

TRANSMONEE COUNTRY ANALYTICAL REPORT

CHILDREN'S ACCESS TO JUSTICE

ALBANIA

July 2017

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1. INTRODUCTION

1.1. Preface

With technical assistance from UNICEF in Albania, the Albanian National Institute of Statistics (INSTAT) has led efforts to develop the Country Analytical Report on Children Access to Justice. Between February and May 2017, information from a variety of official government sources was taken into consideration. These are:

- the Ministry of Justice, with its subordinate entities, the General Directorate of Probation, General Directorate of Prisons, and Legal Aid State Commission;
- the General Prosecution Office,
- the Judiciary;
- the Ministry of the Internal Affairs, its Anti-Trafficking Unit, and its subordinate entity of General Directorate of State Police;
- the Ministry of Social Welfare and Youth, the State Agency for Child Rights Protection, and the General Directorate of State Social Services;
- the Ministry of Education and Sports;
- the Ministry of Health;
- the National Chamber of Mediators;
- the People's Advocate (or Ombudsperson); and
- the Commissioner for Protection against Discrimination.

Local non-governmental organisations (NGOs) were also consulted.

The UNICEF-supported Transformative Monitoring for Enhanced Equity (TransMonEE) Database¹ represents a wealth of information on children in Europe and Central Asia - with a data series that goes back as far as 25 years. This important asset is complemented by meta-data on how countries of the region collect the data. This can be used both as a diagnostic tool for strengthening data systems and analytically, to ensure appropriate data interpretation. To this end, each year INSTAT prepares a technical report describing the data collected (definitions, sources, methods) in a chosen area. Previous years' reports have included topics such as disability measurement, data on children in alternative care, data disaggregation by ethnicity, gender and nationality statistics.

In line with TransMonEE 2016 annual reporting guidelines², the objectives of Albania's 2016 Country Analytical Report (CAR) focusing on **children's access to justice** have been:

1. To explore what data are presently collected on the various dimensions of children's access to justice in Albania, beyond juvenile justice.
2. To clarify the terminology and definitions presently used in Albania.
3. To clarify the roles of Albania's institutions in the management of data concerning children and the administration of justice.

¹ www.transmonee.org

² Transmonee. *Guidelines for country analytical reports* (2016), pp. 3-4.

The following section of this part of the report offers an overview on access to justice in Albania. Part Two of Albania's 2016 CAR introduces a broad range of institutions and their overall data management systems, including how access to justice data are captured by them. Part Three provides available data from Albanian institutions for the 15 quantitative indicators set out in the 2016 CAR guidelines.

1.2 Background / Country Context

This subsection puts into the wider context access to justice concerns for children in Albania through short descriptions of:

- International perspectives and critiques relating to children's access to justice in Albania;
- Key definitional and terminological issues arising;
- Albanian children's experience of access to justice-related issues;
- Responses from key agencies in Albania.

Albania is an upper-middle-income and a European Union candidate country, with a 'high' human development ranking in 2016 of 75/188 countries³. The most recent European Commission (EC) Progress Reports (2016 & 2015)⁴, the UN Common Country Assessment (2015)⁵, and UNICEF's own analysis (2014)⁶ all acknowledge progress on children's rights. However, some of the concluding observations of the UN Committee on the Rights of the Child – CRC (2012)⁷ and the Universal Periodic Review (2014)⁸ are still to be addressed.

For instance, the latest recommendations of the CRC (2012) were that Albania's child rights legal framework remains deficient in design, it is not aligned well with other governance systems and lacks clarity at the resourcing, accountability and operational levels⁹. The 2014 EC progress report¹⁰ pointed out that access to justice for children is hindered by the court fees.

In addition, the 2016 EC progress report finds that the administration of justice continued to be slow and corruption remained prevalent across the sector. On procedural rights, it states that more should be done to ensure the right to information, access to legal aid and advice and specific safeguards for suspects, accused persons, and victims of crime. The report recognizes that some basic procedural safeguards for children are in place, but more efforts are needed to increase the protection provided by existing legislation. Even though basic

³ UN Development Programme Human Development Index. <http://hdr.undp.org/en/countries/profiles/ALB> (Accessed 31 March 2017.)

⁴ European Commission. *Albania 2016 report* (2016), pp. 66-67 (Hereafter *EC report*); European Commission. *Albania 2015 report* (2015), pp. 59-60.

⁵ United Nations Country Team Albania. *Common country assessment* (2015), pp. 31-35. (Hereafter *CCA*).

⁶ Byrne, K. *Analysis of policies and reforms affecting the situation of children in Albania* (2014), p. 8. (Hereafter *Byrne*).

⁷ Committee on the Rights of the Child. *Concluding observations: the combined second to fourth periodic reports of Albania* (2012) (Hereafter *CRC*)

⁸ UN Human Rights Office of the High Commissioner Universal Periodic Review (UPR). <http://www.ohchr.org/EN/HRBodies/UPR/Pages/ALSession19.aspx> (Accessed 2 March 2017.)

⁹ *CRC* (2012) p. 3, para. 10.

¹⁰ European Commission. *Albania 2014 report* (2014), p.49.

rights for victims and their families are provided for in law, further efforts are needed to ensure their implementation and to protect victims and their families in the context of criminal proceedings, including providing free legal aid. On access to justice, the State Commission for Legal Aid has not yet developed effective mechanisms for outreach and access to its services, including at regional level. The great majority of cases involving vulnerable groups are still handled by civil society organizations, with donor support¹¹.

Albania has ratified regional and international complaint mechanisms relevant to children to the European Court of Human Rights, the UN Human Rights Council, and the UN Committees on: the Rights of the Child, the Elimination of Discrimination against Women, Enforced Disappearances and Against Torture. Such mechanisms are unavailable for the European Committee on Social Rights, and the UN Committees on: Economic, Social and Cultural Rights, the Elimination of Racial Discrimination and the Rights of Persons with Disabilities¹².

Albanian definitions and terms for children's access to justice have evolved in recent years. Some conflicting usage continues within the legislative context. For instance, some of the terms concerned with crimes committed against children or where their rights are violated differ. The 1995 Criminal Code¹³ refers to children who are 'damaged'¹⁴. The 2006 Law on Measures against Violence in Family Relations¹⁵ and 2010 Law for the Protection of Children's Rights speaks of such children as 'victims'. This is reflected in the different approach of institutions when they define indicators and report such data, which can result in confusion for the data users (*see Part 2, MoIA/General Directorate of State Police*).

Two important new (2017) laws, the Code of Criminal Justice for Children (coming into force in January 2018), and the Law on the Rights and Protection of the Child (already in force), inspired by European and UN standards, define key terms in ways that conform closely to international norms^{16,17}. These two laws prepare the path for improved approaches towards children's access to justice in future, and it is important to make use from now onwards of the better legal definitions they introduce to clarify, shape and harmonize the relevant definitions and terminology.

