***i -Context, awareness and attitudes underpinning the sale and sexual exploitation of children: What progress has been made in shifting the language and the narrative around these issues by the wider community of experts and practitioners? What are some of the good practices of raising public awareness and sensitization on issues of sale and sexual exploitation of children at the local, national regional and global level?***

Protecting against all forms of sexual abuse and enhancing the physical and emotional health of children, is not only a key component of promoting their rights, including their highest interest, but also has tremendous advantages. It gives children the best opportunity to live a healthy and fulfilling life, grow to be happy and productive adults, enables them to live their childhood, but also bring great benefits to society as well. In accordance with international standards for the administration of juvenile criminal justice, in order to guarantee and respect the best interests of the child in the criminal process, a separate law, the Juvenile Criminal Justice Code, which contains special arrangements regarding juvenile criminal responsibility, procedural rules concerning investigation, prosecution, litigation, enforcement of criminal conviction, rehabilitation or any other measure involving a juvenile in conflict with the law, as well as a juvenile victim and / or witness of the offense.

Referring to the information that the Ombudsman, as a national human rights institution, including children, received after dealing with specific cases of “child sexual abuse” from the comparative assessment, between the findings of this information and legal obligations, which deriving from the legislation in force, for the actions that all actors at central and local level had to perform, it was found that the lack of information on the applicable legal and subordinate legal acts on child protection prevented the conduct of actions to enable cooperation. , coordinating and coordinating work, between horizontal and vertical responsible structures, to have a comprehensive approach to the identification, referral, protection and integration of children in need of protection, based on the best interest of the child.

1. ***What are the current challenges, trends and emerging threats defining the scope and extent of the sale and sexual exploitation of children?***

In Albania, there are very few studies addressing child abuse issues, especially sexual abuse issues within the circle of faith. In this sense the answer to this question refers to the Study of Child Sexual Abuse within the Circle of Faith (2015) conducted from the collaboration between the State Agency for the Protection of Child Rights and Terre des Hommes (NGO).

The main findings of this study are in line with the findings of the Recommendations that the Ombudsman Institution initiated from the publication in the media of a case of sexual abuse of a minor in 2019, as follows:

- Sexual abuse of children occurs mainly within their circle of faith. Professionals generally believed that child sexual abuse within the circle of faith can occur in any child, regardless of age, gender, socio-economic status, education, etc.

- Children with disabilities and vulnerable children in need, were considered to be the most vulnerable groups to frequently encounter forms of sexual abuse within the circle of faith.

- There is a lack of systematic and coherent data on cases of sexually abused children and in particular those within the circle of faith. Problems over case registration are related to the lack of unified statewide indicators, the lack of a standardized case monitoring system and the fact that different structures have different databases.

- Social norms and generally tolerant attitudes toward violence, preserving family secrets that sanctify family privacy, nurturing secrecy and silence, and stigmatizing child victims of sexual abuse in society make professionals, parents and children hesitate to report it.

- Shortcomings in reporting by professionals. A large number of professionals involved in the protection of sexually abused children within their faith circle said that they do not feel safe and often receive threats from abusers or their families, which causes them to give up in case reporting. Information leakage (loss of confidentiality), inappropriate media reporting, and victim stigmatization emerge as the main reasons for not reporting cases of sexually abused children within their circle of trust.

- Lack of preventive measures for raising awareness and informing all actors who are in direct contact with children, from parents and family, about the existence of child sexual abuse in the circle of faith.

- Long-term assistance and rehabilitation. After overcoming the emergency phase, the sexually abused children and their families remain in a difficult situation with many unfulfilled needs. Thus, economic needs, psychological support and safety needs are only minimally fulfilled by the child protection system. Professionals note the lack of support and specialized services for sexually abused children and their families.

- Violation of media ethics and lack of monitoring and punishment. Often, victims are easily identified through the media. Journalists’ code of ethics does not appear to currently consist of any standards regarding news reporting. Furthermore, the code of ethics of journalists is not monitored and there are no penalties for not implementing it.

