



**Report on the implementation of the  
Council of Europe Convention on Preventing and Combating  
Violence against Women and Domestic Violence  
in Albania**

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**Introduction**

This report presents an overview of the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in Albania. The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence was adopted by the Council of Europe Committee of Ministers on 7 April 2011 and entered into force on 1 August 2014. Albania signed the convention on 19 December 2011, ratified it on 04 February 2013 and it entered into force on 01 August 2014. The monitoring report was drafted during September – October 2016. The aim of the report is to present the legislative, institutional and in-field accomplishments achieved as a result of the ratification of the CoE Convention by the Albanian Government, highlight the implementation challenges and recommend further improvements.

Desk review was used as the main methodology to gather the data. Existing reports and studies conducted recently by both state structures and non governmental local and international organizations were reviewed with the aim of collecting the necessary data. Data were confirmed and updated when necessary. The report is organized around 8 main themes: (a) legislative and institutional framework on violence against women and domestic violence, (b) prevention, (c) protection, (d) prosecution, (e) integrated policies, (f) gender perspective, (g) NGOs, and (h) funding. In the first part of the report, information on the legislative framework is presented, including the national laws, by-laws, and strategies and action plans related directly or indirectly to violence against women and domestic violence; an overview of the institutional framework is also presented, depicting the existing institutions and their responsibilities related to the topic. The following parts – prevention, protection and prosecution – are organised in accordance with provisions of the CoE Convention under these three topics, introducing a short description of each relevant Article followed by description of its implementation in Albania. The last four parts - integrated policies, gender perspective, NGOs, and funding - present information about priorities set by the CoE about these topics and a brief overview of their actual implementation in Albania. The recommendations are presented in the last part of the report.

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## **1. Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence**

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (here on CoE Convention) is the first legally binding European and the most comprehensive international instrument that tackles violations of women rights in general and violence against women in particular. It anticipates measures to prevent the occurrence of this phenomenon, protect the victims and prosecute the perpetrators. CoE Convention is based on the belief that violence against women and domestic violence are forms of gender-based violence committed against women because they are women. The obligation to address domestic violence fully and in all its forms remains with the state. As such, the Convention requires States Parties to criminalise and sanction violence against women.

To this end, the CoE Convention enlists in detail the acts of violence against women: domestic violence (physical, sexual, psychological and economic violence), stalking, forced marriage, female genital mutilation, forced abortion and forced sterilization, sexual violence including rape, and sexual harassment. The variety of these acts of violence are usually performed by men against women as a way to sustain male power and control, a fact which brings to light the structural nature of such violence; it is usually used by men against women. However, the CoE Convention encourages its application also to all male victims of domestic violence.

Another pioneering aspect of the CoE Convention is that it provides the foundation for a legal framework for protection from of all forms of violence at pan-European level. Also, it opens new, real opportunities to prevent, prosecute and eliminate violence against women and domestic violence. Its effective implementation by the Parties is ensured by two pillars: an independent expert body, the *Group of Experts on Action against Violence against Women and Domestic Violence* (GREVIO), and a political body, the *Committee of the Parties*, composed of representatives of the Parties to the CoE Convention.<sup>1</sup>

Through its 81 articles, the CoE Convention makes detailed provisions on measures to be taken by the States Parties to prevent violence against women and domestic violence, protect the victims and punish the perpetrators. It foresees the setting up of a set of services to support, help recover and empower women victims of DV. The types of services and the respective approaches in delivery are also detailed in the CoE Convention for the States Parties to implement. Clear differentiation between general and specialist support is provided, and the respective comprehensive and general standards are set to maximise the support delivery to victims.<sup>2</sup> In Article 18, the CoE Convention requires support services to be based on a gendered understanding of violence against women and domestic violence as well as focus on the human rights and safety of the victim; to be based on an integrated approach which takes into account the relationships

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<sup>1</sup> Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. <http://www.coe.int/en/web/istanbul-convention/home>. Last seen Sept. 20, 2016.

<sup>2</sup> General support services (Art. 20) refer to help by public authorities such as social services, health services and employment services, whereas specialist support services (Article 22) refer to services specialised in providing support and assistance tailored to the needs of victims of specific forms of violence against women or domestic violence.

between victims, perpetrators, children, and their wider social environment; aim at avoiding secondary victimisation; aim at empowerment and economic independence of women victims of DV; be located, when appropriate, on the same premises; address the specific needs of vulnerable persons, including child victims, and be made available to them. According to the same Article (18), the provision of services shall not depend on the victim's willingness to press charges or testify against any perpetrator.

According to Article 20 of the CoE, victims should have access to services facilitating their recovery from violence, including legal and psychological counselling, financial assistance, housing, education, training and assistance in finding employment.

Accordingly, Article 15 foresees that professionals working in these services should receive appropriate training on the prevention and detection of violence against women, equality between women and men, the needs and rights of victims, and how to prevent secondary victimisation.

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence was adopted by the Council of Europe Committee of Ministers on 7 April 2011. It was opened for signature on 11 May 2011 on the occasion of the 121st Session of the Committee of Ministers in Istanbul. Following its 10th ratification by Andorra on 22 April 2014, it entered into force on 1 August 2014.<sup>3</sup> Albania signed the convention on 19 December 2011, ratified it on 04 February 2013 and it entered into force on 01 August 2014.<sup>4</sup>

## **2. Overview of Legislation on Violence against Women and Domestic Violence**

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

### **2.1 National Legislative Framework**

#### **2.1.1 National Laws**

##### **Law on Domestic Violence**

The first Law on Domestic Violence was approved in December 2006. It was a proposal developed by the civil society and supported by 20000 signatures. The Law was

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<sup>3</sup> Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. <http://www.coe.int/en/web/istanbul-convention/historical-background>. Last seen Sept. 20, 2016.

<sup>4</sup> Chart of signatures and ratifications of Treaty 210. <http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures>. Last seen Sept. 20, 2016.

improved twice in 2008<sup>5</sup> and 2010<sup>6</sup>. A coordination mechanism for the treatment of domestic violence cases was set in place in 2011<sup>7</sup>, based on the successful model of piloting the coordinated community response against violence against women at local level and following the specific platform designed for this purpose.

### **Law on Gender Equality in Society**

Law on Gender Equality<sup>8</sup> entered into force, together with a series of measures for the improvement of gender equality, including the establishment of the National Gender Machinery, women's participation in decision making-making in political and public spheres, etc. A set of harmonised indicators for gender equality and women's status was adopted in 2010<sup>9</sup> followed by specific measures on gender mainstreaming in mid-term budget programs in 2012<sup>10</sup>.

### **Law on Protection against Discrimination**

The Law on Protection against Discrimination<sup>11</sup> entered into force in 2010. It was followed by the establishment of the Commissioner for the Protection against Discrimination, an independent body that safeguards protection against discrimination.

### **Amendments to Law on the Criminal Code of the Republic of Albania**

The amendments of the Criminal Code in 2012<sup>12</sup> and 2013<sup>13</sup> in regards to domestic violence and protection of women and girls from violence and abuse were major steps in protecting women from domestic violence and other types of violence. Some of the amendments undertaken included the making of domestic violence a criminal offence, introducing stalking, criminalising forced sexual intercourse with adults or husband/partner without their consent, and intermediation or offering remuneration for persuasion to prostitution.

