



Home Office

# **Country Policy and Information Note**

## **Albania: Domestic violence against women**

**Version 4.0**

**December 2022**

# Preface

## Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into 2 parts: (1) an assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

## Assessment

This section analyses the evidence relevant to this note - that is information in the COI section; refugee/human rights laws and policies; and applicable caselaw - by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- a person is reasonably likely to face a real risk of persecution or serious harm
- that the general humanitarian situation is so severe that there are substantial grounds for believing that there is a real risk of serious harm because conditions amount to inhuman or degrading treatment as within [paragraphs 339C and 339CA\(iii\) of the Immigration Rules](#) / Article 3 of the [European Convention on Human Rights \(ECHR\)](#)
- that the security situation is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in a situation of international or internal armed conflict as within [paragraphs 339C and 339CA\(iv\) of the Immigration Rules](#)
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

## Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate and balanced, which is compared and contrasted where appropriate so that a comprehensive and up-to-date picture is provided of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote. Full details of all sources cited and consulted in compiling the note are listed alphabetically in the bibliography.

### **Feedback**

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. 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 support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

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. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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# Assessment

Updated on 14 December 2022

## 1. Introduction

### 1.1 Basis of claim

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

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### 1.2 Points to note

- 1.2.1 Domestic violence is not just about physical violence. It covers any incident or pattern of incidents of controlling, coercive, or 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 violence. Anyone can experience domestic violence, regardless of background, age, gender, sexuality, race or culture. However, to establish a claim for protection, that violence needs to reach a minimum level of severity to constitute persecution or serious harm.
- 1.2.2 Sources often refer generally to sexual- and gender-based violence against women and girls, without specifying its nature and circumstances. Where possible, CPIT has sought to differentiate between information which relates to domestic violence only and that which refers to domestic violence alongside other forms of gender-based violence.
- 1.2.3 Where a claim is refused, it must be considered for certification under section 94(3) of the Nationality, Immigration and Asylum Act 2002 as Albania is listed as a designated state. Such a claim must be certified under section 94(3) unless you are satisfied that it is not clearly unfounded, in line with the Home Office Guidance on [Certification of protection and human rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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**2. Consideration of issues**

**2.1 Credibility**

- 2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if 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 In cases where there are doubts surrounding a person's claimed place of origin, 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 Exclusion**

- 2.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

- 2.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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## 2.3 Convention reason(s)

- 2.3.1 Women at risk of domestic violence, including those who have experienced domestic violence, do not form a particular social group in Albania. Although they share an immutable characteristic – their gender and, for those who have experienced domestic violence, their background – which is innate and cannot be changed, they are not a distinct group because they are not perceived as different by surrounding society or Albanian law, despite traditional views of their subordinate position being prevalent in parts of the country (see [Legal framework](#)).
- 2.3.2 In the Country Guidance case of [DM](#), the Upper Tribunal held that women do not form a particular social group (paragraph 10). The available country evidence considered in this Note continues to support that assessment (see [Legal framework](#)).
- 2.3.3 In the absence of a link to one of the 5 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 which is sufficient to qualify for Humanitarian Protection.
- 2.3.4 For further guidance on the 5 Refugee Convention grounds, including particular social groups, see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).
- 2.3.5 For further guidance 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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## 2.4 Risk

- 2.4.1 Although domestic violence is reportedly a widespread issue, it includes a wide spectrum of behaviour, much of which is not likely to be sufficiently serious by its nature and repetition to reach the high threshold of persecution or serious harm. It is for the woman to show she faces a real risk of persecution or serious harm, with each case considered on its facts.
- 2.4.2 Despite gender equality being recognised in law, patriarchal socio-cultural norms on gender roles still exist in some areas of society. Traditional attitudes towards the role of women in the home and family, especially in



rural areas, also remain, which affect women's socio-economic outcomes and ability to earn a living (see [Societal attitudes to domestic violence](#)).

- 2.4.3 The prevalence of domestic violence is difficult to assess due to gaps in reliable data and likely underreporting by victims, especially in rural areas. The Albanian Institute of Statistics surveyed women in 2018, 47% of whom reported that they had experienced intimate partner domestic violence in their lifetime, most commonly in relation to controlling behaviour (see [Domestic violence: statistics](#), [Under-reporting](#), and [Availability of social care services](#)).
- 2.4.4 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 2.5 Protection

- 2.5.1 The authorities are in general willing and able to provide effective protection for women who have experienced domestic violence.
- 2.5.2 In the country guidance case of [DM](#), the Tribunal held that the state offers sufficiency of protection against domestic abuse (paragraph 18). Since DM was promulgated the government has implemented a number of measures to improve both the law in regard to domestic abuse and services and support for victims. The Criminal Code was updated in 2012, with domestic violence recognised as a specific offence, while the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) came into force in Albania on 1 August 2014. In 2018 and 2020 amendments to the law strengthened protections against domestic violence and aligned Albania with international standards (see [Legal framework](#)).
- 2.5.3 There are laws that prohibit violence against women with sentences commensurate with other serious offences, including rape and early/forced marriage. While marital rape is illegal, the concept can be misunderstood, which affects enforcement of the law ([Legal framework](#)).
- 2.5.4 The criminal justice system is generally effective. It includes institutions capable of enforcing the laws criminalising violence against women, specifically through the State Police, and punishes crimes against women through the judicial process. The European Commission reported that the police identified and addressed 5,312 cases of domestic abuse in 2021; 3,266 involved requests for protection orders, 1,630 cases were referred to prosecution offices, 638 perpetrators were arrested and 123 were detained. In December 2021, the Council of Europe noted a 'significant increase' both in the number of court judgements which referred explicitly to the Istanbul Convention (protecting women against domestic violence) and in the successful prosecution of domestic violence (see [State protection](#)).
- 2.5.5 Following amendments to the law a preliminary protection order can be issued, meaning that a perpetrator can be removed from a home without the need to wait for a court to issue an actual protection order. Although there can be poor implementation of protection orders, steps have been taken to

strengthen police structures and train police officers in their responsibilities (see [Police and their role in protection](#) and [Prosecution: statistics](#)).

- 2.5.6 Victims of domestic abuse are eligible to receive free legal aid and steps have been taken to strengthen this provision, although most are supported by civil society organisations due to a lack of awareness and complicated procedures to obtain state aid, which require professional support (see [State protection](#)).
- 2.5.7 In 2021, the Council of Europe and the People's Advocate (Ombudsman) acknowledged the progress made in addressing domestic abuse in terms of setting up the Coordinated Referral Mechanisms which provide for multidisciplinary assistance for survivors of domestic abuse in all 61 municipalities (see [State protection](#)).
- 2.5.8 Shelters for victims of domestic violence have sufficient capacity and are professionally run. Women in remote or rural areas may be referred to shelters for victims of trafficking due to a lack of services specifically for domestic abuse in their area. In addition, there are 25 centres situated across the country which provide counselling and long-term services for victims of domestic abuse. There is also a centre for victims of sexual assault at a hospital in Tirana which is available to males and females, adults and children (see [Assistance and integration](#)).
- 2.5.9 By law, healthcare institutions have a number of responsibilities towards victims of domestic abuse. Healthcare, education and vocational training are also provided by shelters to assist reintegration. Victims of domestic abuse and single mothers are among the groups who are prioritised for low-cost public housing. In addition, some municipalities assist victims of domestic abuse in paying rent. However, housing programmes are not available in every municipality and long-term housing for victims of domestic abuse can be a challenge, some NGOs provide assistance with housing. Victims of domestic abuse are entitled to financial assistance from the state, including benefits for children (see [Assistance and integration](#)).
- 2.5.10 Women from disadvantaged or marginalised groups can have greater difficulty in accessing support services; these groups include older women, Roma and Egyptian women, lesbian, bisexual and transgender women and women with disabilities (see [Assistance and integration](#)).
- 2.5.11 Women may be reluctant to report domestic violence due to stigma, societal attitudes towards domestic abuse, a tendency for women to blame themselves and a lack of understanding of women's rights, the services available to them, legal remedies and protection. However, a reluctance to seek protection does not mean that protection is unavailable (see [Domestic violence: statistics](#), [Under-reporting](#), and [Availability of social care services](#)).
- 2.5.12 Much of the provision of services for victims of violence and the rehabilitation of offenders is carried out by NGOs with the aid of international organisations. However, both the government and civil society continue to work collaboratively to address domestic abuse. In 2020, the Executive Director of Human Rights in Democracy Centre stated that there is 'strong coordination' between the responsible authorities and NGOs. Albania has adopted a National Strategy for Gender Equality, 2021-2030. At the time of

publication, 14 out of 61 municipalities have signed the European Charter for Equality of Women and Men in Local Life. The Monitoring Network Against Gender-Based Violence is a group of 48 organisations which is active in advocacy and monitoring the legal and policy framework on ending violence against women (see [Assistance and integration](#) and [State protection](#)).

- 2.5.13 For background information and an assessment of the availability of state protection in general, see the Country Policy and Information Note on [Albania: Actors of protection](#).
- 2.5.14 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 2.6 Internal relocation

- 2.6.1 In general, there are parts of the country where a woman would not face persecution or serious harm and internal relocation could be reasonable. However, each case must be considered on its facts.
- 2.6.2 Albania is a small country, with a population estimated to be between 2.8 million and just over 3 million, almost 500,000 of whom live in the capital, Tirana. The law provides for freedom of movement and women are able to move freely to another part of the country (see [Freedom of movement](#)).
- 2.6.3 Single and divorced women are able to move from rural areas to Tirana, where they can live alone, although they can face some social and economic barriers, particularly if the woman is not well-educated. Women living in rural areas are more likely to be dependent on men and are more likely to face stigma for being divorced or living alone (see [Situation of lone women](#)).
- 2.6.4 For general information about the socio-economic situation relevant to assessing internal relocation, see the Albania: Country Background Note.
- 2.6.5 For further general guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 2.7 Certification

- 2.7.1 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 as Albania is listed as a designated state. This is because, following the Country Guidance case of [DM](#), and the subsequent improvements to the law, provision of shelters and other awareness-raising programmes, effective state protection is generally available.
- 2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

This section was updated on 3 December 2022

## 3. Legal framework

### 3.1 General position

3.1.1 The Constitution treats men and women equally, and protects against discrimination on grounds of gender<sup>1</sup>.

3.1.2 The US State Department's human rights report on events in 2021 (USSD HR Report 2021) noted, 'The law provides the same legal status and rights for women as for men. Women were underrepresented in many fields at the highest levels. The law mandates equal pay for equal work, although many private employers did not fully implement this provision. In many communities, women experienced societal discrimination based on traditional social norms subordinating women to men.'<sup>2</sup>

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### 3.2 Domestic violence

3.2.1 A UN Women job advert for the post of 'national consultant to support the coordinated referral mechanism to violence against women in several municipalities of Albania,' dated circa September/October 2020, stated:

'... The country has made important steps in this area and is party to key human rights treaties, including the Convention for the Elimination of all Forms of Discrimination against Women (CEDAW), the [Council of Europe Convention on preventing and combating violence against women and domestic violence \(Istanbul Convention\)](#). Albania has also adopted a national legal framework to address domestic and other forms of violence against women, starting in 2006 with the first Law on Domestic Violence, which was later amended in 2010 and 2018 to bring it in conformity with the Istanbul Convention. In 2008, the Law on Gender Equality came into effect and included the establishment of the national gender machinery. In addition, women survivors of domestic and sexual violence and human trafficking are one of the main groups to benefit from both a free legal aid system and expanded protection measures for victims of crime — the result of a revised Law on Free Legal Aid (1\*) and amendments to the Code of Criminal Procedures.(2\*) In April 2020, the Criminal Code also was amended to recognise dating violence as a form of domestic violence offence, following similar amendments that took place in 2018 amendments in the Law on Domestic Violence.'<sup>3</sup>

3.2.2 An article published by the Organisation for Security and Co-operation in Europe (OSCE) Presence in Albania in January 2021 stated, 'Albania has taken enormous steps since 2007, when the first law on combating the phenomenon of domestic violence in the country entered into force, to the latest legal measures on protection orders and the removal of the perpetrator

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<sup>1</sup> UN Women, '[Constitution of the Republic of Albania 1998, as amended to 2020](#)', no date

<sup>2</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022

<sup>3</sup> UN Women, Job advert, '[National Consultant to Support...](#)', no date

from the household, as well as the instruction for harsher criminal sentences and security measures. It is a fact that Albania's legal and institutional framework has been continuously improving.<sup>4</sup>

- 3.2.3 An article published by UN Women in June 2020 stated that Albania had a legal framework on domestic abuse which was 'largely aligned with international standards.' The article added:

'Albania's legal framework for addressing violence against women and girls has undergone significant changes over the past two years. The most important changes were made in 2018 to the Law on Measures against Violence in Family Relations.

