penalties for rape and assault depend on the age of the victim. For rape of an adult, the prison term is three to 10 years; for rape of

¹² Institute of Statistics in Albania (INSTAT). 'Women and men in Albania 2017' <http://www.instat.gov.al/mwg-internal/de5fs23hu73ds/progress?id=AxQMS-YckGwmQspJRvVCa-IWUpzxq9Y93oqxq3kYXw8>, Accessed: 5 September 2017

¹³ Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,' December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

¹⁴ Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,' December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

an adolescent between the ages of 14 and 18, the sentence is five to 15 years; and for rape of a child under 14, seven to 15 years. The law includes provisions on sexual assault and sexual harassment and makes the criminalization of spousal rape explicit.’¹⁵

4.2.2 The GREVIO report of November 2017 stated that ‘Psychological violence ...does not find an expression in the CCA [Criminal Code of Albania]. Forms of psychological violence may be prosecuted in cases of domestic violence, which encompasses all acts of violence, including threats of death or other serious injury, resulting in a violation of the victim’s psycho-social integrity.’¹⁶

4.2.3 The same report continued:

‘There is no provision in the CCA criminalising the non-consensual sexual behaviour [...] Marital rape is a crime, however only between spouses or cohabitants, which falls short of the requirement in Article 36, paragraph 3 of the [Istanbul] Convention to protect former and current spouses or partners as recognised by internal law, regardless of any cohabitation. There is no provision in the CCA [Criminal Code of Albania] to guarantee that acts of sexual violence other than rape in the context of an intimate or domestic relationship are effectively prosecuted.’¹⁷

4.2.4 The report also noted:

‘Article 338 of the Albanian Criminal Procedure Code (hereafter referred to as the “ACPC”) provides for systematic conciliation in cases of private prosecution. [...] private prosecution applies to offences which are considered less serious, namely non-serious intentional injury (Article 89 of the CCA) and other intentional harm (Article 90 of the CCA), unless they qualify as domestic violence (in which case they are prosecuted ex officio). Other forms of violence against women covered by the Istanbul Convention which are subject to private prosecution include rape of adult women (Article 102) and consanguine persons and persons in the position of trust (Article 106) and forced marriage (Article 130).’¹⁸

4.2.5 The report further noted:

¹⁵ US Department of State. ‘Country Reports on Human Rights Practices for 2016’, 3 March 2017. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dld=265388>. Accessed: 14 August 2017.

¹⁶ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

¹⁷ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

¹⁸ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

‘...a number of remaining gaps which on-going legislative reforms should address. These concern namely the lack of specific offences targeting psychological violence and forced sterilisation, the absence of restraining or protection orders for victims of forms of violence other than domestic violence, and the subordination to the victim’s complaint of criminal investigations into allegations of sexual violence..’ The same report noted that the ‘divergent interpretation of laws in Albania tend to do a disservice to victims and to deny them an effective access to justice, for instance by promoting a narrow interpretation of the offence of domestic violence or by introducing mandatory conciliation in the procedure applying to emergency barring orders.’¹⁹

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5. Laws in practice

5.1 General observations on the law in practice

- 5.1.1 In a report dated July 2016, the UN Committee on the Elimination of Discrimination Against Women’s (‘the July 2016 CEDAW report’) concluding observations ‘[took] note of the State party’s efforts to raise awareness among the judiciary and law enforcement personnel of gender equality and non-discrimination. The Committee remains concerned, however, that the provisions of the Convention have been invoked only in one court case, which indicates that there is inadequate knowledge of the Convention among legal professionals, such as judges and lawyers, within society and among women themselves.’²⁰
- 5.1.2 In considering the fourth periodic report of Albania’s implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, the Committee on the Elimination of Discrimination Against Women stated, ‘...gender-based violence still remains an important issue in the country as it is under-reported, mechanisms of redress are not well known, and there is a fear of bringing shame to the family and fear of reprisal by perpetrators.’²¹
- 5.1.3 In their report covering 2016, the Albania Helsinki Committee provided the following information about cases of domestic abuse:
- arrest in prison and obligation to appear before a police officer were the reman [sic] measures issued most often on defendants;

¹⁹ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

²⁰ UN Committee on the Elimination of Discrimination Against Women. ‘Concluding observations on the fourth periodic report of Albania’ [CEDAW/C/ALB/CO/4], 25 July 2016. Available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 15 August 2017.

²¹ OHCHR. ‘Committee on the Elimination of Discrimination Against Women considers the report of Albania,’ 8 July 2016. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20263&LangID=E> Accessed: 5 September 2017

‘the majority of the criminal cases are prosecuted with abbreviated trial procedures and there is a lack of preventive measures and effective protection mechanisms, with the phenomenon considered an ordinary one;

‘some of the domestic violence cases that escalated to serious consequences highlighted police negligence in the initial phase when the victim appeared to seek help from these bodies (referring to testimonies of violated women during trial).’²²

5.1.4 The Albania Helsinki Committee report of April 2017 noted that, ‘Often times, violated women do not report the violence used on them to competent authorities or withdraw their referrals due to the economic insufficiency to make a living or due to social mentality.’²³

5.1.5 The USSD’s report for 2016 noted ‘The government did not enforce the law effectively. Victims rarely reported spousal abuse, and officials did not prosecute spousal rape. The concept of spousal rape was not well understood, and authorities and the public often did not consider it a crime.’²⁴

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5.2 Statistics on responses to domestic abuse

5.2.1 The Albania Helsinki Committee report of April 2017 noted that ‘37% of ... cases were dropped because the suing party (women) failed to present themselves in the first trial hearing, after deciding to not appear or declare that the conflict does not exist anymore.’²⁵

5.2.2 The United Nations article of March 2017 stated, ‘More than 4100 cases of domestic violence were reported to the police in 2016 compared to only 95 cases in 2005, which means awareness raising campaigns are working.’²⁶

5.2.3 See [Training and awareness raising](#) for more information on this subject.

5.2.4 The Albania Helsinki Committee report of April 2017 noted that, ‘According to data from the Ministry of Social Welfare and youth, for the period January

²² Albanian Helsinki Committee. ‘Report on the situation of respect for human rights and freedoms in Albania during 2016,’ April 2017. http://ahc.org.al/wp-content/uploads/2017/04/Albanian_2016_Human-Rights-Report_AHC_ENG.pdf. Accessed: 18 July 2017.

²³ Albanian Helsinki Committee. ‘Report on the situation of respect for human rights and freedoms in Albania during 2016,’ April 2017. http://ahc.org.al/wp-content/uploads/2017/04/Albanian_2016_Human-Rights-Report_AHC_ENG.pdf. Accessed: 18 July 2017.

²⁴ US Department of State. ‘Country Reports on Human Rights Practices for 2016’, 3 March 2017. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265388>. Accessed: 14 August 2017.

²⁵ Albanian Helsinki Committee. ‘Report on the situation of respect for human rights and freedoms in Albania during 2016,’ April 2017. http://ahc.org.al/wp-content/uploads/2017/04/Albanian_2016_Human-Rights-Report_AHC_ENG.pdf. Accessed: 18 July 2017.

²⁶ United Nations. ‘Sweden helps make homes violence-free in Albania,’ 25 March 2017. <http://www.un.org.al/stories/sweden-helps-make-homes-violence-free-albania>. Accessed: 21 July 2017.

– September 2016, 3195 cases of domestic violence were reported, which marked an increase compared to the previous year.’²⁷

5.2.5 The December 2016 AWEN report noted:

‘The number of women who filed a domestic violence complain during 2015 was significantly higher in Tirana (34.4%) and Durrës (18.3%) compared to number of women in other cities such Korça (9.2%), Vlora (7.2%) and Fier (7.1%). The number of domestic violence cases has significantly increased over the years. In 2014, the police identified and worked on a total of 4121 cases of domestic violence (1101 more than in 2013 when 3020 cases of domestic violence were reported). Of these, 2422 were handled by way of applications for the issuance of Emergency Protection Orders or Protection Orders (571 more cases than in 2013).’²⁸

5.2.6 In their ‘Albania 2016’ report, published on 9 November 2016, the European Commission stated: ‘In 2015, 3 886 cases of domestic violence and other crimes in families were reported by the police, with 2 148 resulting in protection orders. In 1 300 cases of domestic violence, criminal proceedings were initiated and sent for prosecution. 74 % of domestic violence victims were women, which illustrates the gender dimension of violence.’²⁹

5.2.7 In the Annual Report on the year 2016, the People’s Advocate noted that ‘in the registration system of cases handled (complaints, requests, notifications, inspections and cases on initiative) for 2016, there are 652 women. This does not include cases that are advised and that have received direct response by the Directorate of Relations with the citizen.’³⁰

5.2.8 In their report covering 2016, the Albania Helsinki Committee stated: ‘AHC conducted a monitoring of 97 criminal and civil [sic] trial hearings on “Domestic Violence,” “Issuance of protection order,” and “Issuance of immediate protection order,” during the period July – October 2016. Our monitoring highlighted the following:

‘70 % of the victims are female;

- divorce, use of alcohol, grave economic conditions and property conflicts are the main causes for the used violence;

- violence is exercised physically and psychologically, in a systematic manner and for a long time; ...

²⁷ Albanian Helsinki Committee. ‘Report on the situation of respect for human rights and freedoms in Albania during 2016,’ April 2017. http://ahc.org.al/wp-content/uploads/2017/04/Albanian_2016_Human-Rights-Report_AHC_ENG.pdf. Accessed: 18 July 2017.

²⁸ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

²⁹ European Commission. ‘Albania 2016 Report’ [SWD(2016) 364 final], 9 November 2016. Available via http://www.ecoi.net/file_upload/1226_1480929478_20161109-report-albania.pdf. Accessed: 14 August 2017.

³⁰ The People’s Advocate. ‘Annual Report on the Activity of the People’s Advocate 2016,’ April 2017. http://www.avokatipopullit.gov.al/sites/default/files/RAPORTET/RAPORTET_VJETORE/Report_2016.pdf. Accessed: 11 December 2017

- in 40% of the cases, the violator had 8-9 year education;
- violators appear to be recidivistic, mainly for the same offense.’³¹

5.2.9 See [Statistics on responses to domestic violence](#) for further information about protection orders.

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5.3 Resolution of domestic abuse complaints

5.3.1 The Albanian Women Empowerment Network noted that with regard to domestic abuse, ‘Two types of orders are available in Albania: Protection Order and Emergency Protection Order. The orders are issued by the police to the victims of violence against women and domestic violence.’³²

5.3.2 The July 2016 CEDAW report stated that it was ‘concerned about the widespread problem of non-execution of court orders, including orders concerning the payment of alimony.’³³ and referred to ‘The frequent failure to enforce protection orders and emergency protection orders.’³⁴

5.3.3 The USSD’s report for 2016 stated that ‘Police often did not have the training or capacity to deal effectively with domestic violence cases.’³⁵

5.3.4 See [Statistics on responses to domestic abuse](#) for numbers of protection orders and their implementation.

5.3.5 The GREVIO report of November 2017 mentioned the use of Emergency Barring Orders and Protection Orders, and the limitations of their enforcement:

‘GREVIO welcomes the introduction in the LDV [Law on Domestic Violence] of a mechanism to provide victims of domestic violence with court orders shielding them and family members from immediate threats to their security, health or well-being. Available data show that that the mechanism is widely used and that victims are willing to seek the protection it affords, regardless of whether or not they pursue other legal proceedings. EBOs [Emergency Barring Orders] are issued within 48 or 24 hours following an application, depending on whether they are meant to apply to adults or children respectively. The protection granted provisionally under an EBO can be extended on condition that a request for a PO [Protection Order] is submitted to the court within 20 days from the issuance of the EBO. The court

³¹ Albanian Helsinki Committee. ‘Report on the situation of respect for human rights and freedoms in Albania during 2016,’ April 2017. http://ahc.org.al/wp-content/uploads/2017/04/Albanian_2016_Human-Rights-Report_AHC_ENG.pdf. Accessed: 18 July 2017.

³² Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

³³ UN Committee on the Elimination of Discrimination Against Women. ‘Concluding observations on the fourth periodic report of Albania’ [CEDAW/C/ALB/CO/4], 25 July 2016. Available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 15 August 2017.

³⁴ Committee on the Elimination of Discrimination Against Women. ‘Concluding observations on the fourth periodic report of Albania’ [CEDAW/C/ALB/CO/4], 25 July 2016. Available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 15 August 2017.

³⁵ US Department of State. ‘Country Reports on Human Rights Practices for 2016,’ 3 March 2017 <https://www.state.gov/documents/organization/265600.pdf>. Accessed: 18 July 2017

deliberates within 15 days whether the effects of the EB should be prolonged, modified or cease and decides accordingly whether to grant or not a PO.

'The available measures which can be decided include, inter alia, the removal of the perpetrator from the family home, the order for the perpetrator to stay a certain distance from the victim or other family members and the placement of the victim and her children in temporary shelters. The judicial decision pronouncing an EBO or PO constitutes an executive title from the moment it is adopted and is thus immediately enforceable.