Children in Albania have not been traditionally viewed as rights' holders, but as beneficiaries of decisions by the adults who care for them and by those of service providers¹⁸. In health centres and schools top-down governance, unsympathetic staff, and lack of trust create environments

¹¹ EC report (2016).

¹² Child Rights International Network (2017). *When the state doesn't care: a guide to accessing justice for violations of children's rights in care institutions in Eastern and South-Eastern Europe and the Caucasus*, pp. 28-29 & 31. (Hereafter *When the state*.)

¹³ 1995 Criminal Code, no. 7895 (amended 2013)

¹⁴ In the perspective that children are harmed/affected by a criminal offence.

¹⁵ 2006 Measures against Violence in Family Relations, no. 9669

¹⁶ Code of Criminal Justice for Children, 2017, no. 37/2017, article 3; Law on the Rights and Protection of the Child, 2017, no. 18/2017, article 3. (Hereafter, Criminal Justice for Children code, and Child Rights and Protection law, respectively.)

¹⁷ Child Rights and Protection law, article 73 also repeals the old Law for the Protection of Children's Rights, 2010, no. 10347 (expected to happen in June 2017).

¹⁸ See for example CRC (2012), p. 7 para. 33.

where both positive suggestions and complaints can be stifled¹⁹. Consequently, they are disengaged from governance structures (as are their parents). However, the newly adopted Child Rights and Protection law seeks to change this situation, affirming children as rights' holders and providing a forum where children may express their views and influence major decisions that affect them.

Children's experience of access to justice in Albania may fall short of the child's 'best interests' principle, a concern addressed as urgent by the 2012 CRC Committee²⁰. Children aged 14-18 years have limited legal capacity to address courts as illustrated, for example, by the Civil Code²¹ where civil court procedures for compensation against damages can be initiated by a child, but must be presented by a parent or guardian²². In criminal procedures, however, the Code of Criminal Justice for Children (Article 17) has now improved children's position, by guaranteeing them the right to participate.

Any individual, including a child, may petition the Albanian Constitutional Court (whose chief role is to ensure that public institutions act in ways that respect the Constitution) for alleged rights' violations after exhausting all other remedies²³.

While the Criminal Procedures Code²⁴ states that children undergoing criminal prosecution are entitled to psychological assistance²⁵, this essential support is, in practice, often absent. The State Agency for Child Rights Protection (SACRP) has expressed concern about the problem of children who are:

*"[...] are interviewed in improper premises by the police employees who do not have adequate education and in some cases [...] in absence of a lawyer or psychologist."*²⁶

The SACRP refers to the relatively few cases of children who receive free legal aid, compared to the need²⁷. Concerns exist about whether this is offered on time and by lawyers with appropriate specialist skills²⁸.

Both SACRP and the 2016 UNICEF Country Programme Document for Albania, as presented to the UN Economic and Social Council (ESC)²⁹, describe insufficient measures for the protection

¹⁹ Cuninghame, C. & Hallkaj, E. *Children's rights situation analysis 2012-2015* (2015), Tirana: Save the Children in Albania, pp. 44 & 45.

²⁰ CRC (2012), pp. 6-7, para. 30.

²¹ 1994 Civil Code, no. 7850

²² Shanaj, H., Hallkaj, E. & Cuninghame, C. *Child Notice Albania* (2015), p. 44. (Hereafter, *Child notice*.)

²³ UNICEF Regional Office for CEE/CIS (2015). *Children's equitable access to justice*, p. 54. (Hereafter *Children's justice*.)

²⁴ Article 35

²⁵ Child Rights and Protection law, article 28, repeating commitments in the law which it repeals, For the Protection of the Rights of Children (2010), article 27.

²⁶ Following quotation is from SACRP (2015), p. 61.

²⁷ SACRP (2015), pp. 64-65, citing UNICEF's *National report on the situation of children's rights in Albania 2013-2014*.

²⁸ Child Notice, p. 44

²⁹ UNICEF Country Programme Document for Albania 2017-2021:

<https://www.unicef.org/about/execboard/files/2016-PL12-Albania-CPD-ODS-EN-3Aug16.pdf>. (Hereafter *UNICEF EB*. Accessed 2 March 2017).

of child victims and witnesses of crime³⁰. The ESC finding (*see Parts 2 and 3*) starkly illustrates how child witnesses are invisible across all government data management systems, and that there is, at best, patchy information available about children who are victims of crime. Children can complain independently to the Ombudsman or to the Commissioner for Protection against Discrimination³¹ but, to date, such cases are limited. Although 85 per cent of children were aware of Ombudsman's existence, most could not say what its specific responsibilities were³². Within the Ombudsman's Office children's rights' cases (brought by adults) made up under two per cent of its entire workload.

The most significant barriers that Albanian children face have been further explained in UNICEF's 2015 regional study on children's access to justice³³. They include lack of standing, financial constraints, distance from courts and other institutions, lack of information and support, distrust in institutions including fear of institutional discrimination, cultural acceptance of violence within the family, and perceptions of children's place within the family.

The 2015 SACRP report included a new 'traffic light' system for assessing progress in meeting national targets to improve children's rights. The total score for juvenile justice/right to legal protection³⁴ was the lowest of the four core areas measured, with 35 per cent of targets fully or partially met, against between 60 and 70 per cent for social protection, health and education. Specifically, seven of the justice targets were counted as unimplemented (red), five as partially met (orange), and only two were fully met (green), with a further three classed as unmeasurable³⁵.

To sum up, legal and institutional initiatives and reforms in Albania have only recently become better aligned with European children's rights' standards, including both the new Code of Criminal Justice for Children and the Child Rights and Protection law. These child laws embrace leading international standards, by bringing together issues about children in conflict with the law, child victims and witnesses, taking a forward-looking stance beyond juvenile justice, towards access to justice and overall justice for children in Albania.

Yet, significant gaps between legislative and policy³⁶ intent and their effective implementation, remain in relation to access to justice for children³⁷. These gaps need to be addressed now and should continue to be treated as major future areas of concern. Improved and effective data gathering and monitoring mechanisms are crucial to enable this to happen well.

In terms of the remainder of this report, this specifically and crucially means that data on wider access to justice for children concerns is often lacking or incomplete, and only the narrower juvenile justice data is available and can be reported on. The following parts of this report describe where the gaps are and where opportunities for improvement exist.

³⁰ SACRP (2015), p. 64; UNICEF EB (2016), p. 6.

³¹ *Child notice* (2015), p. 44.

³² UNICEF Regional Office for CEE/CIS (2015). *Children's equitable access to justice*, p. 67.

³³ *ibid*

³⁴ This SACRP report does not use the term 'access to justice' as a heading but wide children's access to justice targets are included.

³⁵ SACRP (2015), p. 6 & pp. 85-87.