**What tools are available to States and non-State actors to effectively address the underlying causes of sale and sexual exploitation of children, beyond training and awareness raising?**

Our country has a national and international legal framework addressing the issue of identifying, referring, protecting and abusing sexually abused children, and the mechanisms responsible for conducting these actions. Specifically, the improvements made in the legal framework are:

Article 26 of law no. 18/2017 “On the Rights and Protection of Children” provides for the protection of children against trafficking, sale and any form of sexual exploitation and abuse, including unlawful sexual activity, child exploitation in prostitution or other unlawful sexual practices, exposure, display or involvement in pornographic material or child sexual abuse.

Articles 107 and 108 of the Criminal Code have been amended to provide protection against sexual crimes against children and to increase the sentence for these crimes to 25 years in prison. Article 117 on pornography has been redefined and already includes the possession and recruitment of children for pornography. Article 124 is extended to cover all forms of child exploitation and protection of the child from economic exploitation. With these changes, Albanian criminal legislation has been aligned with international law, in particular the Lanzarote Convention of Council of Europe “On the Protection of Children from Sexual Exploitation and Sexual Abuse”.

The National Agenda for Children's Rights 2016-2020 provides for the deployment of specialized services for child victims of sexual abuse and other forms of violence as one of the specific objectives.

The Internet’s Crime Sector, established since 2009 at the Criminal Police Department of the General Directory of Police State, has been pursuing online monitoring of child abuse material and identifying, investigating cases of Albanian or foreign users of child pornography or child pornography images in the internet. In 2015, as a result of international cooperation with the German and Italian police authorities, two “Pedophile” and “Pedophile 2” police operations were organized to identify the offense of 'Pornography', as provided in Article 117 of the Criminal Code, which were concluded with the arrest of two persons.

Based on the handling of specific cases, subject to “child sexual abuse”, we have generally concluded that from the moment of case identification, its management, the skills and knowledge of the staff to manage the case under the applicable legislation and, the impact of the actions taken, committed, while dealing with this delicate case in the best interests of the child, to guarantee the protection of the child, has found that the lack of information on the applicable laws and by-laws on child protection has impeded the conduct of actions to protect the child, enable co-operation, and coordination of work, between the horizontal and vertical responsible structures, to have a comprehensive approach to the identification, referral, protection and integration of children in need of protection, based on the best interests of the child. Some factors are multidimensional poverty, internal migration.

1. **What are the remaining challenges and obstacles in overcoming this scourge?**

One of the main challenges of our country in this regard is the lack of specialized services to provide services for victims of child sexual abuse and exploitation.

There are also unqualified staff of public administration institutions working directly with children such as employees of education, health, police, etc.

**iii. *Children’s vulnerability to sale and sexual exploitation, including in the context of cross-border challenges, technology and innovation:* What is the available evidence about children’s vulnerability to sexual exploitation, including about existing and emerging drivers of risk (e.g. precarious socioeconomic situations, migration, conflicts and violence, climate change and natural disasters, digital space)? What groups of children (including on the grounds of gender, age, disability, social group) are especially vulnerable to exploitation in general and/or specific forms thereof?**

The People’s Advocate (Ombudsman) Annual Reports and Special Reports have found that children's vulnerability to sex trafficking and exploitation constitutes a highly disadvantaged socio-economic and psychological profile of families and children victims of sexual abuse, but not only by referring to cases handled by the Ombudsman institution. Of course, this is not just for girls but also for boys.

After the inspections that the Ombudsperson Institution carried out in public residential child care institutions, at the end of which was drafted the special report “On the rights of children in residential public social care institutions” (2016), institutionalized children have been subjected to physical and psychological and sexual violence by staff and officials responsible for their well-being, which have been reported to justice institutions.

