

Information referred to resolution 32/L.25 - The impact of multiple and intersecting forms of discrimination and violence in the context of racism, racial discrimination, xenophobia and related intolerance on the full enjoyment of all human rights by women and girls.

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1. Introduction

Among the priority objectives of the Albanian Government is the achieving of gender equality, the reduction of violence against women and girls, and domestic violence. In cooperation and with the support of the civil society and the international organizations, especially UN organization, are undertaken a number of initiatives for the legal improvements; are implemented specific policies and programs; are strengthened the supporting structures; are raised the capacity of employees engaged with these issues; is increased the awareness of gender issues, gender-based violence and domestic violence as well as are improved mechanisms for collecting data.

In July 2014 was launched the National System of data on cases of domestic violence at the local level, based on the legal liability for the collection of administrative data on domestic violence. The Ministry of Social Welfare and Youth has accomplished and continues to support the capacity building of coordinators for this purpose.

The improvement of database is reflected also in the improvement of the quality of various important publications. INSTAT – publish annually "Women and Men", which is recently upgraded with additional statistical data of gender indicators. Also an important study in this field is the National Survey on "Domestic Violence" (2013), scheduled every 4 years.

The Ministry of Social Welfare and Youth is making efforts to improve data collection in relation to other groups of women in need, especially for women who suffer multiple discrimination, the women with disabilities, older women, LBT, Roma and Egyptian communities.

2. The legal framework

In the context of coordination of Albanian legislation with international documents is adopted an important legal framework in the field of gender equality, domestic violence and anti-discrimination.

- ✓ The law no. 9970 dated 24.07.2008 "On gender equality in society"¹
- ✓ The law no. 9669 dated 18.12.2006 "On measures against domestic violence" (amended)²
- ✓ The law no. 10221 dated 04.02.2010 "Protection from Discrimination"³

There were improvements in other important laws:

- Labour Code (concerning the definition of discrimination, sexual harassment, maternity protection, etc.)
- Penal Code (forecast of domestic violence as a criminal offense, sexual harassment, rape in marriage, etc.);
- LBT women: Changes to the Penal Code in considering an aggravating circumstance the conduct of an offense for reasons related to gender identity, sexual orientation and "inciting hatred, strife" because of sexual orientation.

¹ Published in the Official Gazette no. 125 dated 01.08.2008 <http://www.osce.org/albania/36682>

² Published in the Official Gazette no. 150 dated 18.01.2007, which entered into force on 01.06.2007 and has been amended twice: by the Law no. 9914 dated 12.05.2008 and the Law Nr. 10 329 dated 30.9.2010 <http://www.osce.org/albania/30436>

³ Published in the Official Gazette no. 15/2010 http://www.ilo.org/aids/legislation/WCMS_178702/lang-en/index.htm

- Electoral Code of the Republic of Albania on 30% gender quota in parliamentary and local elections;
- Taking special measures to increase the representation of women in the police; armed forces; public administration etc.
- Improving access to justice and respect for the rights of women - through some legal changes: a) *Law no.143 / 2013* on the amendment of Law No. 10039 / 22.12.2008 "On legal aid" added to the list of persons that have the right to receive legal assistance, also the cases when the person: (1) is involved in social protection programs or complete the conditions to be included in them; or (2) is a victim of domestic violence or victims of human trafficking. b) Under the guidance of the Ministry of Justice and Ministry of Finance (2013) is provided the reduction of court fees, which affects the increase of the access of women to judicial processes. c) The changes with the *Law no.40 / 2014* to the Law No. 8328 / 16.04.1998 "On the rights and treatment of prisoners and detainees", which predict that "female prisoners, detainees are treated respecting freedoms, fundamental rights, without discrimination, preventing any act of gender-based violence that brings physical, sexual, psychological suffering, any other form of abuse, mistreatment".