³⁶ E.g. National Justice System Reform Strategy, National Agenda for Child Rights and Protection 2012-2017

³⁷ CCA (2015), p. 61.

2. AGENCIES AND DATA DESCRIPTION

The following section lists a network of principal government ministries and agencies, and other national actors, describing overall their data management systems (scope and means of data collection, the levels of disaggregation available, frequency of data reporting and publishing), including how access to justice data are captured by them.

National Institute of Statistics (INSTAT) is mandated to collect, produce and analyse official statistics in Albania for different fields relevant to the country's governance and administration³⁸.

INSTAT has not conducted its own surveys in the areas of juvenile crime or children's access to justice and currently collects its data from the Ministry of Justice and the Directorates of Prisons and Police. INSTAT performs verification checks for completeness and consistency, highlighting arithmetic corrections, control of time-series data if there are significant breaks, and for other quality concerns.

Since 2010, data relating to criminal offences is published in a series of INSTAT's annual and other official reports. They include national and regional statistical yearbooks, and 'Albania in figures'. Only a few of these currently refer to children, portraying them both as offenders and victims.

1. Police-recorded offences: homicide victims by age group (including 0-17 year-olds)
2. Criminal perpetrators: juvenile (14-17 year-olds) and adult
3. Prisoners: by sex and age group (including 14-17 year-olds)
4. Convicted persons: by sex and age group (including 14-17 year-olds)
(All four sourced from: 'Statistical yearbook')
5. Children who experience domestic violence
(Both sourced from: 'Regional statistical yearbook')
6. Damaged³⁹ persons by two main age groups (0-17 year-olds and adults)
(Sourced from: 'Albania in figures')

INSTAT uses census-based estimated population figures as the denominator for its statistics, in line with EUROSTAT standards. The calculations of government agencies, including the Ministry of Justice, are based on a civil registration denominator. The census numbers are the smaller of these two denominators⁴⁰, so the rates of crimes reported by INSTAT are significantly higher than those from other government sources. INSTAT data becomes the official national record⁴¹.

³⁸ Law on Official Statistics, 2004, no. 9180, amended 2014.

³⁹ On the terminology, see Section 1.2.

⁴⁰ Population estimates are smaller since they measure the usual resident population. Register based population includes Albanian emigrants as well.

⁴¹ Law on Official Statistics, 2004, no. 9180, amended 2014.

The new INSTAT statistical programme for 2017-2021⁴² will treat information on children as a separate category and will increase available data of this kind. Plans to enhance data quality generally (e.g. introducing defined collection and counting rules), increase the frequency of publications containing access to justice related statistics, and expand the reporting sources, will also improve the data related to children.

The Ministry of Justice (MoJ) plans, implements and has oversight of all matters concerning the administration of justice, including children's access to justice. It ensures a uniform approach to statistical data within the justice system through its routine collection from the MoJ and other agencies⁴³. It filters, analyses and compiles this information to include in its publically-available annual reports⁴⁴.

The methodological approach of the MoJ to curating its statistical resources stands out from other Albanian government agencies, most of which have abolished their statistical offices to replace them with generalist Information and Technology departments.

The annual report (published since 2014) includes data from the following sources – General Prosecution, General Directorates of Prisons and Probation, and the Courts (*see below, Judiciary*). Comparative data for the previous year's activities of these agencies is provided, on overall rates of criminal activity, on the profile of offenders by age and gender, on types of convictions, on cases that are disputed between the courts, and so on.

Data on children is mainstreamed in the chapters on criminality, probation, and prisons, and there is a specific chapter on juvenile delinquency. The publication's lens is a juvenile justice one – viewing children as offenders – with only indirect information on child victims. This includes data on child victims of criminal offences, but these data are unrepresentative, being limited only to offences and misdemeanors that exclusively concern children. There is no information on children as witnesses. Similarly, children are invisible in the data related to other spheres of law, such as civil and administrative.

MoJ/General and Regional Directorates of Prisons. National regulations define the Directorates' responsibilities for the rights and obligations of prisoners and pre-trial detainees, how penal decisions are implemented, and how institutional life and work is organised.

Original data entry is performed in the detention centres and prisons by staff who are neither trained statistically, nor on child-sensitive issues, and whose turn-over rates are high. Following the specified MoJ schedules, staff manually complete a structured questionnaire and report to the Directorate, by email and hard copy, which sends it on to the MoJ. Each update includes information on children: the total number in detention and prison, those entering and leaving these institutions. Data is also sent annually to INSTAT, State Agency for Child Rights Protection and the European Commission (EC - for which there is no specific reporting of data on children)⁴⁵.

⁴² Law on the Approval of the Official Statistical Programme 2017-2021, 2017, no. 10/2017.

⁴³ Law on the Organization and Functioning of the Ministry of Justice, 2001, no. 8678, amended.

⁴⁴ Annual Statistical Reports published by the Ministry of Justice 2014-2015.

<http://www.drejtesia.gov.al/al/dokumente/statistika> (Accessed 27th April 2017.)

⁴⁵ Decision of the Council of Ministers, 2012. Establishment and Functioning of the Coordination Mechanisms of

Data captures children in prisons, who become part of ‘rehabilitation’ activities. The data collection instrument used does not specify what activities are to be accounted for. However, as explained by officials at the General Directorate, children receiving formal basic education classes and professional courses are recorded under this indicator. These data are reported, and only sporadically, through the State Agency for Child Rights Protection annual reports (*see below*). Another data-set provides information on cases where juveniles are referred to mediation by detention/prisons staff. These data have neither been published nor ever used.

Complaints coming directly to, or from other institutions such as MoJ, President of the State, and/or NGOs, are filed at General Directorate of Prisons. To date, statistical information on cases affecting juveniles have not been published, and their identifying would be possible by reviewing the content (in absence of a system to file cases as per object/subject characteristics).

MoJ/General Directorate of Probation. The Directorate is responsible for the management of alternative punishments and supporting juveniles (and others) to fulfil the obligations of their sentences and avoid reconvictions⁴⁶. In 2010, an Excel-based data management was introduced, collated nationally from inputs by 22 district offices. The Tirana office is piloting a new system, quite like the existing one, but linked to the Civil Registry. Under the new system, each case manager will also be able to enter information whilst current formats are prepared by each office’s secretary.

Data on children aged 14-17 years are available, with information on sex, location, education, offence committed, alternative sentences, and how long a convicted child remains under supervision. The same information that is published in the Directorate’s annual reports⁴⁷ is also available in the MoJ reports. The system also captures data on children referred to mediation by case managers. This data is not so far published. The lack of legislative provisions until now has meant that mediation was not stipulated as part of a court order or decision (*see Part 3, Mediation Cases indicator*), nor as part of investigation at the prosecution level. The Justice for Children Code (2017) mitigates this gap for the future practices. The Probation Service has no system in place to record data for juveniles who might file complaints concerning their treatment by probation officers.