***iv- The overarching legal-normative framework, commitment and institutional capacity*: What progress has been made in global, regional and national legislative frameworks to address children’s vulnerability to sale and sexual exploitation, and to address impunity? To what extent do these frameworks adequately address or take due account of the challenges posed by transnational internet and financial flows, and their implications for accountability and challenging impunity?**

Albanian criminal legislation addresses sexual violence against children, as follow:

These include: sexual or homosexual relations with minors (Article 100); sexual or homosexual relations with minors (Article 101); sexual or homosexual relations with persons of the same sex or under guardianship (Article 106); committing shameful acts with minors (Article 108); exploitation of prostitution in aggravating circumstances with minors (Article 114 / a); distribution, advertising and publication of pornographic material in juvenile facilities (Article 117); trafficking of minors for prostitution (Article 30), etc.

Amendments to the Panal Code by law no. 144/2013, provide guarantees for the adequate protection of children from sexual crimes and economic exploitation. These changes to Albanian criminal legislation are in line with international law, in particular the Council of Europe Convention (Lanzarote) “On the Protection of Children against Sexual Exploitation and Sexual Abuse”.

Changes to the Criminal Code have increased the sentence for sexual violence against children (from 15 years to 25 years in prison). Articles 107 and 108 of the Code have been added and amended to provide protection against sexual crimes against children.

Article 117 “Pornography” has also undergone a complete legal regulation, and considers the possession, recruitment of a child and a variety of other forms of child pornography a crime.

The substantive provisions of criminal law relating to the sexual abuse of children are incorporated and set forth in the Albanian Penal Code. Three are the articles that specifically deal with child sexual abuse, Article 100, Article 101 and Article 108. The other articles, which regulate various aspects of sexual abuse, are general clauses, which include punishable actions against children. as an aggravating circumstance. More specifically, the following material criminal provisions deal with various types of sexual abuse including sexual abuse of children:

Article 100 - Sexual or homosexual intercourse with minors: sexual or homosexual intercourse with minors who have not reached the age of 14 or with a minor who has not reached sexual maturity is punishable by imprisonment of 7 to 15 years. This article provides for the following aggravating circumstances: sexual intercourse committed in co-operation more than once either by force or when serious harm to the injured child is caused by imprisonment of not less than 25 years; when the offense has resulted in the death or suicide of a minor child, it shall be punishable by imprisonment of not less than 30 years or by life imprisonment.

ii. Article 101 - Sexual or homosexual intercourse with juveniles aged 14-18 years: sexual or homosexual intercourse with juveniles aged 14-18 years having reached sexual maturity is punishable by imprisonment of 5 to 15 years. years. This article provides for the following aggravating circumstances: where sexual intercourse is carried out in co-operation or more than once, or when the injured child has serious health consequences, is punished by imprisonment of 10 to 20 years; when it results in the death or suicide of a minor child, it is punishable by imprisonment of not less than 20 years.

iii. Article 106 - Sexual or homosexual intercourse with persons of the same sex or under guardianship: Conducting sexual or homosexual intercourse between a parent and child, brother and sister, between other persons of a straight line, or with persons in custodial relationships, or of adoption, is sentenced to imprisonment of up to 7 years.

iv. Article 107/a - Sexual violence: the commission of sexual violence by committing acts of a sexual nature on the body of another person with objects constitutes a criminal offense and is punishable by imprisonment of 3 to 7 years. Aggravating circumstances include: committing this offense to children aged 14 to 18 who is sentenced to imprisonment of 5 to 15 years and committing this offense to a minor who has not reached the age of 14, or a minor who has not reached maturity sexual offenses, whether committed with violence or not, punishable by imprisonment of not less than 20 years.

v. Article 108 - Shameful acts: committing shameful acts with minors who have not reached the age of 14 is punishable by imprisonment of 3 to 7 years123. The same offense, when committed against a minor who has not reached the age of 14 with whom the author has family relations, is punished by imprisonment of 5 to 10 years. Intentional involvement as a witness in acts of a sexual nature, of a minor who has not reached the age of 14 or of a minor who has not reached sexual maturity constitutes a criminal offense and is punishable by imprisonment of 1 to 5 years;

 vi. Article 108 / a - Sexual harassment: the conduct of a sexual nature, which violates the dignity of a person, by any means or form, by creating a threatening, hostile, degrading, humiliating or offensive environment, constitutes a criminal offense and is punishable by imprisonment. 1 to 5 years. It is an aggravating circumstance when the offense is committed against children, in this case the sentence is from 3 to 7 years imprisonment.

