

Ending Violence against Women and Girls with Disabilities in Albania

A UN Position Paper¹

Objective and methodology

This policy paper aims to highlight the critical issue of violence against women and girls with disabilities in Albania. It initially identifies the multiple forms of violence that these women face and barriers to accessing services, based on different sources and data, including recommendations of human rights mechanisms and studies conducted by civil society organizations (CSOs). The paper then reviews the relevant international legal framework within the frameworks of the United Nations and Council of Europe, including the jurisprudence of their quasi-judicial or judicial bodies. This is followed by a brief analysis of the national legal framework to identify gaps requiring urgent attention as per international human rights law. The paper concludes with a number of practical recommendations to ensure adequate protection and support services for women with disabilities who are victims of violence, addressed to different stakeholders, but particularly government actors and CSOs.

The methodology used for developing the analysis primarily comprised a desk review of key recent documents on this issue, including human rights reports on Albania, reports from CSOs working with women with disabilities, and other UN documents shared by the UN Gender Thematic and Results Group in Albania, among others. The Disability and Development Report 2024 was also considered as part of key recent documents reviewed². The paper was reviewed and endorsed by the United Nations Country Team in Albania.

Introduction

Violence against women and girls is a widespread violation of human rights and the most serious manifestation of gender-based discrimination, and women and girls with disabilities face unique challenges that heighten their vulnerability. In Albania, societal stigma and systemic discrimination are compounded by insufficient legal protections and a lack of accessible and tailored support services. Consequently, women and girls with disabilities are at increased risk of violence, underscoring the urgent need for targeted interventions.

To effectively combat violence against women and girls with disabilities in Albania, it is crucial to effectively implement and enhance legal frameworks with specific provisions for this demographic, as well as implement nationwide awareness campaigns that utilize accessible materials to reduce stigma. Public services must be fully accessible, with dedicated funding allocated to organizations serving these women. Emergency response services must be meticulously structured to address the unique requirements of women with disabilities thereby guaranteeing their safety in times of crisis and facilitating access to prompt assistance. Technology must be used to enhance accessibility for women with disabilities, creating accessible reporting mechanisms for cases of violence, and developing digital tools for education and raising awareness. A robust data collection system should be established to

¹ The Paper was drafted by the UN Gender Thematic and Results Group (GTRG) with substantive inputs by Agustela Nini-Pavli, Gender and Human Rights Consultant, UN Women Albania, and Monika Kocaqi, Senior National Consultant for Gender mainstreaming and Ending Violence Against Women

² United Nations (UN). 2024. The Disability and Development Report 2024, "Accelerating the realization of the Sustainable Development Goals by, for and with persons with disabilities", <https://social.desa.un.org/publications/un-flagship-report-on-disability-and-development-2024>

inform policymaking, and the active involvement of women with disabilities in decision-making and monitoring and evaluation processes is essential. Community engagement initiatives must be fostered, and a comprehensive network of violence-specific support services that are adequately staffed and funded should be developed. Additionally, specialized training for service providers and law enforcement on disability awareness and responses to gender-based violence is necessary. Gender equality initiatives must be integrated into all relevant policies, and a Social Employment Fund should be established to support the labour market integration of women with disabilities facing violence or harassment. Economic empowerment programs specifically designed for women with disabilities, encompassing vocational training and employment initiatives, ought to be prioritized in order to diminish dependency and alleviate vulnerabilities to economic violence and abuse.

According to the most recent census data, disability prevalence in Albania among individuals aged 5 and older is 6.5 percent. Among individuals with at least one disability, the majority were women (56 percent compared to men at 44 percent), highlighting the need for targeted policies that address the unique challenges faced by women with disabilities. Data from the 2018 National Survey on Violence Against Women and Girls revealed that 52.9 percent of women aged 18–74 experienced at least one form of violence, whether intimate partner violence, dating violence, non-partner violence, sexual harassment, or stalking, during their lifetime. Additionally, 36.6 percent of respondents reported experiencing one or more of these forms of violence in the 12 months prior to the survey. These statistics highlight the widespread nature of violence against women and girls in Albania, but they also point to a critical gap in that the specific experiences of women with disabilities are not adequately captured or addressed.

Violence against women and girls with disabilities

Women and girls with disabilities globally face all forms of gender-based violence. The World Health Organization reports that they are two to four times more likely to experience intimate partner violence compared to those without disabilities.³ A survey in Southeast and Eastern Europe revealed that women with disabilities report a higher lifetime prevalence of various forms of gender-based violence—including physical, sexual and psychological abuse—by various perpetrators. Both partner and non-partner violence, as well as sexual harassment, are notably more prevalent among this group.⁴ The recent UN published Flagship Report on Disability and Development indicates that women and girls with disabilities are at particular risk of sexual violence, with 8 per cent of women with disabilities compared to 5 per cent of women without disabilities having suffered sexual violence in the last 12 months. During their lifetime, 13 per cent of women with disabilities compared to 10 per cent of women without disabilities experience sexual violence at least once. In addition to being subjected to the same violence, exploitation and/or abuse against women and harmful practices committed against women in general, women and girls with disabilities are also subject to specific manifestations of violence such as denial of food or water, or threat of any of these acts; removing assistance dogs or assistive devices; restricting access to others; forced medical procedures or interventions without free and informed consent, including in the context of sexual and reproductive health such as forced/coerced sterilization or contraception; economic exploitation, neglect, humiliation, concealment, abandonment, abuse, including sexual abuse and sexual exploitation by state and nonstate institutions, within the family or the community; and infanticide.⁵

³ World Health Organization (WHO). 2023. [Disabilities](#).