'GREVIO has been apprised of a number of difficulties regarding the application of this mechanism, which for the most part do not relate to deficiencies in the law but rather to its ineffective implementation. The major issue is the weakness of protection orders, such as those ordering the perpetrator to live in one part of the family dwelling leaving the victim to live in the other. Available reports explain these decisions in terms of "a combination of discrimination and pragmatism on the part of the judiciary" which is reluctant to leave the perpetrator homeless. Thus, considerations relating to the scarcity of housing and the low socio-economic status of the perpetrator have at times prevailed over the prime consideration which should underpin any decision to issue an EBO/PO: the victim's safety. Moreover, in taking this approach, rather than protecting the victim, protection orders have at times become the ante-chamber to more violence. Whilst there is no doubt that decision-making regarding EBOs/POs should be context sensitive, such as in the case of extended families living in the property of the victim's in-laws, the paramount need is a thorough assessment of the risks for the victims' safety.'³⁶

5.3.6 The GREVIO report noted further barriers to the effective implementation of EBOs and POs:

'Other obstacles standing in the way of an effective implementation of the EBOs/Pos [Protective Orders] mechanism relate mainly to the lack of reactivity of responsible officials. These concern (a) the non-compliance with procedural deadlines, such as the 24 hour deadline to notify the victim, law enforcement, bailiffs and social services of the issuance of EBOs, or the absence of clear deadlines applying in case of appeals against the decision to issue an EBO/PO; (b) the scarce use by law enforcement and prosecution of their power to set in motion the procedure for the issuance of an EBO; (c) the failure of the responsible enforcement agencies, in particular bailiffs, to execute or to ensure the enforced implementation of EBOs/POs. GREVIO is further informed in this respect of cases where bailiffs have required payments from the victims in order to enforce EBOs or POs. Both perpetrators acting in violation of protection orders and officials failing to execute them can be held accountable under the relevant provisions of

³⁶ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). 'Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),' Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

criminal law. Although the state report offers data concerning the number of violation of protection orders, no information is provided as to the sanctions which might have been applied as a consequence thereof.³⁷

5.3.7 On the subject of protective orders the report further stated:

‘NGO monitoring of police station activities show that one area which could considerably benefit from a more pro-active role on the part of law enforcement is that of EBOs/POs. Under Article 13 of the LDV [Law on Domestic violence], law enforcement officers are entitled to file an application for an EBO and/or a PO on their own initiative. However, in practice, it would appear that this prerogative remains widely under-exploited despite evidence that submissions for protection orders filed by law enforcement stand a better chance of obtaining a court endorsement.’³⁸

5.3.8 The GREVIO report further explained the significance of public or private prosecution:

‘In Albania, the rule is that a criminal offence is subject to public prosecution, unless it falls into the category of crimes subject to private prosecution. Crimes of private prosecution can only be investigated and prosecuted upon complaint of the victim and terminate if the victim withdraws the complaint or forgives the perpetrator. Article 284 of the ACPC [Albanian Criminal Procedural Code] lists the crimes of private prosecution. For the purposes of the Istanbul Convention, the relevant offences submitted to private prosecution are: non serious intentional injury (Article 89 of the CCA [Criminal Code of Albania]), rape of adult women (Article 102, first paragraph of the CCA), sexual or homosexual activity by abuse of official position (Article 105 of the CCA), sexual or homosexual activity with consanguine persons and persons in the position of trust (Article 106 of the CCA), and coercion or obstruction of cohabitating, concluding or dissolving a marriage (Article 130 of the CCA). As regards the offence of non-serious intentional injury, it should be noted that Albania did not make use of the possibility of entering a reservation to Article 55, paragraph 1, in respect of Article 35 regarding minor offences. Domestic violence is not listed under Article 284 of the ACPC and is therefore subject to public prosecution.

‘This means that any case of physical violence, including non-serious intentional injury and battery, whenever committed in the domestic sphere, is subject to ex officio prosecution. Article 130/a of the CCA [Criminal Code of Albania] defining domestic violence does not however include sexual violence, which means that such instances of violence can only be investigated and prosecuted if the victim brings forth a complaint or a report.

³⁷ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

³⁸ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

Given the taboo surrounding sexual violence, subjecting this form of violence to public prosecution could also serve to make this phenomenon emerge from current under-reporting. In light of the foregoing analysis, Albanian law subjecting physical violence not qualifying as domestic violence, sexual violence whether or not it qualifies as domestic violence, and forced marriage to ex parte investigation and prosecution is not in line with the requirement set in Article 55 of the [Istanbul] Convention. Expecting victims of these forms of violence to initiate private prosecution proceedings against perpetrators ignores their reluctance to report and increases the risk of secondary victimisation or further violence.’³⁹

5.3.9 GREVIO’s November 2017 report noted the following in relation to prosecution in cases of rape:

‘[T]he victim has the burden of proving violence/resistance. Where the victim is unable or unwilling to demonstrate resistance, this can lead to cases of rape going unreported or unprosecuted. Moreover, there is no evidence of a broad interpretation of the constituent element of force in courts, leading to significant barriers in access to justice for victims. Regarding the offence of rape involving “mature” minors, GREVIO recalls that the minimum age for sexual consent should not rely on arbitrary criteria and that puberty is not an indicator of becoming an adult.’⁴⁰

5.3.10 GREVIO further noted that data provided by the Albanian authorities in relation to punishment for domestic abuse:

‘...indicates that out of 516 perpetrators punished in 2014, the vast majority (492) received an imprisonment sentence of up to two years. Similarly, nearly all the convictions handed down in 2015 (804 out of a total of 821) carried imprisonment sentences of the same duration. Only eight condemned persons in 2014 and in 2015 were punished with a term of imprisonment of up to five years.

‘In their report, the authorities state that there were 22 women victims of domestic murder in 2014 and 20 in 2015. They do not specify how many cases of murder in the domestic unit were either prosecuted or adjudicated by courts. Under the CCA [Criminal Code of Albania], punishment for “murder with intent” ranges from 10 to 20 years. Following an amendment in 2013 which introduced Article 79/c regarding “murder because of family relations”, punishment for “murder of the person who is the spouse, former spouse, cohabitant, or former cohabitant, close kin or close kin of the spouse

³⁹ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

⁴⁰ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

of the offender” has been increased and now stands at no less than twenty years or life imprisonment.

‘Were data ... on punishment rates to be interpreted as including cases of murder, they would reveal a conspicuous gap between possible sanctions and sanctions actually enforced. Such a conclusion would appear to be refuted by data published in the Statistical Yearbook of the Ministry of Justice. According to this source, there were 19 convictions under Article 79/c in 2014, of which 13 with sentence terms ranging from 10 to 25 years, and 30 in 2015, out of which 19 with sentence terms of the same duration. It should be noted that the statistics reported by the Ministry of Justice do not allow identifying murders involving specifically women and girls.’⁴¹

- 5.3.11 The GREVIO report also explained the position with regard to compensation for victims of abuse:

‘Pursuant to Articles 61 to 68 of the Albanian Code of criminal procedure (the ACCP), victims of violence are entitled to apply within criminal proceedings for compensation in connection with damages suffered for the criminal act. Compensation claims settled in criminal proceedings are limited to economic damage and their payment depends on the outcome of the criminal trial. Alternatively, victims may file a compensation claim extended to all forms of damage, including non-pecuniary damage, under Article 625 of the Civil code. There is no available information to indicate that any victim of violence against women, including domestic violence, ever instituted or benefited from such proceedings. Reports submitted to GREVIO point to elevated court fees as one of the factors preventing victims’ access to compensation, despite the principle established by law that victims of domestic violence are exempted from court fees. Moreover, there is no state compensation scheme available to victims of violence against women in Albania.’⁴²

- 5.3.12 For information about support for child witnesses of domestic abuse, see the December 2016 AWEN report, available [here](#) (Section 4.6).
- 5.3.13 See [Annex A](#) (letter from the British Embassy, Tirana, dated 6 October 2017) for further information about action taken by the Police (‘State Police’ and ‘National Centre for the Victims of Domestic Violence’).

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6. Activities to further tackle domestic abuse

6.1 Strategies

- 6.1.1 The Albanian Women Empowerment Network noted:

⁴¹ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

⁴² The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

'In collaboration with UNDP in Albania, the Ministry of Social Welfare and Youth has been recently working on the preparation of the new national strategy [on Gender Equality, Reduction of Gender-based Violence and Domestic Violence] for the upcoming 2016 – 2020 period...

'The National Action Plan for the Involvement of Men and Boys as Partners of Women and Girls for Gender Equality and the Prevention of Gender-Based and Domestic Violence (2014-2019) is another important legislative document on gender equality and domestic violence. The purpose of this action plan is to reduce violence against women and promote gender equality by engaging men and boys in partnership with women and girls as allies, role models and agents of change.'⁴³

- 6.1.2 A November 2016 report by the European Asylum Support Office in stated: 'The UNDP [UN Development Programme] Gender Equality programme (2012-2016) supports lawmakers and civil groups in the implementation of gender equality and human rights, provides awareness-raising activities and specific training to civil servants, police, judges and health workers, among others. It also provides technical assistance to independent institutions such as the CPD [Commissioner for Protection from Discrimination] and the People's Advocate, resulting in a rising number of complaints on discrimination court cases (288 in 2015) and decisions handled by the CPD.'⁴⁴
- 6.1.3 The July 2016 CEDAW report stated: 'The Committee notes that the Minister for Social Welfare and Youth, through the Department of Gender Equality Sector and Social Inclusion Sectors, is responsible for advancing gender equality and combating gender-based violence, together with a network of gender equality officers in ministries and in 51 municipalities, as well as the National Council on Gender Equality.'⁴⁵
- 6.1.4 The December 2016 AWEN report described the National Referral Mechanism for domestic abuse: 'In Albania there exist positive experiences of multi-sectorial collaborations that are put in place by various national mechanism. A few examples are the National Referral Mechanism on Anti-Trafficking, National Referral Mechanism for Cases of Domestic Violence, Child Protection Units, etc. These mechanisms are built according to the coordinated community approach and as such are in accordance with the CoE [Council of Europe] Convention's requirements.'⁴⁶

⁴³ Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,' December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁴⁴ European Asylum Support Office. 'Albania Country Focus,' November 2016. Available via http://www.ecoi.net/file_upload/2162_1479371057_easo-coi-albania-country-focus-final-final-201611.pdf. Accessed: 14 August 2017.

⁴⁵ Committee on the Elimination of Discrimination Against Women. 'Concluding observations on the fourth periodic report of Albania' [CEDAW/C/ALB/CO/4], 25 July 2016. Available via: http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 15 August 2017.

⁴⁶ Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe

6.1.5 The December 2016 AWEN report further noted work on integrated policies:

‘A new structure is also in place, the Integrated Policy Management Group, which monitors the implementation of integrated policies, strategic documents, and national action plan in several areas, such as Roma women, social protection, education, and others. The Government provided 60 per cent of the budget for the implementation of policies, while various donors covered the remaining 40 per cent.’⁴⁷

6.1.6 See [Funding](#) for further information on this subject.

6.1.7 The December 2016 AWEN report noted the work of NGOs in combating domestic abuse:

‘In Albania, NGOs have played a pioneering role in fulfilling the needs of women victims of violence. NGOs have delivered the necessary services as early as in 1996, opening the first counselling centres, shelters, legal clinics, community centres, etc. The role of civil society organizations has been crucial and indispensable in campaigns and awareness-raising activities, in providing support to victims of violence, as well as running shelters for domestic violence victims. Shelters and provisions of support to victims of violence have been the focus of the work of the Government in the implementation of the recommendation by the Committee; supportive activities have been funded by the central Government, which provided funds to local administrative structures.

‘Over the last 10 years, since the Government has become more and more aware and active in recognizing the importance of preventing and protecting women from gender-based violence and domestic violence, the NGOs and the state structures have collaborated, chiefly at policy making level.’⁴⁸

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6.2 Training and awareness raising

6.2.1 The December 2016 AWEN report added ‘According to WAVE [Women Against Violence Europe] country profile compilation report, in Albania training for professionals in close contact with victims of domestic violence or violence against women is offered by organizations working on women rights and gender equality, national women’s networks, women’s shelters, women’s helplines and women’s centres.’⁴⁹

Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁴⁷ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁴⁸ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁴⁹ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>

- 6.2.2 The United Nations published an article in March 2017 which noted, ‘... the Ministry of Social Welfare and Youth in partnership with UNDP, UN Women and UNFPA [United Nations Population Fund] have launched a nation-wide public awareness and advocacy campaign called “I choose to live without violence” which calls for coordinated action to bring an end to violence against women and girls.’⁵⁰
- 6.2.3 The December 2016 AWEN report covered awareness-raising activities:
- ‘International and local NGOs in Albania have been the main promoters of awareness raising to increase awareness and understanding among the general public on domestic violence and violence against women. The most outstanding examples of such pioneering work are the HeForShe and 16 Days of Activism Against Violence Against Women campaigns. HeForShe campaign was officially launched by UN Women Albania on 7 March 2014. It targets gender equality and solidarity, and aims to engage men and boys as advocates and change agents in achievement of gender equality and women’s rights. The campaign encourages men to speak up and take action against the inequalities women and girls face in their daily lives. HeforShe unites half of humanity to support the other half to the benefit of all. The campaign’s central goal is to raise awareness and to promote activities highlighting men and boys’ responsibility for the elimination of all forms of violence and discrimination against women and girls. To this end, in July 2014 the Ministry of Social Welfare and Youth joined UN Women Albania activities by producing video-messages on “Men and Boys for Gender Equality”. About 45 video-messages by well-known public figures and ordinary people are accessible online and can be used in awareness-raising activities. The Minister of Social Welfare and Youth himself is a HeforShe.
- ‘In 2014 the Ministry of Social Welfare and Youth successfully coordinated a number of campaign actions under a single slogan and with a joint calendar of activities with government bodies, civil society and international organisations, and local authorities in the frame of 16 Days of Activism Against Violence Against Women campaign. For the second year in a row, the 16 Days Campaign focused primarily on involving as many men and boys as possible as partners and collaborators in action against gender-based violence and domestic violence. The slogan remained unchanged: Men and Boys part of the solution – Show that you are against violence! The campaign was officially launched on 24 November 2014, following the second meeting of the National Council on Gender Equality, at an awareness raising meeting held with students and academic staff in the premises of the Social Sciences Faculty in Tirana. The campaign’s calendar of activities was successfully implemented across the country, with the participation of a variety of actors. Other institutions also played an important role in the success of the campaign:

[Convention-Monitoring-Report-1-1.pdf](#). Accessed: 16 August 2017

⁵⁰ United Nations. ‘Sweden helps make homes violence-free in Albania,’ 25 March 2017.

