



MONITORING REPORT JANUARY – DECEMBER 2019

JUVENILE JUSTICE STRATEGY

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Acronyms

SARPC	State Agency for the Rights and Protection of the Child
SA	Security Academy (Police Academy)
DPA	Department of Public Administration
GDP	General Department of Prisons
GDSP	General Department of the State Police
GDPS	General Department of Probation Service
CC	Council of the Court
HCI	High Council of Justice
HCP	High Council of Prosecution
IPS	Government's Integrated Planning System
CRIPPD	Commissioner for the Rights to Information and Protection of Personal Data
CPD	Commissioner for Protection from Discrimination
CoM	Council of Ministers
AAC	Albanian Adoption Committee
MoJ	Ministry of Justice
MoI	Ministry of Interior
MoHSP	Ministry of Health and Social Protection
MoESY	Ministry of Education, Sports and Youth
MoFE	Ministry of Finance and Economy
MTBP	Mid-Term Budgetary Programme
GPO	General Prosecutor's Office
RP	Republic of Albania
SoM	School of Magistrates
OoP	Order of Psychologist
DCM	Decision of the Council of Ministers

I. EXECUTIVE SUMMARY ON MONITORING THE NATIONAL JUVENILE JUSTICE STRATEGY 2018 – 2021 AND ACTION PLAN FOR JANUARY – DECEMBER 2019.

1. Introduction

The Juvenile Justice Strategy 2018 – 2021 and its Action Plan is approved by the Council of the Ministers, Decision no.541, date 19.09.2018.

The vision of the strategy is to improve justice for children guaranteeing a child-friendly justice that protects their best interests.

The purpose of the Juvenile Justice Strategy (2018-2021) is to promote and effectively protect the rights and needs of: children in conflict with the law, children victims or witnesses of crime, children under age of criminal responsibility, whether in criminal judicial proceedings or alternatives thereof, as well as children participating in administrative or civil court proceedings, through the implementation of national and international standards of child rights. The strategy has an interdisciplinary approach, it ensures alignment with all other existing national documents, and contains concrete activities.

The strategy has *five objectives of the highest level*, listed as below:

1. Guarantee juvenile's access to justice.
2. Ensure fair trial for children.
3. Prevent re-involvement of children in delinquency.
4. Re-socialisation, reintegration and rehabilitation of juveniles in conflict with the law.
5. Strengthening collaboration between the justice authorities (institutions) for juvenile's system.

The Strategic Objectives will be addressed through well-thought and programmed policies, with a view to ensure a positive and sustainable impact in the respect, promotion and protection of the rights of the children interacting with the justice system authorities.

This report is designed to implement the Action Plan 2018 – 2021 of the Juvenile Justice Strategy and to represent the first monitoring report for 2019. The report shows progress from January 1, 2019 to December 31, 2019. In order to monitor the achievements, progress/challenges to complete the strategy's objectives, information has been provided from every relevant institution related to the implementation of Juvenile Justice Strategy.

The Action Plan consist from the five objectives mentioned above, and contains 25 sub-activities. In order to monitor the implementation of the taken measures, according to the completion of the strategic objectives, the monitoring process has been performed in an objective level. The level evaluation and the status of the implementation of the measures/sub-activities of the Strategy is based on the information given from every responsible unit. Ministry of Justice has proceeded with the evaluation of the information during January 2020.

2. Progress in legislation

As part of the justice reform, Law no. 37/2017, dated 30.03.2017 “Justice Criminal Code for Juveniles” and Law no. 18/2017 “On the rights and protection of children” that regulate the organization and functioning of institutions for the treatment and protection of children's rights are approved.

On January 1, 2018, Law no. 37/2017, dated 30.03.2017 “Justice Criminal Code for Juveniles”, which contains special legal norms related to juveniles’ criminal responsibility, procedural rules regarding investigation, prosecution, litigation, execution of criminal sentence, rehabilitation or any other measure involving a juvenile in conflict with the law, a juvenile victim and / or witness of the offense, as well as rules for young people between the ages of 18 and 21. This law is a novelty and develops the standards of Albanian legislation in protecting the rights of children as a whole and minors in conflict with the law in particular. The Code is a special law because of its content as it encompasses all the provisions referring to a juvenile in the Criminal Code, the Criminal Procedure Code, the Law "On the Rights and Treatment of Prisoners and Detainees", as well as laws other references to the juvenile criminal justice system. This Code provides for the approximation of Albanian legislation with Directive 2011/93/EU dated 13.12.2011, in addition to compliance with international and regional standards.

In full implementation of this Code, a number of measures are envisaged in the Juvenile Justice Strategy Action Plan

The protection and guarantee of the children rights is one of the key priorities of the Ministry of Justice, and the Program of the Albanian Government under the great objective “*The implementation of reforming the justice systems for children in conflict with law, by forcing the restorative justice system and effective procedural defense*”.

The Ministry of Justice, based on the domestic and international legal framework regulating the field of children's rights, considers that the child best interest is an important principle, which must be applied first in criminal law, but also in administrative and civil law.

The protection of children's rights by guaranteeing the provision of services in the judicial system has been one of the basic adjustments of the latest legal package on the regulation of the justice system in the context of justice reform. In particular, children in the criminal justice system constitute of a vulnerable category and guaranteeing prompt, effective and qualitative legal procedures has been the most important aim of the reform of the criminal justice system, concretized by the adoption of the Justice criminal Code for Children and the Law on the Rights and Protection of Children, as well as a number of other material and procedural norms. Six Decisions Council of Ministers, as well as orders, instructions, a project decision are also approved guaranteeing the protection of children's rights in this regard. ¹

¹ DCM no. 148, dated 20.3.2019 “On the procedure applied by the probation service in case of non-fulfillment of the alternative measure of avoidance of prosecution”.