⁴ United Nations Population Fund. 2020. [Violence against women living with disabilities in South-East and Eastern Europe - UNFPA Evidence Brief based on OSCE-led Survey on the Well-being and Safety of Women in South-East Europe and Eastern Europe](#).

⁵ United Nations (UN). 2024. The Disability and Development Report 2024, "Accelerating the realization of the Sustainable Development Goals by, for and with persons with disabilities", pg. 163 – 16. This is an update of the 2018 edition of the same flagship report, produced in response to a request by the United Nations General Assembly in its resolution 75/154 of 23 December 2020, <https://social.desa.un.org/publications/un-flagship-report-on-disability-and-development-2024>

The main forms of violence against women with disabilities include:⁶

Physical violence – pushing, slapping and other forms of bodily harm, often exacerbated by the victim’s reliance on the abuser for care. Specific abuses related to disabilities may involve withholding medical care, coerced substance use and obstructed access to essential assistive devices.

Sexual violence – engaging in non-consensual acts of a sexual nature with another person through coercion, threats or exploitation of vulnerability, irrespective of the relationship between the perpetrator and the victim, often exploiting the victim’s vulnerabilities and dependence. It encompasses rape and any other non-consensual sexual activity.

Sexual harassment – unwanted physical contact, inappropriate comments and various forms of non-physical harassment, including stalking and suggestive behavior.

Psychological violence – control of a person’s will through intimidation and threats, often isolating them from supportive networks and undermining their trust in others.

Emotional violence – attacking a person’s self-esteem through verbal abuse and emotional neglect, which particularly affects those reliant on caregivers (a subtype of psychological violence).

Economic violence – controlling access to financial resources and employment opportunities, perpetuating economic dependence and hindering autonomy.

Violation of sexual or reproductive rights – coerced medical procedures and denial of necessary reproductive health services, leading to forced sterilizations and abortions based on harmful stereotypes.

Obstetric violence – unnecessary medical interventions during childbirth, disproportionately affecting women with disabilities.

Institutional violence – neglect, abuse and systemic violations of a person’s rights in care facilities, often exacerbated by inadequate responses from authorities. Forced institutionalization is also a significant concern, particularly for women with intellectual or psychosocial disabilities.

Violence against women and girls with disabilities in Albania

Stigma and stereotypes surrounding women and girls with disabilities⁷ are deeply rooted in Albanian cultural and traditional norms. Traditional views and cultural attitudes often consider disability as a shameful or negative trait, which leads to social isolation for women with disabilities. Families may fear that having a disabled member will bring shame or misfortune, affecting their social standing. Societal expectations around gender roles contribute to the stigma. Women with disabilities may be seen as unable to fulfill traditional roles of caretakers or homemakers, leading to further marginalization. There is a prevailing belief that women with disabilities are less desirable as marriage partners, which can lead to increased pressure on families to hide or isolate these women, in turn resulting in limited opportunities for social interaction and support. Stereotypes can influence the accessibility and quality of services available to women with disabilities. Health care providers and

⁶ OAS/CIM/MESECVI. 2022. [Gender-Based Violence against Girls and Women with Disabilities](#); European Disability Forum. 2021. [Recommendations on EU policies to combat violence against women and girls with disabilities](#); Council of Europe. 2011. [Convention on preventing and combating violence against women and domestic violence](#).

⁷ United Nations Development Programme (UNDP). 2015. [Profile of Social Exclusion of Persons with Disabilities](#); UNDP and Albanian Disability Rights Foundation (ADRF). 2015. [INVISIBLE VIOLENCE – An overview on violence against women and girls with disabilities in Albania](#); UN Women and ADRF. 2018. [Assessment report: Violence against women and girls from disadvantaged communities - an overview of the phenomenon of violence against women and girls from Roma, LGBT and women with disabilities in the municipalities of Elbasan, Vlorë, Tirana and Shkodra](#).

social services may hold prejudices that affect their willingness to offer appropriate care or support. Women with disabilities also often face significant barriers in education and employment due to negative stereotypes about their capabilities, which can perpetuate cycles of poverty and dependency.

Main forms of violence. Surveys by specialized CSOs⁸ in Albania indicate that women and girls with disabilities face various forms of violence. Those with intellectual disabilities and mental health conditions are particularly vulnerable due to difficulties in recognizing and reporting abuse. Women with physical, visual or speech disabilities often experience psychological and physical violence linked to caregiver dependency, compounded by societal prejudices that result in passive violence affecting their mental health. Common forms of abuse include withholding medication, home isolation due to broken mobility aids. Emotional violence, such as household members threatening to abandon those in wheelchairs or the possibility of institutionalization for girls with disabilities, illustrates the profound impact of emotional abuse in this context. Women with moderate or severe intellectual disabilities and mental health challenges are particularly vulnerable to sexual violence, human trafficking, prostitution and begging since their conditions can increase their risk of exploitation. Psychological violence driven by societal prejudice leads to violations of their rights to education, employment, family life and community inclusion. Financial pressures are also significant, as many women with disabilities are denied access to their properties and benefits, leading to institutionalization or abandonment.