<http://www.un.org.al/stories/sweden-helps-make-homes-violence-free-albania>. Accessed: 21 July 2017.

- Ministry of Social Welfare and Youth ensured the involvement of school principals and representatives of Educational Directorates from all the schools in the country;
- State Police held information meetings with students in almost all the regions of the country and distributed awareness-raising materials;
- Municipalities around the country carried out a series of awareness raising activities.

‘...Overall, collaboration of international organizations and local NGOs with state structures in organising awareness raising campaigns has been successful due to persistent work of NGOs and positive attitude of governmental institutions. However, these campaigns remain primarily funded by international organizations and largely initiated by NGOs and not the other way around.’⁵¹

- 6.2.4 AWEN further noted work done on gender equality in teaching materials and in training for journalists. Further information is available in their [report](#) (p15).

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6.3 Work with perpetrators

- 6.3.1 Mencare, which describes itself as ‘a global fatherhood campaign active in more than 40 countries on five continents,’ published the following in June 2017:

‘In recent years... interventions to reduce and prevent domestic violence have seen a growing need to not only protect the victim but to also hold perpetrators accountable, and furthermore, to work with them to change their behavior. In line with international findings, setting up a counselling service for men who have used violence was seen as an important step in enhancing the effectiveness of interventions to reduce the incidence of domestic violence.

‘The first two centers in Albania aimed at men who have used violence were established in 2014, through the initiative of the organizations Woman to Woman in Shkoder and Counselling Centre for Women and Girls in Tirana, in close cooperation with the Ministry of Social Welfare and Youth, along with ongoing support and funding from IAMANEH, Switzerland. These two new services, namely the Counselling Office for Boys and Men (ZDB) in Shkodra and the Counselling Line for Men and Boys (CLMB) in Tirana, were established as separate structures with staff specialized in perpetrator counseling and in broader programming. They included both coordinated community and institutional approaches as well as direct counseling services for perpetrators.

‘The field of working with the perpetrators of domestic violence in Albania is still in the early stages of development. However, important steps have been taken to inform public institutions and the community of the need to work

⁵¹ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

with perpetrators in addition to the existing support for those who have experienced violence. The initial collaboration with courts, police, probation, and education institutions has yielded a considerable number of referral cases of men and boys for treatment.⁵²

6.3.2 The December 2016 AWEN report stated:

‘Initially mentioned in the National Strategy for Gender Equality and Reduction of Gender-Based Violence, the perpetrators’ programmes were set up long time afterwards and are yet very limited and insufficient. Different service providers have tried different approaches and models, consisting mainly in family counselling and mediation. However, not all of them are in line with the requirement and specifics defined for such programmes. These programmes exist only in Tirana and, as stated by the Director himself, a lot has to be done to consolidate the programme and reach a higher number of men and boys perpetrators of domestic violence.’⁵³

6.3.3 The GREVIO November 2017 report stated:

‘Support programmes for perpetrators of domestic violence have only recently been introduced in Albania. At present, such programmes are provided only by a few NGOs, and not by any public institution. Their development remains therefore embryonic, both in terms of the number of available services and of geographical coverage. Existing programmes appear to follow different approaches which are not always in line with prevailing best practices. This concerns in particular the recourse to family therapy/counseling and mediation. Based on available information and having regard to the extremely low number of reported cases of sexual violence, GREVIO finds that there are no treatment programmes devoted specifically to sex offenders, and aimed at preventing them from re-offending.’⁵⁴

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6.4 Funding

6.4.1 The December 2016 AWEN report stated:

‘The ability of the state to ensure adequate financial resources for addressing different issues, including violence against women, remains a key topic of discussion among all relevant actors, partners and collaborators. The Government of Albania has made significant efforts to address the issue of funds through several actions for ensuring the implementation of

⁵² Mencare. ‘The treatment of perpetrators of domestic violence: counseling to help perpetrators change their violent behavior in the family,’ 28 June 2017

<http://men-care.org/2017/06/28/treatment-perpetrators-domestic-violence-counseling-help-perpetrators-change-violent-behavior-family/?platform=hootsuite> Accessed: 6 September 2017

⁵³ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁵⁴ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

integrated policies and programmes to prevent and combat violence against women, such as:

- the preparation of joined action plans in collaboration with international organizations operating in the country;
- specific measures undertaken to apply gender budgeting in mid-term budgetary programmes;
- the proposal written to apply for IPA and other international funds.

‘Support to specialised NGOs is also part of such actions, although still in symbolic, small steps. Despite all efforts undertaken, improvement of the process of planning in parallel with the process of monitoring and evaluation remains of crucial importance. Costing of all national action plans and other policy documents must be prioritised in order to be further reflected in the budgetary plans for each year for both central and local level institutions as well as strategic plans of the NGOs...

‘The most common type of government funding for women’s support services is permanent core funding. In reality, state support for allocating adequate resources for sustainability of the existing services provided by CSOs is still not at the required level; some legislative improvements have taken place but they are not yet followed through by the appropriated financial planning and implementation. The specific needed legislation and sub-legal acts regarding the outsourcing of services to NGOs are not in place yet and hopefully will be clarified after the decentralization process. The Agency of Support of Civil Society is an entity established for this purpose, but still non-governmental service providers are almost 100% dependent from donors.

‘The Ministry of Social Welfare is supporting two shelters (one in Vlora and one in Tirana) by paying six social workers. Both of them are shelters that support survivors of trafficking and of violence.’⁵⁵

6.4.2 See [Shelters for victims](#) for further information on funding for shelters.

6.4.3 The December 2016 AWEN report again mentioned that ‘...while the work of NGOs as service providers is publicly known and appreciated, state support for allocating adequate resources for sustainability of the existing services provided by NGOs is still not satisfactory. The specific legislation and sub-legal acts regarding the outsourcing of services to NGOs are not in place yet, despite the legislative improvements that have taken place recently.’⁵⁶

6.4.4 The July 2016 CEDAW report expressed it was concerned:

⁵⁵ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁵⁶ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

‘[...] about the decrease in the national human and financial resources allocated to the national machinery, and that the majority of programmes aimed at gender equality and non-discrimination are funded by donors, including the United Nations. It also notes that gender budgeting was introduced in 2012, but regrets the lack of information about the impact of the first midterm budgetary programme. The Committee further notes the lack of information on overall implementation and the remaining challenges in the areas covered by the National Strategy on Gender Equality and Reduction of Gender-based Violence and Domestic Violence, 2011-2015.’⁵⁷

- 6.4.5 The report further commented on the national human rights institution, the People’s Advocate, stating, ‘The Committee is concerned about the limited human and financial resources allocated to the offices of the People’s Advocate, and the insufficient consideration given to their recommendations, including those aimed at promoting gender equality and combating sex-based and gender-based discrimination.’⁵⁸
- 6.4.6 The December 2016 AWEN report added ‘So far no state institution has provided such training and no state funding has been allocated for training activities. The trainings run by civil society organizations are supported by funding provided mainly by international donors. The target groups of these trainings are police officers, health care professionals and social workers...’⁵⁹
- 6.4.7 For further information about training provided for professionals dealing with domestic abuse, see section 3.1 of the [December 2016 AWEN report](#).
- 6.4.8 Transparency International published a report in September 2016 which noted: ‘An Agency for the Support of Civil Society (ASCS) was created in 2009 as a grant-giving public body to support both the [non-profit organisation] sector’s development and civic activity on major national priorities, such as the fight against corruption, human trafficking, and domestic violence.’⁶⁰

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7. Services and support for victims

7.1 Overview of the services and support available

- 7.1.1 In their report of April 2017, the Albania Helsinki Committee further stated: ‘In its reports, the European Commission emphasized the need for improving services for domestic violence victims, in terms of quality, quantity, access

⁵⁷ UN Committee on the Elimination of Discrimination Against Women. ‘Concluding observations on the fourth periodic report of Albania’ [CEDAW/C/ALB/CO/4], 25 July 2016. Available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf Accessed: 15 August 2017.

⁵⁸ UN Committee on the Elimination of Discrimination Against Women. ‘Concluding observations on the fourth periodic report of Albania’ [CEDAW/C/ALB/CO/4], 25 July 2016. Available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 15 August 2017.

⁵⁹ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁶⁰ Transparency International. ‘National Integrity System Assessment Albania 2016,’ September 2016. http://files.transparency.org/content/download/2030/13132/file/2016_NISAlbania_EN.pdf. Date accessed: 15 August 2017.

and geographical coverage. Gender-based violence toward women requires better coordination between state bodies and community services at all levels in order to increase efficiency in the fight against [sic] it.’⁶¹

7.1.2 The July 2016 CEDAW report also expressed concern about ‘The low rate of reporting of cases of gender-based violence against women owing to women’s limited access to legal aid services, especially in rural and remote areas, as well as the absence of hotline services for women who are victims of such violence.’⁶² The November 2017 GREVIO report expressed alarm ‘about prevalence data showing that very few victims – less than 10% - seek help.’⁶³

7.1.3 For further information, see [Telephone helpline](#).

7.1.4 The GREVIO November 2017 report stated:

‘Limited data exists regarding violence against women and vulnerable group of women in Albania, although more than one report provides information concerning the heightened difficulties they encounter in reporting violence and accessing adequate protection and support services. In Albania, disadvantaged and marginalised groups of women include in particular older women, Roma and Egyptian women, women with disabilities, migrant women, lesbian, bisexual and transgender women, as well as asylum seeking women.’⁶⁴

7.1.5 The December 2016 AWEN report further noted:

‘Recent findings show that although they acknowledge the importance of providing adequate and timely information regarding their services, not all service providers take appropriate measures to meet this requirement of the CoE Convention. The most common means of providing information is through their websites, Governmental websites, women’s organisations’ network website, leaflets, in public spaces such as libraries, community centres, health centres and television. The public information is primarily available in Albanian, but some services also offer information in English, Italian and Greek languages other than Albanian. Only two service providers

⁶¹ Albanian Helsinki Committee. ‘Report on the situation of respect for human rights and freedoms in Albania during 2016,’ April 2017. http://ahc.org.al/wp-content/uploads/2017/04/Albanian_2016_Human-Rights-Report_AHC_ENG.pdf. Accessed: 18 July 2017.

⁶² UN Committee on the Elimination of Discrimination Against Women. ‘Concluding observations on the fourth periodic report of Albania’ [CEDAW/C/ALB/CO/4], 25 July 2016. Available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 15 August 2017.

⁶³ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

⁶⁴ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

offer the information accessible in formats that meet the needs of people with sensory impairments (large print and audio).⁶⁵

7.1.6 For further information about the justice system in relation to domestic abuse, see [Laws in practice](#).

7.1.7 The December 2016 AWEN report noted ‘... a recent study on violence against women and girls support services found that the service providers lack the necessary professional knowledge in regard to the national legal framework and national standards of working with violence against women. Such lack of knowledge is directly reflected in extreme difficulties these professionals face in management of cases of domestic violence.’⁶⁶

7.1.8 The United Nations published an article in 2017 which described the assistance available to victims of domestic abuse in Albania:

‘Tone is 33 and a mother of three children. She used to live in a village in Puka, north Albania. During 10 years of marriage, she experienced daily violence from her husband, sometimes even in the presence of their children.

“‘It was an arranged marriage,” Tone says. “Every day I prayed that he would change. I endured years of physical, psychological and sexual violence because I wanted to cling to my dream of having a real family. But the violence never stopped, not even when I was pregnant.”

‘Tone says that she thought of leaving her abusive marriage many times but she had no one to turn to for help. She felt ashamed, abandoned, hopeless. Her family advised her to stay with her husband no matter what. One day, after having been beaten almost to death, she decided to seek help from the police.

‘The police acted very fast. They advised her to report the case and follow the legal procedures for getting a protection order. She did so and found protection and support at the National Centre for the Treatment and Rehabilitation of the Victims of Domestic Abuse.

‘When Tone first arrived to the centre, she and her children were traumatized. The staff developed a support plan for them, which was discussed and agreed with Tone. Part of the plan included psychological counselling and life skills development for her and the children. Over time, the safe space at the centre helped the family get on the mend from a lifetime of trauma.

‘Unfortunately, Tone’s story is not unique. The centre, which has been operational since 2011, offers services to around 100 victims of domestic violence per year. Part of a network of state social services, the centre is a key component in the chain of actors included in the Coordinated Response

⁶⁵ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁶⁶ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

Mechanism against domestic violence. Its qualified staff including social workers, a psychological counsellor, a medical doctor and a legal adviser work together to support women and girls return to normal life.

‘Highlights

- 1 in 2 women in Albania have experienced some form of violence.
- To date, 25 municipalities have established Coordinated Community Response (CCR) mechanisms that provide comprehensive services to domestic violence victims.
- In the last 2 years alone, UNDP [United Nations Development Programme] supported 11 municipalities to establish CCRs.
- Until now, 541 domestic violence cases in Albania have been addressed using a coordinated approach.