DCM no. 149, dated 20.3.2019 "On the establishment, organization, functioning, characteristics of use and access to primary and secondary data and information providers of the Integrated System of Justice Data for Minors".

DCM no. 207, dated 10.04.2019 "On the designation of the competent authorities and the procedure to be followed for the fulfillment of court-imposed obligations on minors in conflict with the law".

DCM no. 233, dated 17.04. "On the determination of specific regulations regarding the functioning of the premises, their level of security and the standards of education and rehabilitation programs, in cases of restriction of juvenile freedom"

3. Cooperation agreements between the Ministry of Justice and the municipalities in the Republic of Albania.

Inter-institutional cooperation between the links of the justice system and local government structures is essential in completing the institutional framework for the implementation of the juvenile justice legislation in practice. Another much needed commitment for the effective implementation of the Juvenile Justice Strategy and Action Plan 2018-2021 is the strengthening of the Probation Service's cooperation with structures at the local level, with the aim of treating juveniles with the alternative measure of avoidance at multidisciplinary social centers. Inter-institutional cooperation between the links of the justice system and local government structures is essential in completing the institutional framework for the implementation of the juvenile justice legislation in practice. For this purpose during 2018, 7 cooperation agreements were signed with 11 other municipalities from January to December 2019. The Ministry of Justice is continuing to coordinate with other municipalities in the country with the aim of establishing as soon as possible multidisciplinary centers for the treatment of alternative measures and avoidance of juveniles in conflict with the law.

The multidisciplinary centers near the municipalities with which the agreements were signed are operational and open to any possible referral of cases by the Prosecution and the Court. Currently, multidisciplinary centers are setting up Intersectoral Technical Groups (ITGs), attended by Child Protection Workers (CPWs), psychologists, social workers, lawyers, doctors, and other field professionals, as the needs assessment of the minors are made. In cases where the prosecution provides avoidance measures and the juvenile is to be supervised by the Probation Service, the relevant specialist participates in the ITG and handles the case as appropriate. The types of services provided to juveniles in conflict with the law are varied, including individual and family counseling, social, educational, outreach, etc., and any other assistance that ITG assesses for the minor's needs.

The object of signing of these agreements between the Parties is to establish cooperation between the two institutions for the realization and supervision of alternative measures to avoid prosecution and sentence of juveniles in conflict with the Law.

Signing of the Agreement The Parties agree to cooperate with a view of implementing measures of avoidance for juveniles in conflict with the law through:

- i) providing full range of social services for juveniles at Social Centers depending on the Municipality;
- ii) organization and participation of the staff of the Child Protection and Probation Service in joint trainings in order to strengthen the professional capacity of the support services structures in this process;
- iii) facilitating the provision of assistance and support to juveniles in conflict with the law and his or her family, when required by them;

DCM no. 314, dated 15.05.2019 of the Council of the Ministers "On the organization, functioning, and determination of specific arrangements regarding the structure and staffing of the juvenile and minor crime prevention center".
DCM no. 541, dated 19.9.2018, on approval of Juvenile Justice Strategy and Action Plan 2018–2021

iv) promoting the model of child-friendly justice in conflict with the law by organizing awareness-raising, educational, entertainment and other activities tailored to the needs of the juveniles.

It is worth noting that the Ministry of Justice has concluded cooperation agreements on juvenile justice restoration programs with all NGOs that aim at modeling reintegration services for children in conflict with the law as well as strengthening and capacity building of the bodies responsible for implementing this model. The model of reintegration services will be developed in cooperation with the Ministry of Health and Social Protection, the Ministry of Justice, the Municipality of Tirana, the General Directorate of Probation Service, the Vocational Training Centers etc.

4. Infrastructure framework for juveniles in conflict with the law.

Establishment of new institutions for the implementation of the Juvenile' Criminal Code, as a condition for completing the necessary infrastructure to implement the by-laws, alternative sentencing measures and reintegration of juveniles into society, is one of the most important links to achieve. To this end, the Ministry of Justice is engaged in the establishment of new institutions.

The Minors and Juvenile Crime Prevention Center, an institution conceived as a subordinate mechanism by the Ministry of Justice, will develop a preventive program and will oversee a juvenile for a six-month period following the end of sentencing. This facility is planned with an initial capacity of 16 employees. The package of administrative documents, job descriptions, internal regulations and its functioning, 1-year work plan, reintegration and rehabilitation models, as well as internal administrative acts have been prepared and closed. Decision no. 233, dated 17.04.2019 of the Council of Ministers "*On the determination of specific regulations regarding the functioning of the premises, their level of security and the standards of education and rehabilitation programs, in cases of restriction of juvenile freedom*". The Institution of Restriction of Liberty is estimated to function as a semi-open institution, where juveniles will be deprived of their freedom of action to the extent that they are prevented from committing criminal offenses, and in particular the reintegration in the community of juveniles is specifically targeted. The entire procedure to be followed by juvenile detention facility staff will be based on a general education/rehabilitation program designed by the institution itself and an individual treatment program that will be based on the specific needs assessment of each juvenile as well as intervention methods. The facility is planned for this institution with an initial capacity of 34 employees who will handle about 20 minors. Currently, the geographic settlement options (Tirana/Mezez) and infrastructure opportunities for the establishment of this institution are currently being evaluated.

The establishment and functioning of these two institutions will serve the treatment of juveniles in accordance with the highest standards of protection of their rights, aiming at the education, rehabilitation and reintegration of juveniles in conflict with the law. The purpose of these two institutions is for juveniles in conflict with the law to be treated without isolation through appropriate programs for education, rehabilitation and reintegration into the community and society and to avoid re-engaging them in crime and reducing recidivism. For

these two institutions, the fund is foreseen to invest in value corresponding to the budgetary years 2019/2020/2021/2022.