It should also be noted that offenses against children, which may be of a sexual or other nature, are dealt with in other sections of the Criminal Code. For example, Section VIII of the CC, entitled "Offenses against morality and dignity" provides for Article 117 criminal offenses of pornography. Furthermore, Section IX of the CC called “Offenses against children, marriage and the family” provides for a number of offenses against children other than sexual violence related to child abuse or lack of care.

Juvenile Criminal Justice Code

An important development in Albanian child rights legislation is the adoption of the Juvenile Criminal Justice Code, in March 2017. The Law No.37 / 2017 “On the Juvenile Criminal Justice Code”, entered into force on 1 January 2018.

The Juvenile Criminal Justice Code mainly aims to regulate aspects of criminal responsibility of children who commit crimes, but it also contains important provisions regarding child victims of crime, including sexual abuse. In fact, the Code regulates issues such as: the position of the child victim during the investigation and prosecution; interviews with children; safeguards throughout the process so as not to aggravate their trauma; protection of personal data of child victims and related matters.

Some of the main provisions of the Juvenile Criminal Justice Code, that apply to child victims of sexual abuse are:

i. Article 17 - Delayed and Prior Hearing: It provides for the principle that every competent authority must promptly and prioritize cases with juvenile victims, ensuring that the criminal process, at any stage of it, does not aggravate the trauma experienced. With competent authorities, the CRPD includes all employees who come into contact with the child victim, including a judge, prosecutor, judicial police officer, state police officer, lawyer, psychologist, social worker, employee of the Rights Protection Unit of the Child, etc.

ii. Article 18 - Mandatory participation of a psychologist: provides that in order to protect children from trauma, the presence of a psychologist is mandatory in all prosecution procedures (investigation and trial). The presence of a psychologist is also necessary to ensure that interviews with children are conducted in a proper manner. In addition, it is envisaged that, where possible, the same psychologist will follow the same child victim throughout the process.

iii. Article 20 - Legal and psychological assistance to minors (free): provides that at every stage of criminal justice for minors, every minor victim has the right to free legal and psychological assistance, guaranteed by the state, under the relevant legislation.

iv. Article 21 - Protection of the private life of a minor: provides that at any stage of juvenile criminal justice the privacy of the child shall be respected and any information that may lead to the identification of the child victim shall not be published.

v. Articles 25-29-30-31-32 - on training and specialization of the competent authorities: provide that the competent authorities working with juveniles must have the necessary expertise and that persons administering the process of juvenile criminal justice must be specialized and trained in the field of child rights protection. This obligation includes many employees and professionals such as a prosecutor, a judicial police officer, a state police officer, a lawyer, a psychologist, a social worker, a child protection unit employee, and so on.

vi. Article 25 - Specialization of persons administering and assisting the process of juvenile criminal justice.

vii. Article 27 - The power of adjudication of juvenile justice cases provides that special sections on juvenile matters are to be established within the district court. These sections are also competent to adjudicate adult defendants charged with committing criminal offenses against minors / children.

viii. Article 37 - Safeguards for a minor victim or witness, provide that at every stage of the criminal process special protective measures shall be taken for the child victim when the child's safety is at stake. Depending on the circumstances, these measures are generally approved by the judge (ex-officio), the prosecutor, the judicial police or the Child Rights Protection Unit. The safeguards consist in avoiding direct contact between the juvenile victim and the accused at any stage of the process; petition for a “restraining order” in court; requesting the imposition of a prison sentence for the accused; police protection of the child; other appropriate measures.

ix. Article 41 - Special rules for the questioning of a minor victim / witness of sexual exploitation or sexual violence: provides for these special rules applicable to child victims of sexual abuse, which are added to other rules of interview for children provided for in Articles 39 and 40 of the Juvenile Criminal Justice Code. Accordingly, the following rules apply: interviews with sexually abused children are compulsory with audio and video recording; evidence in audio and video may appear during the court hearing; the child's testimony can be heard in the courtroom without his / her presence, through the use of communication technologies; the questioning of the child victim is prohibited.