‘...As of today, 25 municipalities have established Coordinated Community Response mechanisms that extend multi-disciplinary services to domestic violence victims. With UNDP support, five more municipalities are expected to establish them soon. The mechanisms create a network between municipalities, the local police, courts and prosecutor offices, bailiff offices, medical centres, educational and employment centres, and civils [sic] society organisations in order to provide comprehensive services to survivors of domestic violence.

‘... the Ministry of Social Welfare and Youth worked closely with UNDP to set up an innovative online system that can track and collect statistics on domestic violence cases nationwide. A helpline that encourages survivors to report domestic violence cases is also in the works...

‘Tone and her children have started a new life, this time free from violence. Her children are now attending school in a nurturing environment where they feel they are valued and supported by the people surrounding them. Tone has a full time job as a housekeeper at a hotel. She has applied for a municipal social entrepreneurship funding scheme that supports domestic violence survivors. She feels her life has changed and can clearly see the first promising signs of that change.’⁶⁷

7.1.9 For information about support for child witnesses of domestic abuse, see the December 2016 AWEN report available [here](#) (Section 4.6).

7.1.10 See [Services and support for victims](#) for further information on this subject.

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7.2 The National Referral Mechanism (NRM)

7.2.1 The December 2016 AWEN report noted:

‘Pursuant to Council of Ministers’ Decision No. 334/17.02.2011 “On the Mechanism for Coordinating Referral of Domestic Violence Cases and its Functioning (NRM)”, 27 municipalities have set up National Referral Mechanism (NRM) offices with representatives from responsible law-enforcement bodies. Services for domestic violence victims/survivors are

⁶⁷ United Nations. ‘Sweden helps make homes violence-free in Albania,’ 25 March 2017. <http://www.un.org.al/stories/sweden-helps-make-homes-violence-free-albania>. Accessed: 21 July 2017.

both short-term (emergency protection, safety, medical assistance, accommodation, transportation to safe accommodation, information on/assistance with obtaining protection orders, referral to further services) and long-term (support employment, social assistance, accommodation, legal advice and assistance with divorce procedures, counselling and psycho-therapy, help with children, etc.).⁶⁸

7.2.2 The GREVIO November 2017 report stated:

‘In Albania, local referral mechanisms are the centerpiece of the country’s co-ordinated multi-agency response to violence against women. They operate at the municipal level and bring together a wide array of representatives from the relevant authorities and civil society to put up a strong unified response to domestic violence. NGOs and international donors have played a crucial role in establishing the existing referral mechanisms which cover 29 out of the 61 municipalities in the country.’⁶⁹

7.2.3 In the Annual Report on the year 2016, The People’s Advocate noted:

‘Currently, there is an increase in the number of municipalities in which the Coordination and Referral Mechanism of Domestic Violence cases has been established, but this Mechanism is necessary to be established in the 61 municipalities of the country. In some of the municipalities in the country, where these mechanisms have been set up, the multidisciplinary approach does not prove to be quick and effective. Coordinators against domestic violence are also charged with other responsibilities, which has reduced the effectiveness of their work in managing domestic violence cases.

‘At the local level, there are no services such as accommodation, 24-hour telephone lines, rehabilitation programs, etc., making it difficult to fulfill the responsibilities of CRM [Co-ordination and Referral Mechanism] members.’⁷⁰

7.2.4 The European Commission’s ‘Albania 2016’ report, published on 9 November 2016, noted that ‘The online system for reporting gender-based violence still only operates in 29 out of 61 municipalities.’⁷¹

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⁶⁸ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁶⁹ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 (page 9) <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

⁷⁰ The People’s Advocate. ‘Annual Report on the Activity of the People’s Advocate 2016,’ April 2017. http://www.avokatipopullit.gov.al/sites/default/files/RAPORTET/RAPORTET_VJETORE/Report_2016.pdf. Accessed: 16 August 2016

⁷¹ European Commission. ‘Albania 2016 Report’ [SWD(2016) 364 final], 9 November 2016. Available via http://www.ecoi.net/file_upload/1226_1480929478_20161109-report-albania.pdf. Accessed: 14 August 2017.

7.3 Challenges facing the National Referral Mechanism (NRM)

- 7.3.1 The December 2016 AWEN report noted that ‘Monitoring of NMR work has shown that, while effective in most municipal authorities where it is in place, NRM members face many challenges and further resources are needed for the provision of more comprehensive services. Some priorities for a de facto improvement of the violence against women and domestic violence situation is the establishment a 24-hour hotline and of regional shelters.’⁷²
- 7.3.2 The July 2016 CEDAW report expressed concern about: ‘...(b) The insufficient implementation of the national referral mechanism aimed at preventing and providing protection from gender-based violence, in particular at the local level, owing to the lack of coordination among responsible entities and the lack of the necessary skills and capacity among the responsible staff.’⁷³
- 7.3.3 The December 2016 AWEN report stated:
‘... challenges remain in regard to proper and effective implementation state-wide. The process for setting up the National Mechanism for the Referral of Domestic Violence Cases in all the municipalities is not completed yet. As of end of 2014, the mechanism was already in place in 27 municipalities, but not fully functional in all of them. A considerable number of factors have slowed down the process, being lack of commitment across all relevant structures, availability of funds, termination of financial support by the projects that helped set up the mechanisms, lack of specific services – such as accommodation, counselling, etc.’⁷⁴
- 7.3.4 In the Annual Report on the year 2016, The People’s Advocate noted ‘Current economic assistance is insufficient to address the needs of women... [including]...those from ... vulnerable groups, [such] as victims of domestic violence ... For this reason we have demanded the calculation and announcement of the minimum standard of living in Albania. The lack of this vital minimum remains a major obstacle in defining the social policies pursued by the state for vulnerable groups, including women.’⁷⁵
- 7.3.5 The November 2017 GREVIO report stated that ‘Major weaknesses affecting referral mechanisms concern the lack of proper enforcement by bailiffs of emergency barring orders and protection orders, inadequate responses from

⁷² Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁷³ UN Committee on the Elimination of Discrimination Against Women. ‘Concluding observations on the fourth periodic report of Albania [CEDAW/C/ALB/CO/4],’ 25 July 2016. Available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 18 July 2017

⁷⁴ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁷⁵ The People’s Advocate. ‘Annual Report on the Activity of the People’s Advocate 2016,’ April 2017. http://www.avokatipopullit.gov.al/sites/default/files/RAPORTET/RAPORTET_VJETORE/Report_2016.pdf. Accessed: 16 August 2016

the courts' system and an insufficient implication of healthcare professionals, including forensic experts.'⁷⁶

7.3.6 The GREVIO report further stated:

'Following the entry into force of the LDV [Law on Domestic Violence], emergency wards in hospitals and health care centers in municipalities and communes have been required to set up the necessary structures to provide health care to victims of domestic violence. Under the relevant provision of the LDV, victims are entitled to receive medical and psychological support and should be referred to specialist support services. Domestic violence cases are to be recorded and communicated to the Ministry of Health using the appropriate templates approved by the ministry. Victims are entitled to receive documentation illustrating any injury sustained as a consequence of violence. Implementation of these provisions, however, is insufficient and hampered by healthcare professionals' reluctance to report cases of domestic violence, partly out of fear of exposing themselves or the victims to retaliation by the perpetrators. Thus, actors in the field acknowledge that data generated by healthcare are largely a substantial under-representation of real figures.'

7.3.7 The GREVIO report continued:

'There appears to be little awareness amongst healthcare professionals as to the need to examine and hear victims without any interference such as, for instance, on the part of their husbands, authors of violence or members of the family. There is hardly any evidence of measures taken to implement the relevant provision in the LDV [Law on Domestic Violence] calling for the set-up of dedicated structures in emergency units and at the healthcare centers in municipalities and communes. Healthcare professionals are often cited as one of the weakest links in the chain of the co-ordinated community response system.'⁷⁷

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7.4 Legal support

7.4.1 In the concluding observations of the July 2016 CEDAW report:

'The Committee welcomes Law No. 77/2014 amending Law No. 10039 on legal aid to provide access to legal assistance for women who are victims of gender-based violence. The Committee is concerned, however, that, despite that improvement, women, especially those belonging to disadvantaged and marginalized groups, remain unaware of their right to legal aid and continue

⁷⁶ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). 'Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),' Albania, 24 November 2017 (page 9). <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

⁷⁷ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). 'Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),' Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

to face significant legal and practical barriers in gaining access to justice, which is reflected in the low number of complaints filed.’⁷⁸

- 7.4.2 The December 2016 AWEN report noted that ‘a legal clinic has been opened at the Ministry of Justice to increase access to justice by providing free of charge information and advice, and also in relation to corruption, particularly to people who could not afford legal services.’⁷⁹

- 7.4.3 The GREVIO report from November 2017 stated:

‘Access to the state legal aid scheme is virtually non-existent and the only available form of legal assistance is that offered by NGOs. Since its adoption in 2008, Law No. 10039/2008 “On Legal Aid” underwent several amendments which extended the benefit of legal aid to victims of domestic violence and introduced several improvements to the law. Legislative changes failed however to improve the lot of victims, stymied as they were by the lack of proper funding and serious shortcomings of the competent institutions.’⁸⁰

- 7.4.4 The December 2016 AWEN report noted support for women going through the legal process:

‘In Albania, support through the legal process is often mixed up with the legal service provided mainly from centres specialized on legal issues. The service is delivered mainly by attorneys trained to deal with domestic violence cases and in some centres it is also combined with the assistance of trained counsellors. However, the legal component is predominant compared to the psychological/emotional preparation of the victims to endure testifying in front of the accused and/or assisting them in any other practical and emotional way.’⁸¹

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7.5 Shelters for victims

- 7.5.1 The December 2016 AWEN report gave an account of the first National Centre for the Treatment of victims of domestic abuse:

‘In addition to NGO-run centres, the first National Centre for the Treatment of domestic violence victims was established on April 25, 2011, offering 24-

⁷⁸ UN Committee on the Elimination of Discrimination Against Women. ‘Concluding observations on the fourth periodic report of Albania’ [CEDAW/C/ALB/CO/4], 25 July 2016. Available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 15 August 2017.

⁷⁹ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁸⁰ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

⁸¹ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

hour multi-disciplinary, standardised services. The centre provided accommodation for 64 persons in 2011-2012 (25 women; 39 children, 3 unaccompanied minors); 62 persons in 2012-2013 (34 women; 28 children), and 53 persons in January-July 2014, (19 women; 34 children, one unaccompanied minor). There were 28 new cases in 2014. The ages of women sheltered in this facility range from 19 to 51. About 70% come from rural areas. Generally the referrals come from the police, other state bodies and NGOs. Despite this positive model and the collaboration between the government and NGO shelters, provision of support services for women victims/survivors of gender based violence and domestic violence in the country is uneven and not widely accessible. For instance, rural women/girl's access to direct support services is more limited.'⁸²

7.5.2 The same report noted the situation regarding shelters in Albania:

'In Albania there are 10 shelters. Out of 10, 1 is specifically designed for children with disabilities and another one for LGBTI persons. The last shelter was opened in 2015 in Shkodra as an emergency shelter offering temporary accommodation for women victims of violence against women. The shelters have a capacity of approximately 163 beds. Their capacity varies from 5 - 50 persons. In order to meet the minimum requirement of the CoE Convention (1 bed for 10000 inhabitants) Albania should provide 127 additional beds. Vatra, ARSIS and Woman's Forum Elbasan have 5 places each; Other Vision has 15 places; D&E has 15 places for women plus 5 more for children; the National Shelter for Victims of Domestic Violence has 36 places; the National Shelter for Victims of Trafficking has 50 places; the Shelter for Abused Women in Tirana has a capacity of 12 beds (for women with their children); the Shelter for LGBTI has a capacity of 8 beds; the New Emergency Shelter in Shkodra has 5. Here is not included the number of beds of the Residential Development Centre, since it is dedicated specifically to the children with disabilities. This centre has a capacity of 43 beds for children with disabilities. Despite the financial difficulties these shelters are often faced with, no shelter was closed in the last 3 years. In order to carry out their activities the shelters operate through support from foreign donors.

'According to a recent report prepared by Refleksione Women's Association and UN Women Albania, women's shelters exist only in major cities – in Tirana, the capital, and other main cities such as Elbasan (middle Albania), Vlora (South Albania) and a new one was recently opened in Shkodra (North Albania). The geographical coverage is thus very limited causing serious difficulties accessing the necessary services. The accommodation period in these shelters varies: in some shelters it is less than a week, in some others is 3-6 months; in two national shelters is 7-12 months, while in another shelter there is no limit of stay. Immediate and direct access to women's shelters in emergency situations is offered by two centres only: one in Elbasan and the other one in Shkodra.

⁸² Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,' December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

‘According to service providers, there were no cases of women who could not be accommodated due to lack of space in shelters for the year 2014. However, 4 children were denied a place due to lack of space. Seven of the aforementioned shelters are run by NGOs with a feminist/gender-specific approach. Two are run by the state and one by a faith-based organisation. There is a set of accredited national standards developed by the Ministry of Social Welfare with the support of UNDP. Most of the shelters currently apply them.