Creation and operation of the Electronic Juvenile Criminal Justice Data System is another important challenge, which enables tracking of juvenile cases step by step and after each phase, as well as generating timely statistical data. Establishment of the Integrated System is a legal obligation deriving from Article 136 of the Juvenile Criminal Justice Code, which stipulates that: witnesses of criminal offenses, created the "Integrated Juvenile Criminal Justice Data System", the Code, as well as DCM no.149, dated 20.03.2019, charge the Ministry of Justice with the administration of the data of this System. The Ministry of Justice in cooperation with NAIS is working on the modalities of setting up this system, taking into account the model already built by UNICEF for this purpose. Currently all technical and administrative procedures have been closed and by 2020 the operation will start. Workshops with all user actors will be organized during the first months of 2020.

II. MONITORING METHODOLOGY

The Sector for Monitoring, Implementation of Priorities and Statistics, within the Department of Justice Policy and Strategies has been set up at the Ministry of Justice, which is the structure responsible for the monitoring process and for drafting the Strategic Monitoring Reports, pursuant to the Order Prime Minister Nr. 166, dt. 5.10.2017 "On the approval of the structure and organization of the Ministry of Justice".

Monitoring, Implementation of Priorities and Statistics Sector coordinates with all responsible institutions, and then proceeds with the drafting of the monitoring report. This report covers the period from *1 January to 31 December 2019* and is drawn up on the basis of input from all institutions included in the SDM Action Plan. The goal is to have information on achievements, progress and challenges towards meeting the objectives of the strategy.

Each institution has reported on the level of implementation of each policy and activity, the allocated budget, the problems encountered and the evaluation of the progress of the strategy as a whole. In order to monitor the implementation of the undertaken commitments regarding the implementation of the sub-activities, the monitoring process was carried out at the objective level. The verification of reported data was partially performed online, for those measures which the contact points had reported to ensure their accuracy. Statistical treatment was performed by coding responses based on the reports collected.

The Ministry of Justice, in support of the monitoring process, sends the document to be consulted by the reporting institutions, civil society, and publishes the draft on the official website of the Ministry of Justice, which also includes an email address for receiving comments. At the end of the consultation process, the Ministry of Justice reflects relevant comments/suggestions on the draft monitoring report before being approved by the Institutional Monitoring Mechanism. Once approved, the Final Report is published on the official website of the Ministry of Justice.

III. IMPLEMENTATION PROGRESS BY OBJECTIVES

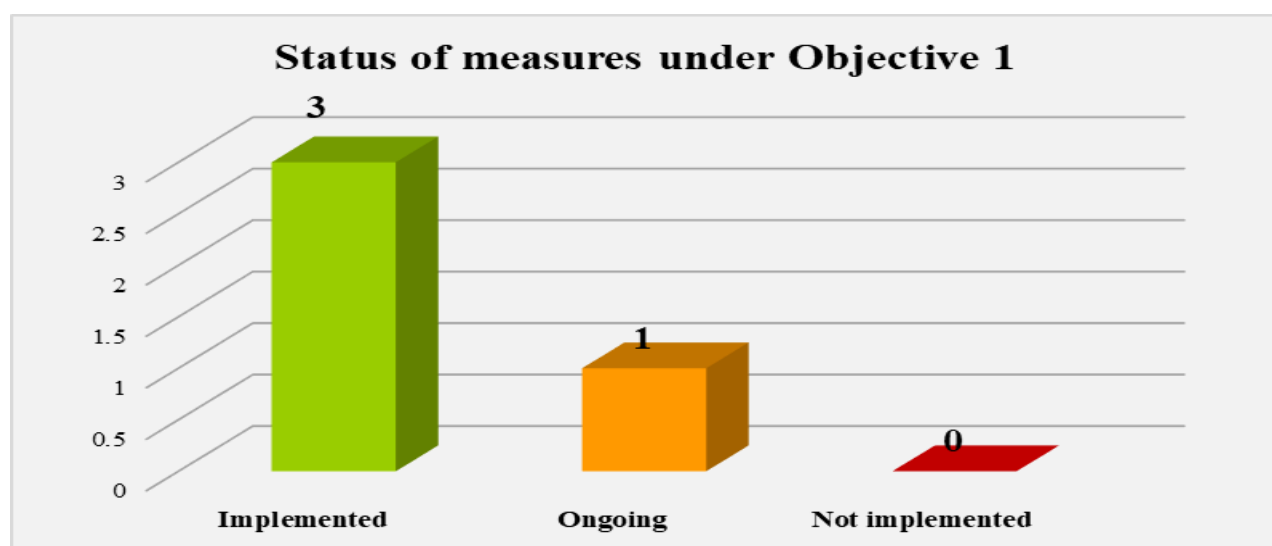
This chapter describes the progress achieved in meeting each of the objectives of the Strategy and graphically illustrates the implementation status of the Strategy for the period January – December 2019.

