



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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Information on available state protection for women

A report issued in November 2017 by the *Group of Experts on Action against Violence against Women and Domestic Violence* states that:

“GREVIO finds that satisfaction levels concerning the law enforcement’s response to violence against women stand generally high. The setting up, at police departments, of special units to handle domestic violence cases, together with consistent initial and on-going quality training are credited for ensuring that law enforcement officials treat violence against women as seriously as any other violent offence” ((Group of Experts on Action against Violence against Women and Domestic Violence (24 November 2017) *Baseline Evaluation Report Albania*, p.56).

This report also states:

“GREVIO welcomes the introduction in the LDV 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” (ibid, p.57).

This report also states that:

“It would appear that most women in Albania prefer to seek safety in a shelter rather than staying in their own homes. While it can take up to 48 hours to obtain an EBO, during that intervening time, the women is protected in a shelter. Nevertheless, GREVIO recalls that the purpose of Article 52 is to allow women to remain in their home and require perpetrators to vacate the premises, which underlies the need for an EBO to be issued without delay in order to ensure victims’ safety. In this context, the Albanian legislation could be seen as not fully satisfying the requirements of Article 52” (ibid, p.58).

A report issued in January 2018 by *Bertelsmann Stiftung* notes that:

“...serious offenses and domestic violence against women have surfaced in the period under review, and no significant progress has been made in eliminating this phenomenon” (Bertelsmann Stiftung (2 January 2018) *Bertelsmann Stiftung's Transformation Index (BTI) 2018 Country Report – Albania*, p.22).

A report published by *Amnesty International* in February 2018 commenting on events of the preceding year notes that:

“Measures protecting women from domestic violence were inadequately implemented” (Amnesty International (22 February 2018) *Albania 2017/2018*).

In April 2018 the *United States Department of State* issued a report reviewing events of 2017 including noting:

“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. The law includes provisions on sexual assault and sexual harassment and makes the criminalization of spousal rape explicit. The government did not enforce the law effectively. Officials did not prosecute spousal rape. The concept of spousal rape was not well understood, and authorities often did not consider it a crime. Domestic violence against women remained a serious problem. Police often did not have the training or capacity to deal effectively with domestic violence cases” (United States Department of State (20 April 2018) *2017 Country Reports on Human Rights Practices: Albania*, p.13).

A report issued in April 2018 by the *European Commission* states that:

“Domestic violence remains a serious concern. During 2017, 3 243 cases were reported (against 3 700 in 2016) and 2 593 protection orders were issued (against 2 207 in 2016). For 2017, 129 of these protection orders were not respected (against 119 in 2016). Furthermore, 1 950 cases of domestic violence against women and children were registered as criminal offences in 2016...Overall, more work is needed to ensure that women have access to justice” (European Commission (17 April 2018) *Albania 2018 Report*, p.29).

References

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted

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