‘All women’s shelters provide 24/7 access. They also have security precautions and offer non-residential support. All the shelters run by NGOs provide non residential support such as telephone counselling, advocacy, counselling to women who do not live in the shelter, out-reach, etc. with the exception of the shelter run by the state. However, because shelters have been and yet are considered as secret places, women and girls do not have easy access to them. In order to access shelters, women need to pass many filtering procedures before being accepted and accommodated in these shelters. Also the increase in reported cases of women and girls victims of violence against women increases the need to have to have shelters easily accessible and with a short accommodation period, such as until the Emergency Protection Order is issued by the court.’⁸³

7.5.3 The GREVIO report of November 2017 stated:

‘In relation to the coverage and geographical spread of refuges, it emerges from the Albanian state report that there are currently 8 shelters offering safe immediate, short and long-term accommodation to women victims of violence and their children, with a total of 153 beds. This places the provision of this sort of service at 137 beds short of the number required in accordance with the standards set out in the Final Activity Report of the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence which recommended safe accommodation in specialised women’s shelters, available in every region, with one family place per 10 000 head of population. The report acknowledges further that the concentration of shelters in the capital and in a limited number of other localities (essentially, Elbasan, Vlora and Shkodra) leaves a wide portion of the population, especially in rural and remote areas, without sufficient protection....More particularly, according to the legal provisions applying to admission in these institutions, only victims benefiting from the protection of an emergency barring order or a protection order are entitled to access them. [...] GREVIO understands that the authorities rely on the issuance of a court decision granting protection as proof of the woman’s condition as a victim. This however entails that during the interval of time needed for courts to examine applications for an emergency barring order, women can be left without any protection.’⁸⁴

⁸³ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁸⁴ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the

7.5.4 The December 2016 AWEN report also noted the position of persons with particular needs:

'Most shelters have an age limit for boys – 14 years – but no age limit for girls. Access to women's shelters is provided to the following groups: women with and without children (all), older women, women with disabilities, lesbian/transgender women, women from other regions of the country, asylum seeking women, migrant women, minority ethnic women, and undocumented migrant women. Generally speaking, shelters in Albania have no restrictions as far as admission is concerned regarding ethnicity or sexual orientation. However such women rarely make requests for accommodation. Other restrictions are related to health and physical conditions of women. In three shelters there are restrictions for women if they suffer from mental health disorders or serious health problems that require hospitalisation. In case of serious disabilities or serious mental health disorders, the shelters refer the cases to the specialised services since they do not have the specialised staff for these cases. Five shelters are accessible for women with disabilities while two others are not ("National shelter for victims of trafficking" and "Women's Forum Elbasan"). Five shelters are accessible for women with mental health problems, including, including PTSD, anxiety and depression disorders, and schizophrenia, while two others are not ("Vatra" and "Women's Forum Elbasan"). In the "National shelter for domestic violence victims" women with mental health problems are accepted as far as they take the medical treatment regularly and if they are not great risk for themselves, other women in the shelter of the working staff.'⁸⁵

7.5.5 The December 2016 AWEN report further noted:

'As far as funding is concerned, these shelters are primarily supported by donors or projects running for limited periods of time. This state of affairs is making shelters highly vulnerable, putting them in a position of constantly being on the lookout for new potential donors. Furthermore, given that there is a limited number of shelters available and only in bigger cities, they are often overpopulated.

'In Albania there are no second stage/transitional housing programmes for women survivors of violence and their children.

'Overall, women in Albania who suffer gender-based violence lack access to the most basic services for their safety and protection. Even where these services are available, they are usually underfunded, understaffed, and mostly available only in major cities.'⁸⁶

Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),' Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

⁸⁵ Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,' December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁸⁶ Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,' December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul->

- 7.5.6 See [Funding](#) for further information on this subject.
- 7.5.7 The July 2016 CEDAW report mentioned the following concern: '(c) The insufficient number of shelters for women who are victims of gender-based violence and the restrictive criteria for admission to such shelters, as well as the lack of medical and psychological rehabilitation services for women.'⁸⁷
- 7.5.8 The USSD's report for 2016 mentioned: 'Through August [2016] a government shelter for domestic violence survivors in Tirana assisted 24 women and 40 children, but it could not accept individuals without a court order. The government operated one shelter to protect survivors of domestic violence and NGOs operated four others. In addition, three NGO shelters provided protection and shelter to victims of trafficking as well as victims of abuse.'⁸⁸
- 7.5.9 See [Annex A](#) (letter from the British Embassy at Tirana, dated 6 October 2017), for further information about shelters ('Social services,' 'State Police' and 'National Centre for the Victims of Domestic Violence').

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7.6 Womens' centres

7.6.1 The December 2016 AWEN report stated:

'In Albania, there exist 5 women's centres run by women's NGOs. These centres are available in major cities only. All centres provide the following services: information and advice, counselling, advocacy, practical support, empowering support, specialist support for children, risk assessment and safety planning, and legal advice. Most centres provide multi-agency support for survivors. Some centres cooperate with services working with perpetrators. Some centres also offer legal representation, court accompaniment and support regarding social rights such as income, work or housing. None of the centres provide multi-lingual support and specialist support for ethnic/minority/migrant and asylum seeking women, or floating /mobile support. Furthermore, none of the centres support the participation of survivors in policy development and evaluation, nor do they support survivors to organize themselves.

'Apart from the five women's centres (non-residential for all women survivors of violence), in Tirana there exist one regional crisis centre for victims of domestic violence exists, which offers services to women using a gender-specific approach, and three centres for women victims of trafficking. These centres are all run by women's NGOs and at the same time they function as function as shelters for victims of domestic violence and gender based violence. The regional crises centres for victims of domestic violence are situated one in the capital and the others in several major cities. The types of services these centres provide are as follows: information and advice; counselling; advocacy (access to rights); practical support; empowering

[Convention-Monitoring-Report-1-1.pdf](#). Accessed: 16 August 2017

⁸⁷ UN Committee on the Elimination of Discrimination Against Women. 'Concluding observations on the fourth periodic report of Albania [CEDAW/C/ALB/CO/4],' 25 July 2016. Available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 18 July 2017

⁸⁸ US Department of State. 'Country Reports on Human Rights Practices for 2016,' March 2017 <https://www.state.gov/documents/organization/265600.pdf>. Accessed: 18 July 2017

support; specialist support for children; risk assessment and safety planning; legal advice.

‘Some of the centres also provide legal representation; court accompaniment; support concerning social rights (income, work, housing); cooperation with services working with perpetrators. These centres do not provide multi-lingual support; specialist support for ethnic/minority/migrant/asylum seeking women; floating/mobile support; participation of survivors in policy development and evaluation; support of survivors organizing themselves. Among services foreseen by the CoE Convention there are norape crises centres/helplines; sexual assault centres; centres for girls experiencing sexual abuse; women’s centres/services for black/migrant/minority ethnic women; intervention centres with pro-active approach.’⁸⁹

- 7.6.2 See [Services and support for victims](#), [Shelters for victims](#), and [Support for victims of sexual abuse](#) for further information on these subjects.

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7.7 Telephone helpline

- 7.7.1 The GREVIO November 2017 report stated:

‘GREVIO congratulates the authorities for their recent move to enter into an agreement with the women’s NGO, the Counselling Centre for Women and Girls, to launch a single national hotline (116 117) covering the entire territory devoted specifically to violence against women, operating free of charge and 24/7. Until November 2016, the national women’s helpline in Albania (Phone no.: +355 4 22 33 408) had not been available 24 hours a day due to limitations in funding. By complementing the services provided by the municipal helplines, the new hotline will allow meeting the requirements of Article 24, especially in terms of round-the-clock accessibility.’⁹⁰

- 7.7.2 The December 2016 AWEN report further commented on the launch of the National Hotline in November 2016:

‘Albania launched the National Hotline to support the victims of domestic violence on 24th of November 2016, as part of the MSWY’ [Ministry of Social Welfare and Youth] ceremony on the "16 Days of Activism #Ichoosetolivewithnoviolence", the Minister of Social Welfare and Youth, Mr. Blendi Klosi and the Executive director of the Counseling Line for Women and Girls, Mrs. Iris Luarasi officially signed the Agreement dedicated to the National Hotline.

‘According to this Agreement, and in compliance with the obligations of the Istanbul Convention, the Albanian state is committed in establishing a

⁸⁹ Albanian Women Empowerment Network. ‘Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,’ December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁹⁰ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

national hotline which covers the whole territory and will function 24 hours a day to victims of domestic violence. The Hotline Number is 116 117, and will guarantee free phone calls to all those who would request help in cases of domestic violence.

'The Counseling Line for Women and Girls has been facilitated by the MSWY regarding specific agreements with telecommunication providers in Albania. A DCM was approved dedicated the functioning standards and will start implementation in 2017. Actually, the services are supported only from the CLWG running programs and donors, as IAMANEH [International Association for Maternal and Neonatal Health] and AWEN. Further support is needed regarding the ongoing services and counseling to the victims.'⁹¹

7.7.3 The December 2016 AWEN report noted:

'Until November 2016, the national women's helpline in Albania (Phone no.: +355 4 22 33 408) has been run by a women's NGO, namely the Counselling Centre for Women and Girls. Due to limitations in funding, the line has never been available 24 hours a day. Many service providers confuse the telephone helpline with having an office phone number available to the community. Helplines are also established at the municipality level as required by the Law on Domestic Violence, but they are not available for 24 hours and do not provide the full set of services as required in such cases. The calls to helplines are free of charge only in 2 services, being the Counselling Line for Women and Girls, and Community Development Centre "Today for the future".'⁹²

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7.8 Support for victims of sexual abuse

7.8.1 The December 2016 AWEN report stated:

'There are no rape crisis or sexual violence referral centres in Albania. Sometimes this service is offered in the hospital or in other health setting while others offer the service in stand alone facility or other locations such as separate rooms inside the shelters, counselling centres, or offices. Such kind of spaces lack the basic conditions to provide forensic examination as required by the standards. The phenomenon is typically addressed within the scope of health.

'Other types of support such as trauma support, counselling for victims, support during court proceedings by woman to woman advocacy are rare. Counselling/crisis centres are sometimes mixed up with the telephone helpline, providing needed information or any needed advice through phone. Crisis support is provided by both NGOs and state shelters. Only a few of

⁹¹ Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,' December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁹² Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,' December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

them offer it as a 24 hours service. Crisis support is provided 24 hours only for women and girls or other family members suffering from violence against women and domestic violence who fulfil the criteria necessary for being accepted in specialist 24 hours/services, such as national shelters or some NGOs. In other cases, this type of service is provided only during a limited amount of hours/weeks and still by the NGOs which makes the duration time and existence of this type of service very dependent on donor's support.'⁹³

7.8.2 The GREVIO November 2017 report stated:

'There are no rape crisis or sexual violence referral centres in Albania, although ... medical and forensic examinations are offered in hospitals and other healthcare settings. Other types of support such as trauma support, counselling for victims, support during court proceedings by woman to woman advocacy are rare.

'Available administrative data record very few cases of sexual violence against women. According to the Statistical Yearbook of the Ministry of Justice, the number of convicted persons under the criminal offence of rape (Article 102 of the CCA) was only 3 in 2014 and 4 in 2015. However, given the taboo which very much still enshrouds the phenomenon of sexual violence, it is likely that the great majority of cases go unreported. The prevalence of sexual violence in domestic relations was rated at 7.9 % in the 2013 national survey on domestic violence conducted by INSTAT, a figure which is considered an under-representation of the actual occurrence of sexual violence in intimate partner relationships. In light of these figures, GREVIO is extremely concerned that the majority of victims of sexual violence are likely to receive little or no protection.'⁹⁴

7.8.3 The same report continued, 'For other forms of violence against women, such as sexual violence, the extremely low numbers of cases recorded would indicate that victims still have to break the taboos of shame and fear.'⁹⁵

7.8.4 See [Shelters for victims](#) and [Telephone helpline](#) for information on these.

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⁹³ Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,' December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁹⁴ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). 'Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),' Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

⁹⁵ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). 'Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),' Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

7.9 Womens' networks

- 7.9.1 The December 2016 AWEN report noted that two womens' networks deal with gender-related abuse, adding that AWEN has a national office and two paid staff members, but neither network received government funding:

'The Albanian Women Empowerment Network – AWEN (member organizations: Gender Alliance for Development Centre, Tirana, Counselling Centre for Women and Girls, Tirana, the Association for women and girls with social problems, Durrës, the Association Me Women, Pogradec, the association Agritra Vizion, Peshkopi, the Association Woman to Woman, Shkodër, the Association Women Forum, Elbasan, "Vatra", Psycho-social Center, Vlora and Jona Association, Sarandë). In recent years AWEN has been one of the main actors together with other civil society organizations to lobby and advocate about issues related to women human rights.

'The Network against Gender Based Violence and Trafficking (member organizations: Refleksione Association, Tirana Gender Alliance for Development Centre, Tirana, The shelter for women and girls, Tirana, Counselling Centre for Women and Girls, Tirana and the Centre for Legal Civic Initiatives, Tirana). This Network in the frame of a UNTF project has supported 10 municipalities to create the referral mechanism to support victims of Domestic Violence. This mechanism is based on the Law No. 10 329, dated 30.09.2010 "On some addenda and amendments to Law No. 9669, dated 18.12.2006 "On measures against violence in family relations" and on the Council of Ministers' Decision no. 334, date 17.02.2011 "On the establishment of the national referral mechanism for the treatment of domestic violence' cases and its way of functioning".⁹⁶

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8. Marriage and divorce

8.1 Statistics

- 8.1.1 A report published by the Albanian Institute of Statistics and Public Health in 2010 noted:

'The majority of both women and men are married or living together, with a larger proportion of women (66 percent) than men (57 percent) being currently married or cohabiting with a partner. Because men tend to marry later in life than women, the proportion of never-married men (43 percent) is higher than the proportion of never-married women (31 percent). Divorce and widowhood are infrequent in Albania, but women are slightly more likely than men to be widowed, divorced, or separated (3 and 1 percent, respectively).⁹⁷

- 8.1.2 The INSTAT report, '[Women and men in Albania, 2017](#)', provided statistics on marriage and divorce at page 35.

