

TOPIC: “The Need for the Adoption of a National Strategy for the Protection / Rights of Victims of Crime”

Working Group I

Judiciary and Fundamental Rights (Chapter 23)

30 March 2023

RECOMMENDATIONS

Legal and institutional framework

- It is recommended that the whole legal doctrine that focuses on the protection of victims and those laws that focus on certain types of victims should be improved and coordinated with the Strategy for the Protection of Victims of Crime, since it is noted that the Code of Criminal Procedure or the Code of Children needs to be updated and developed further.
- For this it is suggested that before approving a full strategy, the existing legal framework should be completed, but also that there should be coordination between the strategy and the mechanisms already existing in Albania and that are functional, in order to avoid overlaps and role and responsibility confusion.
- It is very important that before drafting the Strategy, a thorough and detailed analysis of the situation, problems and phenomenon in focus, as well as the causes and consequences that this problem brings. Only by analyzing the situation in detail can a concrete action plan be prepared as a second step.
- It is recommended to create a protective system for victims of all crimes that includes all the necessary instruments and tools to ensure the protection of their rights, from the identification of victims / potential victims, to the protection of them, to compensation and rehabilitation. This requires the involvement of many institutions in Albania and above all a coordination of their work and responsibilities.
- It is suggested to prepare and implement a Communication Strategy with a focus on civil society organizations, public and law enforcement institutions and the judiciary, media but also the wider community to inform and raise awareness about the rights of victims, preventive measures and supportive actions that can be taken.
- Trainings and activities to raise capacities are very necessary to be carried out for various institutions such as judges, prosecutors but also for police officers who in most cases have the first and direct contact with the victims. These trainings should serve to

raise awareness and guide for the treatment of victims in order for the objectives of the Strategy to be fulfilled correctly and to achieve what is missing in Albania, the change of mentality and culture for the treatment of victims.

- Measures should be taken to fill any gaps that may exist for the victim's support staff, such as psychologists, social workers or doctors, who must be specialized in the treatment of these cases and take into account the particularities of different target groups of victims such as women, children, LGBTQIA + community, migrants or minorities. A problem encountered in the Slovak case is also the lack of translators in cases when victims come from national minorities or are foreign, making it difficult to provide them with the necessary support.
- Such a Strategy implies the inclusion of a large group of institutions that on the other hand should have good coordination of their work and responsibility, and avoid overlapping of duties and responsibilities.
- The budget is a key element to be taken into account when drafting the Strategy. It should be realistically planned, based on the analysis to be done and the financial capacities of the state and sources of financing. It should also clearly define the roles and responsibilities of institutions for the coordination of work and provision of services at every stage of victim protection.
- Consideration should be given to obtaining funding and financial support from other sources such as foreign donors, international organizations or civil society in order to fill in any deficiencies that may exist for the long-term implementation of the Strategy.

Including Civil Society Actors, Experts and Interest Groups

- It is necessary to include civil society organizations and various experts to contribute with their experience in all stages of the strategy drafting process. For this purpose, it is recommended that public consultative meetings be organized with representatives of civil society and interest groups so that they have the space and opportunity to provide their recommendations and comments.
- An information and promotion campaign should be carried out throughout the process of drafting and approving the Strategy, where those who want to be included and the affected parties have the opportunity to be informed and updated at all times about the process and how and where they can be involved. The institutions responsible for drafting this Strategy should be as transparent and open as possible in providing the necessary information and documents to these actors using various means of communication and public information.

- It is suggested that special attention be given to the contributions made by the affected parties/victims or by those organizations that work directly with the victims during the drafting of the Strategy.
- Civil society actors, which often have experience and resources to provide support services to victims, are encouraged to become involved to assist state institutions in this regard, such as providing accommodation, psycho-social services that victims may need or medical services that should be provided free of charge to victims.
- On the other hand, the responsible institutions should accredit these organizations, taking into consideration certain criteria to be met and working closely with them throughout the process, and where possible, financially supporting them. It is recommended, based on the Slovak case, that the procedures to be followed by these organizations providing services should be uniform and standardized for all, with criteria set by the responsible public institutions. This standardization makes it easier to evaluate and monitor these organizations and serves as a guide on the way of providing services and care to be provided.