Profile of abusers. Abuse can occur anywhere, in private and public spaces, but more often when a woman or girl has limited access to help or no witnesses. This may happen within institutions and outside of institutions (home, workplace or public spaces). Women and girls with disabilities commonly face abuse from those who are or should be closest to them: family members, including parents, siblings, and grandparents (who may exploit their dependency for care and support); intimate partners or spouses (due to power dynamics where the abuser feels entitled to control their partner); and legal custodians (who may abuse their power by restricting autonomy, misusing financial resources and controlling access to essential services). Other abusers include caregivers and health care service providers (who may take advantage of their position of trust). The physical, economic and social dependency further exacerbates the vulnerability of women with disabilities in trying to seek help or services or attempting to leave abusive situations.⁹

The reciprocal relationship between disability and violence against women creates a complex and damaging cycle. Women and girls with disabilities are often perceived as more vulnerable, making them targets for violence. This is especially true when they are reliant on caregivers, as dependency can foster power imbalances and increase the risk of abuse. Conversely, acts of violence can result in permanent injuries, leading to long-term disabilities, while trauma can cause mental health issues that impair daily functioning. This violence exacerbates social isolation, complicating help-seeking efforts. Additionally, barriers such as communication challenges and limited access to resources hinder the reporting of violence, while the stigma surrounding both disability and violence further marginalizes these individuals, perpetuating the cycle.

Support services for victims of violence. In Albania, women and girls with disabilities face significant barriers in accessing both specialized and general support services for violence. Service providers often lack awareness of their specific needs and insufficient training prevents effective case management, which results in inadequate responses and further marginalization. Many women with disabilities are unaware of available resources, increasing their vulnerability and isolation. Local social

⁸ Ibid.

⁹ UN Women & ADRF. 2018; INSTAT 2019. [National population-based survey: Violence against Women and Girls in Albania.](#)

care support is fragmented, and members of the Coordinated Referral Mechanism lack the necessary skills to handle these cases. A recent thematic report from the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) highlights the lack of tailored services for these women, who face barriers to protection due to inaccessible services and provider biases. Employment benefits are insufficient, and women with mental health issues are often sent to general psychiatric facilities that lack appropriate support. Additionally, there are no measures ensuring accessibility in courthouses or police stations for victims with physical disabilities, nor for ensuring interpretation services for the hearing impaired. GREVIO strongly urges authorities to enhance access to specialized services for women experiencing intersectional discrimination, particularly those with disabilities.¹⁰

Several **civil society organizations** (CSOs) in Albania advocate for the rights of women, children and persons with disabilities and promote inclusive policies. They provide legal support, advocacy and accessible information about protection and services against violence and abuse, emphasize access to justice, conduct research and prepare specific recommendations, among other activities. Some of them are also engaged in preparing reports regarding the implementation of the UN Convention on the Rights of Persons with Disabilities.¹¹ GREVIO has noted that despite an increase in support for CSOs in Albania, opaque procedures and bureaucratic hurdles have prevented non-governmental organizations (NGOs) from securing state funding. As a result, organizations that provide services for women with disabilities who are victims of violence have faced significant funding shortfalls.

Data collection. Effective policies to combat violence against women in Albania depend on robust disaggregated statistical data collection and research on all forms of violence, as mandated by the Istanbul Convention.¹² In Albania, there is a significant lack of systematically collected and processed data on women and girls with disabilities who are survivors of gender-based and domestic violence.¹³ This gap includes crucial information on available services, institutional responses, the effectiveness of protective measures, and case follow-up, the lack of which hinders the development of targeted support services and results in ineffective policy responses. This gap also obstructs advocacy efforts, limiting the ability to present evidence-based arguments. The 2019 Concluding Observations on Albania by the Committee of the Convention on the Rights of Persons with Disabilities (CRPD)¹⁴ highlight concerns regarding the lack of concrete data on the implementation of laws addressing violence in family relations. This includes insufficient statistics on persons with disabilities who experience violence, sexual abuse and multiple forms of discrimination. Enhancing data collection and disaggregation is essential for informed decision-making and the creation of effective support programmes for women with disabilities.

Existing international and national legal and policy frameworks and gaps

International legal framework related to violence against women with disabilities

¹⁰ Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). 2024. [First thematic evaluation report: Building trust by delivering support, protection and justice – ALBANIA](#).

¹¹ i.e., Albanian Disability Rights Foundation (ADRF) in collaboration with Albanian National Association of Deaf Persons (ANAD), Albanian Labor Invalids Association (ALIA), Disabled Paraplegic and Quadriplegic Association (DPQA), Defending the Rights of People with Disabilities (MEDPAK), Help the Life Association (HLA), Down Syndrome Albania (DSA), “Together” Foundation, Act Now Association (2019); Caritas Albania (2019); Albanian Blind Association (2019); “Together” Foundation in collaboration with DSA, ANAD, MEDPAK, HLA and Caritas Albania (2024) See: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4. An extended list of CSOs, including those focused on women with disabilities, is available at [National Resource Centre for Civil Society in Albania](#).

¹² Council of Europe. 2011. [Convention on preventing and combating violence against women and domestic violence](#).

¹³ ADRF. 2022. [Orientation Document: Women with disabilities in statistics on women victims of violence](#).

¹⁴ See the Recommendations at <https://documents.un.org/doc/undoc/gen/g19/304/81/pdf/g1930481.pdf>.

Several international treaties address violence against women with disabilities, emphasizing the intersection of gender equality and disability rights. They collectively push for the recognition, prevention and elimination of violence against women with disabilities on a global scale. Albania is party to these treaties, which, after ratification, have become part of the national legislation and should continue to guide the Government's efforts to improve legislation on violence against women, including those with disabilities.