"The legislative changes have impacted the work of local structures in terms of monitoring and enforcing court decisions. An important step is the prohibition of the reconciliation procedure in court – which is also banned by the Istanbul Convention," said Aferdita Prroni, Executive Director of HRDC [Human Rights in Democracy Center, a civil society organization].<sup>5</sup>

- 3.2.4 On 9 January 2021, The Borgen Project, which campaigns to make global poverty a focus of US foreign policy<sup>6</sup>, published an article which stated:

'In 2018, important changes were made to the Law on Measures against Violence in Family Relations in Albania's legal code. The most important changes involve how local law enforcement and courts should respond to reports of domestic violence. Police officers now must perform risk assessments after identification of the victim, report the domestic violence cases and issue preliminary protective orders. These preliminary protective orders allow the police to remove the perpetrator of violence from the residence before the court has issued an actual protection order. These new police obligations offer survivors more immediate help, instead of having to wait for the courts to react.'<sup>7</sup>

- 3.2.5 On 9 December 2021, the Council of Europe published conclusions on Albania's implementation of recommendations in respect of the Istanbul Convention, stating that the Committee of parties to the Convention welcomed, amongst other things '... the 2018 amendments to Law 9669/2006 on domestic violence that have introduced the obligation, in cases of domestic violence, to assess whether protection orders should be issued or ordered for the benefit of children, which may include the temporary limitation of parental rights; and that detail the nature and the modalities of enforcement of Emergency Barring Orders and Protection Orders...'<sup>8</sup>

- 3.2.6 The USSD HR Report 2021 stated:

'The law on domestic violence extends protection to victims in a relationship or civil union and provides for issuance of a protective order that automatically covers children as well. In November 2020 parliament amended the law to provide for ordering the abuser to leave the premises of

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<sup>4</sup> OSCE, [Violence against women and girls: No alternative but ...](#), 15 January 2021

<sup>5</sup> UN Women, [Revised law empowers women survivors of violence in Albania](#), 8 June 2020

<sup>6</sup> Borgen Project, [About Us](#), no date

<sup>7</sup> Borgen Project, [New Policies to Protect Women and Girls in Albania](#), 9 January 2021

<sup>8</sup> CoE, [CoP Conclusions Albania](#), adopted 7 December 2021, published 9 December 2021



the victim. Police operated an automated application issuance process within the police case management system that allowed for rapid issuance of protective orders and produced a record of orders issued.<sup>9</sup>

- 3.2.7 On 7 January 2022, 2 NGO groups, The Advocates for Human Rights<sup>10</sup> and Human Rights in Democracy Centre,<sup>11</sup> submitted a ‘suggested list of issues prior to reporting’ in connection with Albania’s compliance with the Convention on Economic, Social and Cultural Rights. It stated: ‘Amendments of 2018 and 2020 of Law no. 9669 “On Measures against domestic violence”, as amended and the drafting of bylaws on its implementation (orders, instructions, protocols) was a very important step towards the protection and promotion of the rights of survivors of domestic violence.’<sup>12</sup>
- 3.2.8 The USSD HR Report 2021 stated: ‘Rape, including spousal rape, is a crime; the law also includes provisions on sexual assault. Penalties for rape and sexual assault depend on the age of the victim. For rape of an adult, the penalty is three to 10 years in prison.’<sup>13</sup>

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### 3.3 Marriage, including early and forced marriage

- 3.3.1 The OECD’s Social Institutions and Gender Index (OECD SIGI) 2019 stated, ‘The law provides women with the same rights as men to enter into marriage and the law is based on consent of both spouses (Family Code, art. 8). Forced marriage is prohibited under the Criminal Code and is punishable by imprisonment of up to three months and/or a fine (art. 130)... A marriage concluded without the full and free consent of both spouses is considered void (Family Code, art. 33).’<sup>14</sup>
- 3.3.2 The report further noted, ‘The legal age of marriage for women and men is 18 years old (Family Code, art. 7). The court can allow a marriage below the legal age of marriage when there are sufficient reasons (Family Code, art. 7). Child marriage is void (Family Code, art. 39).’<sup>15</sup>
- 3.3.3 The OECD SIGI 2019 further stated:  
‘The law provides women with the same rights as men to be recognised as the head of household (Family Code, art. 50). Additionally, the law provides women with the same rights as men to be the legal guardians of their children during marriage and in informal unions (Family Code, art. 215, 220 & 227). The law provides women with the same rights and responsibilities as men with regards to their children during marriage (Family Code, art. 53). Furthermore, the law provides married/unmarried women with the same rights as married/unmarried men to choose where to live (Family Code, art. 55 & Constitution, art. 38).’<sup>16</sup>

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<sup>9</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022

<sup>10</sup> The Advocates for HR, [Albania CESCRL OIPR on Rights of Minorities...](#), 7 January 2022

<sup>11</sup> The Advocates for HR, [Albania CESCRL OIPR on Rights of Minorities...](#), 7 January 2022

<sup>12</sup> The Advocates for HR, [Albania CESCRL OIPR on Rights of Minorities...](#), 7 January 2022

<sup>13</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022

<sup>14</sup> OECD, SIGI 2019, [Albania](#), 2019

<sup>15</sup> OECD, SIGI 2019, [Albania](#), 2019

<sup>16</sup> OECD, SIGI 2019, [Albania](#), 2019

### 3.4 Divorce

#### 3.4.1 The OECD SIGI 2019 stated:

'The law provides women with the same rights as men to initiate divorce, by mutual consent or by request of one of the spouse, and they have the same requirements as men to finalise a divorce or annulment (Family Code, art. 125, 129 & 132). Women and men are provided with the same rights to be the legal guardians of their children after divorce and they have the same rights and responsibilities with regards to their children after divorce (Family Code, art. 154). Custody and visitation rights are decided by the court (Family Code, art. 155).'<sup>17</sup>

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This section was updated on 4 December 2022

## 4. Prevalence

### 4.1 Domestic violence: statistics

4.1.1 The USSD HR Report 2021 reported that, as of August [2021], '... police reported 33 cases of alleged sexual assault. NGOs reported high levels of domestic violence against women, and police reported 3,563 cases of domestic violence ... [and] ... 13 women had been killed by their partners.'<sup>18</sup>

4.1.2 In the annual report covering 2021, Amnesty International stated, 'According to State Police, of all murders committed during the year, 30% were by men against their domestic partners; 16 women were killed. In May, one woman was murdered at Elbasan District Court after her divorce hearing.'<sup>19</sup>

4.1.3 The European Commission's Albania 2022 Report, covering the period from June 2021 to June 2022, stated: 'In 2021, the police identified and treated 5,312 cases of violence and other crimes committed in domestic relations, a 13% increase against 2020. ... Eighteen women and girls were murdered within family relationships in 2021, compared with six in the previous year.'<sup>20</sup>

4.1.4 INSTAT, the Albanian Institute of Statistics, published information based on a survey carried out in 2018. This stated:

'More than half of Albanian women and girls aged 15-74 years old have experienced one or more of the five different types of violence (intimate partner violence, dating violence, non-partner violence, sexual harassment and/or stalking), during their lifetime... One third (37 %) has experienced violence the past 12 months (currently). The most common type of violence was dating violence; second most common was domestic violence by an intimate partner and third was sexual harassment...'<sup>21</sup>

4.1.5 INSTAT noted 5 types of intimate partner domestic violence: coercive controlling behaviours, economic violence, psychological violence, physical violence and sexual violence. It stated:

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<sup>17</sup> OECD, SIGI 2019, [Albania](#), 2019

<sup>18</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022

<sup>19</sup> AI, [Annual report 2021/22: Albania](#), 29 March 2022

<sup>20</sup> EC, [Albania Report 2022](#) (p.34), 12 October 2022

<sup>21</sup> INSTAT, [Violence against Women and Girls in Albania | Instat](#), March 2019

'There were 47% of the women who had "ever" and about 34% who had "currently" experienced one or more of the five different types of intimate partner domestic violence... About 34 % of all women and girls have experienced one or more types of domestic violence from an intimate partner in the past 12 months. Almost half have ever experienced it. For about 40 percent of the women, the domestic violence began already during the first year of marriage.'<sup>22</sup>

#### 4.1.6 INSTAT continued:

'The most common type of domestic violence is controlling behavior where a husband or partner gets jealous or angry if the woman talks to other men. About 41 percent of the women have ever experienced it, and about 25 percent currently do... The second most common type of domestic violence is psychological violence. About 31 percent of the women have ever experienced it and about 20 percent currently do... The third most common type of domestic violence is physical violence. 18 % of women aged 18-74 have ever experienced it and about 7% are currently experience one or more of the 11 different types of physical violence in their marriage or intimate relationships... Also, there were 9 % of the women that in their lifetime experienced sexual violence by an intimate partner and about 4 % experience sexual violence currently.'<sup>23</sup>

#### 4.1.7 In its report, Women and Men in Albania, 2021, released in July 2022, INSTAT recorded the number of male perpetrators of domestic violence:

- 1,344 in 2018
- 1,311 in 2019
- 1,476 in 2020<sup>24</sup>

#### 4.1.8 The same INSTAT report also recorded the number female 'injured persons' as a result of domestic violence:

- 1,076 in 2018
- 1,044 in 2019
- 545 in 2020<sup>25</sup>

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## 4.2 Early and forced marriage

4.2.1 The OECD SIGI 2019 noted that 7% of girls aged under 18 were married<sup>26</sup>.

4.2.2 Quoting other sources, OECD SIGI 2019 further noted, 'The CEDAW [Convention on the Elimination of All Forms of Discrimination against Women] Committee (2016) stresses the persistence of child marriage in Roma and Egyptian communities and in remote rural communities (CEDAW,

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<sup>22</sup> INSTAT, [Violence against Women and Girls in Albania | Instat](#), March 2019

<sup>23</sup> INSTAT, [Violence against Women and Girls in Albania | Instat](#), March 2019

<sup>24</sup> INSTAT, ['Women and Men in Albania, 2021'](#) (pages 92 to 93), 6 July 2022

<sup>25</sup> INSTAT, ['Women and Men in Albania, 2021'](#) (pages 92 to 93), 6 July 2022

<sup>26</sup> OECD, SIGI 2019, [Albania](#), 2019



2016). Those marriages are often allowed by courts as an exception (CEDAW, 2016).<sup>27</sup>

#### 4.2.3 The USSD HR Report 2021 stated:

‘Although the legal minimum age for marriage is 18, authorities did not always enforce the law. Underage marriages occurred mostly in rural areas and within Romani communities. Nisma ARSIS [a shelter for children] reported 10 cases of forced early marriages of children between the ages of 13 and 15 in the Romani and Balkan-Egyptian communities. UNICEF reported child marriage in the country was driven by gender inequality, poverty, and social exclusion. The Child Rights Center Albania (CRCA) reported children, especially girls, being forced into sexual relationships with older men for gifts, food, or extra income.’<sup>28</sup>

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### 4.3 Under-reporting

4.3.1 On 10 June 2022, UN Women published an article based on an interview with Lirie Dina, a lawyer at the Center for Civic Legal Initiatives (CCLI), an Albanian organization that provides free psycho-social and legal services to women survivors of violence and advocates for improving legislation in the field of violence against women and gender equality. Ms Dina stated that ‘...according to recent reports, domestic violence in rural areas is barely reported. As a result, we are conducting several information sessions in rural communities to raise awareness on the latest amendments to relevant legislation, how to report domestic violence and the rights guaranteed by the law on measures against domestic violence.’<sup>29</sup>

4.3.2 On 3 October 2022, UN Women published an article based on an interview with Aferdita Prroni, Executive Director of the Human Rights in Democracy Centre, who said:

‘...the number of domestic violence cases actually reported in Albania only represents the tip of the iceberg. Many cases go unreported, especially in rural areas. Violence continues to be excused and women and girls continue to blame themselves. In addition, the majority of women and girls are not aware have no knowledge of the law on domestic violence, no information about protection measures and legal remedies, or an awareness that violence is a violation of human rights and a punishable crime.’<sup>30</sup>

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### 4.4 Difficulties in data collection

4.4.1 On 9 December 2021, the Council of Europe published conclusions on Albania’s implementation of recommendations in respect of the Istanbul Convention, stating that the Committee of parties to the Convention ‘Welcomes... positive steps taken by the Ministry of Justice to collect

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<sup>27</sup> OECD, SIGI 2019, [Albania](#), 2019

<sup>28</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022

<sup>29</sup> UN Women, [Interview: “Data collection is essential for informing work...”](#), 10 June 2022

<sup>30</sup> UN Women, Albania, [In the words of Afërdita Prroni: “Advocacy is crucial ...”](#), 3 October 2022

additional data on domestic violence, including by disaggregating this data by relationship between the victim and the perpetrator...<sup>31</sup>

- 4.4.2 In the article published by UN Women in June 2022, Lirie Dina, lawyer at the Center for Civic Legal Initiatives, commented on the challenges involved in collecting data to inform the work of addressing domestic abuse:

‘There are many difficulties when it comes to institutions collecting official data on cases of domestic violence. Some institutions have set up data collection and processing systems, while others have not. For example, we encounter many difficulties in obtaining domestic violence data from the judicial system. Meanwhile, in municipalities, due to high staff turnover, there is a lack of human resources responsible for registering data.