⁹⁶ Albanian Women Empowerment Network. 'Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence in Albania,' December 2016. <http://awenetwork.org/wp-content/uploads/2017/01/Draft-Istanbul-Convention-Monitoring-Report-1-1.pdf>. Accessed: 16 August 2017

⁹⁷ Institute of Statistics and Institute of Public Health in Albania. 'Demographic and Health Survey, 2008-2009' (page 46), published in 2010. <http://dhsprogram.com/pubs/pdf/fr230/fr230.pdf>. Accessed: 21 July 2017

8.2 Legal situation: marriage and divorce

8.2.1 The European Asylum Support Office published a report in November 2016 which noted: 'According to the Family code, the minimum legal age [for marriage] for men and women is 18 years. The first instance court may give permission to a marriage at a lower age (no minimum age mentioned) "for matters of importance" – at the discretion of the court.'⁹⁸

8.2.2 The GREVIO report of November 2017 stated:

'In Albania marriage under the legal age (18) is regulated by law and can be authorised by courts. Available reports show, however, that the practice of courts could be largely improved to ensure that a thorough verification of the minor's free will to enter into marriage is conducted. The state report points to shortcomings in the relevant civil legislation, in respect in particular to the absence of any provision setting the minimum age under which derogations to the legal age to marry would not be permitted.'⁹⁹

8.2.3 However, the 2014 edition of the Social Institutions and Gender Index noted that 'article 100 of Criminal Code considers sexual intercourse with a person 14 years old or younger or with a person that has not reached sexual maturity a criminal offence.'¹⁰⁰

8.2.4 The 2014 edition of the Social Institutions and Gender Index noted that 'Women have the same right to initiate divorce as men; however, divorce carries a high social stigma for women.'¹⁰¹

8.2.5 The Immigration and Refugee Board of Canada published information about marriage and divorce in August 2015 which stated:

'Article 9 of the Family Code of Albania, under "Impediments to concluding a marriage," indicates that, "a previously married person cannot conclude a marriage, unless the previous marriage has been voided or terminated" (Albania 2003, Art. 9). The Executive Director at HRDC [Human Rights in Democracy Centre] stated that "if the adult daughter is legally married (at the Civil State's Office), her parents cannot force [her] to marry again (legally) if [she is] not divorced" (7 July 2015). In regards to the possibility of parents being able to impose a forced marriage on a woman who is already married and living with her husband, the representative at the People's Advocate

⁹⁸ European Asylum Support Office. 'Albania Country Focus,' November 2016. Available via http://www.ecoi.net/file_upload/2162_1479371057_easo-coi-albania-country-focus-final-final-201611.pdf. Accessed: 14 August 2017.

⁹⁹ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). 'Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),' Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

¹⁰⁰ OECD Development Centre. Social Institutions and Gender Index; 2014 edition. Albania. <http://www.genderindex.org/country/albania/>. Accessed: 15 August 2017.

¹⁰¹ OECD Development Centre. Social Institutions and Gender Index; 2014 edition. Albania. <http://www.genderindex.org/country/albania/>. Accessed: 15 August 2017.

(Ombudsman) Institution gave the view that "in legal terms such a thing is absolutely impossible," citing Article 9 (Albania 26 June 2015).'¹⁰²

8.2.6 The same document stated:

'The Family Code of Albania states that a "[m]arriage is concluded in front of the civil registration office clerk, upon the free consent of the future spouses" (Albania 2003, Art. 8). According to the Executive Director of HRDC [Human Rights in Democracy Centre], marriage under "Civil Law" requires the presence of each spouse and cannot be established by third parties, such as the parents of future spouses (HRDC 30 June 2015)...

'Sources indicate that Article 130, "Forcing or impeding to cohabit or divorce," of Albania's Criminal Code addresses forced marriage (HRDC 30 June 2015; Albania 1995, Art. 130). Article 130 indicates that "Forcing or impeding to commence or continue cohabitation or forcing to divorce, constitutes criminal contravention and is punishable by a fine or up to three months of imprisonment."

'According to the HRDC Executive Director, women who are forced into a marriage have the right to file a criminal complaint to the police or the prosecutor (HRDC 30 June 2015)...

'The HRDC Executive Director indicated that Article 130 of the Criminal Code for offences of forced cohabitation, marriage, and divorce, provides "minimum penalties for offenders (with a fine or imprisonment up to 3 months)" (HRDC 30 June 2015). The same source further noted that few forced marriage cases are submitted to court (ibid.). The source also reported that according to HRDC, for the first six months of 2015, 2 cases were brought to court and there were no such cases in 2014 (ibid.). The HRDC [Human Rights in Democracy Centre] Executive Director further gave the assessment that "the fact that such issues are not addressed [by] the responsible bodies testifies not only to the low level of awareness that women/girls [have] but also their lack of belief in institutions responsible for tackling this problem" (ibid.).'¹⁰³

8.2.7 The GREVIO report of November 2017 stated:

'The CCA [Criminal Code of Albania] introduced a specific offence targeting ... forced marriage in Article 130 which criminalises the behavior of coercing someone to conclude a marriage and of requesting the victim to leave the territory of Albania for the purposes of forcing him or her to enter into marriage. Whilst this wording conforms to that of the Convention, the applicable penalties of a fine, or imprisonment, up to three months are very low.

'As for the civil consequences of forced marriages, Articles 33 and 44 of Albania's Family code provide that a marriage concluded without the full and

¹⁰² Immigration and Refugee Board of Canada. 'Albania: Forced marriages of women, including those who are already married; state protection and resources provided to women who try to avoid a marriage imposed on them' (2010-June 2015) [ALB105216.E], 13 August 2015. Available via http://www.ecoi.net/local_link/311896/436061_en.html. Accessed: 11 August 2017.

¹⁰³ Immigration and Refugee Board of Canada. 'Albania: Forced marriages of women, including those who are already married; state protection and resources provided to women who try to avoid a marriage imposed on them' (2010-June 2015) [ALB105216.E], 13 August 2015. Available via http://www.ecoi.net/local_link/311896/436061_en.html. Accessed: 11 August 2017.

free consent of one or both of the spouses or as a result of a threat is null and void. The right to request the invalidation of a forced marriage belongs to the spouse, whose consent was not freely given, provided such request is filed no later than 6 months from the date the threat ceased and in any case no later than 3 years after the conclusion of the marriage. The continuous cohabitation between the spouses lasting 6 months since the time the victim gained full freedom forfeits the right to file for the invalidation of the forced marriage. GREVIO notes that the conditions under which the invalidation of a forced marriage may be requested appear quite restrictive.’¹⁰⁴

8.2.8 The 2014 edition of the Social Institutions and Gender Index stated:

‘According to the World Bank’s Women, Business and the Law report for 2012, women and men have the same rights to be the “head of the household” or the “head of the family”, and there is no legal requirement for women to obey their husbands. According to ACPAR [Albanian Coalition for the Preparation of Alternative Reports], it appears that in practice, men are usually recognised as the head of the family, and women defer authority to them, including in regard to decisions relating to children.’¹⁰⁵

8.2.9 For further information about forced marriage, see [Early and forced marriage](#). For further information about parental responsibilities, see [Parental responsibilities](#).

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8.3 Parental responsibilities

8.3.1 The 2014 edition of the Social Institutions and Gender Index stated:

‘Under the Family Code, Albanian parents share equal parental responsibility, and have the same rights and obligations towards their children. Parental responsibility is governed by the Family Code. Customary and religious laws are not valid sources of law under the constitution, in regard to parental authority or any other matters.

‘The Family Code stipulates that mothers and fathers have equal parental rights and responsibilities over children in the event of divorce, and the absent parent has the right to input into decisions regarding the child’s upbringing and education and has visitation rights.’¹⁰⁶

8.3.2 See [Annex A](#) (letter from the British Embassy, Tirana, dated 6 October 2017) for further information about rights of access to a child and the situation if one parent removes a child from Albania without the consent of the other parent.

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¹⁰⁴ The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). ‘Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> Accessed: 11 December 2017

¹⁰⁵ OECD Development Centre. Social Institutions and Gender Index; 2014 edition. Albania. <http://www.genderindex.org/country/albania/>. Accessed: 15 August 2017.

¹⁰⁶ OECD Development Centre. Social Institutions and Gender Index; 2014 edition. Albania. <http://www.genderindex.org/country/albania/>. Accessed: 15 August 2017.

8.4 Early and forced marriage

8.4.1 For information about the law and forced marriage, see [Legal situation: marriage and divorce](#).

8.4.2 The July 2016 CEDAW report stated that it was 'particularly concerned about the persistence of such harmful practices as child marriage, families choosing husbands and the payment of a bride price or dowry, which remain prevalent in rural and remote areas and among minority communities.'¹⁰⁷

8.4.3 The USSD's report for 2016 commented on the practice of early marriage:

'Although the legal minimum age for marriage is 18, authorities did not enforce the law. Underage marriages occurred mostly in rural areas and within Romani communities. According to the 2015 Early Marriages in Albania study of the Observatory of Children, approximately 3 percent of children between the ages of 15 and 18 were married. The study also noted that 9 percent of Romani children between the ages of 13 and 18 were married. ARSIS [Association for the Social Support of Youth] claimed that, in certain Romani communities, girls as young as seven and boys as young as nine were considered married. Some NGOs reported that early and forced marriages occurred in rural communities as part of human trafficking schemes, with parents consenting to their underage daughters marrying older foreign men, who subsequently moved them to other countries.'¹⁰⁸

8.4.4 The European Asylum Support Office reported on the phenomenon of underage marriage in a report published in November 2016, stating, 'The average age of marriage is 24 for women and 28-30 for men. Marriages involving under-age spouses are not registered...

'Early marriages occur mostly – but not exclusively - among Roma and Egyptian communities, mostly the more marginalised ones. Specific research on child marriages among the Roma communities (2015) reveals that this is a long-standing and common phenomenon, rooted not only in poverty but in specific values, morals and beliefs related to honour. Once they have their menarche, Roma girls are considered women who are ready to marry and must do so soon. Parents are concerned that if their pubertal daughters start dating they may lose their virginity out of wedlock and thus lose the family's honour. Girls step into an arranged marriage at an age of 12-14. Boys also marry early, at 14-16 years of age. Another form of child marriage is elopement, when the young couple decides to marry without their parents' approval. Roma marriages are seldom registered, nor are the children born out of child marriages.

'Child marriages also occur within some impoverished communities of the Albanian majority in remote mountainous areas "where a patriarchal mentality meets poverty," according to UNFPA. This mostly refers to girls, usually those who have dropped out of school... Many girls in these remote areas leave

¹⁰⁷ UN Committee on the Elimination of Discrimination Against Women. 'Concluding observations on the fourth periodic report of Albania' [CEDAW/C/ALB/CO/4], 25 July 2016. Available via http://www.ecoi.net/file_upload/1930_1484733174_n1623302.pdf. Accessed: 15 August 2017.

¹⁰⁸ US Department of State. 'Country Reports on Human Rights Practices for 2016,' March 2017 <https://www.state.gov/documents/organization/265600.pdf>. Accessed: 18 July 2017

school aged 12-13 to do domestic work and to be prepared for (an arranged) marriage. They are engaged at 13-15 years of age and marry soon after. Boys leave school as well to work but marry at a much later age, between their mid-20s and early 30s.¹⁰⁹

8.4.5 In June 2015, the Norwegian Country of Origin Information Centre stated that 'Arranged marriages, in which partnerships are determined by parents, are becoming less and less common.'¹¹⁰

8.4.6 In August 2015 the Immigration and Refugee Board of Canada stated:

'In correspondence with the Research Directorate, the Executive Director of the Albanian Women Empowerment Networks (AWEN), a non-profit network of eight organizations focusing on the promotion and protection of women's rights in all districts of Albania (AWEN n.d.), indicated that there has not been any research done on the subject of forced marriage in Albania, including of adult women (ibid. 30 June 2015). In correspondence with the Research Directorate, the Executive Director at the Human Rights in Democracy Centre (HRDC), "a non-governmental, non-partisan and non-profit organization aiming to work for the respect, protection and fulfilment of human rights in Albania" (HRDC n.d.), stated that forced marriages occur frequently, especially in rural areas and informal settlements; however, "real figures do not exist" regarding the incidence [of] forced marriage, because the issue has not been studied (ibid. 30 June 2015). The same source also stated that the phenomenon of forced marriage exists, but it is underreported (ibid.). In correspondence with the Research Directorate, a representative of the People's Advocate (Ombudsman) Institution, Albania's Ombudsman, noted that they have not received complaints of "adult forced marriage" since the institution's creation in 2000 (Albania 26 June 2015).'¹¹¹

8.4.7 The Immigration and Refugee Board of Canada also provided the following information in August 2015:

'The Executive Director of AWEN stated that, "society in general does not approve [of] forced marriages" and that they are not a "widespread phenomenon" (30 June 2015). However, she also stated that it is a "well known phenomenon in the country, especially in rural and remote areas" and that girls in these areas are "very often forced into marriages because of [a] patriarchal mentality and poverty" (ibid.). The Executive Director at HRDC also noted that "forced marriages are a product of society, which nurtures it," particularly in patriarchal family structures in rural areas and informal settlements (30 June 2015). The Executive Director at HRDC explained that HRDC does periodic monitoring of court decisions of the Tirana District Court, on the issue of protection orders and divorce, and has found that "a great part

¹⁰⁹ European Asylum Support Office. 'Albania Country Focus,' November 2016, available via http://www.ecoi.net/file_upload/2162_1479371057_easo-coi-albania-country-focus-final-final-201611.pdf. Accessed: 14 August 2017.