### **Other relevant legislative amendments:**

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<sup>5</sup> Law No. 9914, dated 12.05.2008 "On some addenda to Law No. 9669, dated 18.12.2006 "On measures against violence in family relations"

<sup>6</sup> Law No. 10329, dated 30.09.2010 "On some addenda and amendments to Law No. 9669 "On measures against violence in family relations"

<sup>7</sup> Council of Ministers' Decision no. 334, dated 17.02.2011 "On the establishment of the national referral mechanism for the treatment of domestic violence' cases and its way of functioning"

<sup>8</sup> Law no. 9970, dated 24.07.2008 "On gender equality in society"

<sup>9</sup> Instruction no. 1220, dated 27.05.2010, of the Ministry of Labour, Social Affairs and Equal Opportunities for the "Harmonised indicators on gender equality and status of women in Albania"

<sup>10</sup> Council of Ministers' Decision no. 465, dated 16.07.2012 "On gender mainstreaming in the medium term budget programme"

<sup>11</sup> Law no. 10221, dated 4.02.2010 "On protection against discrimination"

<sup>12</sup> Law no. 23, dated 1.03.2012 "On some addenda and amendments to Law no. 7895, dated 27.01.1995 'On the Criminal Code of the Republic of Albania'

<sup>13</sup> Law no. 144/2013, dated 2.05.2013 "On some addenda and amendments to Law no. 7895, dated 27.01.1995 'On the Criminal Code of the Republic of Albania'

- Law no. 10192 dated 03.12.2009 on “Prevention and Fight against Organized Crime and Trafficking through Preventive Measures against Property”
- Law on “Social Assistance and Social Services” (2011; 2014)
- Law on “Social Programme for Housing Inhabitants in Urban Areas” (2012)
- Electoral Code (2012)
- Law on “Registration of Immovable Property” (2012)
- Law on “Legal Aid” (2013)
- Civil Procedure Code (2013)
- Law on “Organization of the Judiciary” (2013)
- Law on “Rights and Treatment of Convicted and Detained Persons” (2014)

### **2.1.2 National By-Laws**

- Prime Minister’s Order no. 3, dated 08.01.2009 on the “Operation of the National Council on Gender Equality”, in line with Law no. 9970/2008
- Order no. 69, dated 25.01.2010 of the General Director of State Police on “Coordination of Work between Central and Local Government Structures in the Fight Against Trafficking in Human Beings, and Identification of Victims of Trafficking”
- Prime Minister’s Order no. 36, dated 18.03.2011 on “Establishment of the National Centre for Treatment of Victims of Domestic Violence”
- Council of Ministers’ Decision no. 505, dated 13.07.2011 on “Setting the Standards for Social Care Services Provided to Victims of Domestic Violence in Public and Non-public Residential Centres”
- Council of Ministers’ Decision no. 582, dated 27.07.2011 on “Standard Operation procedure (SOPs) for the Identification and Referral of Victims / Potential Victims of Trafficking”
- Council of Ministers’ Decision no. 425, dated 27.06.2012 on “Eligibility Criteria and Documentation Required for Admission of Persons in Residential Public and Non-public Social Care Institution”
- Council of Ministers’ Decision no. 395, dated 20.06.2012 on “Treatment of Victims of Trafficking and Health Services Provided to This Category”
- Order of Minister of Health no. 470, dated 03.09.2013 on “Adoption of Indicators for Monitoring of Performance of Mother and Child Clinics in the Primary Health Care”

### **2.1.3 National Strategies**

#### **National Strategy on Gender Equality and Elimination of Domestic Violence (2007 – 2010)**

The “National Strategy on Gender Equality and Elimination of Domestic Violence” was the first strategy approved by the Council of Ministers’ Decision no. 913, dated 19.12.2007. It covered the period 2007 – 2010. The main aims of the strategy were to incorporate gender and domestic violence related issues in public policies with the final

goal of advancing gender equality and minimise domestic violence in the future. An accompanying Action Plan was drafted around 8 priority areas to be targeted during the period 2008 – 2010. The coordinating body for the strategy was the Ministry of Labour, Social Affairs and Equal Opportunities, and the strategy was implemented in collaboration with line ministries and their subordinate agencies, prefectures, municipalities and the network of gender employees at central and local levels.

### **National Strategy on Gender Equality, Reduction of Gender-based Violence and Domestic Violence and its Action Plan (2011 – 2015)**

The second “National Strategy on Gender Equality, Reduction of Gender-based Violence and Domestic Violence and its Action Plan” is the most recent action plan in Albania covering the issue of violence against women for the 2011 – 2015 period. The National Strategy has four strategic priorities: (i) strengthening of institutional and legislative mechanisms, (ii) higher participation of women in decision-making, (iii) economic empowerment of women/girls, and (iv) gender-based violence/domestic violence reduction. The strategy has its accompanying Action Plan and defines the financial costs covered by the state budget, local government and donors. The Action Plan incorporates the Committee recommendations (2010) on the needs of particularly disadvantaged women’s groups suffering from discrimination on the basis of disability, social or ethnic origin, or sexual orientation. It is monitored annually based on harmonised gender indicators and information collected from the relevant bodies (central and local). One of the main achievements of this Strategy were the clear, concrete, measurable and applicable objectives, with costing and financing sources provided for each measure. The National Strategy and its Action Plan cover a very limited range of the forms of violence towards women: violence within the family or domestic violence, and honour killings. Rape and sexual assault are addressed by the penal code only. However, it is sensitive to the rights of both genders and seeks to address them through comprehensive action, keeping due account of the needs of certain categories of disadvantaged women due to disability, social origins, ethnicity, or sexual orientation.

In collaboration with UNDP in Albania, the Ministry of Social Welfare and Youth has been recently working on the preparation of the new national strategy for the upcoming 2016 – 2020 period.

### **National Action Plan for the Involvement of Men and Boys as Partners of Women and Girls for Gender Equality and the Prevention of Gender-Based and Domestic Violence (2014 – 2019)**

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

## **National Strategy on Combating Humans' Trafficking and its Action Plan 2014 - 2017**

The current National Strategy on Combating Humans' Trafficking and its Action Plan<sup>14</sup> covers the period 2014 – 2017. It is the fourth strategy regarding anti-trafficking issues, following:

- The first “National Anti-Trafficking Strategy” and its Action Plan (2001 – 2004);
- The second “National Strategy against Trafficking in Human Beings” (2005 – 2007); and
- The third “National Strategy for the Fight against Trafficking in Human Beings” for the period 2008 – 2010, and the additional document “National Strategy for the Fight against Trafficking and the Protection of Child Victims of Trafficking”<sup>15</sup>.

### **2.2 National Institutional Framework on Violence against Women**

#### **Minister of Social Welfare and Youth**

Since 2013, the responsible body for matters related to gender equality and domestic violence, as foreseen by respective laws, is the Minister of Social Welfare and Youth. Before 2013, the responsible body has been the Minister of Labour, Social Affairs and Equal Opportunities, exercising his power through the Department of Equal Opportunities and Family Policies. The Minister of Social Welfare and Youth operates through the Directory of Social Inclusion and Gender Equality under the Directorate of Social Policies at the Ministry of Social Welfare and Youth. The Directory is in charge of developing policies related to gender equality and domestic violence.

#### **National Council on Gender Equality**

The National Council on Gender Equality is a coordinating body in charge of monitoring the implementation of policies aiming at preventing violence against women. It was first established in 2009. Following its restructuring in 2013 resulting from the 2013 parliamentary elections, it is currently composed of 9 deputy ministers and 3 civil society organizations' representatives and it is chaired by the Minister of Social Welfare and Youth. The National Council on Gender Equality is also in charge of evaluation and monitoring of the National Strategy on Gender Equality, Reduction of Gender-Based Violence and Domestic Violence and its Action Plan (2011 – 2015) and contributing to the development of the new national strategy for the upcoming 2016 – 2020 period. So far this body has held occasional meetings during which it has addressed various gender-related issues, adopted several by-laws and issued annual monitoring reports and recommendations to central and local bodies.<sup>16</sup> Despite these works, a recent evaluative

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<sup>14</sup> Council of Ministers' decision no. 816, dated 26.11.2014

<sup>15</sup> Council of Ministers' Decision no. 1083, dated 23.07.2008.