‘Since much of the data on domestic violence relies on survivors’ self-reporting, the first challenge relates to the shame and stigma survivors often face in coming forward...

‘Despite the difficulties in obtaining official data, CSOs [civil society organisations] have the opportunity to conduct their own data collection exercises, both to support their own work and to inform advocacy efforts with state and local authorities.’<sup>32</sup>

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## 4.5 Impact of the COVID-19 pandemic

- 4.5.1 In the annual report covering 2021, the Albanian Women’s Empowerment Network (AWEN), a network of womens’ organisations based around the country<sup>33</sup>, reported:

‘The impact of the pandemic ... disproportionately affected the most vulnerable groups, especially girls and women. Existing gender inequalities amplified and women were struck harder by the emergency. Based on our field observations, the socio-economic impact of the pandemic on women in Albania has been considerable even during 2021. However, AWEN and member organizations proactively adapted to the new situation by working to protect, promote and respect women's rights in the country.

‘AWEN and members expanded their working modalities... The need to respond to the needs of the target groups led to an increased cooperation with local and central stakeholders and has continued during this year with the common goal to better adapt to the needs accordingly and to continue providing basic services.’<sup>34</sup>

- 4.5.2 In January 2022, UN Women published an article, referring to gender-based violence [GBV] generally, which stated:

‘Violence against women and girls and feelings of insecurity inside the home not only came to light but also increased during the height of the pandemic. An assessment of the impact of the pandemic on violence against women and girls in Albania revealed ... a noticeable rise in specific indicators

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<sup>31</sup> CoE, [CoP Conclusions Albania](#), adopted 7 December 2021, published 9 December 2021

<sup>32</sup> UN Women, [Interview: “Data collection is essential for informing work...”](#), 10 June 2022

<sup>33</sup> AWEN, [HISTORY – AWEN NETWORK](#), no date

<sup>34</sup> HO, [Report of a fact-finding mission: Albania: Human trafficking](#), October 2022

associated with violence against women and exacerbated existing tensions and safety issues for many women.

'During the lockdown period, the number of calls to the national hotline [in relation to GBV] increased sixfold, even though cases reported to police decreased.'<sup>35</sup>

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## 5. Societal attitudes to domestic abuse

### 5.1.1 The OECD SIGI 2019 reported on societal attitudes to marriage:

'In rural areas, strong gender stereotypes and expectations over women's and men's roles, in the household and in the family, prevail. Women are usually responsible for taking care of the household, children and dependents. Men are considered de-facto heads of household, have control over the family's earnings and choose where to live. Additionally, married women may be expected to seek permission from their husband for leaving the house or traveling... In urban areas, reports show that employed women are most likely to be involved in household decision-making...'<sup>36</sup>

### 5.1.2 The INSTAT report based on data from 2018 stated:

'Social norms in a society may contribute or prevent prevalence of intimate partner domestic violence. About half of the women in the survey say that most people in the community believe that violence between a husband and a wife is private matter and that other should not intervene. Also, almost half of the women in the survey say that most people in the community believe that a woman is partly to blame if her husband beats her. She should also be ashamed or embarrassed to talk to anyone outside of her family about the domestic violence. These social norms may keep women in an abusive relationship and not report crimes to the police.'<sup>37</sup>

### 5.1.3 In the annual report 2021, AWEN summarised the results of a national study on sexual violence which it had carried out among young people aged 20 to 24 in 2020. The study found that 23% of boys and girls justified sexual violence when it was preceded by flirting, 22% when displaying provocative behaviour and 16% when the person is walking alone at night<sup>38</sup>.

### 5.1.4 In January 2022, UN Women published an article in which they reported, 'One of the challenges the organization [Different and Equal] faces is women's reluctance to report violence. "Women are often afraid to report due to social stigma, their economic situation and the challenge of living alone," says Stela Tanellari, Project Coordinator at Different and Equal.'<sup>39</sup>

### 5.1.5 On 11 April 2022, UN Women published an article following an interview with Stela Tanellari, the Deputy Director and Reintegration Programme Manager of Different and Equal, an organisation in Albania that provides services for women survivors of violence. Ms Tanellari stated, 'In some cases, women

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<sup>35</sup> UN Women, [Supporting women survivors of violence with socio-economic...](#), 20 January 2022

<sup>36</sup> OECD, SIGI 2019, [Albania](#), 2019

<sup>37</sup> INSTAT, [Violence against Women and Girls in Albania | Instat](#), no date

<sup>38</sup> AWEN, [Annual Report 2021](#), no date

<sup>39</sup> UN Women, [Supporting women survivors of violence with socio-economic...](#), 20 January 2022

cannot return to the cities they lived in previously due to security problems, social stigma, and rejection by their families.<sup>40</sup>

- 5.1.6 In October 2022, a Home Office fact-finding team met with representatives of the Mary Ward Loreto Foundation, a UK-based NGO with an office in Tirana providing support to victims of trafficking in Albania<sup>41</sup>, who stated:

‘With arranged marriage (more like forced marriage), for the communities in Albania, in the north mostly, the attitude is that woman should be married, if not she has no worth. She is created to be married and have children. She has no rights even in her own house. If a 25-year old girl is unmarried, not in university and at home, she is thought to be worthless as no one wants her. Marriage is often arranged through match making. Many of these “leftover” girls are matched with North Macedonian, Montenegrin or Serbian men, whose only intention is to have a submissive woman to work in the field and shut up. Some have a good marriage but many do not, some are killed and there is a lot of violence and abuse.’<sup>42</sup>

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This section was updated on 3 December 2022

## 6. State protection

### 6.1 Government attitudes and policies

- 6.1.1 The USSD HR Report 2021 stated, ‘A National Strategy for Gender Equality 2021-2030 and its action plan were adopted in June and focused on the empowerment of women and the advancement of gender equality.’<sup>43</sup>

- 6.1.2 The action plan is available on the [UN Women – Albania](#)<sup>44</sup> website.

- 6.1.3 On 29 October 2022, UN Women also announced that the municipalities of Tirana and Gramsh launched Local Gender Equality Actions Plans, 2022-2024. UN Women reported, ‘So far fourteen municipalities in Albania have signed the European Charter for Equality of Women and Men in Local Life, of which 12 have prepared Gender Equality Action Plans.’<sup>45</sup>

- 6.1.4 On 9 December 2021, the Council of Europe published conclusions on Albania’s implementation of recommendations in respect of the Istanbul Convention, stating that the Committee of parties to the Convention (CoE recommendations 2021):

‘Welcomes the measures taken and progress achieved by Albania in the implementation of recommendations for the implementation of the Istanbul Convention, noting in particular:

- the set-up of new institutional bodies to address and evaluate policies on violence against women (the Parliamentary Sub-committee On Gender Equality and Preventing Violence against Women) and to coordinate the institutional response in the area of protection and support to victims of

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<sup>40</sup> UN Women, [In the words of Stela Tanellari: “Employment is essential ...”](#), 11 April 2022

<sup>41</sup> Mary Ward Loreto Foundation, [‘About us’](#), no date

<sup>42</sup> UKHO, [Report of a fact-finding mission: Albania: Human trafficking](#), October 2022

<sup>43</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022

<sup>44</sup> UN Women, Albania, [National Strategy for Gender Equality 2021-2030](#), no date

<sup>45</sup> UN Women, Albania, [Municipalities of Tirana and Gramsh launch...](#), 29 October 2022

domestic violence (the Office for the Coordination the Fight against Domestic Violence within the Ministry of Justice);

- a three-fold increase in the funds made available for gender-responsive budgeting and the use of gender mainstreaming also by local governing units' budgets, accompanied by training on gender budgeting...<sup>46</sup>

6.1.5 The same report stated that the Committee of parties to the Istanbul Convention 'encourages the Government of Albania to take further measures to implement the recommendations addressed to its authorities, in particular by:

1. clearly designating or establishing one or more official bodies responsible for the coordination, implementation, monitoring and evaluation of policies in the area of violence against women and conferring upon it decision-making powers as well as sufficient dedicated human and financial resources to enable this/these body/ies to exercise effectively its functions;

2. identifying and expanding the overall human and financial resources allocated at the central level to the relevant Ministries in order to fight violence against women, as well as at the municipal level; and providing stable and sustainable funding levels for women's NGOs that support victims of violence against women;

3. strengthening data collection and ensuring that both the law enforcement and criminal justice sector collect data on all forms of violence against women, beyond domestic violence, and systematically disaggregate such data including on the basis of the relationship between the victim and the perpetrator;

4. taking measures to ensure that fees associated with the obligatory psychological assessment required for the issue of a protection order for a child does not hinder, in practice, the issue of such protection orders, including those that entail the temporary removal of custodial/parental rights;

5. introducing restraining or protection orders for victims of all forms of violence against women other than domestic violence; and

6. amending the definition of rape and sexual violence to align it with the requirements of Article 36 of the Convention [which defines sexual violence including rape].<sup>47</sup>

6.1.6 The People's Advocate (Ombudsman) '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.'<sup>48</sup> The People's Advocate published an annual report 2021 in which it stated:

'The People's Advocate notes that very important measures have been taken in the last two years to address domestic violence and gender-based violence, especially in terms of improving legislation and the by-laws. Also, there is improvement in the protection of victims and setting up the necessary structures at the local level to address this problem.