**The Code of the Penal Procedure**

Prior to the adoption of the Juvenile Criminal Justice Code, there was the Criminal Procedure Code, which regulated some aspects of the position of child victims in the criminal process.

Law no. 18/2017 and the Juvenile Criminal Justice Code are an important step in aligning the Albanian child protection system with international standards and principles. This law has adopted almost all the measures and principles established by the Lanzarote Convention. Includes support and support measures, co-ordination measures, helplines, reporting obligations, training and awareness raising measures, restrictive measures for persons working with children, and protective measures for children.

Concerning the Juvenile Criminal Justice Code, it can be concluded that it contains the international principles and standards required to address cases concerning child victims of abuse, including sexual abuse.

**Sexual activities against children through abuse of trust, authority or influence are not expressly regulated.** There is Article 106 of the Penal Code which condemns sexual intercourse between related persons such as parents and children, brothers and sisters, or foster parents and guardians. However, this article seems more directed at preventing sexual intercourse between members of the family (incest), whether biological or non-biological, than protecting children from the abusers they trust, who are affected by them, or who exercise their authority over children.

All offenses related to child sexual abuse may be regulated in a harmonized and coordinated manner in a separate section of the Albanian criminal code, by means of clearly worded and non-discriminatory provisions covering all types of offenses. of sexual behaviors that may harm children, at least all those behaviors already provided for in international conventions ratified by Albania. With regard to the provisions of the Criminal Procedure Code it is necessary to amend Article 284 (1) in connection with the commencement of criminal proceedings. Specifically, Articles 105 and 106 of the Penal Code should be removed from the list of criminal offenses for which the injured party is required to file a criminal prosecution.

***Iv. New and innovative strategies to effectively prevent and protect children from sale and sexual exploitation*: How adequate is our global multi-stakeholder response to this complex phenomenon (States, NHRIs, domestic and international policy-makers, international and regional human rights mechanisms, CSOs, private sector)? How adequate are current systems and strategies to protect children effectively? What are the current global and domestic human rights and protection challenges in the context of evolving global developments? Are there sufficiently accessible complaints mechanisms available to victims and their representatives?**

Based on the law no. 18/2017 “On the Rights and Protection of the Child” structures and mechanisms for coordination in the field of children's rights and child protection at local and central level are defined. This law redefines their responsibilities and strengthens interoperability and cooperation to guarantee the rights of children.

- The National Council for the Rights and Protection of the Children is the advisory body for the formulation and co-ordination of state policies on children's rights and protection in all areas, including justice, social services, education, health and culture. The National Council for the Rights and Protection of the Children is composed of nine members, coming from governmental, non-governmental and independent institutions. In the first half of 2018, the National Council for the Rights and Protection of the Children held two meetings based on the law no. 18/2017, in the framework of the adoption of the Decision nr. 54.2018 “On the Adoption of the Rules of Procedure of the National Council for the Rights and Protection of the Child” of the Council of Ministers. New Regulations and the whole Law no. 18/2017 created an impetus for more frequent meetings of the CRPM, ensuring greater participation of children as observers.

- The Minister responsible for coordinating work on child rights issues is currently the Ministry of Health and Social Protection, the main authority responsible for coordinating and monitoring the progress and implementation of relevant policies and measures for the implementation of laws, strategies, national action plans for children, as well as international obligations of the Republic of Albania in this field. He is also responsible for drafting relevant reports, monitoring the work of the State Agency for the Protection of Child Rights and adopting its annual report.

- The State Agency for the Protection of Child Rights, established in 2011, is an institution under the responsibility of the ministry responsible for coordinating work on child rights and protection issues. The new law (18/2017) also revised the authority of the State Agency for the Protection of Child Rights, assigning it clear responsibilities in the area of child rights and protection. The NAPCR is also responsible for coordinating the integrated child protection system under national child protection policies, as well as monitoring the implementation of the National Action Plan 2017-2020, and manages and collects statistics on children's rights.