<sup>16</sup> Fourth periodic report of States parties on implementation of CEDAW, due in 2014: Albania. 24 November 2014. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/664/83/PDF/N1466483.pdf?OpenElement>. Last seen Oct. 20, 2016.

report conducted by a consortium of civil society organizations has pointed to its inefficiency in monitoring and coordinating all activities undertaken by the Ministries.<sup>17</sup>

### **Gender Equality Employees**

The network of Gender Equality Employees at both central and local levels is a vital part of the national gender machinery. Their main duty, as foreseen by the Law on Gender Equality, is to mainstream gender in the governmental policies at all levels. However, data from CEDAW 4<sup>th</sup> Periodic Report (2014) shows that the gender equality employees are not appointed full-time as there are more gender focal points than full-time gender employees. Following the 2013 election, a decision has been made to have in place a small but efficient administration, thus the public administration had been reduced by 30 per cent. Employees dealing with gender issues are not full-time gender equality officers, but gender equality tasks are part of their regular job descriptions and their performance is reviewed on gender equality criteria twice a year. So far, 49 officers at the local level had been appointed and received necessary training. Although the number of persons in public administration has been reduced, the people who have more than 20 years of experience still work in gender equality in the Ministry, thus providing continuity and ensuring that the capacity for gender equality remained. Members of local and municipal authorities and councils are being trained in gender equality, including gender budgeting, as they would be the ones making financing decisions in their municipalities. There is an online database of cases of domestic violence with data entered directly by municipal authorities, and it was accessible by the gender equality officers working at the central level.<sup>18</sup>

### **Committee on Labour, Social Affairs and Health Care**

The Committee on Labour, Social Affairs and Health Care operates at the People's Assembly level and addresses issues related to gender equality and fight against domestic violence. The **Subcommittee on Minors, Gender Equality and Domestic Violence** was established in 2013, aiming at monitoring government policies in support of women and families. Under the Committee on Legal Matters, Public Administration and Human Rights there is also a **Subcommittee on Human Rights**.

### **Alliance of Women MPs**

The Alliance of Women MPs is a lobbying movement established in 2013. It was launched by women MPs whose goal is to place a greater focus on women's issues and gender equality. It is composed of 27 female MPs: 14 from the Socialist Party, 9 from the Democratic Party, and 4 from Socialist Movement for Integration.

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<sup>17</sup> WAVE. Compilation of Country Profiles. July 2016. [http://files.wave-network.org/researchreports/WAVEReport2015\\_Compilation\\_Country\\_Profiles.pdf](http://files.wave-network.org/researchreports/WAVEReport2015_Compilation_Country_Profiles.pdf). Last seen Oct. 20, 2016.

<sup>18</sup> The Committee on the Elimination of Discrimination against Women (8 July 2016). Comments on Fourth period Report of Albania. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20263&LangID=E>. Last seen Oct. 20, 2016.

### **3. Prevention**

Prevention is one of the most crucial aspects of the CoE Convention. Issues related to prevention are covered in Chapter III. Preventing violence against women and domestic violence can not only reduce human suffering but most importantly they can save lives. The responsibilities of the governments that agree to be bound by the CoE Convention in regard to prevention of violence against women and domestic violence are as follows:

#### **3.1 Providing training for professionals in close contact with victims**

Article 15 of the CoE Convention states that Parties shall provide or strengthen appropriate training for the relevant professionals dealing with victims or perpetrators of all acts of violence covered by the scope of the CoE on the prevention and detection of such violence, equality between women and men, the needs and rights of victims as well as on secondary victimisation. Parties shall encourage that the training includes training in coordinated multi-agency cooperation to allow for a comprehensive and appropriate handling of referrals in cases of violence covered by the scope of the CoE Convention.

According to WAVE country profile compilation report, in Albania training for professionals in close contact with victims of domestic violence or violence against women is offered by organizations working on women rights and gender equality, national women's networks, women's shelters, women's helplines and women's centres. So far no state institution has provided such training and no state funding has been allocated for training activities. The trainings run by civil society organizations are supported by funding provided mainly by international donors. The target groups of these trainings are police officers, health care professionals and social workers. An example of trainings for professionals in close contact with victims are the trainings organized by Refleksione Women's Association. The trainings were carried out in 10 municipalities in Albania within the framework of 'Free from fear of violence – bringing the Istanbul Convention to the local level' project. The target group for these trainings were health care professionals. Several other women's NGOs have organised trainings for police officers who work with cases of domestic violence or gender based violence. Such training programs focused on Protocol on Procedures and the Law on Violence against Women.<sup>19</sup>

In its fourth periodic report on implementation of CEDAW, the Albanian Government enlists a detailed series of trainings targeting professionals dealing with victims or perpetrators of domestic violence or violence against women. The list involves the time period, target group and relevant figures, but no information is provided on the organisers of the trainings. All the trainings are financially supported by international

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<sup>19</sup> WAVE. Compilation of Country Profiles. July 2016. [http://files.wave-network.org/researchreports/WAVEReport2015\\_Compilation\\_Country\\_Profiles.pdf](http://files.wave-network.org/researchreports/WAVEReport2015_Compilation_Country_Profiles.pdf). Last seen Oct. 20, 2016.

organisations operating in the country – mostly UN organisations. The trainings reported are as follows:

- 2010 – 2013: 4400 health care from 12 regions were trained (1275 women in 2010, 730 women in 2011 and 1067 women in 2013). Domestic Violence and Child Protection officers have been appointed at the Public Health Departments of all districts (supported by UNFPA);
- 2012 – 2014: 339 members (210 women) of Inter-disciplinary Technical Teams, part of the Domestic Violence Referral Mechanisms, were trained (supported by UNDP);
- 2013: the School of Magistrate conducted a training cycle for 151 legal professionals from (69 judges, 27 prosecutors, 11 forensic experts, and 44 other professionals) (supported by UNDP);
- 2012: 31 female workers from the National Centre for Victims of Domestic Violence received training. In 2014, 37 workers and National Centre workers were trained (of whom 28 female).
- January – April 2014: 51 gender workers and local coordinators were trained on computerised recording of cases of domestic violence (supported by UNDP);
- January – June 2014: 224 police officers were trained (62 female) (supported by the Swedish Government Programme).<sup>20</sup>

Despite the above mentioned efforts, a recent study on violence against women and girls support services found that the service providers lack the necessary professional knowledge in regard to the national legal framework and national standards of working with violence against women. Such lack of knowledge is directly reflected in extreme difficulties these professionals face in management of cases of domestic violence. Many services are aware of the existence of the CoE Convention and its ratification by Albania but only few of them have concrete knowledge about it. Most of the service providers consider it as an instrument for dealing with cases of violence against women exclusively in family relations. They tend to associate the aim with only domestic violence and consequently not with other forms of violence, in particular trafficking of women and girls. A reason for this widespread misunderstanding may be related to the fact that in Albania there exist specific legislation and mechanisms on trafficking in human beings, and even awareness raising campaigns on this phenomena are organized separately from campaigns on violence against women.<sup>21</sup>

According to the same study, some service providers have trained their staff in topics of discrimination and gender equality. However there has been no serious investment in capacity building activities by all the service providers. Lack of knowledge in regard to these topics is observed in particular among specialist services. The modules use by NGOs are found to be more comprehensive and as a result they have proved to be more effective compared to the modules used by the public institutions.

In conclusion, data regarding training of relevant professionals dealing with victims or perpetrators of all acts of violence is not properly recorded. Moreover, data

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<sup>20</sup> Fourth periodic report of States parties on implementation of CEDAW, due in 2014: Albania. 24 November 2014. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/664/83/PDF/N1466483.pdf?OpenElement>. Last seen Oct. 20, 2016.

<sup>21</sup> Kelly, L., Lovett, J. & Kocaqi, M. (2015). Albania – Final Report: “Mapping Violence against Women and Girls Support Services”. Tirana: Council of Europe & UN Women.

provided by non governmental organisations is not compatible with data provided by the Albanian Government and, in both cases, the data is incomplete. These findings point to lack of coordinated multi-agency cooperation to allow for a comprehensive and appropriate handling of referrals in cases of violence. The training topics documented by both state and civil society sources do not cover all the acts of violence covered by the scope of the CoE Convention on the prevention and detection of such violence. Accordingly, despite the trainings organised with the support of international UN agencies, lack of knowledge remains prevalent among professionals working with victims or perpetrators of all acts of violence.

### **3.2 Regularly organizing awareness-raising campaigns**

Article 13 of the CoE Convention states that Parties shall promote or conduct, on a regular basis and at all levels, awareness-raising campaigns or programmes, including in cooperation with national human rights institutions and equality bodies, civil society and non-governmental organisations, especially women’s organisations, where appropriate, to increase awareness and understanding among the general public of the different manifestations of all forms of violence covered by the scope of this Convention, their consequences on children and the need to prevent such violence. Also, Parties shall ensure the wide dissemination among the general public of information on measures available to prevent acts of violence covered by the scope of this Convention.