MoJ/Legal Aid State Commission. The 2008 Law on Legal Aid tasks the Commission with the provision of legal aid to those who cannot afford representation in court⁴⁸. Article 10 of this law states that the Commission has the responsibility to collect data on these cases and report them publically through an annual statistical bulletin. To date, these reports have not

Working Among Governmental Authorities Responsible for the Referral of Children in Risk Cases and its Procedures. No 265.

⁴⁶ Decision of Council of Ministers, 2009. On the Approval of the Regulation for the Organisation and Functioning of the Probation Services and for the Establishment of Standards and Procedures for the Supervision/Overseeing of Alternative Convictions’ Execution, no. 302.

⁴⁷ General Directorate of Probation. <http://www.sherbimiproves.gov.al/index.php/al/publikime/raportet-mujore> (Accessed 27 April 2017.)

⁴⁸ Law on Legal Aid, 2008, no. 10039, article 10.

been produced and the Commission did not respond to an official request for information from INSTAT while compiling this report.

There has been one case of data being reported to and published by the SACPR; on legal aid cases offered to children (*see Part 1 and 3*). This suggests that such data are collected by the Legal Aid State Commission, but the institution appears to be reluctant to publish them.

General Prosecution. Albanian regulations place responsibility for the statistical inventory with Prosecution Offices⁴⁹, with the responsibility for data management assigned according to each offices' individual organizational capacities.

The General Prosecutor's annual publication on situation of criminality is also regulated, but its structure and content is not specified⁵⁰. However, children are visible in the 2015 report, with a separate section devoted to them and with data on 14-18 year olds' mainstreamed in almost all of its sections⁵¹. All this data concerns the narrower juvenile justice issues.

The articles of the 1995 Criminal Code form the framework of the current data management system, which is fed quarterly by information from the 23 district offices. This data is published in the annual report (on the website). The main indicators are disaggregated by articles of the Criminal Code, sex and nationality, and show the total number of children:

1. Investigated.
2. Sent to trial.
3. Convicted (disaggregated by alternative sentences).

A further set of data derives from cases relating to children as victims of criminal offences (identified by offences/misdemeanours where children are stated as the primary victim⁵²). Although these indicators do not identify the total number of child victims, they could be of interest to other government agencies. For instance, the Anti-Trafficking Unit (*see below*) publishes the number of investigations, trials and convictions on child trafficking (Penal Code, article 128), using General Prosecution as the source⁵³.

The system cannot provide reliable annual data for new cases. Since a case may last longer than a year, the same case will be reported in successive years. A new electronic information management system is being introduced to identify individual children and to improve real-time reporting. INSTAT plans to publish information from the Prosecution Directorate in its next (2017-21) programme cycle. No data on witnesses is captured in any of the General Prosecutor's reports.

⁴⁹ Law for the Organization and Functioning of the Prosecution in the Republic of Albania, 2016, no. 97/2016.

⁵⁰ Order of the General Prosecutor, 2016. For the Content of the Annual Report of the Director of Prosecution, no. 330.

⁵¹ General Prosecutor's annual report 2015. http://www.pp.gov.al/web/raporti_pp_2015_final_1094.pdf, (Accessed 18th April 2017)

⁵² General Prosecutor's annual report 2015. http://www.pp.gov.al/web/raporti_pp_2015_final_1094.pdf, p. 87. (Accessed 18th April 2017.)

⁵³

Judiciary. The structures of justice in Albania include 36 (general jurisdiction) district courts with only six specialized children's sections for juvenile offenders. All district courts contain family law divisions for marriage, divorce, custody and adoption cases, and to issue protection orders for child victims of domestic violence. Despite the regulation to establish a dedicated register on protection orders' petitions, anecdotal information asserts that these registers are not available at all courts, thus missing overall data on this matter.

A juvenile accused of serious crimes appears before the Court for Serious Crimes (first instance court). All data collected by the courts of first instance⁵⁴ is disaggregated by the articles of the 1995 Criminal Code. They collect and report data for children as offenders, disaggregated by sex, and then by cases that end in conviction, are declared innocent, or where proceedings are stopped. Repeat offender cases are recorded in total and for the same criminal offence or misdemeanour. The child's level of education is also recorded, using a simple classification of either "with" or "without" education. The data management system also captures the penalty imposed (fine, up to two, two to five, five-10, and 10-25 years).

Children as victims are collated only for criminal offences/articles of the Criminal Code that state children as primary victims, leaving out child victims of other criminal offences. Children as witnesses are not captured. The records for the district courts' civil sections do not identify children's cases. Family law case records do not indicate whether a child is the affected party. However, they do indicate the petitioner's purpose (e.g. custody, maternity/paternity, guardianship, adoption). Records from the administrative courts do not identify children's cases, nor do those of the Appeal Courts⁵⁵.

National Chamber of Mediators has 467 licensed mediators. Licensed mediators increased by 62 compared to 2015 but the EC found only 63/467 mediators actively working and that access to their services remained limited⁵⁶. The Criminal Justice for Children code provides for specialist mediators to work with children⁵⁷.

Mediation can apply: a) to offences that require prosecution, or action begun by the victim, including assault and neglect, and b) to civil, commercial, labour and family law disputes, whatever the victim's age⁵⁸. For child victims, there are no special provisions for additional protections. The Chamber does not provide any information on cases it manages, including for children⁵⁹, and its governing law does not demand this role of it.

As mentioned above (*MoJ/Probation Office; MoJ/Directorate of Prisons*), children referred by case managers to mediation cases are reported only by the Probation Office and the Directorate of Prisons. The Probation Office records only the start of these processes⁶⁰, without follow up at any subsequent stage. The Prisons Directorate records cases that are

⁵⁴ Both Districts Courts and Serious Crimes Court

⁵⁵ These courts do not identify any parties involved, only cases.

⁵⁶ *EC report* (2016), p. 59.

⁵⁷ Criminal Justice for Children code, article 69.

⁵⁸ Law for Mediation on Conflicts Resolution, 2011, no 10385.

⁵⁹ There has not been an official response to the official request information by INSTAT.

⁶⁰ Cases for which a reference letter is provided to the mediation service following the Order of Minister of Justice, 2009. For the Approval of the Regulation 'On the Collaboration Between the Probation Office with NGOs and Mediation Service', no. 6325.

successfully mediated but does not report them publically. A local NGO, specialised in offering mediation services for children has established a case management information system, with UNICEF support, in compliance with the law on confidentiality of personal data⁶¹. A new draft law on mediation is being discussed and, meanwhile, advocacy efforts are under way to strengthen the responsibilities of the National Chamber as the repository for case management information.

Ministry of Internal Affairs (MoIA). Concerned with all safety and security matters, including children's access to justice, and with the fight against human trafficking.