The improvement of the national legal framework as to gender equality as to domestic violence is an important step to ensure the protection of victims of gender-based violence and domestic violence, along with the planning of specific policies and measures to implement them. Most of these policies are focused on the protection of women, and improving their access to economic, political and social right. This is clearly expressed in the recent adoption of:

- ✓ *The National Gender Strategy and Action Plan 2016-2020*. Four strategic goals;
 - Strategic Goal 1: Economic empowerment of women and men.
 - Strategic Goal 2: Ensuring the participation and commitment to equal factual and women in decision-making of public policy.
 - Strategic Goal 3: Reducing of gender-based violence and domestic violence.
 - Strategic Goal 4: Strengthening the role of coordinating and monitoring of the National Gender Equality Mechanism.

In the action plan are defined activities which include measures for women which came from groups suffering multiple discrimination.

- ✓ *The National Strategy for Employment and Skills 2014-2020* - aims to promote quality jobs and opportunities skills for all the Albanian women and men during the life cycle. In the Action Plan are defined concrete measures for the development of the education, training and employment. A special attention is paid to the concrete measures for the inclusion of specific groups such as people with disabilities, Roma women, youth, and measures to respond to the low level of employment of these categories.
- ✓ *The National Plan for Integration of Roma and Egyptians 2016-2020*, which aims to increase the access to services, education, housing, employment and professional training, the access to health with a focus on Roma and Egyptian women and girls.

- ✓ In May 2016 was adopted the *National Plan for LGBTI Persons 2016-2020*, which addresses the main problems and issues that affect the lives of LGBTI (lesbian, gay, bisexual, transgender and intersex) creating inequality and discrimination. The Action Plan defines the key directions in the areas of legislation and policy development, security and protection of rights and access to the services.

3. National mechanism for gender equality

The authority responsible for gender equality and combating gender-based violence and domestic violence is the Ministry of Social Welfare and Youth. The Directorate of Social Inclusion and Gender Equality is the structure through which the Ministry of Social Welfare and Youth as a responsible authority exercises the implementation of gender equality and reducing gender-based violence and domestic violence. The Ministry of Social Welfare and Youth has created a network of gender equality officers in 18 ministries and the Directorate of Social Inclusion and Gender Equality maintains regular contacts to exchange information, reports, or increasing activities capacity building, monitoring, etc.

In local government, in the country's municipalities are defined gender officers and local coordinators of the domestic violence.

The National Gender Equality Council in recent years has strengthened its role in the adoption of key documents and making recommendations for improvement of gender equality. It has an advisory role to the Council of Ministers regarding gender equality policies and observes the situation of gender equality in the country. Chaired by the Minister of the Minister of Social Welfare and Youth, includes deputy ministers from the other line ministries and representatives of civil society.

The role of woman deputies in Parliament is also increased, which after the creation of the Alliance of Women Deputies have taken enough initiatives, whether in lobbying for laws involving gender and in enhancing the role of cooperation with the state, exchanging information and best practices. This year for the first time is established the Women's Alliance of Tirana Advisor which aims to assist women in Tirana in their social problems and their economic empowerment.

The cooperation with civil society is valued for the expertise provided and for pushing forward many initiatives to improve the status of women and girls.

4. Measures to address gender stereotypes

The Albanian government has continued the efforts to address the gender stereotypes by challenging traditions that violate the rights of women, girls, concretely:

- ✓ Awareness raising campaigns - The Ministry of Social Welfare and Youth organizes annual awareness campaigns that have increased the sensibility against gender issues and respect for human rights, the increase of number of notifications to the respective bodies for cases of gender-based violence and domestic violence.

- ✓ The Global campaign, "16 Days of Activism against Violence against Women", is implemented in cooperation with NGOs, local government and international organizations (especially the UN).
- ✓ Awareness raising activities are held on the International Day on March 8 each year.
- ✓ In the International Roma Day, April 8, are organized activities that have been focused on Roma women.
- ✓ Each year in the International Day of Homophobia May 17 are organized activities with focus the changes of mentalities.