International and local NGOs in Albania have been the main promoters of awareness raising to increase awareness and understanding among the general public on domestic violence and violence against women. The most outstanding examples of such pioneering work are the HeForShe and 16 Days of Activism Against Violence Against Women campaigns. HeForShe campaign was officially launched by UN Women Albania on 7 March 2014. It targets gender equality and solidarity, and aims to engage men and boys as advocates and change agents in achievement of gender equality and women’s rights. The campaign encourages men to speak up and take action against the inequalities women and girls face in their daily lives. HeforShe unites half of humanity to support the other half to the benefit of all. The campaign’s central goal is to raise awareness and to promote activities highlighting men and boys’ responsibility for the elimination of all forms of violence and discrimination against women and girls. To this end, in July 2014 the Ministry of Social Welfare and Youth joined UN Women Albania activities by producing video-messages on “Men and Boys for Gender Equality”. About 45 video-messages by well-known public figures and ordinary people are accessible online and can be used in awareness-raising activities. The Minister of Social Welfare and Youth himself is a HeforShe.

In 2014 the Ministry of Social Welfare and Youth successfully coordinated a number of campaign actions under a single slogan and with a joint calendar of activities with government bodies, civil society and international organisations, and local authorities in the frame of 16 Days of Activism Against Violence Against Women campaign. For the second year in a row, the 16 Days Campaign focused primarily on involving as many men and boys as possible as partners and collaborators in action against gender-based violence and domestic violence. The slogan remained unchanged: *Men and Boys part of the solution – Show that you are against violence!* The campaign

was officially launched on 24 November 2014, following the second meeting of the National Council on Gender Equality, at an awareness raising meeting held with students and academic staff in the premises of the Social Sciences Faculty in Tirana. The campaign's calendar of activities was successfully implemented across the country, with the participation of a variety of actors. Other institutions also played an important role in the success of the campaign:

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

During the 2015 campaign, 11 non-profit organisations, supported by UN Women and UNDP, extended their activities beyond the 10<sup>th</sup> of December till the end of March 2015. The 16 Days Campaign was extensively covered by Media. Representatives of the Ministry of Social Welfare and Youth and other line ministries took part in a number of television programmes discussing issues related to violence against women and domestic violence.<sup>22</sup>

Other awareness-raising and promotional activities include:

- During the 2013 "16 Days" campaign, the Parliamentary Committee on Labour, Social Issues and Health Care and AWMP held an open hearing with representatives from government bodies, international and civil society organisations, where their roles and commitment in preventing and fighting VaW were discussed.
- In June 2014, the Sub-Committee on Minors, Gender Equality and Domestic Violence participated in the Anti-Domestic Violence campaign in Korça. The campaign involved members of the Domestic Violence Referral Mechanism, police officers and students. The sub-committee held an awareness-raising session on domestic violence and international and national acts. The participants committed to join efforts in the fight against domestic violence and to ensure effective protection of victims/survivors.
- The Public Health Institute organised promotional events in ten districts of the country which targeted health care workers in community and schools, in order to raise their awareness in relation to gender based violence and domestic violence issues.<sup>23</sup>

Overall, collaboration of international organizations and local NGOs with state structures in organising awareness raising campaigns has been successful due to persistent work of NGOs and positive attitude of governmental institutions. However, these campaigns remain primarily funded by international organizations and largely initiated by NGOs and

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<sup>22</sup> Refleksione. Përmbledhje e gjetjeve kryesore mbi raportin: "Hartëzimi i shërbimeve dhe vlerësimi i koston së Konventës së Komisionit Europian mbi Parandalimin dhe Luftën kundër Dhunës ndaj Grave dhe Dhunës në Familje, në Shqipëri".

<sup>23</sup> Fourth periodic report of States parties on implementation of CEDAW, due in 2014: Albania. 24 November 2014. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/664/83/PDF/N1466483.pdf?OpenElement>. Last seen Oct. 20, 2016.

not the other way around.

### **3.3 Including issues such as gender equality and non-violent conflict resolution in interpersonal relationships in teaching material**

According to Article 14 of the CoE, Parties shall take, where appropriate, the necessary steps to include teaching material on issues such as equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity, adapted to the evolving capacity of learners, in formal curricula and at all levels of education as well as in informal educational facilities, sports, cultural and leisure facilities and the media.

According to Albanian fourth periodic report on implementation of CEDAW, the Ministry of Education and Sports, in collaboration with other responsible bodies, addressed gender stereotyping and gender mainstreaming issues by (1) revising/developing pre-university and university curricula, including the promotion/application of quotas for girls and boys to pursue their studies in study non-traditional disciplines; (2) training of textbook authors in revising/developing textbooks, focusing on gender mainstreaming and eliminating stereotypes; (3) developing guidelines/methodological manuals on gender mainstreaming of school curricula; and (4) creating equal opportunities/conditions for women/girls to participate in sports teams and activities.<sup>24</sup>

Similar efforts have taken place, dating back to the first study conducted by Gender Alliance for Development Centre in 2008 on representation of gender equality in textbooks. Manuals and guidelines have been prepared and used in many trainings for almost one decade now by different non profit organisations as well as Institute for Education Development, a subsidiary structure of the Ministry of Education and Sports. A variety of actors in education has been target by these trainings, such as teachers, students, parents, textbook authors, policymakers in education, etc. One of the textbooks' selection criteria set by this Ministry is also gender stereotypes and gender equality in basic and higher secondary education textbooks. Similar modules have been developed for trainings with journalists and many non profit organisations have conducted series of trainings with both written and visual Media journalists not only in Tirana but throughout the country. Leading NGOs in the education field are Save the Children, UNICEF, World Vision in Albania, etc.

Formal steps in involving topics related to gender equality, eliminating gender stereotypes and usage of discriminatory language have been undertaken in basic and secondary higher education curricula, including training with teachers and students. Analysis of actual implementation in the classrooms and evaluation of initial results would help to have a better understanding of the impact of such interventions. No information is available on preparation and inclusion of informal educational facilities, sports, cultural and leisure facilities of these issues. Media also remains a group targeted

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<sup>24</sup> Fourth periodic report of States parties on implementation of CEDAW, due in 2014: Albania. 24 November 2014. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/664/83/PDF/N1466483.pdf?OpenElement>. Last seen Oct. 20, 2016

sporadically by NGOs and no systematic work has been done so far in regard to proper education of journalists in regard to equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity.

### **3.4 Setting up treatment programmes for perpetrators of domestic violence and for sex offenders**

Article 16 of the CoE Convention requires the set up of perpetrators programmes as a specialist service against domestic violence. It requires from the Parties to set up or support programmes aimed at teaching perpetrators of domestic violence to adopt non-violent behaviour in interpersonal relationships with a view to preventing further violence and changing violent behavioural patterns. Also, Parties shall ensure that the safety of, support for and the human rights of victims are of primary concern and that, where appropriate, these programmes are set up and implemented in close co-ordination with specialist support services for victims.

In Albania, the work with perpetrators is a recent initiative. Some service providers have initiated the work with perpetrators because the survivors have requested/suggested it, while others because it has been requested by the legislation. An example of such programme are the Office for Men and boys in Shkodra- which has started as an initiative of the organization Woman to Woman, Shkodra a local NGO and the Counselling Line for Men & Boys which started in 2015 and managed by Counselling Line for Women & Girls, another local NGO. The staff of both organizations is composed of men counsellors who, in September 2014, were the first group of men to receive certificates as qualified counsellors for this service. There is a growing interest to participate in the program even by men who are not obliged by the court.<sup>25</sup>

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

### **3.5 Involving the Media and the private sector in eradicating gender stereotypes and promoting mutual respect**

Violence against women is pervasive because misogynistic attitudes towards women persist and they are every day reinforced by patriarchal role models, media images, discriminatory public speeches and gender biased parenting styles. Article 17 of the CoE

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<sup>25</sup> WAVE. Compilation of Country Profiles. July 2016. [http://files.wave-network.org/researchreports/WAVEReport2015\\_Compilation\\_Country\\_Profiles.pdf](http://files.wave-network.org/researchreports/WAVEReport2015_Compilation_Country_Profiles.pdf). Last seen Oct. 20, 2016.

Convention encourages the private sector, the information and communication technology sector and the media, with due respect for freedom of expression and their independence, to participate in the elaboration and implementation of policies and to set guidelines and self regulatory standards to prevent violence against women and to enhance respect for their dignity.