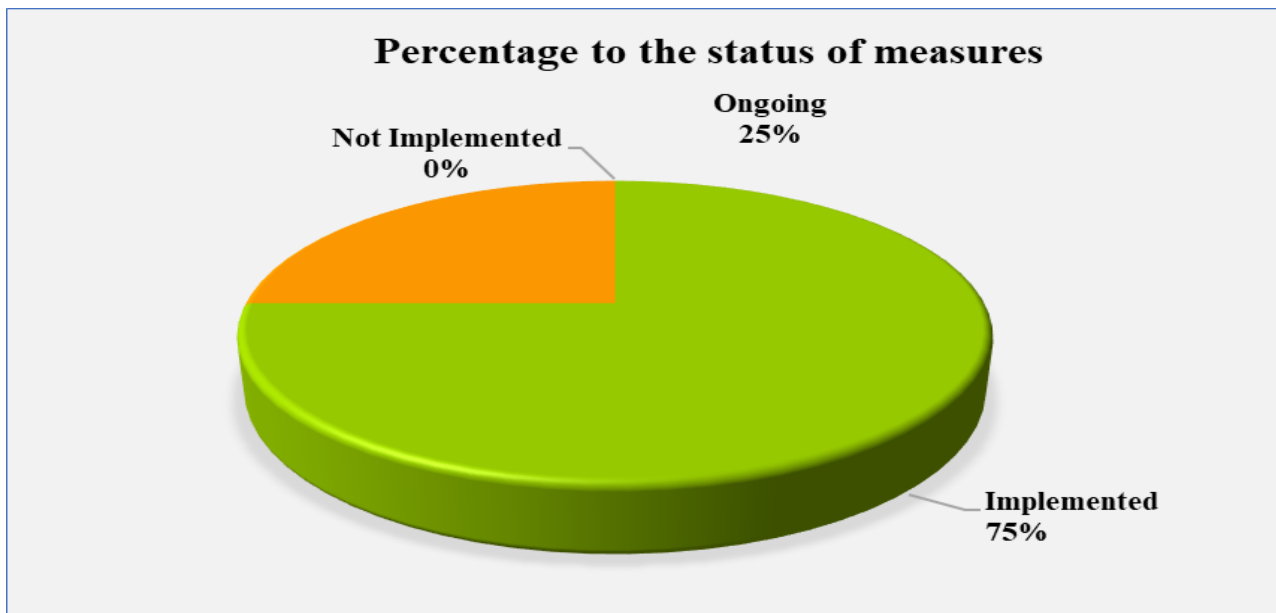
Objective 1: Ensure the access of justice to juveniles.

The strategy predicts that access to justice will be guaranteed by delivering concrete measurable results by: i) the number of structures and professionals providing legal assistance; ii) the number of premises reconstructed to suit the needs of juveniles and iii) the number of awareness-raising activities for juvenile' justice. This aspect relates to juveniles' capacity to access juveniles justice services and includes raising awareness and the provision of free legal aid, the concrete activities of which will be covered in the coming chapter.

Number of measures under implementation according to Objective 1

January – December 2019		
Implementation status of measures under Objective 1	Number of measures	Percentage to the total of Objective 1
Implemented	3	75%
Ongoing	1	25%
Not implemented	0	0%
Total	4	100%





It results that from 4 measures foreseen in the Action Plan of the Strategy for objective 1, 3 of them is implemented, 1 are still ongoing by the responsible institution. The percentage against the total progress of implementation of the Action Plan for this objective is 75% for the implemented measure, 25 % for ongoing measures by the responsible institutions.

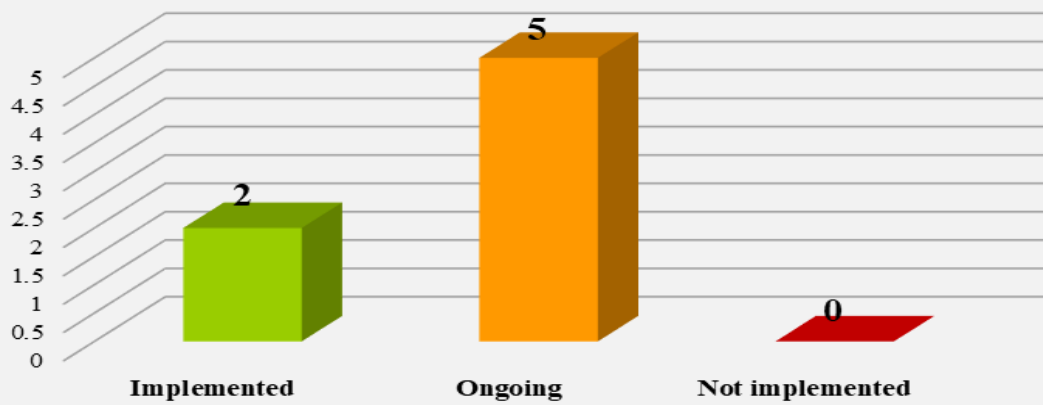
Objective 2: Ensure a correct legal process for juveniles.

Having in consideration the country's obligation to respect and guarantee the rights provided by the European Convention on Human Rights, the strategy has planned concrete activities aimed at guaranteeing this right for juveniles involved in trials. The focus of the strategy is to ensure a fair trial within a reasonable time, improve the legal framework that rates children's rights, and support juveniles in any process by trained and specialized professionals. The Strategy foresees that this objective will be guaranteed by giving concrete results regarding: i) the number of specialized sections for juveniles in courts and prosecutors; ii) the number of professionals trained in juveniles' justice issues; iii) the number of institutions that record data in the Integrated Juvenile Criminal Justice Data System and iv) the number of laws / bylaws adopted in the field of juveniles' justice.