Mechanisms of human rights treaties have also developed detailed guidelines and recommendations addressed to States, including Albania, on the implementation of relevant provisions. In addition, the jurisprudence of human rights treaty bodies and judicial bodies include cases related to States' violations of the rights of women with disabilities who have been victims of gender-based violence committed by authorities or private individuals. This framework should guide any process of revision and improvement of the Albanian legislation that addresses violence against women with disabilities.

The [United Nations Convention on the Rights of Persons with Disabilities \(CRPD\)](#) (2006)—specifically articles 6 and 16—recognizes the unique challenges faced by women and girls with disabilities and calls for measures to ensure their protection from exploitation, violence and abuse. In the context of its three main functions,¹⁵ the Committee on CRPD has adopted a [General Comment \(No.3\)](#) on women and girls with disabilities, which provides specific guidance to countries on relevant measures. Finally, the Committee may receive individual complaints against States for violating Conventions' provisions, including when failing to ensure adequate protection or accessible services to women with disabilities who are victims of violence, particularly during judicial proceedings.¹⁶ Albania is not yet a party to the Optional Protocol of the UNCRPD, which would enable individuals or organizations of persons with disabilities to bring complaints against the Government. Human rights mechanisms such as CRPD and CEDAW Committees and the Universal Periodic Review¹⁷ have continually recommended that Albania ratify the Optional Protocol¹⁸ of the CRPD.

Similarly, the Committee of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) has adopted [General Recommendation No. 18](#) on women with disabilities and [General Recommendation No. 35](#) addressing violence against women, including women with disabilities. In October 2023, the CEDAW Committee issued its latest Concluding Observations on Albania, which included concerns that women with disabilities often face intersecting forms of discrimination, especially in access to justice, education, employment and health care. The Committee has also considered cases related to violence against women with disabilities.¹⁹

¹⁵ The Committee is a body of independent experts in charge of: a) interpreting the treaty provisions through General Comments on specific topics; b) reviewing States' progress periodically with regard to implementation of the Convention and issuing specific recommendations through Concluding Observations; and c) receiving individual complaints from individuals against States for violations of treaty provisions and asking States to provide remedies in case of decisions on violations. Under the third procedure, the Committee can accept only individual complaints against States which have recognized the competence of the committee to receive such complaints through the ratification of the Optional Protocol to the CRPD and when domestic remedies have been exhausted.

¹⁶ See, for example, CRPD Committee. 2019. Case of Z. v. Tanzania

https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx%3Fsymbolno%3DCRPD%252FC%252F22%252FD%252F24%252F2014%26Lang%3Den&ved=2ahUKewjVkfBvNaIAxW5bKQEHU7ULRgQFnoECBgQAQ&usg=AOvVaw0kCUo0rhKaKFKaH5sIiJS0

¹⁷ [The Universal Periodic Review](#) (UPR) is a unique mechanism of the Human Rights Council that calls for each UN Member State to undergo a peer review of its human rights records every 4.5 years.

¹⁸ The [Optional Protocol](#) establishes an individual complaints mechanism for the UNCRDP. States Parties who ratify the Optional Protocol agree to recognise the competence of the Committee on the Rights of Persons with Disabilities to consider complaints from individuals or groups who claim their rights under the Convention have been violated. The Committee can request information from and make recommendations to a party. In addition, States Parties may permit the Committee to investigate, report on and make recommendations on "grave or systematic violations" of the Convention. States Parties may opt out of this latter obligation on signature or ratification.

¹⁹ See, for example, CEDAW Committee. 2020. [Case of V.C. v. Moldova](#).

Case of R.P.B. v. Philippines: CEDAW Committee²⁰

This case concerned the rape of a 17-year-old girl, who is both deaf and mute, by her 19-year-old neighbour in 2006. The case remained at trial for five years before the acquittance of the defendant in 2011. The Philippines Court relied on gender-based myths and stereotypes about rape and rape victims, finding that the victim should have used every opportunity to escape or resist her attacker. In addition, State authorities did not provide any sign language interpretation for R.P.B. The Committee held that the provision of sign language interpretation was essential to ensure R.P.B.'s full and equal participation in the proceedings. Further, the Committee held that the State party erred in relying on gender-based stereotyping, which resulted in sex- and gender-based discrimination and disregard for the individual circumstances of the case, such as R.P.B.'s disability and age. The Committee recommended that the State provide R.P.B. with the appropriate compensation and free-of-charge counselling, review the existing law and remove any requirement that sexual assault be committed by force or violence, guarantee the free and adequate assistance of interpreters, ensure that all criminal proceedings involving rape and other sexual offences are conducted in an impartial and fair manner—free from prejudices or stereotypical notions regarding the victim's gender, age and disability—and provide adequate and regular training to judicial and law enforcement authorities on the Optional Protocol of the CRPD.

Committee decisions such as the one above touch upon obligations that are relevant for many States, including Albania, with similar shortcomings (e.g., a lack of interpretation for women with hearing impairments or a forced-based definition of sexual violence in the criminal legislation) that often affect women with disabilities who are victims of rape. In addition, the majority of these cases are brought by CSOs working in the area and are part of their advocacy and strategic litigation plans. However, no case against Albania has yet been brought to the CEDAW Committee.