In Albania series of trainings with visual and written Media journalists have been organized by women's organizations, both international and local. The trainings aim at eliminating hate speech against women, gender stereotypes that promote inequality, revelation of the identity of women victims of domestic violence, decriminalizing the often recurring description of women victims, etc. Most of the trainings take place in the capital of Albania but local NGOs have been working with local journalists too benefiting from the support and expertise of international and pioneering NGOs working in major cities. No data are available on involvement of the private sector in eradicating gender stereotypes and promoting mutual respect.

#### **4. Protection**

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence clearly states that when preventive measures have failed and violence incidents have happened, it is important to provide victims and witnesses with protection and support. Protection is usually provided through police intervention as well as specialised support services such as shelters, telephone hotlines etc. In order to protect the women victims of violence, the CoE Convention requires the setting up of shelters, telephone helplines and rape crisis centres or sexual violence referral centres. All support services to women victims of violence are to take due account of the rights and needs of child witnesses of violence against women. The measures set forth in the Convention in regard to protection include:

##### **4.1 Granting the police the power to remove a perpetrator of domestic violence from his or her home**

Article 52 of the CoE foresees that Parties shall take the necessary legislative or other measures to ensure that the competent authorities are granted the power to order, in situations of immediate danger, a perpetrator of domestic violence to vacate the residence of the victim or person at risk for a sufficient period of time and to prohibit the perpetrator from entering the residence of or contacting the victim or person at risk. Also, Article 53 foresees that Parties shall take the necessary legislative or other measures to ensure that appropriate restraining or protection orders are available to victims of all forms of violence covered by the scope of this Convention.

Two types of orders are available in Albania: Protection Order and Emergency Protection Order. The orders are issued by the police to the victims of violence against women and domestic violence.

## **4.2 Ensuring access to adequate information**

According to Article 19 of the CoE, Parties shall take the necessary legislative or other measures to ensure that victims receive adequate and timely information on available support services and legal measures in a language they understand.

Recent findings show that although they acknowledge the importance of providing adequate and timely information regarding their services, not all service providers take appropriate measures to meet this requirement of the CoE Convention. The most common means of providing information is through their websites, Governmental websites, women's organisations' network website, leaflets, in public spaces such as libraries, community centres, health centres and television. The public information is primarily available in Albanian, but some services also offer information in English, Italian and Greek languages other than Albanian. Only two service providers offer the information accessible in formats that meet the needs of people with sensory impairments (large print and audio).<sup>26</sup> Also, a legal clinic has been opened at the Ministry of Justice to increase access to justice by providing free of charge information and advice, and also in relation to corruption, particularly to people who could not afford legal services.<sup>27</sup>

Although using websites and IT skills to inform the public about the existing services, these methods are not of direct support to domestic violence and gender based violence victims, considering their lack of relevant skills and probably IT resources in their disposition – especially women in suburban and rural areas. However, these sources are important for the public at large and also for the service providers to network and share experiences with each other at national and international level. Additionally, provision of information online is also a way of transparency and accountability.

## **4.3 Setting up easily accessible shelters in sufficient numbers and in an adequate geographical distribution**

Article 23 states that Parties shall take the necessary legislative or other measures to provide for the setting-up of appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for and to reach out pro-actively to victims, especially women and their children. Shelters have a central role in the specialised response, especially to domestic violence and trafficking. The CoE Convention requires that shelters should be available in sufficient numbers and easily accessible.<sup>28</sup> Acknowledging the fact that victims come from a wide range of social realities, protection through shelters must be equally accessible for women from both big cities and rural/remote areas.

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<sup>26</sup> Kelly, L., Lovett, J. & Kocaqi, M. (2015). Albania – Final Report: “Mapping Violence against Women and Girls Support Services”. Tirana: Council of Europe & UN Women.

<sup>27</sup> Fourth periodic report of States parties on implementation of CEDAW, due in 2014: Albania. 24 November 2014. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/664/83/PDF/N1466483.pdf?OpenElement>. Last seen Oct. 20, 2016.

<sup>28</sup> The Explanatory Report, paragraph 135, recommends that for domestic violence, one family place be available per 10000 head of population.

Pursuant to Council of Ministers' Decision No. 334/17.02.2011 "On the Mechanism for Coordinating Referral of Domestic Violence Cases and its Functioning (NRM)", 27 municipalities have set up National Referral Mechanism (NRM) offices with representatives from responsible law-enforcement bodies. Services for domestic violence victims/survivors are both short-term (emergency protection, safety, medical assistance, accommodation, transportation to safe accommodation, information on/assistance with obtaining protection orders, referral to further services) and long-term (support employment, social assistance, accommodation, legal advice and assistance with divorce procedures, counselling and psycho-therapy, help with children, etc.). Monitoring of NRM work has shown that, while effective in most municipal authorities where it is in place, NRM members face many challenges and further resources are needed for the provision of more comprehensive services. Some priorities for a de facto improvement of the violence against women and domestic violence situation is the establishment a 24-hour hotline and of regional shelters.

In addition to NGO-run centres, the first National Centre for the Treatment of domestic violence victims was established on April 25, 2011, offering 24-hour multi-disciplinary, standardised services. The centre provided accommodation for 64 persons in 2011-2012 (25 women; 39 children, 3 unaccompanied minors); 62 persons in 2012-2013 (34 women; 28 children), and 53 persons in January-July 2014, (19 women; 34 children, one unaccompanied minor). There were 28 new cases in 2014. The ages of women sheltered in this facility range from 19 to 51. About 70% come from rural areas. Generally the referrals come from the police, other state bodies and NGOs. Despite this positive model and the collaboration between the government and NGO shelters, provision of support services for women victims/survivors of gender based violence and domestic violence in the country is uneven and not widely accessible. For instance, rural women/girl's access to direct support services is more limited.<sup>29</sup>

In Albania there are 10 shelters. Out of 10, 1 is specifically designed for children with disabilities and another one for LGBTI persons. The last shelter was opened in 2015 in Shkodra as an emergency shelter offering temporary accommodation for women victims of violence against women. The shelters have a capacity of approximately 163 beds. Their capacity varies from 5 - 50 persons. In order to meet the minimum requirement of the CoE Convention (1 bed for 10000 inhabitants) Albania should provide 127 additional beds<sup>30</sup>. Vatra, ARSIS and Woman's Forum Elbasan have 5 places each; Other Vision has 15 places; D&E has 15 places for women plus 5 more for children; the National Shelter for Victims of Domestic Violence has 36 places; the National Shelter for Victims of Trafficking has 50 places; the Shelter for Abused Women in Tirana has a capacity of 12 beds (for women with their children); the Shelter for LGBTI has a capacity of 8 beds; the New Emergency Shelter in Shkodra has 5. Here is not included the number of beds of the Residential Development Centre, since it is dedicated specifically to the children with disabilities. This centre has a capacity of 43 beds for children with disabilities. Despite the financial difficulties these shelters are often faced with, no shelter

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<sup>29</sup> Fourth periodic report of States parties on implementation of CEDAW, due in 2014: Albania. 24 November 2014. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/664/83/PDF/N1466483.pdf?OpenElement>. Last seen Oct. 20, 2016.

<sup>30</sup> According to INSTAT (2015): Women and Men, the population of Albania is 2,893,005.

was closed in the last 3 years. In order to carry out their activities the shelters operate through support from foreign donors.

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

According to service providers, there were no cases of women who could not be accommodated due to lack of space in shelters for the year 2014. However, 4 children were denied a place due to lack of space. Seven of the aforementioned shelters are run by NGOs with a feminist/gender-specific approach. Two are run by the state and one by a faith-based organisation. There is a set of accredited national standards<sup>31</sup> developed by the Ministry of Social Welfare with the support of UNDP. Most of the shelters currently apply them.