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<sup>46</sup> CoE, [CoP Conclusions Albania](#), adopted 7 December 2021, published 9 December 2021

<sup>47</sup> CoE, [CoP Conclusions Albania](#), adopted 7 December 2021, published 9 December 2021

<sup>48</sup> The People's Advocate, [About Us](#), no date



‘Despite these positive developments, there was less progress in the provision of services to victims of violence and rehabilitation of offenders, where the main role continues to be played by civil society with the support of international organizations and donors.’<sup>49</sup>

6.1.7 In the Albania 2022 Report, the European Commission reported an increase in domestic violence from 2020 to 2021 and stated, ‘More efforts are needed to reverse this trend, including through better law enforcement, institutional messages on ending violence against women and by increasing women’s awareness of their rights and available services.’<sup>50</sup>

6.1.8 In an article dated 8 June 2020, UN Women reported on the work done by CSOs in relation to the legal and policy framework on GBV:

‘Since 2018, the Monitoring Network Against Gender-Based Violence, a group of 48 organizations, established with UN Women support and led by the Center for Legal Civic Initiatives (CLCI), has been actively engaged in lobbying, advocacy and monitoring the legal and policy framework on ending violence against women in Albania. They provided extensive recommendations during consultations for changes to the Law on Measures against Violence in Family Relations, Law on Social Housing and Law on Free Legal Aid, several of which were accepted.’<sup>51</sup>

6.1.9 On 3 October 2022, UN Women published an article based on an interview with HRDC who stated:

‘As an accredited lobbying organization, our role is to monitor the practical implementation of primary and secondary legislation and to bring them to the attention of the responsible institutions, so that women are afforded easy access to and receive quality services (including access to legal aid, financial assistance schemes, Special Medical Certificates, etc.) For instance, we became aware that women survivors of violence were having difficulties in obtaining the financial assistance they are entitled to in accordance with the aligned legislation in force. Consequently, we notified or reported this fact to various governmental and human rights bodies, which addressed the issue and improved the access of victims of violence to financial assistance schemes. The same practice was also followed with regard to including children as beneficiaries of these schemes.’<sup>52</sup>

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## 6.2 Referral mechanism

6.2.1 In December 2019, UN Women explained that the referral mechanism ‘... is a dedicated mechanism that aims to protect and support survivors of domestic and gender-based violence. It is composed of a team of community professionals who have institutional responsibility to respond and address the various needs of survivors of domestic violence. Each member of the

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<sup>49</sup> The People’s Advocate, [Annual Report 2021](#) (p. 139), no date

<sup>50</sup> EC, [Albania Report 2022](#) (p.34), 12 October 2022

<sup>51</sup> UN Women, [Revised law empowers women survivors of violence in Albania](#), 8 June 2020

<sup>52</sup> UN Women, Albania, [In the words of Afërdita Prroni: “Advocacy is crucial...”](#), 3 October 2022

team plays a key role in the overall community response to the crime of domestic violence.’<sup>53</sup>

- 6.2.2 The UN Women article also provided an [infographic](#) of the different institutions that ‘jointly respond to, treat and resolve cases of domestic violence’<sup>54</sup>.
- 6.2.3 The CoE recommendations 2021 welcomed ‘... that Coordinated Referral Mechanisms, a centrepiece of the country’s co-ordinated multi-agency response to violence against women, are now established in all 61 municipalities and are mandated to identify and provide support in respect of other forms of violence against women, beyond domestic violence...’<sup>55</sup>
- 6.2.4 The UN Women advert 2020 noted that various laws enacted to protect women form
- ‘... the basis for the country’s coordinated community response to domestic violence, structured around the establishment of the referral mechanisms at the level of each municipality. Local referral mechanisms (LRM), which function based on the Council of Ministers Decision MD No. 334/17.2.2011 consist of representatives of different sectors (municipalities, the police, the courts, including prosecutors and bailiffs, health offices, employment offices, educational offices) and NGOs specialized in violence against women... Despite many challenges they face and varying degrees of effectiveness, the LRM remain “the centerpiece of the country’s coordinated multi-agency response to violence against women”...’<sup>56</sup>
- 6.2.5 In their submission of January 2022 in connection with Albania’s compliance with the Convention on Economic, Social and Cultural Rights, The Advocates for Human Rights and Human Rights in Democracy Centre reported:
- ‘The legislation in force has emphasized the multidisciplinary handling of cases through a coordinated referral mechanism where each of the responsible institutions assumes concrete responsibilities for handling cases. In June 2021, the Decision of the Council of Ministers no. 327/2021 “On the Mechanism for coordination of work between responsible authorities for referring and proceeding cases of domestic violence as well as support and rehabilitate victims of violence” was approved. This bylaw is adopted with the latest changes in the legislation against domestic violence, recommendations of the GREVIO Committee [the Council of Europe’s Group of Experts on Action against Violence against Women and Domestic Violence], as well as needs and gaps identified in practice.
- ‘The approval of “Protocol for management of DV cases in local level,” a document which outlines steps to be followed when treating and documenting domestic violence, is a significant step toward the development of levels of responsibility in treating and documenting domestic violence cases. This protocol becomes obligatory after its approval from the

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<sup>53</sup> UN Women, [‘The Referral Mechanism against Domestic Violence in Albania’](#), 20 December 2019

<sup>54</sup> UN Women, [‘The Referral Mechanism against Domestic Violence in Albania’](#), 20 December 2019

<sup>55</sup> CoE, [CoP Conclusions Albania](#), adopted 7 December 2021, published 9 December 2021

<sup>56</sup> UN Women, Job advert, [‘National Consultant to Support...’](#), no date

respective Steering Committee of CRM [co-ordinated referral mechanism].

‘Addressing cases according to this protocol is in its first phases and requires the inclusion and commitment of each actor in order to treat the cases as effectively as possible. The multidisciplinary treatment of domestic violence cases is an important step toward improving the situation of the victims of domestic violence and serves to protect their integrity...’<sup>57</sup>

#### 6.2.6 The submission continued:

‘Given the high number of cases and the fact that victims need coordinated support, their multidisciplinary treatment is a necessity. From the Centre’s practice it is identified that the majority of the above-mentioned cases has not gone through multidisciplinary treatment. Generally, the following practice has occurred: the case has showed up to Police Station, police filled out a lawsuit seeking an immediate order of protection, and then the case has been submitted to the Court.

‘HRDC [Human Rights in Democracy Centre] finds that it is difficult for a Local coordinator against domestic violence at the municipal level to manage cases and coordinate services at the same time, especially in large municipalities where the number of incidences of reports is higher. The reasons behind this fact are the vast number of the reported cases and the complexity of the treatment of separate cases. The lack of a local coordinator in some local units or the allocation of this responsibility to an employee of the unit who carries out other duties does not provide adequate or stable treatment of the cases. There is a need to establish the structure of responsible staff for domestic and gender-based violence in accordance with amendments to the Law “On measures against domestic violence” which provides that local government units and especially the local coordinator have new duties such as monitoring and executing courts’ decisions regarding protection orders.

‘Regarding the performance of the Coordinated Referral Mechanism, we have found that some of the responsible institutions are not an active part of this mechanism and have provided a poor contribution in addressing the needs of the cases handled.’<sup>58</sup>

#### 6.2.7 The European Commission’s Albania 2022 report noted, ‘Currently, there are local referral mechanisms for reporting gender-based violence in all 61 municipalities. However, these mechanisms, and rehabilitation and integration programmes for vulnerable women, need to be reinforced.’<sup>59</sup>

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### 6.3 Awareness-raising

#### 6.3.1 The USSD HR Report 2021 stated, ‘The ministry [Ministry of Health and Social Protection] posted a video message reminding citizens to report any case of suspected domestic violence and provided a hotline and police number on its web page.’<sup>60</sup>

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<sup>57</sup> The Advocates for HR, [Albania CESCR LOIPR on Rights of Minorities...](#), 7 January 2022

<sup>58</sup> The Advocates for HR, [Albania CESCR LOIPR on Rights of Minorities...](#), 7 January 2022

<sup>59</sup> EC, [Albania Report 2022](#) (p.34), 12 October 2022

<sup>60</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022



- 6.3.2 In the annual report covering 2021, AWEN stated that 7,040 women, girls, men and boys had been reached by awareness campaigns. In addition, about 100,000 people received awareness messages through social media, awareness campaigns, etc. (it was not clear whether these figures referred to awareness-raising about people trafficking, domestic abuse or both)<sup>61</sup>.
- 6.3.3 On its website, the Vatra psycho-social centre stated that since 1999, it had 'implemented numerous projects focusing on community information and awareness on trafficking in human beings and violence, direct services for survivors of these phenomena, capacity building of anti-trafficking and violence structures, advocacy and lobbying. [and...] more than 35 thousand community members and local structures have been part of informative and awareness activities as well as activities for capacity building.'<sup>62</sup>

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## 6.4 Police response

- 6.4.1 In an article published in June 2020, UN Women reported on changes to the Law on Measures against Violence in Family Relations since 2018, noting: 'Police officers were trained on their new obligations, such as carrying out risk assessments immediately after identification, reporting domestic violence cases and issuing preliminary emergency protection orders, which enable the immediate removal of perpetrators before a judge has issued a protection order. "The risk assessment and the preliminary protection order issued from police structures is an important step forward for women exposed to domestic violence. It could be life saving for women," highlighted Ms. Prroni [Aferdita Prroni, Executive Director of Human Rights in Democracy Centre].'<sup>63</sup>
- 6.4.2 The same article reported that Aurela Bozo, Executive Director of the Centre for Civic Legal Initiatives, added that '... while important work has been carried out to strengthen the capacities of police structures and other responsible institutions, "the risk assessment, risk management and preliminary protection orders have yet to become a nationwide well-established practice."<sup>64</sup>
- 6.4.3 The CoE recommendations 2021, however, welcomed '... the new requirement to systematically carry out a risk assessment upon receipt of a report on domestic violence and prior to issuing an Emergency Barring Order'<sup>65</sup>.
- 6.4.4 In their submission of January 2022 in connection with Albania's compliance with the Convention on Economic, Social and Cultural Rights, The Advocates for Human Rights and Human Rights in Democracy Centre [HRDC] noted:  
'During 2018 - 2019, HRDC conducted a series of trainings with police officers of the Police stations of Tirana and identified several problems.

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<sup>61</sup> AWEN, [Annual Report 2021](#), no date

<sup>62</sup> Vatra, [About Us](#), no date

<sup>63</sup> UN Women, [Revised law empowers women survivors of violence in Albania](#), 8 June 2020

<sup>64</sup> UN Women, [Revised law empowers women survivors of violence in Albania](#), 8 June 2020

<sup>65</sup> CoE, [CoP Conclusions Albania](#), adopted 7 December 2021, published 9 December 2021

Police officers were not informed of their legal obligations (especially recent changes) and they did not know their proper role in coordinating the work with other responsible parties, particularly with the local coordinator. These legal obligations are provided for in the latest changes in the legislation against domestic violence, regarding case management (risk assessment, monitoring and executing of the PO/IPO [protection order/immediate protection order]). Despite legal changes, such as modalities of mutual treatment of domestic violence, the law is still rarely implemented properly. As the first responders to domestic violence cases (in 99% of reported cases), police must play a more active role not only referring the cases to RM [referral mechanism] but they should be an active part of joint treatment of cases.<sup>66</sup>

- 6.4.5 On 7 January 2022, 2 NGO groups, The Advocates for Human Rights and Human Rights in Democracy Centre, submitted a 'suggested list of issues prior to reporting' in connection with Albania's compliance with the Convention on Economic, Social and Cultural Rights. The paper stated: 'Amendments to this legislation have significantly improved the practice of handling cases by responsible structures with an emphasis on coordination of work between them in order to protect safety and support of victims / survivors of domestic violence.'<sup>67</sup>
- 6.4.6 The USSD HR Report 2021 stated that police reported 3,563 cases of domestic violence as of August 2021; in 2,205 cases, a protection order was issued<sup>68</sup>. In the annual report covering 2021, Amnesty International stated, 'By early December, 2,754 protection orders had been issued, but were poorly implemented.'<sup>69</sup> However, the CoE recommendations 2021 welcomed, amongst other things, '... the positive steps taken towards an effective monitoring of the implementation of such orders.'<sup>70</sup>
- 6.4.7 The European Commission's Albania 2022 Report stated that the police identified and addressed 5,312 cases of domestic violence in 2021, which was a 13% increase on 2020. Of these, 3,266 cases involved requests for protection orders. 638 perpetrators of domestic violence were arrested and 123 detained<sup>71</sup>.
- 6.4.8 In the report covering events in 2021, Freedom House noted that 'Police are poorly equipped to handle cases of domestic violence or spousal rape, which is often not understood to be a crime.'<sup>72</sup>
- 6.4.9 The USSD HR Report 2021 stated: 'The government did not enforce the law [on rape and sexual assault] effectively. Authorities did not disaggregate data on prosecutions for spousal rape. The concept of spousal rape was not well understood, and authorities often did not consider it a crime.'<sup>73</sup>

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<sup>66</sup> The Advocates for HR, [Albania CESCR LOIPR on Rights of Minorities...](#), 7 January 2022

<sup>67</sup> The Advocates for HR, [Albania CESCR LOIPR on Rights of Minorities...](#), 7 January 2022

<sup>68</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022

<sup>69</sup> AI, [Annual report 2021/22; Albania](#), 29 March 2022

<sup>70</sup> CoE, [CoP Conclusions Albania](#), adopted 7 December 2021, published 9 December 2021

<sup>71</sup> EC, [Albania Report 2022](#) (p.34), 12 October 2022

<sup>72</sup> Freedom House, [Albania: Freedom in the World 2022](#) (G3), 24 February 2022

<sup>73</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022

## 6.5 Prosecution

6.5.1 The CoE recommendations 2021 noted ‘a significant increase both in the number of court judgements that explicitly refer to the Convention and in the successful prosecutions of domestic violence...’<sup>74</sup>

6.5.2 The Government of Albania submitted a third periodic report under Article 19 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was received on 19 July 2021 and published 5 April 2022, and reported:

‘The prosecution office has consistently aimed to provide access and support to victims, especially those of sexual violence, trafficking or domestic violence. In January 2016, in the General Prosecutor’s Office it was established the Victim Assistance Office, as foreseen by Law No. 97/2016 “On the organization and functioning of the Prosecutor’s Office in the Republic of Albania”. This law (Article 68) provides that the prosecution office shall ensure the necessary services for the treatment of subjects that enjoy special status, according to the code of criminal procedure. Therefore, in each prosecution office there should be at least one coordinator graduated in psychology, sociology or other special subject areas.