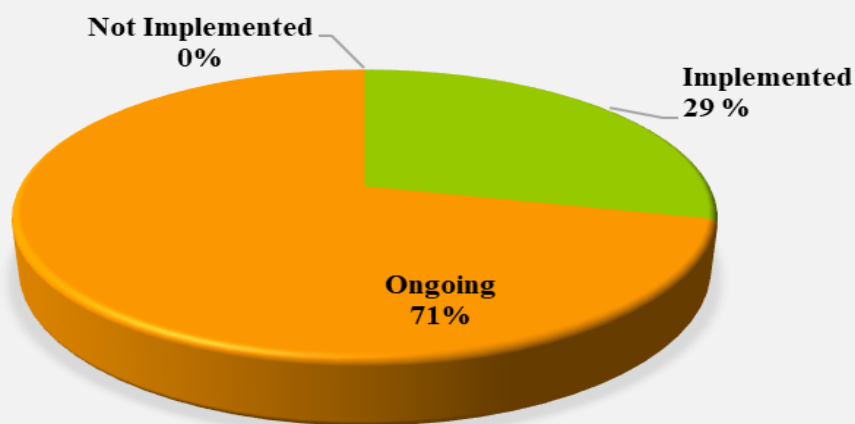
Number of measures under implementation according to Objective 2

January – December 2019		
Implementation status of measures under Objective 2	Number of measures	Percentage to the total of Objective 2
Implemented	2	29%
Ongoing	5	71%
Not implemented	0	0%
Total	7	100%

Status of measures under Objective 2



Percentage to the status of measures



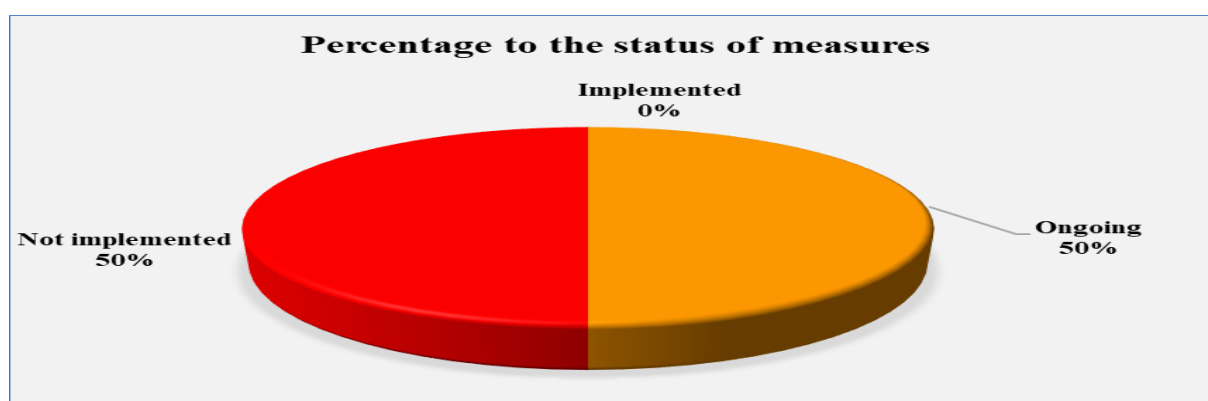
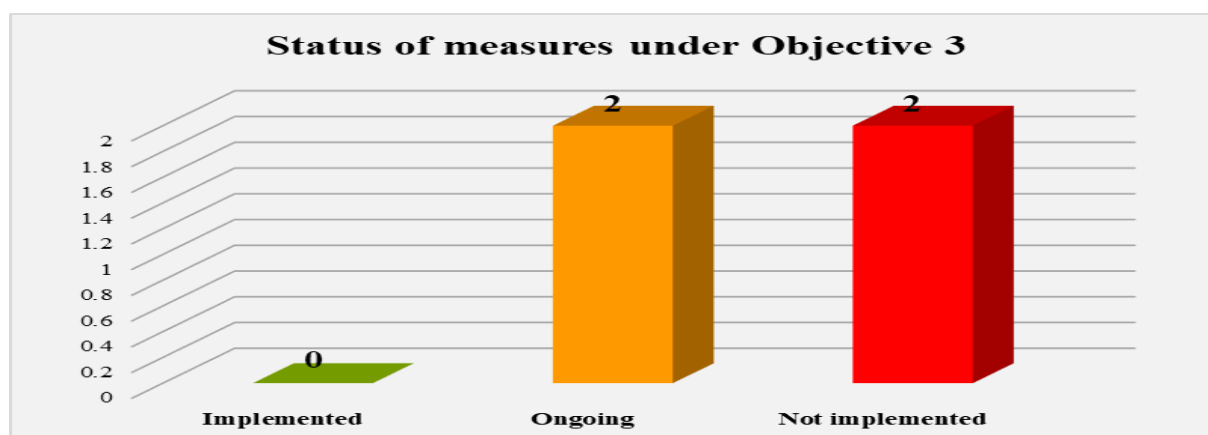
It results that from 7 measures foreseen in the Action Plan of the Strategy for objective 2, 2 of them is implemented, 5 are still ongoing by the responsible institution. The percentage against the total progress of implementation of the Action Plan for this objective is 29% for the implemented measure, 71% for ongoing measures.

Objective 3: Preventing juveniles re-involvement in crime.

To achieve this objective it is planned to analyze the risk factors and precautionary measures. Given that this is the first Juvenile Justice Strategy, the objective focuses in particular on the establishment and operation of the Minors and Juveniles Crime Prevention Center as well as programs preventing minors re-inclusion in criminal acts (recidivism), which will focus on support for children and families, especially children under the age of criminal responsibility and at risk or vulnerable groups. Crime prevention is the best solution for children, their families, communities and society at large.

Number of measures under implementation according to Objective 3

January – December 2019		
Implementation status of measures under Objective 3	Number of measures	Percentage to the total of Objective 3
Implemented	0	0%
Ongoing	2	50%
Not implemented	2	50%
Totali	4	100%



It results that from 4 measures foreseen in the Action Plan of the Strategy for objective 3, 2 are still ongoing by the responsible institution and 2 of them are not implemented. The percentage against the total progress of implementation of the Action Plan for this objective is 50% for the implemented measure, 50% for not implemented.

Objective 4: Re-socialization, reintegration and rehabilitation of juveniles in contact with or in conflict with the law.