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

Most shelters have an age limit for boys – 14 years – but no age limit for girls. Access to women's shelters is provided to the following groups: women with and without children (all), older women, women with disabilities, lesbian/transgender women, women from other regions of the country, asylum seeking women, migrant women, minority ethnic women, and undocumented migrant women. Generally speaking, shelters in Albania have no restrictions as far as admission is concerned regarding ethnicity or sexual orientation. However such women rarely make requests for accommodation. Other restrictions are related to health and physical conditions of women. In three shelters there are restrictions for women if they suffer from mental health disorders or serious health problems that require hospitalisation. In case of serious disabilities or serious mental health disorders, the shelters refer the cases to the specialised services since they do not have the specialised staff for these cases. Five shelters are accessible for women with

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<sup>31</sup> Council of Minister Decision nr. 505, date 13.7.2011 "For the approval of the standards of the social services for the victims of domestic violence in the shelters run by the state or not." Directive Nr. 13, date 17.12.2012 "For the Implementation of the standards of for the social services for the victims of domestic violence in the shelters run by the state or not."

disabilities while two others are not (“National shelter for victims of trafficking” and “Women’s Forum Elbasan”). Five shelters are accessible for women with mental health problems, including, including PTSD, anxiety and depression disorders, and schizophrenia, while two others are not (“Vatra” and “Women’s Forum Elbasan”). In the “National shelter for domestic violence victims” women with mental health problems are accepted as far as they take the medical treatment regularly and if they are not great risk for themselves, other women in the shelter of the working staff.

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

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

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

#### **4.4 Making available state-wide 24/7 telephone helplines free of charge**

According to Article 24 of the Convention, telephone helplines must be set up at state-wide level to provide advice to callers, confidentially or with due regard for their anonymity, in relation to all forms of violence covered by the scope of this Convention; the telephone helplines should be available around the clock (24/7) and free of charge. CoE Convention states that specialised helplines for victims of violence against women and domestic violence can direct the victims to the services they need. They are essential in offering immediate expert advice and pointing victims towards safety.

Until November 2016, the national women’s helpline in Albania (Phone no.: +355 4 22 33 408) has been run by a women’s NGO, namely the Counselling Centre for Women and Girls. Due to limitations in funding, the line has never been available 24 hours a day. Many service providers confuse the telephone helpline with having an office phone number available to the community. Helplines are also established at the municipality level as required by the Law on Domestic Violence, but they are not available for 24 hours and do not provide the full set of services as required in such cases. The calls to helplines are free of charge only in 2 services, being the Counselling Line for Women and Girls, and Community Development Centre “Today for the future”.<sup>32</sup>

The issue of ensuring a national helpline for women operating according to established standards has been under discussion for years and negotiations between state institutions and CSO service providers have been taking place but no result has been achieved so far. According to representatives of the Government of Albania, the new draft Law on Social Services is waiting for an adoption and will address services offered to women victims of violence, including counselling and hotlines, as per requirements of

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<sup>32</sup> Kelly, L., Lovett, J. & Kocaqi, M. (2015). Albania – Final Report: “Mapping Violence against Women and Girls Support Services”. Tirana: Council of Europe & UN Women.

the CoE Convention. Moreover, the Government is committed to keeping the focus on gender equality, including by implementing recommendations of the Committee within the set timelines and with dedicated budgets.<sup>33</sup>

Albania launched the National Hotline to support the victims of domestic violence on 24th of November 2016, as part of the MSWY' ceremony on the "16 Days of Activism # Ichoosetolivewithnoviolence", the Minister of Social Welfare and Youth, Mr. Blendi Klosi and the Executive director of the Counseling Line for Women and Girls, Mrs. Iris Luarasi officially signed the Agreement dedicated to the National Hotline. According to this Agreement, and in compliance with the obligations of the Istanbul Convention, the Albanian state is committed in establishing a national hotline which covers the whole territory and will function 24 hours a day to victims of domestic violence. The Hotline Number is 116 117, and will guarantee free phone calls to all those who would request help in cases of domestic violence.

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

#### **4.5 Setting-up easily accessible rape crisis or sexual violence referral centres**

Article 25 of the CoE Convention foresees the setting up of appropriate, easily accessible rape crisis or sexual violence referral centres for victims in sufficient numbers to provide for medical and forensic examination, trauma support, and longer term counselling for victims.<sup>34</sup> Rape crisis or sexual violence referral centres provide immediate medical counselling, trauma care and forensic services. According to The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, it is important not only to set up protection structures and support services for victims, but also to make sure victims are informed of their rights and know where and how to get help.

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

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<sup>33</sup> The Committee on the Elimination of Discrimination against Women (8 July 2016). Comments on Fourth period Report of Albania. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20263&LangID=E>. Last seen Oct. 20, 2016.

<sup>34</sup> The Explanatory Report, paragraph 142, recommends that one such centre be available per every 200000 inhabitants and that their geographical spread should make these centres accessible to victims in both urban and rural areas.

forensic examination as required by the standards. The phenomenon is typically addressed within the scope of health. Other types of support such as trauma support, counselling for victims, support during court proceedings by woman to woman advocacy are rare. Counselling/crisis centres are sometimes mixed up with the telephone helpline, providing needed information or any needed advice through phone. Crisis support is provided by both NGOs and state shelters. Only a few of them offer it as a 24 hours service. Crisis support is provided 24 hours only for women and girls or other family members suffering from violence against women and domestic violence who fulfil the criteria necessary for being accepted in specialist 24 hours/services, such as national shelters or some NGOs. In other cases, this type of service is provided only during a limited amount of hours/weeks and still by the NGOs which makes the duration time and existence of this type of service very dependent on donor's support.<sup>35</sup>

#### **4.6 Support for Child Witnesses**

Article 26 of the CoE Convention states that Parties shall take the necessary legislative or other measures to ensure that in provision of protection and support services to victims, due account is taken of the rights and needs of child witnesses of all forms of violence covered by the scope of the Convention. Measures taken pursuant to this article shall include age-appropriate psycho-social counselling for child witnesses of all forms of violence covered by the scope of this Convention and shall give due regard to the best interests of the child.

Support for child witnesses is provided mainly by staff trained to deal with cases of children. It is usually offered in coordination with Child Protection Units and other service providers. The collaboration aims at improving the effectiveness of child witness support services and, if necessary, to refer the case to more specialised services. The services offered include: psycho-social and psycho-emotional support, social-educative activities, support of the educational process (registering in the educational institutions, support to purchase educational materials, etc.), providing specific complementary courses, covering the basic needs for food and clothes, health care support and services, legal assistance when needed, representation in court, coordination with the Child Protection Units for complementary services, protection, sheltering, group therapy, identification of needs (short and long-term), case evaluation and management, etc. However, it is important to underline the fact that these services are not offered by all the service providers and this type of support is still very new in Albania.<sup>36</sup>

#### **4.7 Support through the Legal Process**

According to Articles 55 and 56 of the CoE Convention, support through the legal process involves victim organisations, specifically trained domestic violence counsellors or other types of support/advocacy services who may assist and support victims during

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<sup>35</sup> Kelly, L., Lovett, J. & Kocaqi, M. (2015). Albania – Final Report: “Mapping Violence against Women and Girls Support Services”. Tirana: Council of Europe & UN Women.

<sup>36</sup> Kelly, L., Lovett, J. & Kocaqi, M. (2015). Albania – Final Report: “Mapping Violence against Women and Girls Support Services”. Tirana: Council of Europe & UN Women.

investigations and judicial proceedings. This type of service is of a practical/psychological nature. It includes psychologically/emotionally preparing victims to endure testifying in front of the accused, accompanying victims to court and/or assisting them in any other practical and emotional way.

In Albania, support through the legal process is often mixed up with the legal service provided mainly from centres specialized on legal issues. The service is delivered mainly by attorneys trained to deal with domestic violence cases and in some centres it is also combined with the assistance of trained counsellors. However, the legal component is predominant compared to the psychological/emotional preparation of the victims to endure testifying in front of the accused and/or assisting them in any other practical and emotional way.<sup>37</sup>

## 5. Prosecution

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence defines and criminalises the various forms of violence against women as well as domestic violence. This is one of the many achievements of the convention. To give effect to the convention, state parties will have to introduce a number of new offenses where they do not exist. These may include: psychological and physical violence, sexual violence and rape, stalking, female genital mutilation, forced marriage, forced abortion and forced sterilisation. In addition, state parties will need to ensure that culture, tradition or so-called “honour” are not regarded as a justification for any of the above-listed courses of conduct.