5. Measures for rehabilitation and reintegration of women victims of domestic violence

- ✓ The establishment of referral mechanisms. With decision no 334 / 17.02.2011 "On the mechanism of coordination of work for cases of DHF and the way of proceeding" are set up mechanisms in municipalities with representatives of institutions responsible for law enforcement. The services offered to the victim/survivor are short-term (immediate protection, safety, health support, accommodation, transport in a safe place, information/assistance on procedures for protection orders, and referral to other services as needed) and long-term (employment support, financial assistance, long-term accommodation, counselling, legal aid for divorce, counselling and psychotherapy, help for children, transfer to other educational facilities, counselling /therapy, etc.)
- ✓ Counselling. In parallel with NGOs experiences that provide counselling services for different groups in need, including survivors of domestic violence, the government has prioritized the establishment of a national counselling line for addressing violence against women. Also, at every Police Directorate there is available a telephone number (nr.129) 24-hour free of charge, for the reporting inter alia of cases of domestic violence.
- ✓ Accommodation. Is created the "National Centre for treatment of victims of domestic violence" (25.04.2011), which offers 24-hour service. About 70% of victims came from rural areas. Generally, the cases are referred by the police, other state structures and NGOs. Despite this positive model and the cooperation of the State with NGOs, the availability of the support services for women victims/survivors of gender-based violence and the violence on family is not the same in all the country, and not all for the victims/survivors. Women/girls from rural areas have more limited access into direct support services.

In continuo is undertaken the establishment of the capacity building of professionals who work with domestic violence issues. Are trained representatives from justice, court and prosecution, forensic, law enforcement, police, health, social workers, public administration, gender officer at the central and local levels, domestic violence coordinators etc. The establishment of the capacity building is part of the programs and National Strategy for Gender Equality, UN joint programs in the framework of gender equality and the fight against domestic violence, or other organizations.

6. Additional Information

a) Ministry of Education and Sports

The Ministry of Education and Sports has as a priority the improvement of the education situation of women and girls, promoting the education and awareness on the prevention of intolerance and discrimination, through continuous improvement of the legal framework and the capacity of policy makers to promote inclusiveness and also to promote a long-term education of women and girls.

Legal framework

- ✓ The Law No. 69 / 29.06.2012 "On pre-university education system in the Republic of Albania", amended, aims to guarantee the constitutional right to education for all without discrimination. At the Article 5 is underlined the right of education for Albanian citizens, foreigners and stateless persons, without discrimination of gender, race, colour, ethnicity, language, sexual orientation, political or religious situation, economic or social, age, place of residence, disability or other reasons defined in legislation. Also, this right is further strengthened by guaranteeing the right to a quality education and equal opportunities for education supported by the construction of a new philosophy of the involvement in educational institutions, ensuring the inclusion of all vulnerable groups in education (Roma children, Egyptians, disabled, minorities etc.) in all the educational levels, especially in preschool and preparatory classes (Article 6).
- ✓ The strategy for the Development of Pre-university 2014- 2020, focused in the creation of the conditions that actually provide the education for all children, regardless of the conditions and personal circumstances.
- ✓ The decision of the Council of Ministers no. 707, dated 26.08.2015 "On the publication, printing, distribution and sale of textbooks for pre-university education system". The criteria for the reflection in textbooks of gender equality, racial, national, religious and democratic principles of non-discrimination which are foreseen also in the standards for textbooks 2015.
- ✓ In implementing the Decision no. 911, dated 11.11.2015 of the Council of Ministers "On the criteria for obtaining grants, payments and financial quotas food in canteens and dormitories for pupils and students in public educational institutions, 2015-2016", priority is given to students from social groups in need with a full treatment, in which the priority is given to girls students.
- ✓ In implementing the Directive no. 25, dated 17.08.2015 "For the school year 2015-2016 in Secondary Education" was developed annual plan training to cover issues relating to the fight against discrimination because of sexual orientation. In Chapter II of this Directive "Legal basis of the activities of educational institutions" is included the law "On protection from discrimination".
- ✓ The Directive no. 36, dated 09.25.2015 "On the selection of candidates for members of the National Council of University Education" is establish that, the committee for selection of candidates for members of the National Education Council will respect the criteria of gender equality.