- Child Protection Units (CPUs) and Child Protection Workers, as structures responsible for coordinating and providing child protection and case management services, in collaboration with a range of stakeholders from different sectors at the level local. In each municipality and administrative unit with more than 3,000 children, a Special Cross-cutting Technical Group (GTN) is set up to address child protection cases. This group is made up of representatives of the police, social services, education, health and justice, NGOs and other persons who have information on the situation of children.

In the context of the fight against trafficking in human beings, our country has taken a number of measures both to improve legislation and to establish institutional and non-institutional mechanisms on this issue, as follows:

- The legal and institutional framework in the area of trafficking has improved, including amendments to the Criminal Procedure Code [[1]](#footnote-1)(Law No. 35/2017) and providing better position and access to the criminal process for the victim.

- Article 20 of Law no. 121/2016 “On Social Care Services” provides a requirement for all institutions responsible for treating trafficked children to take all specific measures and actions to assist and support them until they are fully recovered, in order to find a permanent solution. State Police legislation provides additional means for the protection and comprehensive support of victims of trafficking, especially children. The new Criminal Justice Code strengthens the protection of children in the criminal justice system.

- The National Strategy on Combating Trafficking in Persons was prepared in support of the previous National Action Procedures (NAPs), covering the periods 2011-2013 and 2014-2017. The strategy is organized into four main pillars (investigation and prosecution, victim protection and assistance, prevention and coordination). For the first time, the NAP has also calculated the budget for its activities. The first meeting took place in March 2016 to monitor the strategy and draft subsequent NAPs. Child protection is further strengthened by National Agenda for protection of the child 2017–2020, which includes measures to proactively identify potential victims in Albania, as well as victims of trafficking abroad and their voluntary return to Albania.

- Drafting of the Cross-cutting Strategy for the Fight against Organized Crime, Illicit Trafficking and Terrorism 2013-2020 and Action Plan 2013-2016 has increased efforts in the fight against trafficking in persons. One of the measures of the Strategy is to strengthen international and inter-institutional cooperation with all stakeholders, in particular the Serious Crimes Prosecution, which deals with child trafficking cases.

- In June 2012, a new agreement was signed for the National Referral Mechanism (NRM), engaging 13 state and non-state institutions. The agreement sets out the framework for co-operation, setting out the responsibilities of key actors in the fight against trafficking in human beings in terms of identification, referral, shelter, assistance and rehabilitation. In addition, Joint Instruction no. 3799/2014 between the relevant line ministries for the establishment and operation of the structure governing the implementation of the NRM.

- In 2018, was adopted to a procedure to protect victims and potential victims of trafficking, strengthening the current comprehensive and well-coordinated system of identification, referral and protection. This procedure covers children, whether Albanian, foreign or stateless, from all types of domestic or international exploitation. So they have contributed to improve victim identification, strengthening co-operation between relevant structures and providing timely and appropriate responses to crime.

- Since 2017, twelve Regional Anti-Trafficking Committees (RATs) have been established, composed of local officials and NGOs working to prevent and provide assistance to victims. The prime minister has issued an order to strengthen the Regional Anti-Trafficking Committees, making it mandatory for government agencies, namely social services, law enforcement, labor inspectors and health officials, to participate. The government has reactivated three mobile identification units in three counties.

***-Data and monitoring:* How effective are current tools and monitoring systems, including collection, analysis and publication of routine data, in supporting the prevention of and response to the sale and exploitation of children?**

The law no. 17/2018 “On Official Statistics”, has strengthened national data management and data collection processes, including in the area of children's rights. This law strengthened the role of the coordinating authority of the national statistical body, the Institute of Statistics (INSTAT), which is responsible for ensuring that all official statistics agencies use United Nations standards, definitions, classifications and methodologies and Eurostat- it. In addition, the Law requires statistical agencies to submit periodic reports and performance information on assigned tasks.