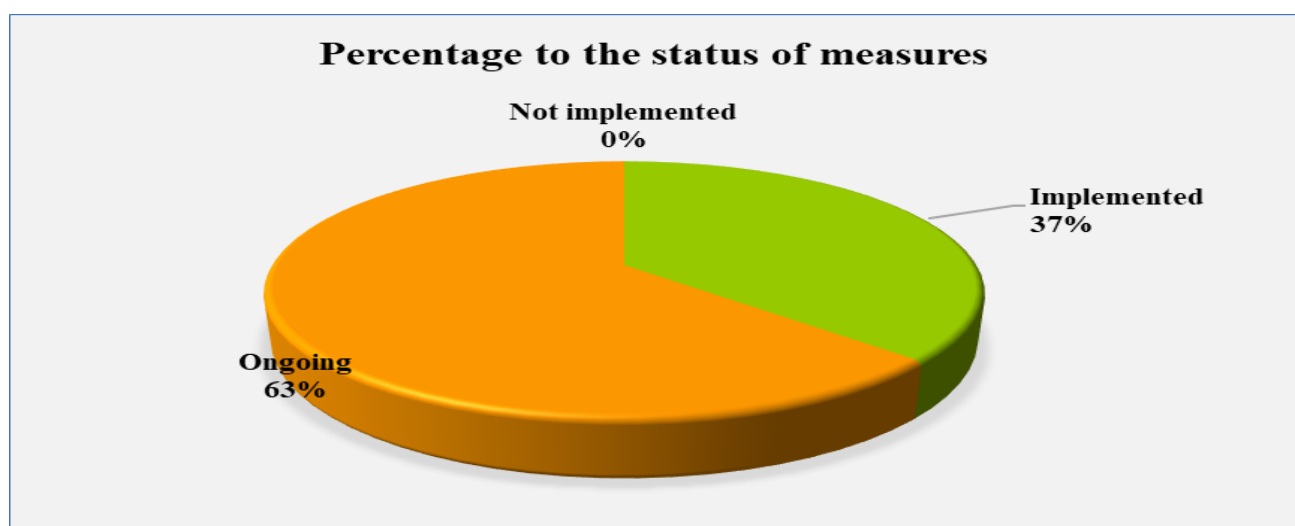
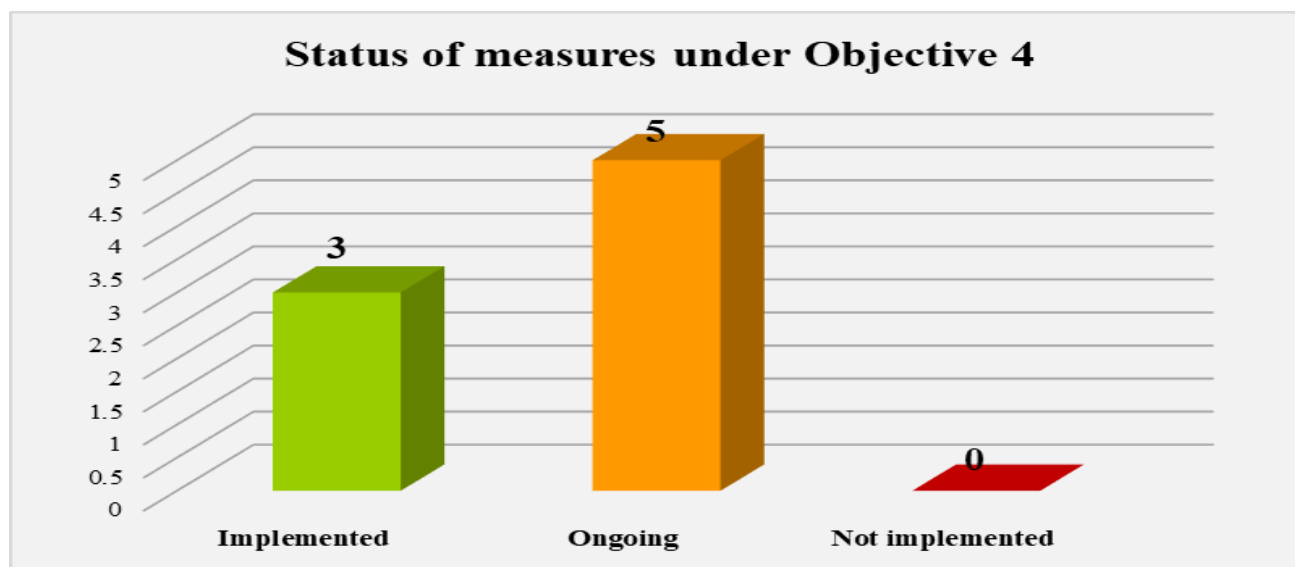
The strategy aims at the reintegration and social inclusion of juvenile offenders and their effective inclusion in the community. The purpose of this objective is to rehabilitate juveniles, encourage and develop, in terms of juvenile responsibility, a sense of respect for the rights of others, foster and enable healthy physical, mental, spiritual, moral and social development of the juvenile and to prepare him to return to society.

The strategy envisages to measure the achievement of this objective through: i) the number of children and families involved in reintegration programs; (ii) the number of children sentenced

to imprisonment and alternative measures and the number of children to whom alternative measures of avoidance of prosecution have been applied.