- ✓ The Directive No. 16, dated 03.08.2016, "For the school year 2016-2017 in Secondary Education".
- ✓ In implementing the Decision of the Council of Ministers, no. 547, dated 27.07.2016, "On the appointment of six members for the composition of the National Council of University Education, selected by a public competition" from 6 members selected 5 are women.

In higher education, the female-male ratio is different. In the academic year 2014-2015, 68.1% of graduates are women. Girls tend to continue graduate studies in the social sciences. The women constitute 82.2% of students in the fields of education, health 80.8% and 76.1% in humanities and arts. Men occupy the majority of students in engineering by 61%. In the academic year 2014-2015, in the higher education, full-time, at the I cycle (bachelor) 67% of graduates are female, while in the II cycle (master professional and scientific master) 69.2% of graduates are women. In the professional master are graduated 2462 women, or 67.6% of the total, while at the scientific master are graduated 3247 women, or 76.4% of the total. The teaching staffs for pre-university education are in favour of female teachers which constitute more than 70% of them.

The strategic initiatives and legal mechanisms

The Ministry of Education and Sports has undertaken a number of initiatives, as follows:

- ✓ The initiative "*School community centre - a friendly school for all*" is already extended to 222 schools nationwide and aims to increase the cooperation and to improve the partnership school-family-community for the development of the full potential of each student. Are drafted and approved "*The comprehensive teacher standards*" and the "*Comprehensive profile of teachers*", a module for training and professional development of teachers.
- ✓ Is working to improve the service "*Psycho-Social*" in schools, aiming to recognize the problems that emerge from the community of children who come from disadvantaged strata and finding of appropriate solutions.

Statistical data

In the school year 2015-2016 in the primary public education were registered:

- 322 367 students, which 152 254 or 47% are girls;
- 5766 Roma students, which 2565 or 44% are girls.

In the secondary public education were registered:

- 105 860 students in full-time, which 50 691 or 47% are girls;
- 558 Roma students, which 212 or 37% are Roma girls.

The pre-university system (preschool, primary and secondary education) 0.2% of all students in the country are minorities.

One of the most important priorities of the Ministry of Education and Sports is the reduction of the numbers of students that leave the compulsory and secondary education. Below, the tables with statistical data regarding 2014-2015 in total and women in particular:

The dropout from compulsory education 2014-2015:

Dropout of students		Nationally students		% of dropout	
Total	Girls	Total	Girls	Total	Girls
2071	950	363387	178821	0.57	0.53

The dropout from secondary education 2014-2015:

Without reason	Nationally students	% of dropout
2759	118053	2.3%

b) Ministry of Health

Legal framework

- ✓ The *Law No.10383 dated 24.02.2011 "On Compulsory health care in the Republic of Albania"* amended, determines the insurance to any individual or categories of people to health services. The article 5 "Insured persons", paragraph 2 / e, *category of persons defined by special laws*; include groups or categories which their contribution is covered by the State. All the persons belonging to different groups or communities and are Albanian citizens have guaranteed the National Health Service conform this law.
- ✓ *The order of the Minister of Health No. 28 dated 26.01.2016 " On the Reference System and the Public Health Service fees"* determines the steps for the implementation of the referral system and public health service fees. Starting from 27 January 2016, all the uninsured persons can profit free visits to the family doctor. All the fees for medical services for patients in primary health care, ambulatory and hospital, are reduced to 1/5 of the existing tariff. In particular benefit the marginalized groups, including persons belonging to Roma and Egyptians.
- ✓ *The National Action Plan for Integration of Roma and Egyptians 2016-2020*, in the field of Healthcare, provides activities and measures that will guarantee medical care accessible, affordable and equitable for Roma and Egyptians. The issues of violence against women and children are part of the Basic Package of Primary Health Care Services, reviewed and approved by DCM no.101, dated 04.02.2015.
- ✓ The Ministry of Health has prepared a documentation unified with health institutions regarding the detection, diagnosis, treatment of cases of violence as follows:
 - The register for recording cases of violence (divided by age group)
 - Individual Clinical card for violated persons
 - The Special medical report for the person who has suffered violence
 - The Consensus form of patient examination / counselling or medical treatment for the violence.
- ✓ *With the Decision of the Minister of Health no. 336, dated 4.08.2015* has begun the drafting of the New Strategy of Reproductive Health, which shall be provided measures for the care of women, maternal care, violence, etc.
- ✓ *With the Decision of the Minister of Health no.304, dated 07.15.2015* is establish a technical inter-ministerial working group responsible for

drafting and prosecution of the Health Strategy 2016- 2020, in which will be provided also gender principles.