Although not a treaty but a comprehensive framework on gender equality that played a key role in influencing movements for women with disabilities across the world,²¹ the Beijing Declaration and Platform for Action (1995) emphasizes eliminating violence against women, including those with disabilities, and calls for policies to ensure their safety.

The Istanbul Convention (Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence) requires States to ensure that all measures for prevention, protection and services for victims of violence address the priorities of women with disabilities, who, along with other specific groups, may be more vulnerable.²² In September 2024, GREVIO—the body of independent experts in charge of monitoring the implementation of the Convention—published its [thematic evaluation report on Albania](#), which found several gaps regarding protection and service provision for women with disabilities who are victims of domestic and gender-based violence.

Protection of women with disabilities who are victims of violence is also provided under the European Convention on Human Rights and the European Court of Human Rights (ECtHR), which has considered several relevant cases under article 2 – the right to life; article 3 – prohibition of inhuman or degrading treatment; and article 8 – the right to respect for private and family life. The standards developed by the case law of the ECtHR in general are binding for all Member States and similar judgments should guide authorities and CSOs working on the rights of persons with disabilities. No cases against Albania related to violence against women with disabilities have been brought to the ECtHR. Furthermore, since Albania joined the ECtHR under the Council of Europe in 1995, there has been only one case

²⁰ CEDAW/C/57/D/34/2011, [R.P.B. v. Philippines](#).

²¹ International Disability Alliance (IDA). 2023. [From Beijing to the CRPD: the missing keystone](#).

²² Council of Europe. 2011. Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence <https://rm.coe.int/1680a48903>.

related to violence against women (in general) brought against Albania.²³ This is despite very rich case law in this area, developed with the significant contribution of women's rights organizations and lawyers in Europe representing women victims of violence.²⁴

*G.M. and Others v. the Republic of Moldova, ECtHR (no. 44394/2015)*²⁵

This case concerned the imposition of abortions and birth control measures on three women with an intellectual disability residing in a neuropsychiatric institution after they were repeatedly raped by one of the head doctors, with the case also examining the investigation into their complaints. The Court held that there had been a violation of article 3 (prohibition of inhuman or degrading treatment) of the Convention in both its substantive and procedural aspects. It noted in particular that the domestic authorities had failed to carry out an effective investigation into the applicants' allegations of ill-treatment, despite it having been reopened on four occasions following their appeals. Moreover, the inquiry had not factored in their vulnerability as women with intellectual disabilities who had been exposed to sexual abuse in an institutional context. The Court also found that the domestic criminal law had not provided effective protection against such invasive medical interventions carried out without the patients' valid consent.

On 25 April 2024, the European Parliament approved the EU Directive to Combat Violence against Women and Domestic Violence, which is the first binding law in the EU in this area and a significant achievement in advancing gender equality in the EU and beyond. The new law contains measures to prevent violence against women and domestic violence and sets standards for the protection of victims of these crimes. It also requires all EU countries to criminalize female genital mutilation, forced marriage and cyber violence, such as the non-consensual sharing of intimate images. The Directive recognizes that women with disabilities disproportionately experience violence and often have difficulty accessing protection and support measures. It consequently requires EU Member States to ensure that women with disabilities can benefit fully from the rights set out in this Directive on an equal basis with other persons, while paying due attention to their particular vulnerability and the difficulty they likely have in reaching out for help. Throughout the text, the Directive provides special instructions on how specific provisions should be applied regarding women with disabilities.²⁶

National legislation and policies

In Albania, several legal and policy frameworks address violence against persons with disabilities, including women with disabilities. Specific protections are embedded within the broader legal frameworks and policies that focus on gender-based violence and disability rights. Despite improvements in recent years, some of these provisions contain gaps and do not guarantee effective protection or accessible services. Additionally, there is a lack of harmonization between legislation and policies. The following is a brief overview of some of the key pieces of legislation and policies and the main gaps and challenges related to their implementation.²⁷

Anti-discrimination legislation:

The Law on Protection from Discrimination (2010, amended) prohibits discrimination based on gender and disability. It also offers protection for women with disabilities including those who are victims of violence, based on the recognition that violence against women is one of the most brutal

²³ ECtHR. 2020. [Tërshana v. Albania \(Application No 48756/14\)](#).

²⁴ European Court of Human Rights. 2024. [Factsheet, Violence against Women](#); and European Court of Human Rights. 2023. [Factsheet, Domestic Violence](#).

²⁵ European Court of Human Rights. 2024. [Factsheet – Persons with disabilities and the ECHR](#).

²⁶ European Union. 2024. [Directive of the European Parliament and of the Council on combating violence against women and domestic violence](#).

²⁷ The analysis here is not meant to be exhaustive and address all aspects of gender-based violence and disability rights legislation. It only aims to bring attention to the need to initiate a more in-depth review of the legislation and policies in both disability rights and gender-based violence to ensure harmonization and effective implementation.

manifestations of gender-based discrimination. The law recognizes several relevant forms of discrimination, including intersectional discrimination, indirect discrimination, hate speech, denial of a reasonable accommodation, harassment, sexual harassment, segregation and victimization. Victims of these or other forms of discrimination have the right to submit a complaint to the Commissioner against Discrimination and/or the Court. Yet, in general, there is no consolidated practice on anti-discriminatory case law or sufficient interpretation of protection from discrimination in cases of women with disabilities who are victims of violence (for example, a woman who cannot access specialized services due to her impairment). This is partly due to limited awareness and knowledge of disability rights and gender-based discrimination among anti-discrimination bodies, other public authorities, civil society and organizations for persons with disabilities.