MoIA Anti-Trafficking Unit (ATU). The Unit monitors and coordinates the activities of institutions implementing the national strategy to combating human trafficking⁶² and is responsible for the identification, referral, protection and integration of victims and potential victims of trafficking, through the ATU focal point⁶³. Information is collected for children identified as victims or potential victims of trafficking (in pre-defined categories, including age, nationality, ethnicity, education, services referred to and received)⁶⁴ and their cases are identified as either "formally" or "informally" registered⁶⁵.

This means that data reported by the ATU does not necessarily correspond to that of the police. All the information is part of SIVET (Information System for Victims of Trafficking)⁶⁶. Government (the police and state social services) and non-government organisations that offer support services⁶⁷ provide information which is shared electronically with the ATU focal point. The system does not contain any data as to the guarantees offered for safeguarding the procedural rights of the victims, or on support provided to them during the legal processes, (whether for criminal convictions or civil damages).

Data collated is published annually on the MoIA website⁶⁸. This report captures new cases of children identified as victims and potential victims of trafficking, and those receiving referral and re-integration services. The report also provides extensive information on cases investigated, sent to trial, and on sentences received by perpetrators of child trafficking (sourcing relevant institutions).

⁶¹ Law on the Protection of Personal Data, 2008, no. 9877.

⁶² Decision of Council of Ministers, 2005. On the Operation of the Anti-Trafficking Unit, no 203.

⁶³ Joint Order of the Ministries of Internal Affairs, Foreign Affairs, Education & Sports, Health and Social Welfare & Youth, 2014. For the Establishment of the National Referral Mechanism for Identification and Improved Assistance for Victims/Potential Victims of Trafficking, no. 3799.

⁶⁴ Decision of Council of Ministers, 2011. On the Approval of the Standard Operation Procedures for the Identification and Referral of Victims/Potential Victims of Trafficking, no 582.

⁶⁵ The standard operation procedures clarify the difference: formal identification is marked by the formal interviewing of the police and the state social services representatives.

⁶⁶ The SIVET database was introduced in 2014 to collect information on trafficking victims from different sources, including the police and victim assistance services. The available statistics do not provide information on types of exploitation, crucial to inform anti-trafficking action.

⁶⁷ The NGOs concerned are Tjeter Vision, Psycho Social Center, VATRA, Different & Equal, and together form the Albanian National Anti-Trafficking Coalition.

⁶⁸ Ministry of Internal Affairs website: Reports on the implementation of the National Strategy of Anti-Trafficking. <http://www.punetebrendshme.gov.al/al/k-k-a-t/raporte-mpi-zbatimin-e-strategjive-dhe-planeve-kombetare-te-veprimit>

MoIA/General Directorate of State Police. An electronic data management system was developed under the Directorate's own expertise. It supports data from 2015 onwards only. A new system, supported by international donors, is currently being discussed. The Directorate publishes daily updates of recorded cases that includes data relating to children. A monthly update is published by the MoIA⁶⁹. Data is collected electronically at regional levels.

The core indicators for the data are taken from the over 300 articles of the 1995 Criminal Code. Cases recorded compared to pre-2015 levels have increased by almost 15 per cent. A single criminal act can be entered more than once, depending on the number of Criminal Code articles it relates to. Child-focused indicators are produced and published, mainly on the ground of children as offenders. The system can feed with data indicators that portray children as victims, for example:

1. Number of children who are victims of criminal acts/offences. Disaggregation is possible by geographic region, but not by sex. This indicator is not reported in INSTAT publications, nor in the MoIA monthly bulletin.

1a. Number of children trafficked. Disaggregation is by age group (0-14 and 14-18 years), location, sex, ethnicity, nationality and educational level (none, elementary, secondary, and higher). Reported and published by MoIA.

1b. Number of children as persons damaged by any other offences captured under criminal code articles specifically articulating criminal offences directed to children.

1c. Number of children victims of domestic violence registered by police for whom protection order has been requested. This data has not been ever published by MoIA, but shared with the MoSWY as the coordinating structure of domestic violence response.

2. Number of children who are victims of criminal acts resulting in death. Disaggregation is by region, sex and age. Published in police bulletins and annual reports of the SAPCR, but not in INSTAT reports. General qualifications concerning these indicators and their use, are that:

1. The system does not capture children who are witnesses to a crime.
2. In current police terminology, 'victim' means a child (or anyone) deceased because of a criminal offence. This definition requires further discussion among all stakeholders. For victims of crime that are alive, the term used by the police is 'damaged person', i.e. a person affected by a crime.
3. All these indicators need refining and mainstreaming so that they can be reported in official statistics by INSTAT, and other agencies.

Ministry of Social Welfare and Youth (MoSWY). Responsible for oversight and implementation of laws, policy development and coordinating actors concerned.

MoSWY/Online management information systems (MIS). There are two MIS operating under the overall supervision of MoSWY. **Case Management for Domestic Violence** is an online, web-based data system on domestic violence cases established in 2014 within

⁶⁹ Ministry of Internal Affairs. <http://www.punetebrendshme.gov.al/al/programi/buletini-i-mpb-se> (Accessed 12 April 2017.)

the regulatory framework, and with the support of the UN Development Programme⁷⁰. It generates around 70% of the total indicators of the strategy⁷¹. Information is provided by local, municipality-based coordinators, reflecting the contribution of the various local authorities and organisations concerned. It also reports on the services that a child is referred to concerning domestic violence cases and the legal processes arising.

A national NGO manages the system centrally (efforts have been made to transfer direct responsibility to MoSWY) and its overall functioning depends on the local referral mechanisms, staff turnover, and donor funding. The system reports both cases and numbers of children by age group, sex, sexual orientation, disability status, ethnicity, and nationality.

ROMALB is the online management information system to monitor and report on the national strategy for the Roma and Egyptian minorities in Albania. Around 20 governmental institutions at local level input information which is transferred up to national levels at MoSWY. It includes a specific module on birth registration and access to justice for Roma and Egyptians. It is possible to disaggregate data to identify cases of children (by sex and age groups breakdown of 0-5, 5-10, 10-12, and 12-18). To date, however, ROMALB has reported no information about children, with local institutions claiming to have no data to report. System consolidation and its transfer to MoSWY is awaited.

MoSWY/State Agency for Child Rights and Protection (SACRP). The Agency is a key player in the national monitoring and reporting⁷² of child rights. Guided by a Decision of the Council of Ministers⁷³ relating to the 2010 Protection of Children's Rights law, it has assembled child-focused information annually from different governmental institutions, including on children's access to justice. This information is an integral part of the SACRP annual report⁷⁴. At national level, SACRP is the monitoring and reporting body for case management of children at risk and in need of protection⁷⁵. Information collected identifies children by age group (0 to six, seven to 14; and 15-17 years), sex, ethnicity, and nationality. It can be disaggregated by type of abuse, and whether the case is open or closed. Data is captured by Child Protection Unit (CPU) staff in local government units. Not all CPUs currently function. Plans are in place to develop a management information system, to be integrated with the MoSWY system.