‘Currently, under this law, in all prosecution offices of the courts of first instance of general jurisdiction and in the General Prosecutor’s Office, there are victim coordinators, who were trained immediately after taking office. On the other hand, as provided by legal provisions, on since October 2019, the General Prosecutor approved the general instruction, no. 5/2018 which aims to ensure a unified understanding and application of the provisions of the Criminal Procedure Code regarding the victims of criminal offenses and also set training policies for the prosecution office... A leaflet including information for victims of crime was also prepared, which was distributed to the first instance prosecutors’ offices and it was also published on the website of the General Prosecutor’s Office.’<sup>75</sup>

6.5.3 In their submission of January 2022 in connection with Albania’s compliance with the Convention on Economic, Social and Cultural Rights, The Advocates for Human Rights and Human Rights in Democracy Centre reported:

‘We have... found that the Prosecutors’ Office, which is a very important institution of RM [referral mechanism], does not offer its contribution in the meetings of the Interdisciplinary Technical Team and did not have the proper commitment in terms of supporting victims with written evidence, such as The Forensic Examination Act, or other extracts of the file, which the victim can use as evidence in the court proceedings (protection order trial). According to the Law “On measures against domestic violence” the Prosecutors office has the right to request a protection order for adults and minors, but since 2006 there is no case when the Prosecutors’ Office has filed a public lawsuit.’<sup>76</sup>

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<sup>74</sup> CoE, [CoP Conclusions Albania](#), adopted 7 December 2021, published 9 December 2021

<sup>75</sup> Govt of Albania, [Third periodic report submitted by Albania...](#) (p.21), 5 April 2022

<sup>76</sup> The Advocates for HR, [Albania CESCR LOIPR on Rights of Minorities...](#), 7 January 2022

- 6.5.4 In the same submission, The Advocates for Human Rights and Human Rights in Democracy Centre noted that ‘Monitoring of the court decisions issued by Tirana District Court, during 2020 shows that 940 lawsuits have been reviewed with the object of issuance of immediate protection orders/protection orders – out of this number, 53% of lawsuits are accepted in court. 312 legal issues related to penal acts of domestic violence were submitted to court.’<sup>77</sup>
- 6.5.5 The European Commission’s Albania 2022 Report, covering the period from June 2021 to June 2022, stated: ‘In 2021... 1,630 cases were referred to prosecution offices... a slight increase on the 2020 figures was recorded.’<sup>78</sup>
- 6.5.6 On 9 December 2021, the Council of Europe published conclusions on Albania’s implementation of recommendations in respect of the Istanbul Convention, stating that the Committee of parties to the Convention: ‘Welcomes... a significant increase both in the number of court judgements that explicitly refer to the Convention and in the successful prosecutions of domestic violence...’<sup>79</sup>

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## 6.6 Legal aid

- 6.6.1 In the third periodic report under Article 19 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was received on 19 July 2021 and published on 5 April 2022, the Government of Albania noted that victims of domestic violence are eligible to receive free legal aid<sup>80</sup>.
- 6.6.2 In the Annual Report covering 2021, the NGO Different and Equal reported on the provision of legal aid:
- ‘D&E has provided legal assistance to all beneficiaries in the program through D&E’s lawyer. During the reporting period, all beneficiaries of the reintegration program were informed about their rights and were supported with legal assistance according to their needs.
- ‘Legal evaluations have been carried out for each new case entered into the program.
- ‘30 cases have been supported by the D&E lawyer in their criminal, civil or administrative cases. Thus, out of 33 cases, 13 were criminal, 19 civil and 1 administrative.’<sup>81</sup> Further information about legal assistance provided by Different and Equal is available in the [report](#) (page 15).
- 6.6.3 On 9 December 2021, the Council of Europe published conclusions on Albania’s implementation of recommendations in respect of the Istanbul Convention, stating that the Committee of parties to the Convention: ‘Welcomes... the adoption of the Law “On free legal aid provided by the state” which strengthens legal aid provision; the opening of several legal

<sup>77</sup> The Advocates for HR, [Albania CESCR LOIPR on Rights of Minorities...](#), 7 January 2022

<sup>78</sup> EC, [Albania Report 2022](#), 12 October 2022

<sup>79</sup> CoE, [CoP Conclusions Albania](#), adopted 7 December 2021, published 9 December 2021

<sup>80</sup> Govt of Albania, [Third periodic report submitted by Albania...](#) (p.23), 5 April 2022

<sup>81</sup> D and E, [Annual Report 2021](#) (p.14), 28 July 2022

clinics, providing free legal aid; and an increase in the funding of NGOs providing free legal aid...'<sup>82</sup>

6.6.4 In their submission of January 2022 in connection with Albania's compliance with the Convention on Economic, Social and Cultural Rights (CESCR) , The Advocates for Human Rights and Human Rights in Democracy Centre (HRDC) noted that the approval of law no. 111/2017 'On legal aid guaranteed by the state' had contributed to improving the situation for survivors of violence<sup>83</sup>.

6.6.5 The same report stated:

'Another problem identified by HRDC relates to the low number of cases of violence supported by free legal services from the state. From the monitoring of the decisions of the Tirana Judicial District Court, for the last three years, a very low number of cases have been represented by a free state lawyer. Thus, it is necessary that the authority that manages the offices of free legal service provided by the State be an active part of the Referral Mechanism. In this way, it can support cases free of charge which is an important precondition for providing the victim with protection orders and support services.'<sup>84</sup>

6.6.6 In October 2022, UN Women published an article based on an interview with Aferdita Prroni, Executive Director of the HRDC, who stated:

'In the municipalities we have monitored, currently only one per cent of women survivors of violence benefit from the free legal aid offered by the state. The rest are assisted by civil society organizations because women are not informed about this opportunity and because the procedures are so complicated that they require professional support. In the opinion of The Human Rights in Democracy Center, Legal Clinics should work more in this respect in order to become better known in the community, especially among vulnerable groups who are unable to access the justice system.'<sup>85</sup>

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## 6.7 Rehabilitation

6.7.1 In an article published by UN Women in June 2020, Aferdita Prroni, Executive Director of Human Rights in Democracy Centre, stated that there was a 'lack of specialized social and rehabilitation centers' for perpetrators of domestic violence<sup>86</sup>.

6.7.2 In the annual report covering 2021, AWEN stated that 102 perpetrator men and boys had benefited from the rehabilitation services delivered by the Office for Boys and Men in Shkodra (it was not clear whether this figure referred to perpetrators of domestic abuse, trafficking or both)<sup>87</sup>.

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<sup>82</sup> CoE, [CoP Conclusions Albania](#), adopted 7 December 2021, published 9 December 2021

<sup>83</sup> The Advocates for HR, [Albania CESCR LOIPR on Rights of Minorities...](#), 7 January 2022

<sup>84</sup> The Advocates for HR, [Albania CESCR LOIPR on Rights of Minorities...](#), 7 January 2022

<sup>85</sup> UN Women, Albania, [In the words of Afërdita Prroni: "Advocacy is crucial..."](#), 3 October 2022

<sup>86</sup> UN Women, [Revised law empowers women survivors of violence...](#), 8 June 2020

<sup>87</sup> AWEN, [Annual Report 2021](#), no date



## 6.8 Hotline

- 6.8.1 The Government of Albania's submission to UNCAT published 5 April 2022, and reported that the National Counselling Line for Women and Girls (116-117) has been operational since 2017<sup>88</sup>. In the annual report covering 2021, AWEN stated that 3,469 phone calls had been received by the National Hotline and 827 cases were directly assisted by its advisers<sup>89</sup>.

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This section was updated on 3 December 2022

## 7. Assistance and reintegration

### 7.1 Availability of social care services

- 7.1.1 In June 2020, UN Women reported on interviews with HRDC and the CCLI, both of which highlighted that more needed to be done to improve access of survivors of domestic violence to services and compensation<sup>90</sup>.

- 7.1.2 The UN Development Programme (UNDP) published an [infographic](#)<sup>91</sup> which mapped social care services available in Albania. This shows, for example, that a total of 493 social services are offered across the country to various groups in need, including victims of domestic violence; these services are provided by both the state and NGOs. A total of 114 social services are available in Tirana, as the capital, with fewer available in smaller regions, such as Kukës (12 social services).

- 7.1.3 In an article published by UN Women on 8 June 2020, HRDC noted that '...there is strong coordination between the responsible authorities and civil society organizations providing support to survivors of violence.'<sup>92</sup>

- 7.1.4 On 11 April 2022, UN Women published an interview with Different and Equal, who stated:

"...the support needed for survivors of violence cannot be provided alone. Collaboration with different state and non-state institutions is essential. Therefore, we collaborate closely with municipalities to institutionalize socio-economic reintegration plans at the local level to ensure that survivors of violence receive the assistance they need until they achieve full reintegration and empowerment.

"We have also developed a model to assist municipalities in implementing effective models for the provision of long-term reintegration services. The model emphasizes the need for long-term services focused on the social and economic empowerment of survivors to rehabilitate them after trauma and sustainably reintegrate them into society. Based on this tool, opportunities can be identified to develop successful social plans at the municipal level and successful reintegration plans for survivors at the individual level."<sup>93</sup>

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<sup>88</sup> Govt of Albania, [Third periodic report submitted by Albania...](#) (p.23), 5 April 2022

<sup>89</sup> AWEN, [Annual Report 2021](#), no date

<sup>90</sup> UN Women, [Revised law empowers women survivors of violence...](#), 8 June 2020

<sup>91</sup> UNDP, [Infographic on Mapping of Social Care Services in Albania](#), 17 December 2021

<sup>92</sup> UN Women, [Revised law empowers women survivors of violence in Albania](#), 8 June 2020

<sup>93</sup> UN Women, [In the words of Stela Tanellari: "Employment is essential ..."](#), 11 April 2022

- 7.1.5 On 3 October 2022, UN Women published an article based on an interview with HRDC who stated, ‘Women should be informed about their rights and the services they are entitled to. The issuance of a police protection order unlocks multiple services (economic, social, and legal services) for women survivors of violence.’<sup>94</sup>

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## 7.2 Number and capacity of shelters

- 7.2.1 The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) is the independent expert body responsible for monitoring the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence ([Istanbul Convention](#)) by the Parties<sup>95</sup>. In November 2017, GREVIO published a report which stated:

‘In relation to the coverage and geographical spread of refuges... 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.’<sup>96</sup>

- 7.2.2 The Albanian government in its response to a questionnaire from the Council of Europe’s Group of Experts on Action against Trafficking in Human Beings noted that during 2015 to 2018, the 4 residential centres for victims of trafficking ‘treated also victims of domestic violence, as well as victims of sexual abuse.’<sup>97</sup>
- 7.2.3 The USSD HR Report 2021 noted, ‘State Social Services reported that 30 women and 33 children were accommodated in the national reception center for victims of domestic violence as of August [2021].’<sup>98</sup>

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## 7.3 Centres for victims of domestic and sexual violence

- 7.3.1 The USSD HR Report 2021 noted that there were 25 centres around the country (in addition to the National Reception Centre for victims of domestic violence) which provided counseling and long-term services for victims of domestic violence. The report added that the government also operated a

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<sup>94</sup> UN Women, Albania, [In the words of Afërdita Prroni: “Advocacy is crucial...”](#), 3 October 2022

<sup>95</sup> CoE, [GREVIO](#), no date

<sup>96</sup> CoE, GREVIO, [Baseline Evaluation Report](#), Albania (p. 39), 24 November 2017

<sup>97</sup> CoE, GRETA, [‘Reply from Albania to the Questionnaire...’](#) (page 46), 20 June 2019

<sup>98</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022

crisis management centre for victims of sexual assault at the Tirana University Hospital Centre<sup>99</sup>.