Under Health Promotion Calendar 2016 will be organized activities, information and awareness campaigns on reducing gender-based violence, domestic violence and violence against children. In addition, awareness activities will be provided also in the Plan of Action on Health Promotion in Albania 2016-2020, which is currently being drafted by Decision of the Minister of Health no. 342, dated 08.10.2015.

c) Ombudsman

In the implementation of human rights in Albania, the Ombudsman aims not only to promote human rights, but also play the preventive role, defence, promoter and proactive in order to have the access in various economic, educational, health services. As the law provides, the Ombudsman can help and provide opinions and recommendations in the preparation of reports and other documents, drafted by the Albanian state, for the freedom and human rights in the Republic of Albania".

The Ombudsman, for the first time in its activity, has prepared the alternative report regarding the implementation of the CEDAW Convention (which was presented in July 2016). In the report was highlighted that, referred to the period 2010-2014, was made progress in the field of gender equality in Albania, in the implementation and enforcement of legislation, in the institutional framework, policies and practices that have brought progress in some areas. Despite the improvements in legislation, the Ombudsman considers that women in Albania continue to face inequality and discrimination because of gender, and much remains to be done in order to joy de facto the rights and effective protection of women from gender-based discrimination. Gender equality and non-discrimination are part of the fundamental human rights and freedoms.

Free legal assistance

Despite the priorities defined by the State Commission of Legal Assistance in relation of the benefit of legal aid, the number of Roma woman, Egyptian, women with disabilities, victims of violence in family relations, trafficked women, and women faced with discrimination, as beneficiary remains limited. The pursuit of the procedures and collection of the necessary documents has a certain cost in term of time and money, and this has demotivated the women, in particular women from vulnerable groups, to apply for the benefit of legal aid near the State Commission of Legal Assistance.

Women from community LGBT

The Ombudsman has evaluated the recommendation sent on 13/04/2012, on the inclusion in the Labour Code of sexual orientation and gender identity and their respective changes in Labour Code. Is recommended the approval of legal amendments to the Penal Code, which consist in a complete definition of hate crime and the amendment of Articles 119/a and 119/b of the Criminal Code, by considering as a criminal offense the distribution of homophobic materials as well as computer network insulting, for reasons of sexual orientation and/or gender identity.

Elderly women

The Ombudsman underlines the concerns of not having a law which aimed to improve the quality of life of the third age. Regarding of it continues its work with the responsible institutions for its approval.

It is recommended the analysis and collection of the complete data on the factual situation of elderly people, divided by gender. These data will serve for taking the necessary anti-discrimination measures and strengthening of the social and economic mechanisms from responsible stakeholders at the local and central level.

Roma women

Roma women face with a direct discrimination, mainly in employment, services, education, and their access to free legal aid is limited.

Women with Disabilities

Legal changes that consist in increasing the number of specific provisions in the Code of Civil Procedure, Code of Criminal Procedure and the Law "On notary", in order to ensure the access of people with disabilities in the judicial process and in civil criminal judicial process, which are recommended by the Ombudsman will be realized within the framework of the process of reform in justice.

The Ombudsman has expressed the concern that "The absence of the definition of minimum standard of living in Albania is a big obstacle in determining social policies that follows the State for vulnerable groups. Today the Roma minority and Egyptian community are vulnerable groups in risk, which are guaranteed formal equality, but not the substantial equality. Our social system in the treatment and the benefits that provides for housing, civil registration, economic assistance, education, employment, vocational training, health care and other benefits, formally accepts this group, but actually excludes it. The Ombudsman considers that, the measures of economic assistance are insufficient to complete the needs of beneficiaries. In the case of women heads of households, Roma women or women from other vulnerable groups, victims of domestic violence and victims of human trafficking, the economic assistance is insufficient to address their needs, especially the needs for rehabilitation of gender-based violence.