Number of measures under implementation according to Objective 4

January – December 2019		
Implementation status of measures under Objective 4	Number of measures	Percentage to the total of Objective 4
Implemented	3	37%
Ongoing	5	63%
Not implemented	0	0%
Totale	8	100%



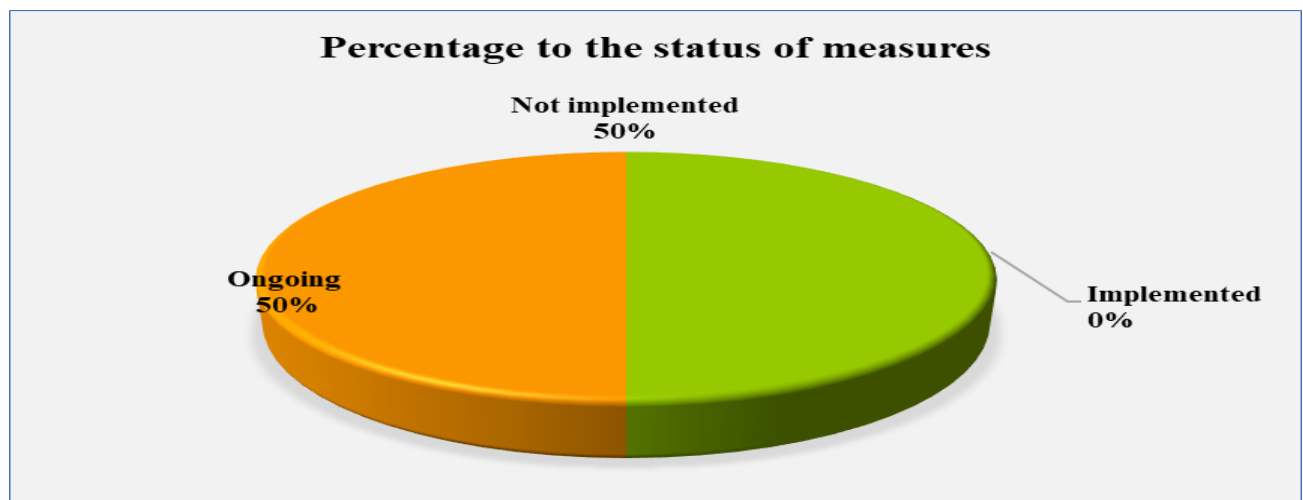
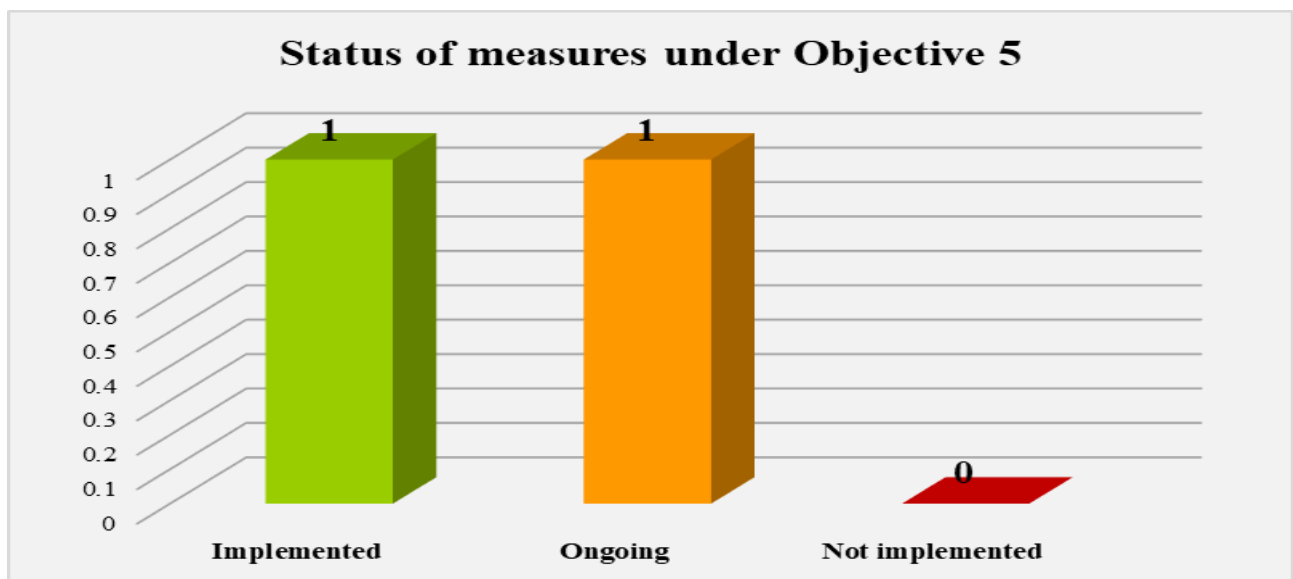
It results that from 8 measures foreseen in the Action Plan of the Strategy for objective 4, 3 are still ongoing by the responsible institution and 5 are still ongoing by the responsible institution. The percentage against the total progress of implementation of the Action Plan for this objective is 37% for the implemented measure, 63% for ongoing measures.

Objective 5: Strengthen the cooperation of justice system institutions for juveniles.

It is considered that the essential condition for the proper and effective implementation of children's rights and guarantees is the cooperation, interaction and coordination of institutions and authorities at central and local level involved in the administration of juvenile justice. Consequently, the strategy envisages the establishment and operation of an inter-institutional network at the central level and a functioning community of practitioners at the local level.