- 7.3.2 The report further described the centre for victims of sexual assault: 'The Ministry of Health and Social Protection operated the Lilium Center in Tirana with the support of the UN Development Program (UNDP) to provide integrated services to survivors of sexual violence. The center was in a hospital setting and provided health-care services, social services, and forensic examinations at a single location by professionals trained in cases of sexual violence. Emergency contraception was prescribed or offered within the first five days after abusive sexual intercourse or rape; the contraceptive was suggested to be given as soon as possible to maximize effect. From its creation in 2018 through July, the center provided services to 85 survivors. Survivors in remote areas of the country did not have many options for assistance and support in their areas. Unless they were identified by authorities and brought to Tirana, they could only be referred to shelters for victims of trafficking.'<sup>100</sup>
- 7.3.3 The CoE recommendations 2021 welcomed, amongst other things ... the set-up of Albania's first sexual violence referral centre in hospital premises providing emergency and short-term support services such as health care, forensic medical services, psychological support, legal assistance, as well as food and shelter to victim of sexual violence for a period of up to 72 hours on a one-stop-shop basis...<sup>101</sup>
- 7.3.4 When a HO fact-finding team visited Albania in October 2022, they met representatives of the Ministry of Health and Social Protection, who stated, 'In Tirana hospital, the Lilium centre provides assistance to victims of violence, including sexual, and VOT [victims of trafficking]. Such assistance is provided for men, boys, girls and women, so for all individuals... At the Lilium Centre at Tirana hospital, from 2018 until 21 July 2022 there have been 110 beneficiaries. Out of these 80% have been children – in total 90% were women and girls.'<sup>102</sup>
- 7.3.5 The representatives of the Ministry of Health and Social Protection also explained, 'For over 3 years we have also financed the LGBTI shelter as there have been instances of sex abuse, violence and trafficking against LGBTI persons as well... In 2 regions, we have established 2 one-stop shops that provide support to children who are victims of serious forms of violence, mainly sexual abuse. The centre and shelters provide support to all individuals, although 90% of victims are women and girls.'<sup>103</sup>
- 7.3.6 The representatives of the Ministry of Health and Social Protection further explained that 'Subordinate to the MoHSP and funded by the state budget are 2 national centres, one for treating victims of DV [domestic violence] ....

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<sup>99</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022

<sup>100</sup> USSD, [HR Report 2021](#) (section 6), 2 June 2022

<sup>101</sup> CoE, [CoP Conclusions Albania](#), adopted 7 December 2021, published 9 December 2021

<sup>102</sup> HO, [Report of a fact-finding mission: Albania: Human trafficking](#), October 2022

<sup>103</sup> HO, [Report of a fact-finding mission: Albania: Human trafficking](#), October 2022



Until June 2022, 48 individuals have had assistance from the national centre for domestic violence, of whom 13 were boys.<sup>104</sup>

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## 7.4 NGO shelters

7.4.1 Different and Equal is a non-profit organisation which provides assistance to both male and female victims of domestic abuse. Information about the services provided is available on the [website](#)<sup>105</sup>.

7.4.2 On 20 January 2022, UN Women published an article about Different and Equal:

‘To help [a survivor of domestic abuse] get back on her feet, the Local Domestic Violence Coordinator at the Municipality of Tirana referred her case to Different and Equal, one of the most experienced women’s organizations in Albania providing support to survivors of violence for their socio-economic reintegration. UN Women is currently supporting the organization to provide direct services to women and to institutionalize socio-economic reintegration plans at the local level in four municipalities. The intervention is carried out in the framework of the regional programme “[Implementing Norms, Changing Minds](#),” funded by the European Union. Since June 2021, Different and Equal has supported 67 women and their 137 children through socio-economic reintegration plans, including counselling, legal aid, housing, and employment.’<sup>106</sup>

7.4.3 On 11 April 2022, UN Women published an interview with Stela Tanellari, the Deputy Director and Reintegration Programme Manager of Different and Equal, an organisation in Albania that provides services for women survivors of violence, stating:

‘The services provided for beneficiaries help them manage their trauma and stabilize their emotional, physical, and psychological state. We also provide services to boost their education and skills, empower them socially and economically, and provide them support to open and manage small businesses. All these aspects lead to their empowerment and sustainable reintegration into society.

‘Reintegration is a long process, and there are certainly challenges along the way...’<sup>107</sup>

7.4.4 Different and Equal published a report covering 2021 which stated that the organisation had assisted a total of 68 victims of domestic violence during the year; of these, 29 had been receiving assistance since the previous year and 39 were new cases. Two were male and all the others were female. The majority were aged 21 and over, but 3 were aged 16 to 18. 18 were single, 3 were married and 46 were divorced<sup>108</sup>.

7.4.5 In the Annual Report 2021, Different and Equal stated:

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<sup>104</sup> HO, [Report of a fact-finding mission; Albania: Human trafficking](#), October 2022

<sup>105</sup> D and E, [About Us](#), no date

<sup>106</sup> D and E, [Supporting women survivors of violence with socio-economic...](#), 20 January 2022

<sup>107</sup> UN Women, [In the words of Stela Tanellari: “Employment is essential ...”](#), 11 April 2022

<sup>108</sup> D and E, [Annual Report 2021](#) (p.8), 28 July 2022

'A full package of reintegration services is provided to beneficiaries of the D&E reintegration program:

- Housing, security and re-integration plan;
- Immediate medical assistance;
- Negotiation/mediation with the family;
- Psychological assessments and counseling;
- Legal support and assistance;
- Assistance for registration/continuity of the school system;
- Professional trainings;
- Social activities; Mentoring;
- Counseling and help for employment;
- Financial support for housing;
- Information on the services that exist in the community such as and necessary contacts/map of services; Programe pune që krijojnë të ardhura;...
- Monitoring and follow-up of program beneficiaries'<sup>109</sup>

7.4.6 Vatra's website explained, "Vatra" Psycho-Social Center is an Albanian non-profit organization that provides services and expertise for the prevention and protection of victims of trafficking, domestic and societal violence...

'The main priorities of "Vatra" include:

- Prevention of ... sexual abuse, and gender-based violence (through awareness campaigns all over Albania, support for children, women, girls, and youth in vulnerable situations)...
- Rehabilitation and reintegration of victims of ... sexual abuse, and gender-based violence through direct services in the shelter and community;
- Increased access to justice for victims in the framework of the functioning of the Legal Clinic with lawyers and psychologists
- Capacity building of representatives of state institutions and NGOs through trainings, workshops, mentoring, etc.
- Lobbying and advocacy. Contribution to the improvement of local and national policies as well as the national legislation for the protection of rights of victims of trafficking in human beings and domestic violence.'<sup>110</sup>

7.4.7 The website further stated, "Vatra" Psycho-Social Centre has a staff of 32 professionals (25 full time and 7 part-time) composed of social workers, psychologists, a teacher, a doctor/nurse, lawyers, a specialist for vocational training and employment, financial management, administrative and logistic

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<sup>109</sup> D and E, [Annual Report 2021](#) (p.10), 28 July 2022

<sup>110</sup> Vatra, [About Us](#), no date

staff. “Vatra” Psycho-Social Center is directed by a Board of 5 members representing education institutions, civil society, business, media, etc.’<sup>111</sup>

7.4.8 Vatra opened a shelter in 2001, and since then, it has assisted more than 2,000 victims of domestic violence<sup>112</sup>.

7.4.9 Nisma ARSIS is an NGO ‘...specializing in the social support of children, youth and families that are in difficulty or danger or vulnerable situation and in the advocacy of their rights.’<sup>113</sup> The website stated that it provides the following services:

‘Emergency services for children at high risk (victims of all forms of abuse, violence, neglect, trafficking, exploitation, without parental care, in contact with the law and foreign unaccompanied and separated children) in Albania.

‘Nisma has in the basis of its service provision a multifunctional approach, which includes from proactive identification during the provision of psychosocial service to juveniles in contact / conflict with the law in Tirana police stations and not only, direct field work, and from the referral system and reporting from other structures that provide services. The child identified in immediate danger and in need of protection is reported to the Child Protection Worker at the Administrative Unit where the child is identified, who proposes the measure for immediate protection to the directorate of social services in the municipality, a measure which is approved within 24 hours.

‘Nisma runs the only Emergency Shelter for children at high risk in Albania, including immediate intervention in the field, safe transportation and support in a police station after working hours, weekends, and holidays.

‘The emergency safe accommodation (Shelter) service for 11 years has preceded the need for a positive, sustainable practice in the child protection system, providing social services for children and their families (for children at high risk (victims of all forms of abuse, violence, neglect, trafficking, exploitation, without parental care, in contact with the law and foreign unaccompanied and separated children). It also enhanced the development of local and regional cooperation networks. Its aim is to protect and treat children unaccompanied in need of immediate protection and assistance due to life-threatening situations and guarantee their rights by providing immediate accommodation, food and a protected environment.’<sup>114</sup>

7.4.10 Nisma-ARSIS provided further information about the services it provides on its [website](#).

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## 7.5 NGO assistance: general

7.5.1 UN Women works in Albania to end violence against women. Further information is provided on its [website](#)<sup>115</sup>.

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<sup>111</sup> Vatra, [About Us](#), no date

<sup>112</sup> Vatra, [About Us](#), no date

<sup>113</sup> Nisma-ARSIS, [Home](#), no date

<sup>114</sup> Nisma-ARSIS, [Home](#), no date

<sup>115</sup> UN Women, [Ending violence against women](#), no date

7.5.2 In an article published by UN Women in June 2020, Aferdita Prroni, Executive Director of Human Rights in Democracy Centre, stated, “Enrolling survivors of violence in support services is an important element in improving their socio-economic situation. The services available for this category are limited and still do not fully meet their needs...”<sup>116</sup> In June 2022, UN Women published an article based on an interview with Lirie Dina, a lawyer at the Center for Civic Legal Initiatives (CCLI), who referred to services for survivors of domestic violence as ‘inadequate.’<sup>117</sup>

7.5.3 AWEN described the organisation on its website as ‘a non-profit organization, informally established in 2009. Our network works in the field of protection of human rights, in particular of the rights of women and girls. The main aim of this network is the social, economic, cultural and politic empowerment of Albanian women. The network consists of 9 organizations which are located in all districts of Albania from north to south and specifically:

- Gender Alliance Center for Development (GADC)
- Counseling Line for Girls and Women – Tirana.
- Assosiation of Women with Social Problems, Durres
- Me, the woman, Pogradec
- Agritra Vision, Dibra
- Woman to Woman, Shkodra
- Woman Forum, Elbasan
- Psycho-social center “The Hearth”, Vlora
- “Jona” Association, Saranda
- Qendra për Nisma Ligjore Qytetare, Tiranë, Vlorë<sup>118</sup>

7.5.4 Further information about the above organisations is available on the [AWEN website](#).

7.5.5 In the annual report covering 2021, AWEN stated that it had provided specialised support services such as referral services, psycho-social and legal services, housing services (emergency or long-term), re-integration interventions (education, vocational training, employment mediation, etc.) as well as capacity building of local stakeholders. This included the following, which includes statistics for victims of trafficking, as well as victims of domestic abuse:

- 981 local stakeholders were involved in activities by AWEN and member organizations;
- 3,469 women and girls, victims of domestic violence, have benefited from direct support and assistance. 331 of their children have also been supported with services;

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<sup>116</sup> UN Women, [Revised law empowers women survivors of violence...](#), 8 June 2020

<sup>117</sup> UN Women, [Interview: “Data collection is essential for informing work...”](#), 10 June 2022

<sup>118</sup> AWEN, [Welcome AWEN](#), no date

- 1,400 cases of victims of domestic violence have been managed by other AWEN members (in addition to 3,469 cases supported by LKGV)<sup>119</sup>

7.5.6 On 11 April 2022, UN Women published an article based on an interview with Different and Equal, who stated:

'We have... established an afternoon childcare alternative for mothers who are rebuilding their lives. The childcare centers, available to women survivors of violence, operate outside of the official opening hours of kindergartens, nurseries, and public schools, during hours in which women may need to work but may lack a safe childcare option. Providing afterschool care not only supports women to rebuild independent lives, but also enables their children to flourish in a safe and secure home and community environment.'<sup>120</sup>

7.5.7 The Different and Equal annual report covering 2021 stated:

'The beneficiaries of the second and third phase of the D&E program are supported with all services in the community based on their needs. The progress of reintegration cases is monitored by case managers. Monitoring is carried out on a daily, weekly and monthly basis...