The low level of women's access to legal aid as well as limited opportunities to claim damages in court brings effects in the use of legal remedies. Financial resources at the local and central level are not sufficient to help women victims of domestic violence to rebuild their lives including opportunities for work and housing.

The Ombudsman in the role of defender of human rights and freedoms against any violation or omissions of public administration as well as third parties acting on its behalf, will continue to promote the highest level of assurance of these rights aiming a society with gender equality and approximate legislation, where gender-based violence and in family, has zero tolerance.

The Albanian Government needs to strength the use of specific measures in all areas where women are underrepresented or discriminated.

Recommendations

- ✓ To provide access without obstacles for women in the justice system
- ✓ To increase the awareness of women victims of discrimination and gender-based violence in particular, on the laws and mechanisms to receive free legal assistance and enabling them to submit their complaints about violations of rights;
- ✓ Facilitating the legal criteria for increasing the access of Roma women in social services, housing, education, participation in public life as well as the programs of vocational training and employment;
- ✓ Improvements of the law "On protection from discrimination", including nationality as cause for discrimination;
- ✓ Local Units should use their funds, but also to apply for funding with the aim of establishing and managing social services for victims of domestic violence, shelters, social, psychological and legal assistance to victims, rehabilitation programs for offenders and fulfilment of other obligations stipulated by law.

d) Commissioner for Protection from Discrimination

General data

Since 2010, about 52% of the total numbers of complainants are male and 48% complainants are women, while in 2015 this ratio was reversed. The Commissioner for Protection from Discrimination, in handling discrimination cases, through years, has ascertained that: the number of complaints claiming gender discrimination is low, while referring to the reviewed complaints it results that victims of discrimination, for various reasons, are mostly women.

It remains problematic the discrimination in employment on grounds of pregnancy, maternity, health status or family relationship as from public institutions as well as by private entities. We bring to the attention the cases of indirect discrimination (discriminatory consequences arising from the implementation of laws and practices apparently neutral) where often victims are girls and women, and also the multiple discrimination (more risked are the Roma and Egyptians girls and women, those of poor families and those with disabilities). It still remains very problematic the denunciation of sexual harassment, although it is prohibited by law in working premises and education.

Domestic violence, as one of the forms of gender-based violence, remains one of the most concerning phenomena that women are faced with in our society. In spite of the developments in the Criminal Code of the Republic of Albania and the civil administrative legislation, the effectiveness of the implementation of the legislation against domestic violence needs further strengthening.

We consider positive the increase of the number of discrimination cases handled by the court and the participation of the Commissioner for Protection from Discrimination as an interested party in judicial proceedings or by submitting written opinions on cases. In June 2013, an Albanian court issued the first court decision ascertaining discrimination, which gave compensation to a female,

victim of discrimination. In this case, the Commissioner offered its legal assistance and has participated as an interested party in this judicial process.

In 2016, the Commissioner for Protection from Discrimination has examined 25 cases where the subjects were female. The grounds of this complain were mainly race and ethnicity.

Practices, initiatives, legal framework

The Law no. 10221, dated 04.02.2010, "On protection from discrimination" ensures protection from discrimination. The purpose of this law is to ensure the right of every person for equality before the law and equal protection by the law, equality of opportunities and possibilities to exercise the rights and freedoms of the individual as well as effective protection from discrimination. The law regulates the implementation and observance of the principle of equality in relation to a non-exhaustive list of grounds. The article 1 provides: "This law regulates the implementation and the respect of the principle of equality related to race, colour, ethnicity, language, gender identity, sexual orientation, political opinions, religious or philosophical beliefs, economic, educational or social, pregnancy, parentage, parental responsibility, age, marital or family status, marital status, residence, health status, genetic predispositions, disability, affiliation with a particular group, or for any other grounds".