INSTAT publishes various documents containing some age- and sex-disaggregated indicators, including the annual issue of Women and Men. The Albanian Demographic and Health Survey, conducted in the period 2017-2018 provides a rich source of data, most of which will be used to monitor and report on the implementation of the Sustainable Development Goals. Data are currently being collected for the National Survey on Domestic Violence, scheduled to be completed every four years. INSTAT is also compiling a dedicated list of child-centered indicators that will be published annually starting in 2019.

The State Agency for the Protection of Child Rights collects and processes annual data on child rights statistics in collaboration with line ministries, municipalities and INSTAT. As required by Law no. 18/2017, Decision no. 636, dated 26.10.2018, of the Council of Ministers “On the determination of the types, methods of exchange and processing of information and statistical data required by the State Agency for the Rights and Protection of the Child, at the responsible state structures, at the central local level ”, which authorizes the State Agency for the Protection of Child Rights to collect and publish 58 indicators targeting children, representing a variety of areas / topics (demographics, health, nutrition, violence, migration, work, poverty, education, access to justice , juvenile justice). The revised list of indicators is in line with the CRC’s list of reporting indicators and the strategic objectives of the 2017–2020 AKDF.

The responsibilities of the State Agency for the Protection of Child Rights, include the collection of child protection data at the local level and the monitoring of CPU performance, reporting quarterly to the agency on their work in managing the cases of children in need protection. However, the vertical way of collecting data remains a challenge, as effective reporting mechanisms in CPUs are lacking. This situation presents difficulties for the analysis of the data by the State Agency for the Protection of Child Rights, as well as for reflecting the real situation on the ground. With the strengthening of child protection actors at the local level, reporting capacities are also expected to be strengthened.

Several other measures have been taken to improve the processes of management and data collection in the field of children's rights in the various sectors, which are presented in this document in the relevant sections.

In addition, the annual reports of the State Agency for the Protection of Child Rights are regularly drafted as well as cross-sectoral thematic studies reports, enabling the monitoring of the implementation of laws and policies in the field of children's rights and providing more in-depth information on human rights trends and rights selected. Some of these studies are the Child Rights Situation Report in Albania 2013-2014, compiled by the State Agency for the Protection of Child Rights in 2015, and comprehensive mapping of the child protection system, conducted with the support of UNICEF and Maestral (2015). The following is the policy paper that sets out the government’s vision for the future integrated child protection system. These documents served as the basis for drafting Law no. 18/2017 and National Action Plan on Child’ Rights 2017–2020.

Also, amendments to the Law on the Ombudsperson made it possible to set up a Section for the Protection and Promotion of Children’s Rights. It consists of a Commissioner for the Protection and Promotion of Children's Rights and three Assistant Commissioners. The Commissioner was appointed in 2018 and exercise his activity at the Ombudsperson Institution, for the protection of children’s rights. In this regard, the Ombudsperson Institution has also addressed relevant recommendations for respecting the rights of children, sexually abused, by the responsible institutions as follows:

- Measures taken by line ministries to inform all structures responsible for the exercise of their obligations and responsibilities in the implementation of child protection legislation and the criminal code for juvenile justice;

- Take measures to strengthen the system of monitoring and evaluation of respect for children's rights;

- Measures taken by the Ministry of Education, Youth and Sports to address the broader topic of sexual abuse / violence in the curricula (specifically the subject of sex education);

- Measures taken by local government bodies through the Child Protection Unit to organize awareness and education campaigns with parents and community members on child protection in their highest interest;

- Taking measures to monitor the work of the responsible state structures, in accordance with the legislation in force, and taking concrete measures by the State Agency for the Protection of Children's Rights to impose and enforce administrative sanctions;

- Take measures to establish specialized services for sexually abused children, which means the existence of a specialized confidential center, where specialized services are provided by a group of professionals such as: psychologist, psychiatrist, neuropediatric and social worker. Civil society, all actors working with children, but also the whole society should be aware and advocate that the existence of this center cannot be limited due to insufficient budgets, but it is a necessity and a necessity.