¹¹⁰ Landinfo. 'Albania: Familie og ekteskap,' 5 June 2015. Available via http://www.ecoi.net/file_upload/1788_1433849957_3146-1.pdf. Accessed: 21 July 2017.

¹¹¹ Immigration and Refugee Board of Canada. 'Albania: Forced marriages of women, including those who are already married; state protection and resources provided to women who try to avoid a marriage imposed on them' (2010-June 2015) [ALB105216.E], 13 August 2015. Available via http://www.ecoi.net/local_link/311896/436061_en.html. Accessed: 11 August 2017.

of marriages are conducted through mediation [with] third parties without the consent of the wife/daughter" (HRDC 30 June 2015).¹¹²

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9. Unmarried women/ mothers

9.1 Freedom of movement

9.1.1 The OECD Social Institutions and Gender Index for 2014 noted freedom of movement for women in Albania:

'There are no legal restrictions on women's access to public space in Albania, either within the country or abroad. The Article 38 of the Constitution guarantees every Albanian citizen (regardless of gender) the right to travel freely within the country, apply for a passport, and to choose where to live...

'The official Convention on the Elimination of all forms of Discrimination against Women (CEDAW) report notes that women may have to seek permission from their husbands or family before travelling within Albania or abroad, placing effective de facto limits on their access to public space and freedom of movement. The CEDAW report states that in rural areas in particular, married women report needing to seek their husband's permission before leaving the house (except in cases of medical emergency).¹¹³

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9.2 Stigma of divorce

9.2.1 The 2014 edition of the Social Institutions and Gender Index noted:

'...divorce carries a high social stigma for women. ACPAR [Albanian Coalition for the Preparation of Alternative Reports] includes divorced women among its list of groups of women who are marginalised and discriminated against, indicating the extent to which divorce may impact women's wellbeing and wealth in Albania. Both spouses, who are in the process of dissolution of marriage and do not yet have an irrevocable court decision for this court case, separately have the right to benefit economic aid.'¹¹⁴

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9.3 Education: women

9.3.1 In April 2017, the United Nations noted:

'Albania has significantly increased access to all levels of education. Primary and lower secondary enrolment are nearly universal, and between 2009 and

¹¹² Immigration and Refugee Board of Canada. 'Albania: Forced marriages of women, including those who are already married; state protection and resources provided to women who try to avoid a marriage imposed on them' (2010-June 2015) [ALB105216.E], 13 August 2015. Available via http://www.ecoi.net/local_link/311896/436061_en.html. Accessed: 11 August 2017.

¹¹³ OECD. Social Institutions and Gender Index, 2014; Albania. <http://www.genderindex.org/country/albania/> Accessed: 26 September 2017

¹¹⁴ OECD Development Centre. Social Institutions and Gender Index; 2014 edition. Albania. <http://www.genderindex.org/country/albania/>. Accessed: 15 August 2017.

2013, pre-primary net enrolment improved from 47 to 79% and upper secondary enrolment from 76 to 92%. There is no gender disparity in the pattern of access to primary and secondary education for girls and boys, with the respective Net Enrolment Rates (NER) being 94.8% and 96.2% (in primary school), and 84.5% and 86.0% (in secondary school). The rate of transition from primary to secondary education is equal for girls and boys, at 99.8%. However, there are severe disparities in access to education for vulnerable groups, including low income families, Roma, street children, and children with disability.¹¹⁵

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9.4 Employment

- 9.4.1 The report published by the Albanian Institutes of Statistics and Public Health in 2010 noted, 'Among women, those who are divorced, separated or widowed are most likely to be employed (about 45 percent), followed by women who are married or cohabiting (35 percent). This pattern can be explained by the fact that previously married women are likely to be single mothers and, therefore, heads of households and the main income earners in the family.'¹¹⁶
- 9.4.2 In March 2017, the United Nations website noted that 'The overall unemployment rate rose to 18% in 2014 and 1 in 3 young persons are unemployed. Women's rights are marginalized and although their participation in the labor market, average salaries are 18% lower those of men. The wage gap in rural areas is double that of urban areas representing the generally marginalized situation of the rural population.'¹¹⁷
- 9.4.3 The People's Advocate of Albania (which states that it 'defends the rights, freedoms and lawful interests of individuals from unlawful and incorrect acts or omissions of public administration bodies as well as third parties acting on its behalf. It has as its mission the prevention of potential conflicts between public administration and the individual') published a report in 2015 which stated, 'Women, particularly divorced women and single mothers, Roma women, women with disabilities, and other vulnerable women, face problems with their access to justice, inequality in the labor relations, and barriers in receiving the social and economic benefits to which they are entitled.'¹¹⁸

¹¹⁵ United Nations. 'Social Cohesion: Health, education, social protection, child protection, and gender-based violence,' 5 April 2017. <http://www.un.org.al/what-we-do/social-cohesion/social-cohesion-health-education-social-protection-child-protection-and> Accessed: 13 December 2017

¹¹⁶ Institute of Statistics and Institute of Public Health in Albania. 'Demographic and Health Survey, 2008-2009' (page 37), 2010. <http://dhsprogram.com/pubs/pdf/fr230/fr230.pdf>. Accessed: 21 July 2017

¹¹⁷ United Nations. 'About Albania,' 'Challenges,' 28 March 2017. <http://www.un.org.al/about-albania> Accessed: 13 December 2017

¹¹⁸ People's Advocate of Albania. 'Written information from the People's Advocate on the implementation of CEDAW Convention in Albania, 2015' (page 9). Published by CEDAW, available via http://www.ecoi.net/file_upload/1930_1446114455_int-cedaw-ifn-alb-21838-e.pdf (Summary) http://www.ecoi.net/file_upload/1930_1446114394_int-cedaw-ifn-alb-21837-e.pdf (Report). Accessed: 21 July 2017.

- 9.4.4 The INSTAT report, ['Women and men in Albania, 2017'](#), provided statistics on women's participation in the labour force from page 71 onwards, and statistics on the gender pay gap from page 145 onwards.
- 9.4.5 For further information about marriage and divorce for women, see [Statistics](#) and [Legal situation: marriage and divorce](#).

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9.5 State benefits

- 9.5.1 The British Embassy at Tirana reported in a letter dated 30 January 2017 that in order to receive state benefits, a woman returned to Albania would need to register at one of the twelve regional Employment Offices; there is one in each region. The Employment Office would try to find employment for her.¹¹⁹
- 9.5.2 A returnee should also apply at one of the municipal Offices of Social Services to receive state benefits; the letter from the British Embassy includes a calculation of the benefits which would be received by a single woman with a child. Victims of domestic abuse are entitled to a further payment, if the case has been reviewed by a Court and a restraining order issued.¹²⁰
- 9.5.3 The British Embassy stated that poverty is unfortunately widespread in Albania and a significant number of Albanian families survive on incomes comparable to, or less than, the sum a victim of domestic abuse would receive in social welfare benefits, were she to return to Albania.¹²¹
- 9.5.4 See [Annex B](#) for full information.

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9.6 Accommodation

- 9.6.1 The British Embassy at Tirana reported that a woman returned to Tirana should register at a municipal housing office in order to receive social housing as an otherwise homeless person.¹²²
- 9.6.2 See [Annex B](#) for full information.

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9.7 Health services

- 9.7.1 A person who is unemployed would receive health services free of charge.¹²³
- 9.7.2 See [Annex B](#) for full information.

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¹¹⁹ Letter from British Embassy, Tirana, dated 30 January 2017.

¹²⁰ Letter from British Embassy, Tirana, dated 30 January 2017.

¹²¹ Letter from British Embassy, Tirana, dated 30 January 2017.

¹²² Letter from British Embassy, Tirana, dated 30 January 2017.

¹²³ Letter from British Embassy, Tirana, dated 30 January 2017.

9.8 Children of single mothers

- 9.8.1 Children of returnees to Albania are given priority in school registration and lessons in the Albanian language are offered if required.¹²⁴
- 9.8.2 See [Annex B](#) for full information.

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10. Civil registration

10.1 Registration process

- 10.1.1 The USSD's report for 2016 provided the following information:

'In order to receive government services, individuals moving within the country must transfer their civil registration to their new community of residence and prove the legality of their new domicile through property ownership, a property rental agreement, or utility bills. Many persons could not provide this proof and thus lacked access to public services. Other citizens, particularly Roma and Balkan-Egyptians, lacked formal registration in the communities where they resided. The law does not prohibit their registration, but it was often difficult to complete. Many Roma and Balkan-Egyptians lacked the financial means to register, and many lacked the motivation to go through the process.'¹²⁵

- 10.1.2 A 2013 report by the World Health Organisation provided further information about civil registration, stating:

'For each citizen, an individual record is created in the CRVS [Civil registration and vital statistics] database, also treated as a population registry, and issued a unique ID. This system is reported to have achieved national scale and is capable of generating national-level VS [vital statistics]. The web-based system also facilitates generation of legal documents at the local setting, accessing the information stored in a central location where individuals are identified by their unique ID number. This registered information is shared with other government departments, for example facilitating the issuance of passports and other documents based on the registered birth certificate. The legitimacy of the individual is confirmed through the system when the person accesses other government welfare services. A common government web portal is used for many eGovernment services including vital registration. In this system, each citizen is registered with a birth registration number issued by the Registrar General's department. A citizen can obtain birth, death and marriage certificates and register marriages online. The Norwegian statistical office has been actively supporting the modernization initiative in Albania.'¹²⁶

- 10.1.3 See [Annex A](#) (letter from British Embassy, Tirana, dated 6 October 2017) for further information about the registration process.

¹²⁴ Letter from British Embassy, Tirana, dated 30 January 2017.

¹²⁵ US Department of State. 'Country Reports on Human Rights Practices for 2016,' 3 March 2017 <https://www.state.gov/documents/organization/265600.pdf>. Accessed: 18 July 2017

¹²⁶ World Health Organisation. 'Civil registration and vital statistics 2013: challenges, best practice and design principles for modern systems,' page 25. http://www.who.int/healthinfo/civil_registration/crvs_report_2013.pdf. Accessed: 18 July 2017.

10.2 Data protection

10.2.1 The following article, published by the Organisation for Security and Co-operation in Europe in 2007, described some of the steps taken to ensure data protection for the system of civil registration:

‘The Council of Europe (CoE) in co-operation with the OSCE Presence in Albania and the Albanian Justice Ministry organized today a conference on privacy and personal data protection.

‘The head of the CoE Data Protection Unit, Sophie Meudal-Leenders, said that the Council of Europe wants to support Albania's Government as it establishes a personal data protection legal framework that is compliant with European standards.

‘During the Conference, the participants discussed personal data protection, the upcoming reform of data protection legislation in Albania and how this affects the work of the institutions and businesses in the country.

"Citizens have a right to know that personal data collected for civil registration will not be used inappropriately," said Frank Nan, who heads the OSCE Presence's project on technical assistance to the Government on modernisation of address and civil registry systems. "Data protection is therefore an essential part of a civil registry system."

‘Participants agreed on the importance of good laws and practices related to the protection of privacy and personal data. It was also underlined that such a legal framework would contribute to a sound basis for the civil registry, as well as foster the trust of citizens in the way their personal data are handled, both in the public and private sectors...

‘The event gathered more than 60 contributors representing the main Albanian public institutions, private sector agencies, as well as international organizations. It marked the launch of a Council of Europe project called "Data protection within the framework of the civil registry system of Albania", implemented as part of the OSCE Presence project to help the Government modernize the civil registration systems.

‘The project is paid for through a grant agreement between the OSCE Presence and the European Commission Delegation in Albania, with a financial contribution from the Council of Europe.’¹²⁷

10.2.2 See [Annex A](#) (letter from British Embassy, Tirana, dated 6 October 2017) for further information about the registration process, data protection and the possible misuse of data.

¹²⁷ Organisation for Security and Co-operation in Europe. ‘Albania and international organizations promote personal data protection,’ 27 June 2007. <http://www.osce.org/albania/48722>. Accessed: 20 July 2017



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Annex A

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6 October 2017

To Whom It May Concern

On 20 July 2017 the British Embassy, Tirana was contacted by the Home Office, who requested that we undertake research, on their behalf, in relation to a Country Guidance case on the subject of domestic violence. The following questions were posed:

- Is it possible for someone to access personal data for illicit purposes through the civil registration system?
- Are policemen or other officials able to gain access to personal data for illicit purposes through the civil registration system?
- Is it possible for someone to use bribery to gain access to personal data through the civil registration system?
- Are you aware of any cases where a person has been tracked down by someone accessing their personal data provided for registration?
- Is it true that she would be checked against the municipality record of her last place of residence?
- Is it true that her former partner could be alerted to her presence in the country through such a check? (She would be returned to Tirana and he lives in Burrel in the north.)
- Is it true that a person can be traced anywhere in Albania, as described? She would be returned to Tirana and he lives in Burrel, in the north.

To obtain answers to these queries we approached State Social Services, the Albanian State Police and National Centre for the Victims of Domestic Violence.

Their responses are recorded below. All of the information which we record below was obtained from these sources; we did not rely upon our own knowledge or expertise, nor indeed do we claim to have any such knowledge or expertise on the subject of domestic violence. The Foreign and Commonwealth Office therefore cannot speak to the accuracy or reliability of the information provided to us.