The topic of domestic violence in Albania is particularly sensitive as this is a widespread phenomenon taking on a variety of forms with alarming damages not only for women victims of violence but also children. According to a study conducted in 2013, 59.4% (more than half of participant women) reported to have experienced domestic violence during their lifetime while 53.0% (almost 1 in 2 participant women) were ‘actually’ experiencing domestic violence. In specific, 58.2% (more than half of participant women) had experienced psychological domestic violence while 52.8% (almost 1 in 2) were ‘actually’ experiencing psychological violence. 23.7% (almost 1 in 4) had experienced physical domestic violence ‘during their lifetime’ while 14.7% were ‘actually’ experiencing physical violence. In regards to sexual violence, 7.9% of participant women had experienced sexual violence in their marriage/intimate relationships ‘during their lifetime’ while 5.0% were ‘actually’ experiencing sexual violence. 24.6% of women (1 in 4) had experienced both physical and sexual violence ‘during their lifetime’ while 16.2% were ‘actually’ experiencing both physical and sexual violence in their marriage / intimate relationships.<sup>38</sup>

Official statistics show that the number of persons harmed by domestic violence

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<sup>37</sup> Kelly, L., Lovett, J. & Kocaqi, M. (2015). Albania – Final Report: “Mapping Violence against Women and Girls Support Services”. Tirana: Council of Europe & UN Women.

<sup>38</sup> INSTAT. Domestic Violence in Albania: National Survey on Population Basis (2013). [http://www.instat.gov.al/media/225812/dhuna\\_ne\\_familje\\_ne\\_shqiperi\\_2013.pdf](http://www.instat.gov.al/media/225812/dhuna_ne_familje_ne_shqiperi_2013.pdf). Last seen Oct. 20, 2016.

in 2015 was 3542, out of which 817 (23.1%) male victims and 2725 (76.9%) female victims. The number of women who filed a domestic violence complain during 2015 was significantly higher in Tirana (34.4%) and Durrës (18.3%) compared to number of women in other cities such as Korçë (9.2%), Vlorë (7.2%) and Fier (7.1%).<sup>39</sup> The number of domestic violence cases has significantly increased over the years. In 2014, the police identified and worked on a total of 4121 cases of domestic violence (1101 more than in 2013 when 3020 cases of domestic violence were reported). Of these, 2422 were handled by way of applications for the issuance of Emergency Protection Orders or Protection Orders (571 more cases than in 2013). Of the total number of victims affected by domestic violence, 3090 (or 74.9% of the total number of victims of violence) were women (wife, sister, sister-in-law, mother, daughter) and 1031 men (or 24.1%). The number of female spouses affected by violence was 1798 (43.6%). In 2014, 17 murders were committed causing 22 victims, of which 10 were women/girls and 12 men/boys (6 perpetrators committed suicide). Compared to 2013 when 26 murders within the family, causing 28 victims, in 2014 there was a drop by 9 cases and 6 victims. The main causes of these murders were petty motives, depression, and property disputes.<sup>40</sup>

In line with these statistics, the Committee on the Elimination of Discrimination against Women, in considering the fourth periodic report of Albania on its implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, stated that gender-based violence still remains an important issue in the country as it is under-reported, mechanisms of redress are not well known, and there is a fear of bringing shame to the family and fear of reprisal by perpetrators.<sup>41</sup>

## 6. Integrated policies

CoE Convention is based on the premise that no single agency or institution can deal with violence against women and domestic violence alone and that an effective response to such violence requires concerted action by many different actors. Article 7 of the CoE states that Parties take the necessary legislative and other measures to adopt and implement state-wide effective, comprehensive and coordinated policies encompassing all relevant measures to prevent and combat all forms of violence covered by the scope of the Convention and offer a holistic response to violence against women. The aim is that policies to prevent and combat violence against women and domestic violence are carried out at all levels of government and by all relevant agencies and institutions.

In Albania there exist positive experiences of multi-sectorial collaborations that are put in place by various national mechanism. A few examples are the National Referral Mechanism on Anti-Trafficking, National Referral Mechanism for Cases of Domestic

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<sup>39</sup> INSTAT. Women and Men in Albania 2016.

[http://www.instat.gov.al/media/330940/femra\\_e\\_meshkuj\\_2016.pdf](http://www.instat.gov.al/media/330940/femra_e_meshkuj_2016.pdf). Last seen Oct. 20, 2016.

<sup>40</sup> Monitoring Report of the National Strategy for Gender Equality and Domestic Violence 2011-2015.

<sup>41</sup> The Committee on the Elimination of Discrimination against Women (8 July 2016). Comments on Fourth period Report of Albania.

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20263&LangID=E>. Last seen Oct. 20, 2016.

Violence, Child Protection Units, etc. These mechanisms are built according to the coordinated community approach and as such are in accordance with the CoE Convention's requirements. The National Referral Mechanism on Anti-Trafficking, involves Standard Operational Procedures which serve as guidelines for case management procedures and are obligatory to follow.

Despite these positive examples, challenges remain in regard to proper and effective implementation state-wide. The process for setting up the National Mechanism for the Referral of Domestic Violence Cases in all the municipalities is not completed yet. As of end of 2014, the mechanism was already in place in 27 municipalities, but not fully functional in all of them. A considerable number of factors have slowed down the process, being lack of commitment across all relevant structures, availability of funds, termination of financial support by the projects that helped set up the mechanisms, lack of specific services – such as accommodation, counselling, etc. A new structure is also in place, the Integrated Policy Management Group, which monitors the implementation of integrated policies, strategic documents, and national action plan in several areas, such as Roma women, social protection, education, and others. The Government provided 60 per cent of the budget for the implementation of policies, while various donors covered the remaining 40 per cent.<sup>42</sup>

## **7. Gender Perspective**

Article 6 of the CoE Convention states that Parties shall undertake to include a gender perspective in the implementation and evaluation of the impact of the provisions of this Convention and to promote and effectively implement policies of equality between women and men and the empowerment of women.

While the focus of the CoE Convention is on all forms of violence against women, which includes domestic violence committed against women, the Convention also recognises that there are other victims of domestic violence, such as boys and men. This may include gay men, transgender men or men that do not conform to what society considers to constitute appropriate behaviour. States can choose whether or not to apply the Convention to these victims of domestic violence. Applying a gender perspective to these groups of victims is equally important. Many forms of discrimination, harmful practices and gender stereotypes are the starting point for violent behaviour. For this reason, the convention specifically tackles gender stereotypes in the areas of awareness-raising, education, the media and the training of professionals. It also creates the obligation to ensure that both protective and support measures as well as investigations and judicial proceedings be based on a gendered understanding of violence. The concept of gender is thus firmly embedded in the convention.

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<sup>42</sup> The Committee on the Elimination of Discrimination against Women (8 July 2016). Comments on Fourth period Report of Albania. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20263&LangID=E>. Last seen Oct. 20, 2016.

Results from the “Mapping violence against women and girls support services” study<sup>43</sup> show that the gender perspective is somehow taken into consideration from many service providers, although specific capacity building activities are needed in order to ensure that all service providers properly understand and include gender analysis in their daily work. The gender dimension is still difficult to grasp and consequently apply by the service providers in their daily work. It can be misinterpreted as equal numbers of employees or number of women’s cases treated, ignoring the details of the treatment process and the impact of the results. It can also be mixed up with specific funds dedicated to women or with budget lines for women. as a result, addressing gender inequalities remains a demanding task, in need of further understanding and clear application into general and specific services.

## **8. Non-governmental organizations (NGOs)**

Article 9 of the CoE states that Parties shall recognise, encourage and support, at all levels, the work of relevant nongovernmental organisations and of civil society active in combating violence against women and establish effective cooperation with these organisations. It includes provisions that oblige parties to encourage and support their work by tapping into their expertise, involving them as partners in multi-agency co-operation and supporting their awareness-raising efforts. This can help to enhance results of measures taken to prevent and combat violence against women and domestic violence. Supporting NGOs and civil society organisations means enabling them to carry out their work in the best possible way, for example by setting up co-operative structures between law enforcement agencies and shelters, advertising NGO hotlines and services in government information material but also ensuring relevant public and political support. The Convention also includes the obligation for parties to allocate appropriate financial and human resources for activities carried out by non-governmental organisations and civil society. NGOs will also play a role in the monitoring of the implementation of the Convention. The group of experts in charge of the monitoring process may receive information from NGOs on a Party’s implementation of the Convention which would complement the information provided by the party itself.