Legislation and policies related to gender-based violence

The Law on Measures Against Violence in Family Relations (2006, amended) provides specific protection for persons with disabilities, in line with the principle of reasonable accommodation (article 1/2 and article 6/c). Secondary legislation, adopted to support the implementation of the law (such as on case management and service provision),²⁸ contains some general requirements on accessible services for persons with disabilities who are victims of domestic violence. However, specific regulations and protocols to address multiple aspects of accessibility for women with different impairments are missing. For example, in its recent report, GREVIO noted that there are no protocols or standard operating procedures in place when it comes to the treatment of women victims of domestic violence with mental health problems.²⁹ This is also the case for women with other disabilities, such as physical, sensory or intellectual.

The National Strategy for Gender Equality (NSGE 2021-2030) ensures that measures to reduce all forms of harmful practices, gender-based violence and domestic violence (Strategic Goal III) focus on women in all their diversity, including women with disabilities. The Strategy also includes measures for accessible services for victims of gender-based violence who have an impairment. But, as noted in GREVIO's report, further efforts are required to sufficiently consider the specific needs of women victims of violence exposed to intersectional discrimination, such as women with disabilities, including mental health problems; these undertakings need to be followed by tangible steps, action and sustainable funding.³⁰

Criminal legislation and access to justice

The Criminal Code of Albania criminalizes domestic violence and gender-based violence, which include relevant criminal offences committed against women and girls with disabilities. The Code also considers it an aggravating circumstance if certain offences, such as murder and human trafficking, are committed against persons with disabilities, and entails harsher penalties for perpetrators. In addition, a special provision also criminalizes sexual relations with persons with disabilities and taking advantage of the mental or physical impairment of the victims. However, other forms of gender-based violence against women with disabilities do not constitute specific criminal offences, nor are they classified as crimes committed under aggravated circumstances. Furthermore, forced sterilization, which could particularly affect women with disabilities and which is one of the forms of violence against women, based on the Istanbul Convention, is not defined as a criminal offence in Albanian legislation. The new Criminal Code, currently in the drafting process, is an opportunity to address these and other gaps in Albanian legislation.

²⁸ DCM No. 327, dated 2 June 2021, on the Coordinated Referral Mechanism for victims of domestic and gender-based violence, and the Order of Minister of Health and Social Protection No. 744, dated 15 November 2019, "Approving the minimum standards of social care services for victims/survivors of gender-based violence and domestic violence, in public and non-public (short-term) emergency residential centers (Emergency Shelters)."

²⁹ GREVIO. 2024. [First thematic evaluation report: Building trust by delivering support, protection and justice – ALBANIA.](#)

³⁰ Ibid.

The Albanian criminal and civil procedural legislation (Code on Criminal Procedures and Code on Civil Procedures) has several shortcomings with regard to requirements deriving from international treaties (especially article 13 of the CRPD) about procedural accommodation and accessible legal services for persons with disabilities, which directly affect women victims of violence. Overall, as noted also by the Committee of the UN Convention on the Rights of Persons with Disabilities, Albania lacks specific measures and protocols to remove barriers to access to justice and to provide procedural and gender- and age-appropriate accommodations in judicial proceedings for persons with disabilities, including around written information and communications for notary-related services.³¹

The adoption of the Law on Legal Aid (2017) has been an important development in enabling women with disabilities to benefit from free aid on different grounds, including disability status, as victims of domestic or sexual violence and when faced with discrimination. The number of beneficiaries of primary legal aid is increasing, thanks to several Free Legal Aid centres throughout the country.³² Some improvements have been noted in the provision of secondary legal aid through court representation and/or exemption from court and expert fees.³³ Nevertheless, due to a lack of disaggregated data, it is unclear whether the specific demands of special categories—particularly women with multiple vulnerabilities, such as women with disabilities who are victims of violence—are being met.

Legislation on the rights of persons with disabilities

Since Albania's ratification of the Convention on the Rights of Persons with Disabilities in 2013, a legal and policy framework on disability rights has been adopted to ensure the implementation of the treaty. However, this framework does not sufficiently consider the situation of women with disabilities, who often face discrimination because of their disability and gender. Additionally, links or reference to legislation and policies on gender equality and gender-based violence are missing. For example, although the Law on Inclusion and Accessibility of Persons with Disabilities (2014) provides general guarantees to ensure accessibility in all key areas of life, including social services, it does not make any specific references to the legislation on gender-based violence or specialized services for women with disabilities who are victims of violence. Similarly, while the Law on Mental Health (2012, amended) guarantees protection from discrimination, torture, and inhuman and degrading treatment of persons with mental health issues by public officials and authorities,³⁴ it does not include provisions to guarantee protection from violence, including gender-based violence, by individuals such as guardians, family members and private service providers.

Lack of focus and data on the situation of women with disabilities in Albania was also observed by the CRPD Committee, which in 2019 noted a lack of reliable information on the implementation of and results achieved by the National Action Plan on Disability 2016–2020 with respect to women and girls with disabilities.³⁵ Despite the Committee's specific recommendation to address the issue, the subsequent National Action Plan on the Rights of Persons with Disabilities (2021-2025) again does not address equality issues related to intersecting forms of discrimination and gender-based violence that women with disabilities face.

³¹ Committee on the Rights of Persons with Disabilities. 2019. [Concluding Observations on Albania](#).