'The monitoring of the beneficiaries was carried out through direct meetings, as well as through regular telephone contacts. During this period, 2,450 monitoring sessions were provided to beneficiaries of the second and third phase of the program by case managers.

'The staff has monitored and made direct meetings with the beneficiaries who live in their cities of origin such as Shkodër, Durrës, Kavajë, Thumanë, Korçe, Fier, Pogradec, Gramsh, etc. 27 cases have been empowered and are living independently.

'In total, 101 victims /potential trafficking victims are monitored by D&E staff.'<sup>121</sup>

7.5.8 The report further noted, 'D&E staff provide ongoing support to cases by providing them with necessary information about existing services in the community. A map of community services is distributed to beneficiaries, who in some cases are accompanied directly by their case managers to get to know these types of services firsthand.'<sup>122</sup>

7.5.9 On 3 March 2022, UN Women reported on a project to assist marginalised women who may be at risk of domestic abuse:

'70 women from disadvantaged groups in Albania, including women with disabilities, Roma women and women from LGBTQI+ community, were provided with smartphones and internet packages to report about violence if needed and access services. ... A key aim of this effort is to boost safety among women with disabilities, Roma and Egyptian women as well as LGBTI persons and to boost their technology literacy...

'ADRF, Aleanca LGBT and Roma Women's Rights Center ...[are]

<sup>119</sup> AWEN, [Annual Report 2021](#), no date

<sup>120</sup> UN Women, [In the words of Stela Tanellari: "Employment is essential ..."](#), 11 April 2022

<sup>121</sup> D and E, [Annual Report 2021](#) (p.18), 28 July 2022

<sup>122</sup> D and E, [Annual Report 2021](#) (p.19), 28 July 2022

organizations... working in five municipalities: Tirana, Lezha, Korca, Vlora and Fier, to raise awareness among disadvantaged communities to report violence and give better access to available specialized services through increased tech literacy and use of online platforms to report violence...<sup>123</sup>

- 7.5.10 The HO fact-finding team which visited Albania in October 2022 met with officials from the Center for Legal Civic Initiatives (CLCI), a civil society organisation, who stated that they offer free and psycho-social legal services for victims of domestic and gender-based violence<sup>124</sup>.
- 7.5.11 On their website, the Vatra psycho-social centre stated that they had established the first legal clinic in southern Albania, ‘...which provides legal and psychological support and assistance for victims of trafficking and gender-based violence. Every year the Legal Clinic assists more than 250 victims of trafficking and violence and their children.’<sup>125</sup>

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## 7.6 Healthcare

- 7.6.1 In their submission of January 2022 in connection with Albania’s compliance with the Convention on Economic, Social and Cultural Rights, The Advocates for Human Rights and Human Rights in Democracy Centre reported, ‘Healthcare Institutions according to the Law have a number of duties when dealing with cases of domestic violence. In particular, the role and contribution of healthcare institutions should be increased. They should be an active part in solving problematics and supporting victims of domestic and gender-based violence.’<sup>126</sup>
- 7.6.2 In the Annual Report 2021, Different and Equal reported:  
‘The D&E doctor has done the medical evaluation of the new cases entered in the program and addressed and treated the medical needs of all the beneficiaries of the program and their children. For each new case entered into the program, routine analyzes ...and other more specific examinations are done in cases of need. Cases that encountered health problems were referred to relevant specialists and were treated with medications. ..Different topics about COVID-19, symptoms, care for hygiene, preventive measures for all cases in the organization's reintegration program were developed with the beneficiaries.’<sup>127</sup>
- 7.6.3 The same report noted mental health services provided:  
‘10 beneficiaries with mental health problems have been regularly followed by psychiatrists receiving appropriate treatment on an ongoing basis...  
‘Psychological and psycho-social counseling, art therapy, occupational therapy, are the activities organized within the framework of psycho-social assistance. All these activities aim at the psychological well-being of the beneficiaries...’

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<sup>123</sup> UN Women, [‘Women from disadvantaged communities...’](#) 3 March 2022

<sup>124</sup> UKHO, [Report of a fact-finding mission; Albania: Human trafficking](#), October 2022

<sup>125</sup> Vatra, [About Us](#), no date

<sup>126</sup> The Advocates for HR, [Albania CESCR LOIPR on Rights of Minorities...](#), 7 January 2022

<sup>127</sup> D and E, [Annual Report 2021](#), 28 July 2022



‘A psycho-social assessment was made for the cases that entered the program. 514 individual counseling sessions were provided by the psychologist. During this period, the issues addressed in the counseling sessions were: Depression, anxiety and sleep disturbances, mood disorders, post-traumatic stress, etc. Part of the process has been the education and integration of knowledge/techniques by the beneficiaries to alleviate symptoms and improve quality of life...

‘2,708 individual sessions of psycho-social counseling were provided by case managers. .... the sessions have also been related to ...the orientation of the beneficiaries to receive the necessary services.’<sup>128</sup>

- 7.6.4 In the annual report 2021, AWEN noted that 136 girls, women and children had received psychological and legal services as part of a rehabilitation project for survivors of violence. It was not clear whether this project would continue beyond 2021<sup>129</sup>.

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## 7.7 Education

- 7.7.1 Different and Equal published an annual report covering 2021 in which they stated:

‘An assessment to determine the educational level of each beneficiary in the program is carried out by the D&E teacher and based on this assessment an educational - teaching plan is developed as part of the reintegration plan of each beneficiary. During this period 42 beneficiaries and 59 children [including those in shelters] have been supported and attended school at different levels... For the registration of cases in the school, it cooperated with the Regional Education Directorate as well as the Ministry of Education, Sports and Youth. All cases are equipped with books and school supplies.’<sup>130</sup>

- 7.7.2 In the annual report covering 2021, AWEN reported that 123 women had been supported with vocational training, employed or self-employed (the information did not explain whether the women were victims of domestic abuse, trafficking or both)<sup>131</sup>.

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## 7.8 Employment

- 7.8.1 On 11 April 2022, UN Women published an interview with Stela Tanellari, the Deputy Director and Reintegration Programme Manager of Different and Equal, an organisation in Albania that provides services for women survivors of violence:

‘In our organisation, we focus on the economic empowerment of women and girl survivors of violence. We support them to engage in the job market because employment is one of the key steps to ensuring their successful reintegration into society. The programme is built in three phases of

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<sup>128</sup> D and E, [Annual Report 2021](#) (p.11), 28 July 2022

<sup>129</sup> AWEN, [Annual Report 2021](#), no date

<sup>130</sup> D and E, [Annual Report 2021](#) (p.13), 28 July 2022

<sup>131</sup> AWEN, [Annual Report 2021](#), no date

reintegration so that the transition to an independent life is smooth and gradual.

'Within our organisation, economic empowerment includes offering employment counselling and support, vocational training and/or professional courses. We also support beneficiaries to open small businesses and secure internships or on-the-job training.'<sup>132</sup>

- 7.8.2 The article continued, 'Also, especially with the economic upheaval caused by the pandemic, employment opportunities are limited, and the labour market is less stable. We are collaborating closely with the National Employment and Skills Agency, Regional Employment Directorates and as well as with private sector companies to find job placement and job programme alternatives for our beneficiaries.'<sup>133</sup>
- 7.8.3 In the annual report covering 2021, Different and Equal stated, 'D&E has supported program beneficiaries in their efforts to enter the formal labor market. The D&E staff continuously guides the beneficiaries to choose professions in demand in the labor market, adapting in each case to their personal skills... D&E has a close cooperation with Employment Offices and various private companies. All D&E program cases are registered with the Regional Employment Offices.'<sup>134</sup>
- 7.8.4 In October 2022, the HO fact-finding team met with an official from Key Advisor, which is licensed by the Ministry of Economy and Finance as a private employment agency. The official stated that Key Adviser has been supporting vulnerable groups, including victims of domestic violence, for 5 years. The official added, 'Our work focuses in 6 municipalities, in the north, however we do also operate in central Albania, Tirana and Elbasan, because despite huge economic developments there are many social issues in these places, too.'<sup>135</sup>

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## 7.9 Financial support

- 7.9.1 The ILO's report, Review of social protection system in Albania, June 2021, noted that 'Council of Ministers Decision No. 597 of 20194 stipulates that the following groups should benefit from economic assistance... victims of trafficking, victims of domestic violence....'<sup>136</sup>
- 7.9.2 In the annual report covering 2021, Different and Equal stated that beneficiaries of their assistance are informed of their right to benefit from economic assistance and are supported in compiling the necessary documents<sup>137</sup>.
- 7.9.3 In the annual report covering 2021, AWEN noted a project carried out in 2021, as described below:
- 'During the implementation of the project for 2021, AWEN supported the

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<sup>132</sup> UN Women, [In the words of Stela Tanellari: "Employment is essential ..."](#), 11 April 2022

<sup>133</sup> UN Women, [In the words of Stela Tanellari: "Employment is essential ..."](#), 11 April 2022

<sup>134</sup> D and E, [Annual Report 2021](#) (p.20), 28 July 2022

<sup>135</sup> UKHO, [Report of a fact-finding mission: Albania: Human trafficking](#), October 2022

<sup>136</sup> ILO, [Review of social protection system in Albania](#) (page 13), 4 June 2021

<sup>137</sup> D and E, [Annual Report 2021](#) (p.19), 28 July 2022



municipalities of Durrës, Pogradec and Shkodra to update the Socio-Economic Integration Plans for women victims of domestic violence and all other forms of violence.

‘Through the project, 12 abused women were supported respectively in the Durrës Municipality with food packages, rent payment and hygiene products. In the Pogradec Municipality, 17 cases of abused women were supported with food packages. In the Shkodra Municipality, 10 victims of violence were supported with food packages and rent payment. The total number of beneficiaries was 39...

‘In particular, AWEN took care that the plans go beyond the women’s urgent needs and run in the long term (psycho-social counselling, social activities, monitoring, employment counselling and support, help and support for children of victims of violence.

‘AWEN worked closely with network organizations: Gender, Peace, Security association, in Durrës, Woman to Woman in Shkodra and I, the Woman in Pogradec for the implementation of this project.’<sup>138</sup>

- 7.9.4 The HO fact-finding team visited Albania in October 2022, and met representatives of the Ministry of Health and Social Protection, who explained, ‘There are awareness raising campaigns, with economic aid for single mothers, this was doubled since January 2022 and it increases depending on the number of children. The more children they have, the higher the economic aid.’<sup>139</sup>

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## 7.10 Housing

- 7.10.1 In March 2019, UN Women reported:

‘...women survivors of domestic violence, victims and possible victims of trafficking, and single mothers are now among the groups to be prioritized for low-cost public housing, under the social housing law approved in May 2018.

‘Edlira Haxhiymeri, who has been running the Shelter for Abused Women and Girls in Tirana for 20 years, says that lack of housing and shelter is one of the biggest challenges for most abused women. “They either don’t have a house during their marriage or they lose it after the divorce. [Paying] rent is impossible for them.”...

“When they are the only source of income in the family, it is impossible to cope with the cost of housing,” stresses Haxhiymeri, echoing the need for affordable public housing for women.

‘Currently civil society organizations across Albania are informing communities about the new law and how to use it.