MoSWY/State Social Services (SSS). Administrates two national centres that provide social care services: the National Reception Centre for Victims of Trafficking, and the National Centre for the Treatment of Domestic Violence Victims. Data on children receiving services is recorded by the respective institutions, and reported annually by the SSS to the SACRP.

⁷⁰ Law on Measures against Violence in Family Relations, 2006, no. 9669, article 8.8; Decision of Council of Ministers, 2011. National Strategy for Gender Equity and Reduction of Gender Based and Domestic Violence, no. 573.

⁷¹ National Strategy of Gender Equality

⁷² The SACRP's responsibilities are confirmed in the 2017 Child Rights and Protection law, restated from the 2010 law it replaces.

⁷³ Decision of the Council of Ministers, 2012. On the Types, Ways of Information Exchange and Statistical Data Required by the Agency and Responsible State Structures, at Local and National Level, no. 267.

⁷⁴ SACRP. <http://femijet.gov.al/al/raporte> (Accessed 27 April 2017.)

⁷⁵ Ministerial Guideline, 2015. Collaboration Ways and Forms, and Intervention Procedures for Assisting Children at Risk for the Main Institutions and Structures Responsible for Child Protection, no. 10.

However, neither institution consistently identify statistics (including sex disaggregated figures) on children receiving these services in their annual reports⁷⁶.

Mechanisms for children to take forward grievances in residential settings do not exist. To mitigate this, SSS has recently begun to involve children as informants during its monitoring missions.

Ministry of Education and Sports (MoES). Compliant mechanisms in the education system are defined in several regulatory documents⁷⁷, with the main responsibility at national level residing with the National Inspectorate for Pre-University Education (Inspectorate), and MoES. Information on complaints made by children or on behalf of children are not requested to be collected or reported by the MoES from its subordinate institutions. The Inspectorate serves as the repository of the complaints, to then follow up on them. Complaints can be made by children, parents, teachers, administration staff, etc., on a diverse range of issues. To date, has been shown no interest to identify statistics on cases that refer specifically to issues affecting children directly, or cases that are brought by children themselves. The statistics published at Inspectorate's annual reports⁷⁸ refer to totals of complaints received/managed, and modality of addressing them, providing primarily a panorama of institutional performance.

Since 2014, the MoES has collected data on cases of violence reported by children, in response to agreed actions to support children at risk⁷⁹. Only information from state schools is collected, and the data does not form part of the recently-established electronic Education Management Information System. This self-reported violence data also attempts to categorise the types of violence children are exposed to (physical, emotional, sexual and neglect). The information has not been shared publically, but has been used by the SACRP for reports on the schools' response to violence⁸⁰.

Ministry of Health (MoH). For domestic violence legislation, the MoH has developed two instruments - the domestic violence victims' register and a medical chart - to collect data on cases of violence identified at health care institutions⁸¹. Both instruments identify those children, by age-group (0-14 years old) and sex, who have been subject to, or otherwise involved in, domestic violence and who receive services from health staff. To date, this

⁷⁶ State Social Services Annual Report 2015. <http://www.sherbimisocial.gov.al/wp-content/uploads/2016/05/Raporti-Shssh-2015.pdf> (Accessed 26 April 2017.)

⁷⁷ Law on Pre-University Education, Normative Disposition, DCMs, Orders of the Ministers, Regulations of institutions.

⁷⁸ National Inspectorate for Pre-University Education website: <http://www.isha.gov.al/>

⁷⁹ Joint Ministerial (Ministry of Social Welfare and Youth, Ministry of Internal Affairs, Ministry of Education and Sports and Ministry of Health Guideline No. 10, date 25.02.2015 "On collaboration ways and forms, and intervention procedures for assisting children at risk for the main institutions and structures responsible for child protection"

⁸⁰ The data system is referred to, without actual figures, at SACRP's "Implementation report of National Action Plan for Children 2012-2015" (accessible at <http://femijet.gov.al/al/wp-content/uploads/2016/04/RAPORTI-I-IMPLEMENTIMIT-TË-PLANIT-TË-VEPRIMIT-PËR-FËMIJË-2012-2015.pdf>)

⁸¹ Order of Minister of Health, no. 14, date 23.01.2008 "For the registration of domestic violence cases in the victims of violence register and individual chart"

information, has only been sent to the MoH⁸². The MoH does not itself retain these disaggregated records, but reports the total number of cases to the MoSWY, (being the national coordinator of the domestic violence response).

People's Advocate (Ombudsman). Established under the Constitution as an independent institution in 2000⁸³ to protect and promote human rights, and to advocate for the rule of law and good governance, including child rights. No specific rules to bring a complaint are required, and public officials or agencies are legally obliged to reply to the Ombudsman's recommendations, but powers before the courts are limited. The provision of a dedicated child rights' Commissioner was approved in 2014⁸⁴ but no appointment has yet been made.

An information management system was introduced in 2010. Complaints to the Ombudsman are usually registered by hard copy questionnaire (requiring name, age, nationality and education of the complainant). An online complaint filing system also exists, specifically for children to use, but this depends on the child having access to IT equipment⁸⁵. After initial review, valid complaints (i.e. those that fit with the Ombudsman's mandate) are registered into the system. Information is collected from nine local Ombudsman offices.

One challenge is the lack of a unified approach to entering data systematically to make children visible. Complaints that concern children, but that are initiated by someone else (e.g. a parent), become apparent only if the data entry specialist records them as such. Otherwise, there is no ready means of identifying others affected than the applicant. A word search is required, including for the preparation of the Ombudsman's annual report.

These annual reports⁸⁶ are a core publication, and they do make children visible, including through statistical measures (e.g. on the number of cases affecting children) and information on how the complaints were addressed and remedied.

Commissioner for Protection against Discrimination (CPD). Established in 2010 as an independent institution to protect against all forms of discrimination⁸⁷, the Commissioner may examine discrimination-related complaints from individuals or groups, impose administrative sanctions (e.g. fines) and represent complainants in civil proceedings, including children's cases, with a court's approval. Defendants must respond to decisions of the Commissioner within 30 days, or face possible fines, with further sanctions after three months if still no action is taken. The CPD has engaged in projects addressing discrimination against ethnic minorities in schools, people with disabilities, and individuals over their sexual orientation.

A form, specifying the legally-recognised types of discrimination, records essential information about the complainant. Whether for a person or group, this includes name, date of birth, sex

⁸² Council of Ministers Decision no. 327, date 25.5.2014 "For defining the format and modality of data collection and reporting from health care providers, public and private sector, ensuring the standardisation of the health information system reported by all health care providers in Albania".

⁸³ People's Advocate/Ombudsperson. <http://www.avokatipopullit.gov.al/en> (Accessed 12 April 2017.)