³² As of December 2023, there are 20 Free Legal Aid Centers managed by the Department of Free Legal Aid, 12 of which are supported by the State budget and 8 by UNDP and the Austrian Development Agency, see https://ndihmajuridike.gov.al/wp-content/uploads/2024/06/Analiza-e-Performances_Viti-2023-DNJF_NoCopy.pdf.

³³ A total of 982 persons benefited from secondary legal aid in 2022, out of 1,030 requests. 65% of requests were made by women. (A total of 671 persons benefited from secondary legal aid in 2021 out of 849 requests, 65% of which were made by women); In 2023, 773 decisions have been issued by the courts on applications for secondary legal aid. Data from Annual Reports of the Department of Free Legal Aid, Albania.

³⁴ Based on the Criminal Code of Albania, torture and inhuman and degrading treatment are criminal offences committed or incited by someone exercising public duties.

³⁵ Committee on the Rights of Persons with Disabilities. 2019. [Concluding Observations on Albania](#).

Recommendations

Given the challenges faced by women and girls with disabilities in Albania, it is imperative that the legislative, central and local government bodies, the judiciary, national human rights institutions, public and private service providers, specialized CSOs, international organizations and the donor community collaborate urgently to address the intersecting forms of discrimination and violence they encounter. Specific interventions may include:

Improvements and effective implementation of the legal and policy framework: Strengthen laws and policies addressing the rights of persons with disabilities and those on violence against women by incorporating provisions that directly and indirectly address the challenges of women and girls with disabilities. Ensure harmonization between legislation, policies and implementing mechanisms. Enforce monitoring mechanisms of relevant policies and legislation and strengthen accountability for public officials in cases of non-compliance with their obligations. The intersection of gender and disability requires tailored approaches in policies combating violence, ensuring that strategies address both gender-based and disability-related barriers simultaneously. Additionally, integrate recommendations from GREVIO, CRPD, CEDAW and other international treaty bodies to ensure the Albanian legal and policy frameworks are compliant with international standards.

Training of professionals: Provide specialized training for service providers and law enforcement on disability awareness and sensitivity, including trauma-informed care and disability rights, as well as effective responses to gender-based violence to ensure inclusive and respectful service delivery. Additionally, provide targeted training for local NGOs working on disability rights to strengthen their ability to advocate for survivors of violence and deliver essential services.

Awareness raising: Launch nationwide campaigns organized by the Government and CSOs to promote awareness of the rights and needs of women with disabilities, highlighting the intersection of disability and gender-based violence. Accessible materials and inclusive language must be utilized to ensure the effective participation of women and girls with disabilities in these initiatives.

Financing: Allocate dedicated funding to organizations that provide services for women with disabilities, ensuring sustainable support for advocacy and intervention efforts. Prioritize funding for organizations led by women and girls with disabilities to amplify their voices and needs.

Women's rights and disability rights CSOs: Increase focus on issues related to the rights of women with disabilities and violence against women with disabilities, including the provision of adequate specialist support services, the organization of targeted advocacy and monitoring activities, and legal counselling at the national and international levels for women with disabilities.

Data collection: Establish a comprehensive system for collecting systematically disaggregated data, according to types of disability, on women and girls with disabilities who experience violence, facilitating informed policymaking and resource allocation. Collect data on causes, risk factors, access to services, types and availability of specialist support services, number and types of protection orders issued, implemented and/or violated, free legal aid, and the effectiveness of measures. Prioritize a streamlined system that avoids overlap with existing frameworks, such as the local information system for registration of domestic violence ("REVALB"), and social care services, ensuring it is user-friendly and consistently updated. Collaborate with academic institutions and/or NGOs for better data accuracy. Regularly conduct surveys and research aligned with international standards that include women with disabilities as respondents, participants and data collectors to ensure that their perspectives are represented.

Empowering women with disabilities: Actively engage women with disabilities in decision-making processes related to violence against women and support organizations that they lead to amplify their voices and perspectives. Foster their autonomy by enhancing their capacity to make informed decisions and advocate for their rights. Prioritize economic empowerment programs specifically designed for women with disabilities, encompassing vocational training and employment initiatives, to diminish dependency and alleviate vulnerabilities to economic violence and abuse.

Community involvement: Foster community engagement initiatives that promote the inclusion and support of women with disabilities. Encourage local participation in awareness and prevention efforts to create a more supportive environment, to challenge the stigma in society, and to establish support networks that can prevent violence and abuse. Develop and strengthen parents' and families' education, i.e., families' education, for example through initiatives focused on good parenting.

Promoting gender equality: Integrate gender equality initiatives into all relevant policies and programmes, specifically addressing the unique challenges faced by women with disabilities to foster an equitable society.

Availability of and access to support services: Develop and maintain a network of violence-specific support services for women with disabilities, ensuring that these services are holistic and adequately staffed and funded to meet diverse needs. Develop and structure emergency response services to address the unique requirements of women with disabilities, thereby guaranteeing their safety in times of crisis and facilitating access to prompt assistance.

Accessibility: Ensure that all public and private services addressing violence against women are fully accessible to women and girls with disabilities, both physically and digitally. Implement universal design principles to create inclusive environments and ensure that public spaces are equipped to meet their specific needs, thereby fostering safety and support for survivors. Uphold the principle of reasonable accommodation whenever possible to accommodate the needs of women with different impairments, including procedural accommodation for access to justice for women with disabilities. Use technology to enhance accessibility for women with disabilities, creating accessible reporting mechanisms for cases of violence, and developing digital tools for education and raising awareness.