- Take measures for the continuous training and qualification of staff, for the identification and treatment of cases of sexually abused child victims in all disciplines of education, health, social protection and justice etc.

- Taking measures for the adoption of bylaws pursuant to Law no. 18/2017 and the Juvenile Criminal Justice Code.

- Take measures to amend the legislation regulating the activity of audiovisual media, to lay down more detailed rules regarding the treatment of sexual abuse / juvenile delinquency.

Notwithstanding the above information, our country does not have a base date dedicated solely to sexually abused and abused children, as well as to persons who have committed these offenses, which will serve to prevent similar phenomena in cases of termination their condemnation and living in society.

**vii. *Institutional accountability*: How far are responsibility and accountability of each and all pertinent actors being enforced and upheld (including corporations in the tech, travel and tourism and other sectors)?**

According the point 3 of Article 67 of Law No. 18/2017 “On the rights and protection of the child”, it is a legal obligation for all public and private administration employees to report the child in need of protection.

Notwithstanding the legal obligation laid down, the practical implementation of this legal provision is a challenge, as it has been established by our institution[[2]](#footnote-2), that there is a lack of information on the applicable legal and subordinate legal acts on child protection, which has impeded the conduct of actions for enable co-operation, co-ordination and coordination of work, between horizontal and vertical responsible structures, to have a comprehensive approach to the identification, referral, protection and integration of children in need of protection, based on the best interests of the child.

**viii. *The way forward:* How can the impact of the mandate be further enhanced in the future?**

The activity of the Ombudsperson Institution for children's rights during 2018 has continued in two main functions: protection and promotion of children’s rights. This approach aims to highlight that a modern society that respects the human rights of children has respected human rights and that the basic human rights and freedoms, which today are widely talked about in modern times, in fact they originate from children's rights.

The focus of the work is on increasing field visibility, addressing the most sensitive issues of children's rights, and preparing and publishing promotional materials, enabling children to be involved in decision-making.

In this context, many activities have been carried out that have influenced the improvement of policymaking at central and local level, the protection and respect of children's rights.

* Lobbying and advocacy in partnership with children and civil society in the Assembly of the Republic of Albania, which presented the findings of the report “Voice of Youth in Albania”, which is a study on the assessment of children's views on their problems, according to the provisions of the Convention on Child’s Rights..
* In cooperation with policymaking institutions, in particular with the Ministry of Health and Social Protection and the Ministry of Justice, where the Ombudsperson Institution has provided opinions and suggestions on bylaws in implementation of child rights legislation.
* Preparation of the special report "Child labor on chromium stigmas in Bulqiza Municipality", following the initiative of dealing with the phenomenon of child labor, carrying out inspection and launching this report on June 12, 2018, on the International Day against Exploiting Child Labor.
* Continuous handling of cases made public in the media, taking them on initiative and, where the Ombudsman has identified violations, has undertaken an independent administrative investigation and addressed relevant recommendations.
* Launching the Strategy and Action Plan 2019-2022, as an integral part of the Ombudsperson Institution's Strategy and Action Plan. This policy paper has in particular focused on four main areas:

i) prevention;

ii) monitoring;

iii) promotion and

iv) the protection of these rights in the best interests of the child.

Also, for a more friendly approach and to increase accessibility to children themselves (but not only), in a simple and understandable language, the website for the Protection and Promotion Section has been created for the first time. of Children's Rights, part of the official website of the Ombudsperson Institution.

**Where are the major gaps in advocacy and awareness?**

In the context of promoting children's rights, the section on the protection and promotion of children's rights has carried out many activities, which have had its first impacts on increasing the number of complaints by children themselves, but the challenge of the section on the protection and promotion of children's rights at the People's Advocate Institution remains limited in human resources and financial.

1. Law no. 7905, dated 21.3.1995, “Criminal Procedure Code of the Republic of Albania”, as amended. [↑](#footnote-ref-1)
2. Administrative investigation of juvenile sexual abuse with incest Xh. A, 2018 [↑](#footnote-ref-2)