⁸⁴ Law on the People's Advocate (2014, no 155, amended from 1999 law.)

⁸⁵ <http://www.avokatipopullit.gov.al/sq/bej-ankese>

⁸⁶ People's Advocate/Ombudsperson reports. <http://www.avokatipopullit.gov.al/en/reports>

⁸⁷ Law for the Protection against Discrimination, 2010, no. 10221.

nationality and contact details. The section in which the complainant can describe their case provides the only opportunity to identify whether it concerns children. There is no numerical coding applied when this information is transferred into electronic format, meaning that any request to the CPD to identify complaints affecting children requires a case-by-case search.

Similarly, the Commissioner's annual report does not contain statistical data on children, although it does include extensive narrative reporting on related issues⁸⁸. The need to create an improved information management system, with both numerical analysis and better disaggregation capacities could be explored.

⁸⁸ Commissioner for Protection against Discrimination.
<http://www.kmd.al/index.php?fq=brenda&emri=&gj=gj2&kid=142&kidd=176> (Accessed 12 April 2017.)

3. DATA SETS

Civil Cases

1. Number of cases filed with any court during the year, in which a child or a representative of a child or children sought a remedy for violation(s) of the rights of the child.

Data not collected.

2. Number of court cases filed during the last year in which a child obtained a remedy for a violation of his or her rights.

Data not collected.

Family Law Cases

3. Number of court cases affecting children decided during the year.

Data not available.

4. Number of court cases affecting children decided during the year in which the child or children concerned were heard, either directly or through a representative.

Data not collected.

Crimes against Children

5. Number of cases of physical, sexual or other violence against children reported to or registered by the child welfare, health or other authorities during the year.

	2010	2011	2012	2013	2014	2015	Comments
Total							Total value not valid since there is

							an overlapping of cases reported from various institutions.
<i>Sex of the child</i>							
Boys							
Girls							
<i>Authority registering/reported to</i>							
Registered by or reported to child protection units						555	Refers to cases managed by Child Protection Units at local level; to note that only 26% of all CPUs have reported in 2015. Data breakdown for type of violence: physical – 71; sexual - 26; psychological – 106; neglect – 352.
Registered by domestic violence coordinators					31 (10 Boys)	23 (5 Boys)	Source: Case management for Domestic Violence Management Information System
Registered by health authorities							Information received by the Ministry referred only to total cases, without differentiating children.
Registered by education					1880 (511 Teacher-student; 1369 peer to peer).	2825 (872 teacher to student; 1953 peer to peer)	

6. Number of cases of crimes against children registered by the police during the year.

	2010	2011	2012	2013	2014	2015	Comments
Total						1164	The information management system has become operational in 2015.
<i>Sex of the victim</i>							
Boys							

Girls							
<i>Other disaggregation (specify and provide data)</i>							

7. Number of registered crimes against children brought to trial during the year.

Please indicate the number of crimes brought to trial during the year, regardless of the year when the crime was registered.

	2010	2011	2012	2013	2014	2015	Comments
Total	32	26	34	66	103	100	Source: The annual statistical reports of Ministry of Justice. Data is recorded and published for some specific criminal offences that state children as primarily victims. Therefore, the figures under represent the actual number of crimes against children.
<i>Sex of the victim</i>							
Boys							
Girls							
<i>Other disaggregation (specify and provide data)</i>							

8. Number of criminal convictions during the year in which the victim was a child.

Please indicate what criteria are presently used to disaggregate data on these indicators (e.g. age or sex of the child victim, type of violence or crime, identity of the perpetrator or alleged perpetrator, type of assistance provided to the victim, etc.)

	2010	2011	2012	2013	2014	2015	Comments
Total	37	36	34	51	76	95	Source: Source: The annual statistical reports of Ministry of Justice. Data is recorded and published for some specific criminal offences that state children as primarily victims. Therefore, the figures under represent the actual number of crimes

							against children. Primary source: General Prosecution.
<i>Sex of the victim</i>							
Boys							
Girls							
<i>Other disaggregation (specify and provide data)</i>							

9. Number of child victims of violence provided with medical, psychological, social or other assistance in recovery during the year.

	2010	2011	2012	2013	2014	2015	Comments
Total							Total value is not valid since there is overlapping of cases reported by various institutions.
<i>Sex of the child</i>							
Boys							
Girls							
<i>Authority registering/reported to</i>							
Support provided by child protection units						555	Refers to cases managed by Child Protection Units at local level. Data breakdown for type of violence: physical – 71; sexual – 26; psychological – 106; neglect – 352.
Support provided by domestic violence coordinators					14 (7 Boys)	3 (5 Boys)	Source: Case management for Domestic Violence Management Information System
Support provided by health authorities							Information received from the Ministry referred to total cases, without differentiating children.
Support provided by education					1880	2825	Disaggregation by sex not captured

Support provided by State Social Services				41	55	34	Children residing in the National Center for Treatment of Domestic Violence Victims.
Support provided by State Social Services					16	11	Children Residing in the National Center of Victims of Trafficking.

Legal Aid and Legal Representation

10. Number of children suspected or accused of a crime and child victims of crime who benefited from legal aid or legal representation during the year.

	2010	2011	2012	2013	2014	2015	Comments
Total			8				This is the only information on legal Aid, captured by a SACRP report.
<i>Sex of child</i>							
Boys							
Girls							
<i>Type of involvement</i>							
Suspected/accused of a crime							
Victim of a crime							
<i>Other disaggregation (specify and provide data)</i>			5 penal cases and 3 civil cases				

Complaints to the Ombudsperson

11. Number of complaints brought to the Ombudsperson's Office by children during the year.

	2010	2011	2012	2013	2014	2015	Comments
Total	0	0	0	2	5	10	The figures do not refer to the

							number of children, but cases brought by children. One case may have been brought by a group of children. The numbers on children and other breakdown information is not captured.
<i>Sex of child</i>							
Boys							
Girls							
<i>Other disaggregation (specify and provide data)</i>							

12. Number of complaints brought to the Ombudsperson's Office on behalf of a child or children during the year.

	2010	2011	2012	2013	2014	2015	Comments
Total	37	Data not available	Data not available	29	100	136	Figures refer to both complaints brought to Ombudsman and those that the institution itself has initiated.
<i>Sex of child</i>							
Boys							
Girls							
<i>Other disaggregation (specify and provide data)</i>							

13. Numbers of complaints made by children or their representative to the Ombudsperson's Office during the last year that were investigated and resolved within 6 months.

As reported by Ombudsman, the 6-months-period is not considered as a relevant criteria of reporting, considering that the time-period of case investigation depends on its profile/problematic identified. Therefore, data is not captured as per this indicator.

14. Numbers of complaints resolved during the last year by the adoption of a recommendation that the child be given a remedy, and in which the child or children concerned actually obtained a remedy or reparation.