The article 3 provides forms of discrimination as: Direct discrimination, indirect discrimination, "discrimination by association", "Harassment", "Instruction to discriminate", "Denial of a reasonable accommodation," "Victimization".

The law provides positive measures for establishing gender equality, equality of opportunity and possibilities to exercise the rights, to enjoy freedoms and to participate in public life. A special attention is the promotion of girls' education. To be underline is also the protection from discrimination in employment premises and in the provision of goods and services.

On the basis of this law was established the institution of the Commissioner for Protection against Discrimination (CPD), as a public legal person, independent in the exercise of his duties and as the responsible authority, which provides effective protection from discrimination and any form of behaviour that encourages the discrimination.

The CPD sent legislative recommendations regarding the Electoral Code. Despite the positive amendments done to the Code, the formula chosen for the multi-name candidate lists, does not guarantee the full implementation of these amendments. In relation to this, and to other matters, the CPD drafted a legislative recommendation, which was sent to the Albanian Parliament in June 2014.

The CPD was very active by making legislative recommendations regarding the Code of Administrative Procedures of the Republic of Albania, which entered into force in May 2016. This law has reflected all its legislative proposals.

Regarding the Code of Civil Procedure, the CPD recommended the reformulation of the Article 12, aiming to change the predictions on the burden proof in civil proceedings where the court consider a case of discrimination. Regarding these proposals, the Ministry of Justice replied that these recommendations will be taken into consideration when there is a new initiative for amendments to the Code of Civil Procedure. Actually there are still no amendments to the Code.

In the legislative recommendations regarding amendments of the Law no. 9355/2005 "On social assistance and services" the CPD has submitted recommendations that aim the elimination of preferences on basis of gender, age or any other ground. This issue has also been identified in the Concluding Remarks of the Committee for the Elimination of All forms of Discrimination against Women, which has called for strengthening the use of temporary special measures pursuant to the Article 4, paragraph 1, of the CEDAW Convention. Furthermore, these recommendations came as a result of reviewing of some cases by CPD, where the reason of the discriminatory situation was exactly the above legal provision. So far, the recommendations have not been reflected, despite some amendments in the law this year.

Based on the recommendations made by the CEDAW Committee, the CPD in 2012 sent to the Parliament of the Republic of Albania legislative recommendation on the "Abrogation of the article 113 of the Penal Code in order that victims of trafficking do not become subject to prosecution and punishment". The Commissioner has determined that this provision of the Criminal Code is inconsistent with the Article 18 of the Constitution. In the amendments made to the Penal Code, the Parliament of Albania did not abolish the article 113, but added a second paragraph to this article, through which is stipulated the punishment of the person who offered a reward for the personal benefit of prostitution. In March 2015, the Supreme Court submitted to the Constitutional Court a request by object: "Abrogation of the Article 113 of the Penal Code as a provision that is contrary to the Constitution". Upon the request of the Constitutional Court, the CPD submitted its opinion on this case, supporting the request of the Supreme Court for the abrogation of Article 113 of the Penal Code. The Constitutional Court, by the decision 71/2015, decided to reject the High Court request for abolition of article 113 of the Penal Code.

In 2008 was adopted the Law "On gender equality in society". Since the CPD is a guarantee institution for the discriminatory behaviour, is considered that CPD should be also the responsible authority for the implementation of the law no. 9970/2008 "On gender equality in society".

In May 2016 entered into force the Labour Code, which reflects the recommendations of the CPD, reflecting the causes of discrimination under the Law no. 10221 "On Protection from Discrimination".

In October 2016 CPD made recommendations to the Audio-visual Media Authority on the implementation of the Broadcasting Code regarding events involving children and women victims.

There are several National Strategy that aim to prevent or regulate violence against women, victims of racism, racial discrimination, xenophobia or intolerance, in which the Commissioner for Protection from Discrimination has been part of the working group as: the Social Inclusion Policy Paper 2016-2020, the National Action Plan for LGBTI people in the Republic of Albania, National Strategy for Gender Equality and Action Plan 2016-2020, the National Action Plan for Integration of Roma and Egyptians 2016-2010 etc.