Social Employment Fund: Leverage the Social Employment Fund and relevant similar projects to enhance social and labour inclusion for persons with disabilities. Focus on delivering existing and new models of employment and skills development services at the local level, with particular attention to the needs of women with disabilities.

Monitoring and evaluation: Establish appropriate mechanisms for monitoring the implementation of these recommendations and involve women with disabilities in the process of assessing the implementation and impact of laws and programs concerning violence and discrimination, to ensure accountability and the ongoing assessment of progress.

The above recommendations strongly resonate with those proposed in the Disability and Development Report (DDR) 2024, especially in calling for accessible public services, strong data collection systems, and inclusive policy frameworks. Both the DDR and this paper point out the need to have specially trained service providers and programs targeting the unique challenges that women and girls with disabilities are likely to face. These aligned recommendations demonstrate a shared commitment to making our society safer and more inclusive for everyone.

Annex: Key Concepts (Disabilities, Gender, Aging and Intersectionality)

Persons with disabilities: Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments, which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.³⁶ This group is diverse, with experiences shaped by intersecting inequalities, such as gender, race, ethnicity and age.³⁷ Beyond medical dimensions, disability is understood as “the social effect of the interaction between individual impairment and the social and material environment.”³⁸

Women and girls with disabilities face multiple barriers to realizing their rights: environmental, physical and informational accessibility issues, including lack of resources and inadequate access to services, as well as widespread discrimination, stereotyping and social stigma. They often experience multiple forms of discrimination based on other factors in addition to gender and disability.³⁹ Women and girls with disabilities can be very isolated when violence occurs, making it more difficult for them to escape and report the abuse. Stigma and discrimination can further reduce access to services or information or result in their accounts of violence being dismissed by responders.⁴⁰

Women and girls with intellectual disabilities have significantly reduced ability to understand new or complex information and to learn and apply new skills (impaired intelligence), and a reduced ability to cope independently (impaired social functioning) that starts before adulthood and has a lasting effect on development.⁴¹ They have little control over their lives. The lack of access to information about the situation and challenges faced by women and girls with disabilities can perpetuate negative attitudes and misconceptions about women and girls with intellectual disabilities. In addition, because of cognitive limitations, women and girls with intellectual disabilities are more vulnerable to risks like sexual exploitation, unwanted pregnancy and sexually transmitted infections.⁴²

Women and girls with mental impairments experience significant disturbances in cognition, emotional regulation or behavior, resulting in distress and functional impairment.⁴³ Conditions such as anxiety, depression, bipolar disorder and post-traumatic stress disorder are often exacerbated by gender-specific challenges, including societal stigma and limited access to care. Women are disproportionately affected by certain mental health issues, particularly during hormonal changes associated with puberty, pregnancy and menopause. This intersection of mental health and gender increases their vulnerability and heightens the impact of stigma and discrimination, often leading to inadequate treatment and violations of their rights.

Older women with disabilities face intersecting forms of discrimination, bias and marginalization and are systematically overlooked and underrepresented in development policies, programmes, initiatives, legislation and humanitarian efforts. Their dependence on family members for their daily survival and care makes them especially vulnerable, including to abuse. Access to social protection for older women with disabilities is therefore critical. They face discriminatory laws, denial of legal recourse, and institutionalization and are at particular risk of being severely affected by crisis.⁴⁴

³⁶ Article 1 of the UN Convention on the Rights of Persons with Disabilities.

³⁷ UN Women. 2020. [Discussion paper: sexual harassment against women with disabilities in the world of work and on campus.](#)

³⁸ UN Women. 2017. [Issue brief: Making the SDGs count for women and girl with disabilities.](#)

³⁹ Ibid.

⁴⁰ WHO. 2024. [WHO calls for greater attention to violence against women with disabilities and older women.](#)

⁴¹ WHO. “[Key terms and definitions in mental health.](#)”

⁴² National Library of Medicine (online). 2021. [Sexual health concerns in women with intellectual disabilities: a systematic review in qualitative studies.](#)

⁴³ WHO. 2022. “[Mental disorders.](#)”

⁴⁴ UN Women. 2022. [Gender, age, and disability: Addressing the intersection.](#)

Gender roles and expectations often push these women into economic dependency, and as a result, they are considerably poorer. Older women with disabilities who are survivors of sexual violence face particular barriers to disclosure and access to justice, resulting in their experiences remaining hidden.⁴⁵

Discrimination on the basis of disability means any distinction, exclusion or restriction on the basis of disability that has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation.⁴⁶

Violence against women is defined as “any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”⁴⁷

Intersectionality is a term used to describe the idea that social relations involve multiple intersecting forms of discrimination. This means that a person might experience several forms of discrimination, such as sexism, racism and ableism, all at the same time. For example, a Roma woman might experience discrimination based on both her gender and ethnicity. The concept of intersectionality is important for gender equality because it helps us understand how different forms of discrimination interact and exacerbate inequality.⁴⁸

⁴⁵ United Nations General Assembly. 2019. [Report of the Special Rapporteur on the rights of persons with disabilities](#).

⁴⁶ Convention on the Rights of Persons with Disabilities, article 2.

⁴⁷ United Nations. 1993. [Declaration on the elimination of violence against women](#).

⁴⁸ S. Nedera. 2023. [“What is intersectionality? And why is it important for gender equality?”](#) UNDP, 27 May.