	2010	2011	2012	2013	2014	2015	Comments
Total	1	0	3	28	3	56	Refers to recommendations provided by the Ombudsman that have been accepted by other institutions.
<i>Sex of the child</i>							
Boys							
Girls							
<i>Other disaggregation (specify and provide data)</i>							

Mediation

15. Number of cases involving children submitted for mediation, during the year.

Data on this indicator, as per its definition in the CAR guideline, is not captured so far. Although there have been many cases of victim-offender mediation involving children, primarily referred by police, probation, and detention centers, the courts are only empowered to order cases for mediation with the Criminal Justice for Children Code, just adopted (not yet enforced).

4. APPENDICES

Legislation

International instruments: *The 1998 Albanian Constitution specifies that ratified international agreements, including the CRC, are part of domestic law and have superior force over domestic laws.*

2013 Optional Protocol on Communication Procedures to the CRC

2011 European Convention on the Legal Status of Children Born Out of Wedlock

2011 European Convention on the Exercise of Children's Rights

2009 Council of Europe Convention for the Protection of Children Against Sexual Exploitation and Abuse

2008 Optional Protocol on Child Trafficking, Child Prostitution and Child Pornography to the CRC

2007 Hague Convention on the Civil Aspects of International Child Abduction

2007 First and Second Optional Protocol to the International Covenant on Civil and Political Rights

2007 Convention for the Protection of All Persons from Enforced Disappearance

2006 Council of Europe Convention for Measures against Human Trafficking

2005 Convention on Jurisdiction, Executed Law, Recognition, Implementation and Cooperation Regarding Parental Responsibility and the Measures on Child Protection

2005 Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children

2002 Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime

2002 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

2002 Convention against Transnational Organized Crime

2000 Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour

1996 European Convention and Protocols for the Protection of Human Rights and Fundamental Freedoms

1996 European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

1994 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

1994 International Convention on the Elimination of All Forms of Racial Discrimination

1992 Convention on the Rights of the Child (CRC)

1991 Convention on Civil and Political Rights

National laws⁸⁹ *Legislation cited in the text is in bold.*

2017 Code of Criminal Justice for Children, no. 37/2017

⁸⁹ Child Rights Information Network (CRIN). <https://www.crin.org/en/library/publications/albania-national-laws> (Accessed 9 March 2017) and supplemented by other sources.

2017 On the Approval of the Official Statistical Programme 2017-2021, no. 10/2017
2017 On the Rights and Protection of the Child, no. 18/2017
2016 Organization and Functioning of the Prosecution in the Republic of Albania, no. 97/2016
 2014 Right to Information, no. 119
 2014 State Police, no. 108
2011 Mediation on Conflicts Resolution, no. 10385
2010 Protection of the Rights of the Child, no. 10347
2010 Protection against Discrimination, no. 10221
2008 Legal (or Juridicial) Aid, no. 10039 (amended 2014)
 2008 Civil Status, no. 10129
2008 Protection of Personal Data, no. 9887 (amended 2012)
2006 Measures against Violence in Family Relations, no. 9669
2004 Official Statistics, no. 9180 (amended 2014)
 2003 Integration and Family Reunion of Persons with Asylum in the Republic of Albania
 2003 Family Code, no. 9062
2001 On the Organization and Functioning of the Ministry of Justice, no. 8678 (amended)
1999 People's Advocate, no. 8454 (amended as law no. 155 in 2014)
 1998 Constitution of the Republic of Albania
 1998 Rights and Treatment of Prisoners and Detainees, no. 8328 (amended 2014)
 1996 Orphan Status, no. 8153
1995 Criminal Code, no. 7895 (amended 2013)
 1995 Criminal Procedure Code, no. 7905
 1995 Labour Code, no. 7961
 1994 Civil Code, no. 7850

Decisions of Council of Ministers (DCMs) and other legal instruments

2016 Commissioner for the Protection against Discrimination Protocol, Recommendation Letter, no. 1194.
2016 Order of the General Prosecutor for the Content of the Annual Report of the Director of Prosecution, no. 330.
 2015 DCM on General Regulation of Prisons, no. 437
2015 Ministerial Guideline on Collaboration Ways and Forms, and Intervention Procedures for Assisting Children at Risk for the Main Institutions and Structures Responsible for Child Protection, no. 10
 2015 Resolution of the Parliament of Albania for the Protection of Rights and Freedoms of LGBT Individuals
 2014 Common order of State Social Services and State Police on Measures at the Reception and Social Support of Unaccompanied Minors that are Returned or Accepted by Other Countries, no's. 332/3 and 562 (respectively)
 2014 DCM Against Organized Crime, Illegal Trafficking and Terrorism 2013-2020 and its Action Plan for 2013-2016, no. 814
2014 Joint Order of the Ministries of Internal Affairs, Foreign Affairs, Education & Sports, Health and Social Welfare & Youth for the Establishment of the National Referral Mechanism for Identification and Improved Assistance for Victims/Potential Victims of Trafficking, no. 3799.

2014 Order of Minister of Justice on Definition of Location and Territorial Competences of Local Probation Offices, no. 622

2014 Prime Minister's Order on Approval of the Structure and Organisational Structure of the Probation Service, no 100

2013 Resolution of the Parliament of Albania Resolution on Protection and Respect of Rights of the Child in Albania

2013 Order of General Director of State Police Standard Operating Procedure for the Treatment of Children During the Stage of Preliminary Investigation, no. 300

2012 DCM on Establishment and Functioning of the Coordination Mechanisms of Working Among Governmental Authorities Responsible for the Referral of Children in Risk Cases and its Procedures. No 265

2012 DCM on the Types, Ways of Information Exchange and Statistical Data Required by the Agency and Responsible State Structures, at Local and National Level, no. 267.

2011 DCM on Standard Operating Procedures for the Identification and Referral of the Victims/Potential Victims of Trafficking, no. 582

2011 DCM on National Strategy for Gender Equity and Reduction of Gender Based and Domestic Violence, no. 573.

2010 DCM on Approval of the Strategy on Re-integration of Returned Albanian Citizens 2010-2015, no. 906

2009 DCM on Organisation and Functioning of the Probation Service and Setting of Standards and Procedures on the Supervision of Execution of Alternative Punishment, no. 302

2009 DCM on the Approval of the Regulation for the Organisation and Functioning of the Probation Services and for the Establishment of Standards and Procedures for the Supervision/Overseeing of Alternative Convictions' Execution, no. 302.

2009 Order of Minister of Justice. For the Approval of the Regulation 'On the Collaboration Between the Probation Office with NGOs and Mediation Service', no. 6325

2006 Order of Minister of Justice. For the Approval of the Internal Regulation of the General Directorate of Prisons, no. 5561/3

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<http://hdr.undp.org/en/countries/profiles/ALB>
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<https://www.unicef.org/about/execboard/files/2016-PL12-Albania-CPD-ODS-EN-3Aug16.pdf>.
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