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

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<sup>43</sup> Kelly, L., Lovett, J. & Kocaqi, M. (2015). Albania – Final Report: “Mapping Violence against Women and Girls Support Services”. Tirana: Council of Europe & UN Women.

structures.<sup>44</sup>

Over the last 10 years, since the Government has become more and more aware and active in recognizing the importance of preventing and protecting women from gender-based violence and domestic violence, the NGOs and the state structures have collaborated, chiefly at policy making level. However, while the work of NGOs as service providers is publicly known and appreciated, state support for allocating adequate resources for sustainability of the existing services provided by NGOs is still not satisfactory. The specific legislation and sub-legal acts regarding the outsourcing of services to NGOs are not in place yet, despite the legislative improvements that have taken place recently.<sup>45</sup>

## 8.1 Women's Centres

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

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

Some of the centres also provide legal representation; court accompaniment; support concerning social rights (income, work, housing); cooperation with services working with perpetrators. These centres do not provide multi-lingual support; specialist support for ethnic/minority/migrant/asylum seeking women; floating/mobile support; participation of survivors in policy development and evaluation; support of survivors organizing themselves. Among services foreseen by the CoE Convention there are no

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<sup>44</sup> The Committee on the Elimination of Discrimination against Women (8 July 2016). Comments on Fourth period Report of Albania. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20263&LangID=E>. Last seen Oct. 20, 2016.

<sup>45</sup> Kelly, L., Lovett, J. & Kocaqi, M. (2015). Albania – Final Report: “Mapping Violence against Women and Girls Support Services”. Tirana: Council of Europe & UN Women.

rape crises centres/helplines; sexual assault centres; centres for girls experiencing sexual abuse; women's centres/services for black/migrant/minority ethnic women; intervention centres with pro-active approach.

## **8.2 Women's Networks**

Albania has the following three women's networks:

1. The National Coalition of Anti-Trafficking Shelters in Albania (member organizations: "Different & Equal" organization, Tirana, "Vatra", Psycho-social Center, Vlora, "Tjeter Vizion" association, Elbasan and the National Reception Center, Tirana). NCATS collaborates and coordinates the protective and supportive actions for victims of trafficking through :
  - Supporting the rehabilitation and reintegration assistance of victims of trafficking throughout Albania;
  - Providing expertise in developing national policies in supporting victims of trafficking;
  - Reinforcing cooperation with state institutions at the central and local levels as primary actors in fighting human trafficking;
  - Sharing experience and expertise, coordinating actions in line with standard operating procedures for victims of trafficking;
  - Striving to pursue the sustainability of the services offered.
2. The Albanian Women Empowerment Network – AWEN (member organizations: Gender Alliance for Development Centre, Tirana, Counselling Centre for Women and Girls, Tirana, the Association for women and girls with social problems, Durrës, the Association Me Women, Pogradec, the association Agritra Vizion, Peshkopi, the Association Woman to Woman, Shkodër, the Association Women Forum, Elbasan, "Vatra", Psycho-social Center, Vlora and Jona Association, Sarandë). In recent years AWEN has been one of the main actors together with other civil society organizations to lobby and advocate about issues related to women human rights.
3. The Network against Gender Based Violence and Trafficking (member organizations: Refleksione Association, Tirana Gender Alliance for Development Centre, Tirana, The shelter for women and girls, Tirana, Counselling Centre for Women and Girls, Tirana and the Centre for Legal Civic Initiatives, Tirana). This Network in the frame of a UNTF project has supported 10 municipalities to create the referral mechanism to support victims of Domestic Violence. This mechanism is based on the Law No. 10 329, dated 30.09.2010 "On some addenda and amendments to Law No. 9669, dated 18.12.2006 "On measures against violence in family relations" and on the Council of Ministers' Decision no. 334, date 17.02.2011 "On the establishment of the national referral mechanism for the treatment of domestic violence' cases and its way of functioning".

The 3rd women's network is not a legal entity, the others however are. AWEN also has a national office and two paid staff members. During this two last years AWEN has been one of the main actors together with other civil society organizations on lobbying and advocating on women human rights issues. None of the three women's networks receive government funding.

## **9. Funding**

Article 8 of the CoE Convention states that Parties shall allocate appropriate financial and human resources for the adequate implementation of integrated policies, measures and programmes to prevent and combat all forms of violence covered by the scope of this convention, including those carried out by non-governmental organisations and civil society.

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

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

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

Findings from the 2014 study on "Mapping violence against women and girls support services" show that:

- the information regarding funding and financial resources provided by state institutions differs from the information provided by NGOs, with many cases of state institutions not providing any information at all or not considering awareness on financial issues to be part of their job;
- the financial information available to NGOs is more available compared to state institutions;
- ensuring adequate financial resources for all service providers, including NGOs – although part of the state obligations as foreseen by the CoE Convention – is still considered more as donors' obligation/field of intervention, especially when it comes to NGOs;

- there is a significant lack of knowledge and clarity about the financial obligations and funding modalities among service providers regarding the existence of the national legal framework securing funding for their services;
- many of the service providers are not aware that their functions as service providers are legally regulated, thus enjoy legal status.<sup>46</sup>

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

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

## **Recommendations**

- Service providers staff working with cases of violence against women and domestic violence must be trained systematically and based on the standards of services as per required qualifications and their work must be monitored and evaluated accordingly.
- The improved approach of the Government institutions toward the work of the NGOs in preventing and protecting women from domestic violence and violence against women must be accompanied by continuous well planned financial support in order for this work not to be dependent on donors.
- Following the inclusion of gender equality and non-violent conflict resolution in school curricula, analysis of its actual implementation in the classroom and evaluation of initial results must be conducted in order to have a better understanding of the impact of such interventions.
- More work must be done with Media representatives to raise awareness and increase their knowledge in regard to equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women, etc.
- Work with perpetrators must follow the CoE Convention requirements in order for this service to become a priority for service providers and at the same time a standardised procedure. Awareness raising among men and boys and inclusion of

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<sup>46</sup> Kelly, L., Lovett, J. & Kocaqi, M. (2015). Albania – Final Report: “Mapping Violence against Women and Girls Support Services”. Tirana: Council of Europe & UN Women.

male service providers can help the successful implementation of perpetrators programmes.

- More work must be done to involve Media and the private sector in eradicating gender stereotypes and promoting mutual respect
- Service providers must offer information in as many languages and appropriate formats as possible, taking into consideration immigrant women with specific needs and/or disabilities.
- New emergent/crisis shelters must be opened to cover the needs of domestic violence and violence against women victims. The needs of grown up boys, women with special needs and substance dependency must be taken into consideration in reorganising the existing shelters and opening the new ones.
- Staff working in the shelters must be trained, among other competences, to work with specific sub-categories.
- As foreseen by the CoE Convention, shelters must be easily accessible and that means more shelters must be opened to cover for regions beyond the big cities in Albania and avoid overpopulation in the existing shelters.
- The Government must financially support the shelters in a well planned and systematic manner in order to avoid the current conditions of being understaffed and conducting unsustainable work.
- A state-wide 24/7 telephone helpline free of charge must be established. The services offered must follow the standards and procedures set in the CoE Convention.
- Rape crisis centres must be immediately opened and function based on the standards and procedures foreseen in the CoE Convention. This must be accompanied by multi-sectorial programmes targeting the community at large to eradicate the existing taboos in regard to sexuality and sexual relations, a patriarchal mentality which feed the sexual violence and favour men dominance.
- The good collaboration among relevant structures in regard to work with child witnesses should continue while more work should be done with the quality and efficiency of this service in order to fulfil the criteria set by the CoE Convention.
- The service providers must be properly trained in regard to support through legal service in order to better understand and provide this service as per its definition provided by the CoE Convention. In specific, this service must be offered based on women and children's needs.
- Integrated policies must be prepared and implemented through a common effort of multi-agency collaboration, with the State being the main actor in initiating, coordinating and monitoring.

- All service providers must promote and implement policies of equality between women and men and specific efforts must be undertaken to empower women and collaborate with men in eradicating domestic violence and violence against women.
- The new National Strategy on Gender Equality, Reduction of Gender-Based Violence and Domestic Violence 2016 – 2020 as well as other relevant policy documents must include detailed costing of all the foreseen activities. Close monitoring and cost – effectiveness analysis must also be undertaken in order to further improve the work against domestic violence and violence against women.

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