All of the questions above were put to all of the sources we consulted. However, some sources did not answer some questions, or gave partial answers, or gave a single answer to cover several questions. All sources also provided further, unsolicited information. In the interests of completeness, and because the sources themselves apparently considered this additional information to be relevant, we have attempted to record their responses fully below.

Social Services

On Tuesday 3rd October 2017, two officers from the British Embassy, Tirana met with the Deputy General Director of State Social Services, and with a domestic violence specialist of the same service, at their office in Tirana. Their account follows -

With regard to the use, or misuse, of the civil registration system, the Deputy General Director was aware of one case in which the perpetrator had approached a policeman, whom they knew personally, and the policeman had then taken the perpetrator to the shelter at which the victim was being housed. It was not clear from the Deputy General Director's account whether the policemen had located the victim at the shelter via the civil registration system, or through some other means. In any case, legal action was then taken against the perpetrator and police officer.

We were advised that some, but not all, police officers have access to the civil registration system. Access to the system requires use of a personal login code, and all of their lookups on the systems are electronically recorded. The Deputy General Director made clear that whilst some police officers could access the system for illicit purposes, they could not do so with impunity – their access would leave an electronic audit trail and there would be repercussions for the officer.

With regard to whether the victim would be checked against the municipality record of her last place of residence, Social Services commented that her previous municipality would come to know that she had moved to Tirana if she asked for her registration to be moved there. If she were residing at a shelter in Tirana, there would be no need for her to do this, so her previous municipality would not be notified. When the authorities become aware that an individual is a victim of domestic violence they are obligated to remove the victim from a location at which they are at risk. If the victim is accommodated at a shelter elsewhere in the country, their civil registration is not moved with them but stays at their original location.

The victim could remain at the shelter until satisfied that the risk had passed. However, if/when she eventually left the shelter she would then be required to move her registration to her new municipality within one month, and in any case would need to do so so that she could rent accommodation. At this point, her old

municipality would be made aware that she had moved to Tirana's administrative area, though they would not be told her address within that area.

Social Services did not comment on whether a person can be traced anywhere in Albania.

They additionally stated that in order to be recognised as a victim of domestic violence – specifically, they referred to having “status” as a victim – the victim must lodge a complaint against their abuser to either the Police, the municipality, or to Social Services. These authorities then work in cooperation with each other. The police investigate to verify the claims made by the victim. If the victim's claims are substantiated, they then go to court to obtain a restriction order which might include, for example, a condition that the perpetrator not be allowed within 100 metres of the victim. Social Services provide shelter and assistance with integration into the community when the victim leaves the shelter. Several NGOs also run shelters, but the highest security shelter for victims of domestic violence is the one run by Social Services. In cases in which the victim is a minor, and is overseas, Social Services will compile a family assessment report, to assess whether the child can be safely returned to Albania. They provide advice to the police and produce a mitigation plan for such cases.

State Police

On Tuesday 3rd October 2017, two officers from the British Embassy, Tirana met at the General Directory of the State Police with the General Director of Public Security and Order and the Chief of Department for the minors and domestic violence. Their account follows -

With regard to the use, or misuse, of the civil registration system some, but not all, police officers have access to address data. They have this access via their TIMS system, the same system which is used for border control purposes; to record that has entered the country. If a victim identifies an officer they claim to fear, that officer will be denied access to the system. Anyone who accesses the system leaves an electronic trace. The State Police can identify who has accessed the information held for any subject on the system.

An officer found to have accessed information improperly will be prosecuted; there have been cases of this kind (N.B. they did not state how many), in which both administrative measures and criminal investigations have been undertaken against the culprits. The State Police believe that claimants in the UK exaggerate how easy it is to access the system and that, though the claimants cite genuine cases as evidence of these assertions, they do so selectively to create an inaccurate picture. It is very easy for lawyers in the UK to say that the situation in Albania is a dark one.

With regard to whether the victim would be checked against the municipality record of her last place of residence, and/or whether her former partner would become aware of her presence in the country, the State Police advised that in order to be considered a victim of domestic violence the victim must lodge a complaint against their abuser, which the Police would then investigate - they cannot be treated as a victim of domestic violence, and the police cannot arrest the abuser, if they do not lodge a complaint. If a victim lodges a complaint, the alleged abuser will become aware of it.

The victim can lodge such a complaint at any police station in the country, including the station at Rinas Airport upon their arrival back into Albania. Upon receipt of the complaint the Police investigate, to establish whether the complainant genuinely is/was a victim of domestic violence. If their findings are positive, they will refer the case for prosecution of the abuser, and will go to court to obtain a restriction order. Once the case goes to court, the former partner will be notified. The complainant will be required to give evidence in court. If an order is issued, it will be copied to the victim, the perpetrator and the Police.

If the victim is then accommodated in a shelter, their children can remain with them up until the age of fourteen. N.B. We queried whether the State Police were sure this age was correct – they responded by reasserting that the child may remain with the parent in the shelter until the age of fourteen.

The State Police additionally stated that cases in which the victim and perpetrator have a child/children together can be further complicated as, in the absence of a divorce or any legal order to the contrary, the husband (N.B. throughout the interview the State Police consistently referred to the abuser as the husband – there appeared to be a presumption on their part that the abuser in domestic violence cases would be the male partner rather than the female) would have a right of access to the child. Taking a child out of the country required the permission of both parents. So if the mother had left Albania with the child, without the father's consent, upon her return to the country the father could take legal action against her for child abduction. When cases of this kind are referred to the State Police, they are able to establish how the child was taken out of the country, including whether consent was given.

With regard to whether a person can be traced anywhere in Albania, the State Police said that Albania is a small country, some people may know each other and talk to each other, and they could not prevent people from encountering each other or seeing each other by chance. However, Albania aims to accede to the European Union and has therefore adopted standards, and introduced legal safeguards, for the protection of data and privacy which are in line with EU norms.

National Centre for the Victims of Domestic Violence

On Wednesday 4th October 2017 one officer from the British Embassy, Tirana met with the Director of the state-run Centre for the Victims of Domestic Violence in Albania, at her office, to discuss the assistance given by them to the victims of domestic violence. The officer and the Director then visited the premises of the centre. The Director's account follows -

The centre was opened in 2011 and its location is secret so that the perpetrators and their families cannot locate the victims. The Centre accommodates the victims together with their children where they are offered free of charge professional courses, and psychological assistance. Until recently, children up to the age of fourteen could be accommodated at the Centre along with their parent, but this has now been raised to eighteen years of age. Whilst the victims are resident at the Centre their presence there is kept secret, and this information cannot be accessed through the civil registration system. A victim's civil registration would remain at her last place of residence until, or unless, she moved it.

As per Article 7 of the law 'On the measures against the violence in family relations', special units have been set up in every Police Department which deal with cases of domestic violence. Police officers in these special units know the location of the Centre, but they are not permitted to enter its premises without a legal purpose.

The Director opined that it would be impossible to entirely prevent someone from using bribery to learn the location of the Centre. However, improperly divulging that information would constitute an offence and in any case the Centre is protected by the State Police, who provide physical security and have a permanent presence there, and no one unauthorized can access it.

The Director stated that there have been cases when the perpetrator or his family had learned the location of the centre but they could not access it. In one case, in 2012, the brother of the perpetrator had attacked a victim of domestic violence residing at the Centre when she was accompanying her children to the school near the Centre. Therefore, since then, physical security has been provided to victims by the Police whilst outside the Centre; children are taken to school in a car, accompanied by Police officers.

This letter has been compiled by staff of the British Embassy in Tirana, Albania entirely from information obtained from the sources indicated. The letter does not reflect the opinions of the author(s) nor any policy of the Foreign and Commonwealth Office. The author(s) have compiled this letter in response to a request from the Home Office and any further enquiries regarding its contents should be directed to the Home Office.

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The information required concerns whether a single woman, who has previously been the victim of domestic violence, would be able to live in Tirana with her 13-year-old son, and how she could support herself and her son.

The information below was received from:

- A recent meeting with a senior official at the Albanian Ministry of Social Welfare and Youth;
- The Director of the Albanian Social Services;
- Visits to two Employment offices in Tirana;
- By consulting the relevant Albanian legislation and the Strategy 'On the Reintegration of the Returned Albanian Citizens' (hereinafter referred to as the Strategy);
- An open-source internet search

After the economic crisis of 2008 in countries like Italy and Greece, many Albanian illegal economic emigrants mostly residing in these countries, started to return to Albania. In 2010, in order to meet these challenges, the Albanian Government adopted the Strategy 'On the Reintegration of the Returned Albanian Citizens' (the Strategy was meant to be in effect until 2015, but according to a senior official we met at the Ministry of Social Welfare is still the document they refer to and use as guidance) and adopted its institutional infrastructure to address their needs. Presently, according to the Strategy and the senior official (whom a British Embassy official met on 24 January 2017), returned Albanian citizens have the opportunity to be given information regarding their rights and benefits at the border. According to the Strategy, the

Albanian Ministry of Foreign Affairs through its Embassies around the world informs Albanian citizens that plan to return about the possibilities they have upon returning.

According to the official from the Ministry of Social Welfare and the Director of the Albanian Social Services (met on 20 on January 2017) in order to benefit from social state support every Albanian citizen upon returning based on his/her place of residence, should register in one of the Employment Offices. According to the website of the National Employment Service there are currently twelve Employment Offices in Albania (one for every region). According to the senior official of the Ministry of Social Welfare, these Employment Offices will assess the person's professional capabilities and will try to find him/her employment; when necessary the applicant will be asked to attend free of charge a professional course offered by the Albanian Government.

During a visit conducted on 25 January 2017 to the Employment Office of Tirana, an employee working on migration issues said that, upon registration at the Employment Offices the applicant will be given written confirmation attesting their unemployment status and with this document returnees will be able to register to benefit from health services free of charge.

According to Directive No. 8, dated 23.6.2004 'On the calculation of the social welfare benefit' of the Minister of Social Welfare and Youth, to receive social welfare benefits the returned citizen should apply at the Offices of the Social Services situated within the municipalities. The amount of the social welfare benefit in the case you refer to would be:

ALL 5,700/ £ 36 per month:

ALL 1800 the first member of the family

ALL 900 for children under 18 years old

ALL 3000 for victims of domestic violence (the status of domestic violence victims is given by a court decision which has reviewed the case and has issued a restraining order)

We conducted an open-source internet search, to establish whether a single woman with a child would be able to live on this level of benefits. This search returned the following evidence –

"Albania is one of the poorest countries in Europe. The effects of the transition from a centralized economy in a rigid communist state to a free market economy in a democratic republic have weighed heavily on Albania's people, and particularly on its poor people. Despite the economy's robust growth in recent years, almost one quarter of the population lives below the poverty level of US\$2 a day...

The income gap in the country is relatively small. Because of low incomes and a low employment rate most people's average incomes hover close to the poverty line...

Almost half the poor people in Albania are under 21 years of age. Larger families tend to be poorer. Fifty per cent of families with seven or more members live below the poverty line. The effects of poverty among women and young people in Albania are closely related to the problem of human trafficking across national borders...

Rural, northern and mountainous areas are the poorest areas in the country. The incidence of poverty is highest in the north-eastern districts of Kukes and Dibra, where almost half of the population is poor and 80 per cent of families' income comes from social protection schemes, economic assistance and disability payments... (source: <http://www.ruralpovertyportal.org/web/rural-poverty-portal/country/home/tags/albania>)

"Poverty in Albania remains a problem throughout the country. Albania is currently one of the poorest countries in Europe. Nearly one quarter of the national population lives in extreme poverty, surviving off of two US dollars a day. That is a total of over 800,000 people." (source: <http://borgenproject.org/poverty-in-albania/>)

*"Albania is facing **widespread poverty and social adversities**. The unemployment rate in Albania is 28.7%, and 15% of the population are living below the poverty line. In rural areas there are low rates of poverty reduction, aside from the numerous factors contributing to poverty, woman's inferior social and economic position has also had a strong impact. The current status of women bears specific significance in the stagnation and prolongation of poverty in Albania."* (source: <https://www.oxfam.org/en/countries/albania>)

"Poverty rate: 14.3 per cent...

Unemployment rate: 17.3%" (source: <https://www.un.org.al/about-albania>)

Sources therefore vary with regard to the proportion of the Albanian population believed to be living in poverty – ranging from 14.3%, to almost a quarter – but it is clear that all sources agree the proportion is extremely high. Moreover, the various sources consulted consistently maintained that a) poverty is worst in rural areas and that b) women are disproportionately affected by it.

We therefore must unfortunately conclude that a significant number of Albanian families survive on incomes comparable to, or less than, the ALL 5,700 per month which the subject of your query would receive in social welfare benefits were she to return to Albania.

During a meeting with the senior official of the Ministry of Social Welfare, the British Embassy was told that the municipalities have housing offices, where returned citizens who do not have accommodation can register to benefit from the status of a homeless person and subsequently to benefit social housing. We therefore conclude that social housing would be available to the subject.

According to the Strategy and the senior official from the Ministry of Social Welfare, children of returned Albanian citizens will have priority to be registered in schools in Albania and extra lessons of Albanian language will be offered to them. Any previous diploma/qualifications earned abroad will also be recognized.

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Version control and contacts

Contacts

If you have any questions about this note and your line manager, senior caseworker or technical specialist cannot help you, or you think that this note has factual errors then [email the Country Policy and Information Team](#).

If you notice any formatting errors in this note (broken links, spelling mistakes and so on) or have any comments about the layout or navigability, you can [email the Guidance, Rules and Forms Team](#).

Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from **21 December 2017**

Changes from last version of this note

Updated COI.

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