‘Some municipalities in Albania have supported survivors of domestic violence with rent bonuses. “We are thinking of encouraging the same practice with the rest of the municipalities to support survivors,” says Merita Xhafaj, General Director of Policies and Development for Health and Social

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<sup>138</sup> AWEN, [Annual Report 2021](#), no date

<sup>139</sup> UKHO, [Report of a fact-finding mission: Albania: Human trafficking](#), October 2022

Protection at the Ministry of Health and Social Protection.<sup>140</sup>

- 7.10.2 On 11 April 2022, UN Women published an article based on an interview with Different and Equal, who stated, 'long-term housing remains a big challenge, as in many cases they leave the abuser's apartment and change residences to avoid contact with the abuser's relatives. The housing programmes are not available in every municipality.'<sup>141</sup>
- 7.10.3 In the annual report covering 2021, AWEN stated that they had supported 191 women/girls and children with emergency housing and long-term housing (AWEN work with DV victims, but the information did not state whether the women and girls were victims of domestic abuse, trafficking or both)<sup>142</sup>.

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This section was updated on 3 December 2022

## 8. Situation of lone women

### 8.1 General attitudes to divorced women and single mothers

- 8.1.1 In October 2022, the HO fact-finding team met with Brikena Puka, Executive Director of Vatra, which provides assistance to victims of domestic abuse and trafficking. Ms Puka commented, 'In Albania there is a mentality in rural areas that families don't accept divorce. A family thinks when their daughter gets married she should stay with her husband despite DV. The other issue is there may be no possibility for families support their daughters, because of poverty and lack of accommodation.'<sup>143</sup>
- 8.1.2 The HO fact-finding team also met with representatives from the Mary Ward Loreto Foundation who stated, 'With adultery or those trafficked they would even be stigmatised by friends and family and would lose status, be abandoned or rejected or some would even be killed.'<sup>144</sup> The interlocutors further stated, 'For a single woman with a child it would be very hard due to the lack of financial support but she will also be stigmatised. She would be blame shamed. It's seen that a woman cannot live without a man.'<sup>145</sup>
- 8.1.3 The HO fact-finding team also met a representative of Caritas, who stated: 'A lot of rural people are coming to Tirana, some of them are divorced or their husband is outside the country or they have a lot of social issues and are living alone. The poverty has increased...'<sup>146</sup>
- 8.1.4 When the HO fact-finding team asked whether there were economic barriers to women living alone, the Caritas representative responded, 'And social [social barriers, as well as economic barriers], for living independently. Some are not very educated. They may feel afraid of life in Tirana...'<sup>147</sup>

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<sup>140</sup> UN Women, [New law in Albania will provide low-cost housing...](#), 5 March 2019

<sup>141</sup> UN Women, [In the words of Stela Tanellari: "Employment is essential ..."](#), 11 April 2022

<sup>142</sup> AWEN, [Annual Report 2021](#), no date

<sup>143</sup> UKHO, [Report of a fact-finding mission; Albania: Human trafficking](#), October 2022

<sup>144</sup> UKHO, [Report of a fact-finding mission; Albania: Human trafficking](#), October 2022

<sup>145</sup> UKHO, [Report of a fact-finding mission; Albania: Human trafficking](#), October 2022

<sup>146</sup> UKHO, [Report of a fact-finding mission; Albania: Human trafficking](#), October 2022

<sup>147</sup> UKHO, [Report of a fact-finding mission; Albania: Human trafficking](#), October 2022

- 8.1.5 The HO fact-finding team also met with representatives of the General Directorate of State Police during their mission to Albania of October 2022. During this meeting, they were told, ‘It is very difficult for a single woman or single mother to make it in Albania unless they are provided with a job or economic support. If they have neither they can never make it. So this is not official information but I know it happens.’<sup>148</sup>
- 8.1.6 When the HO fact-finding team met with representatives of the German Embassy in October 2022, they discussed life for single women and were told, ‘There is a risk from society. In rural areas women are dependent on men and it is hard for them to have access to the labour market. Being a single woman is not common or viewed well. The government has a national strategy on domestic violence (DV) and for equality. The situation is different when you look at Tirana or Durres compared to traditional rural areas.’<sup>149</sup>
- 8.1.7 When the fact-finding team asked if a woman from a rural area could relocate to Tirana, representatives of the German Embassy responded, ‘They could, but the expectation is that women stay at home, but they could relocate. We had a case where a woman victim of GBV [gender-based violence] has relocated to Durres and [been] provided with support. So there are cases.’<sup>150</sup>
- 8.1.8 The HO fact-finding team also met with representatives of the Mary Ward Loreto Foundation who described attitudes towards women in Albania: ‘There is a huge difference between villages and cities. In Tirana there are some independent girls and women, but there are also some that are submissive to male relatives. Women and girls are mostly blamed and considered responsible for anything that happens to them by men. “Don’t dress up and don’t go out”, so males are not considered guilty because they are just being men. This is the mentality in isolated areas, women and girls are mostly submissive and some of them are not allowed to go to school, some have arranged marriages since they were adolescent, so they cannot escape. Some come to Tirana to study and are independent here, but when they go back it is the same and they go back to being submissive.’<sup>151</sup>

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## 8.2 Finances

- 8.2.1 Quoting other sources, the OECD SIGI 2019 noted that ‘Married/unmarried women are provided with the same rights as married/unmarried men to obtain credit (Law on Protection from Discrimination, art. 20). Women face barriers in accessing land ownership and credit, notably because of their inability to use land as collateral (FAO, 2016).’<sup>152</sup>
- 8.2.2 Further information, including information about inheritance and property rights, is available in the [OECD SIGI report 2019](#).

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<sup>148</sup> UKHO, [Report of a fact-finding mission; Albania: Human trafficking](#), October 2022

<sup>149</sup> UKHO, [Report of a fact-finding mission; Albania: Human trafficking](#), October 2022

<sup>150</sup> UKHO, [Report of a fact-finding mission; Albania: Human trafficking](#), October 2022

<sup>151</sup> UKHO, [Report of a fact-finding mission; Albania: Human trafficking](#), October 2022

<sup>152</sup> OECD, SIGI 2019, [Albania](#), 2019

8.2.3 In October 2022, the HO fact-finding team interviewed a representative of Caritas, who stated:

‘For single women with children... we are receiving a lot of requests for financial support and support with housing costs. It is expensive here in Tirana, they are not well educated, they have some problems with their families, and sometimes they marry someone who is not accepted by their family and so they are not supported. And so before, a lot of money from outside was received and 200 euro was enough, but now remittance is very low, and it’s not easy to live in Tirana.’<sup>153</sup>

8.2.4 The HO fact-finding team also met with representatives from Centre for Legal Civic Initiatives, a civil society organisation, who mentioned maintenance (alimony) for single mothers, stating:

‘Another point is regarding single mothers. We would also like to see the execution of court decisions provide alimony in cases of divorce. The lack of execution of court decisions affects children as they don’t receive any child support. They have a lot of problems, in cases of divorce or separation... Separation/divorce in Albanian law is related to marriage but there is nothing for partnerships. But many single mothers are in this situation, they are single mothers following a partnership.’<sup>154</sup>

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This section was updated on 3 December 2022

## 9. Freedom of movement

9.1.1 Albania is roughly 28,000sqkm<sup>155</sup>, a little larger than Wales<sup>156</sup>, with a population estimated to be between 2.8million<sup>157</sup> and just over 3million<sup>158</sup>, of whom almost 500,000 live in the capital, Tirana<sup>159</sup>. Over 60% of the population live in urban areas and people continue to move to towns and cities; however, in general, there is a fairly ‘even distribution, with somewhat higher concentrations of people in the western and central parts of the country.’<sup>160</sup>

9.1.2 Around a third of the population is estimated to be under 24, two-fifths between 25 and 54 and the remainder 55 and older. Most are ethnic Albanian, around 1% ‘other’ (‘including Vlach, Romani, Macedonian, Montenegrin, and Egyptian’) and the remainder ‘unspecified’. A small majority are Muslim, while the rest are a mix of faiths, including ‘Roman Catholic 10%, Orthodox 6.8%, atheist 2.5%, Bektashi (a Sufi order) 2.1%, other 5.7%, unspecified 16.2%.’<sup>161</sup>

9.1.3 The INSTAT report, Women and Men in Albania, 2021, released on 6 July 2022 noted: ‘During 2020 persons who have changed their place of

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<sup>153</sup> UKHO, [Report of a fact-finding mission: Albania: Human trafficking](#), October 2022

<sup>154</sup> UKHO, [Report of a fact-finding mission: Albania: Human trafficking](#), October 2022

<sup>155</sup> UN data, [Albania](#), no date

<sup>156</sup> US CIA, The World Factbook, ‘[United Kingdom](#)’, updated 29 November 2022

<sup>157</sup> UN data, [Albania](#), no date

<sup>158</sup> US CIA, The World Factbook, ‘[Albania](#)’, updated 29 November 2022

<sup>159</sup> UN data, [Albania](#), no date

<sup>160</sup> US CIA, The World Factbook, ‘[Albania](#)’, updated 29 November 2022

<sup>161</sup> US CIA, The World Factbook, ‘[Albania](#)’, updated 29 November 2022

residence within the country in total are 34,009 where 13,353 are men and 20,656 women. During this year, the number of male internal migrants has decreased compared to 2019 while women have increased.<sup>162</sup>

9.1.4 The USSD HR Report 2021 stated, 'The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.'<sup>163</sup> In its report covering events in 2021, Freedom House similarly noted that 'Albanians generally enjoy freedom of movement, though criminal activity and practices related to historically predominant honor codes limit these rights in some areas. People are generally free to change their place of residence or employment.'<sup>164</sup>

9.1.5 Quoting other sources, the OECD SIGI 2019 reported:

'The law provides married/unmarried women with the same rights as married/unmarried men to apply for identity cards (Law on Identity Cards, art. 3). Married/unmarried women are provided with the same rights as married/unmarried men to apply for passports (Law on Providing Passports for Albanian Citizens, art. 2). Additionally, the law provides women with the same rights as men to acquire passports and other travel documents for their minor children (Law on Providing Passports for Albanian Citizens, art. 2). Furthermore, married/unmarried women are granted the same rights as married/unmarried men to travel outside the country (Constitution, art. 38).

'The FAO (2016) reports on de-facto restriction of married women's mobility, mostly in rural areas. As such, a married woman is supposed to move in with her husband and to seek his permission before traveling within Albania or abroad (FAO, 2016).'<sup>165</sup>

9.1.6 The USSD HR Report 2021 noted, 'To receive government services, citizens changing place of residence within the country must transfer their civil registration to their new community and prove the legality of their new domicile through property ownership, a property rental agreement, or utility bills.'<sup>166</sup>

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<sup>162</sup> INSTAT, '[Women and Men in Albania, 2021](#)' (page 13), 6 July 2022

<sup>163</sup> USSD, '[HR Report 2021](#)' (section 2.d), 2 June 2022

<sup>164</sup> Freedom House, '[Freedom in the World 2022](#)' (G1), February 2022

<sup>165</sup> OECD, SIGI 2019, '[Albania](#), 2019

<sup>166</sup> USSD, '[HR Report 2021](#)' (section 2.d), 2 June 2022

# Annex A

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British Embassy  
Tirana

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 3<sup>rd</sup> 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 3<sup>rd</sup> 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 s 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 4<sup>th</sup> 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 are set up 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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# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Law
- Prevalence of domestic abuse
- Police protection
  - Protection orders
- Prosecution
  - Number of prosecutions
  - Outcome of prosecutions
- Shelters
  - Number of shelters
  - Capacity of shelters
  - Location of shelters
  - Services provided
- Assistance available
  - Healthcare, including mental healthcare
  - Financial assistance
  - Education
  - Employment
  - Housing
  - Childcare
- Life for single women/single mothers
  - Civil registration and data security
  - Freedom of movement
  - Societal attitudes and stigma
- Strategies to address domestic abuse
  - Current action plans
  - Action to raise awareness

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# Version control

## Clearance

Below is information on when this note was cleared:

- version **4.0**
- valid from **14 December 2022**

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### **Official – sensitive: Start of section**

The information on this page has been removed as it is restricted for internal Home Office use.

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### **Official – sensitive: End of section**

## Changes from last version of this note

Updated country information and assessment.

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