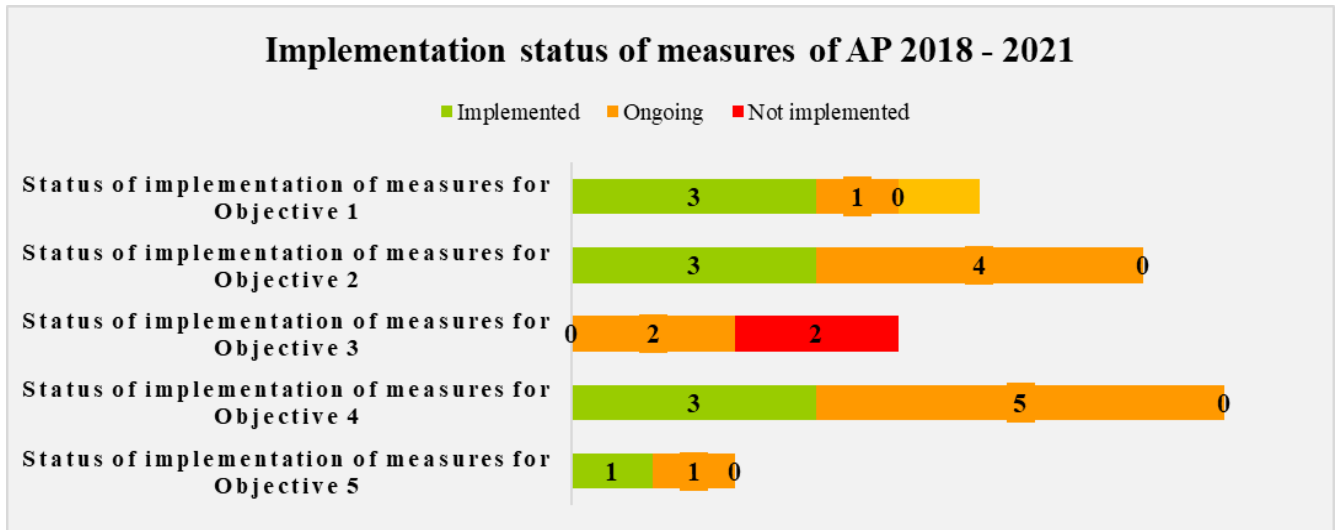
Number of measures under implementation according to Objective 5

January – December 2019		
Implementation status of measures under Objective 5	Number of measures	Percentage to the total of Objective 5
Implemented	1	50%
Ongoing	1	50%
Not implemented	0	0%
Totali	2	100%

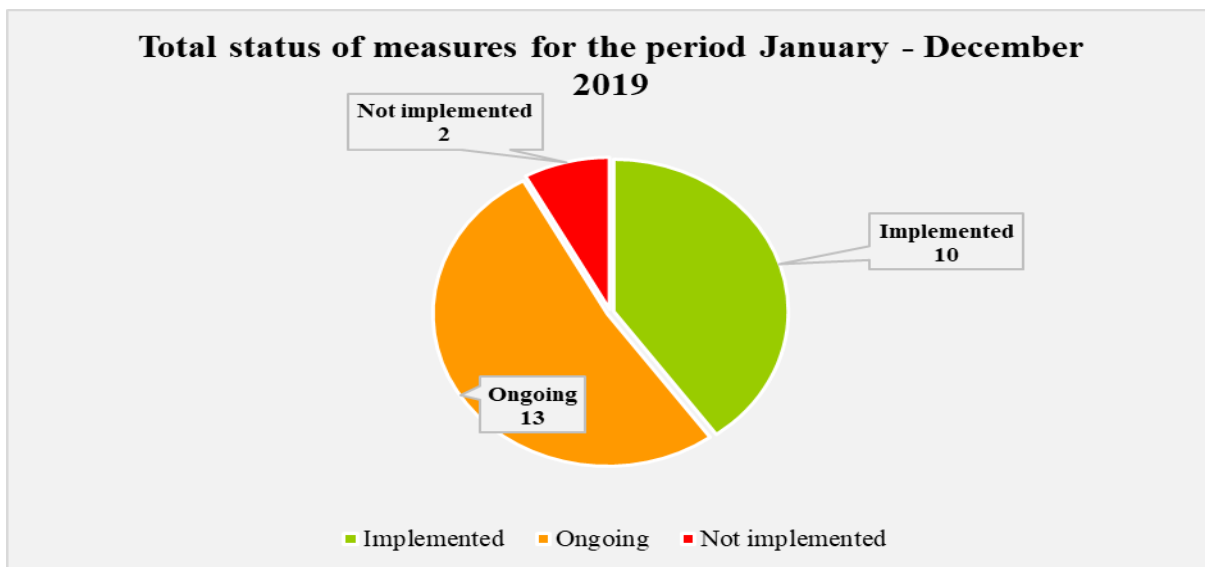


It results that from 2 measures foreseen in the Action Plan of the Strategy for objective 5, 1 are still ongoing by the responsible institution and 1 in sot implemented. The percentage against the total progress of implementation of the Action Plan for this objective is 50% for for ongoing measures and 50% for not implemented.

Implementation Status of Measures according to Objectives



Total Progress of the Strategy



For the period January – December 2019, out of 25 measures foreseen in the Action Plan, there are implemented 10 of them, 13 are ongoing, 2 measures are not implemented by responsible institutions. The percentage against total progress of implementation of Action Plan is at 40% on measures that are implemented, 52% for ongoing measures, 8% on measures that will be carried out in the future by responsible institutions.

IV. MAIN ACHIEVEMENTS DURING JANUARY – DECEMBER 2019.

- ✓ The Ministry of Justice has approved the order no. 225, dated 25/03/2019 of the Minister of Justice, by which the self-declaration forms were approved.
- ✓ DHASH based on the request of the Juridical Helping Law and the Professional Lawyer Law in RSH, in cooperation with the Council of Europe, has trained lawyers from all over Albania on Penal Code of Juvenile Justice through the online HELP Program. During 2019 there have been organised some training sessions to improve the knowledge of ex – office lawyers and lawyers that offer free juridical assistance in cooperation with the Tirana Legal Assistant Service (TLAS), and support of the American Bar Chamber.
- ✓ Currently the friendly facilities for juvenile are present in the following courts: Court of Appeals Gjirokaster, Court of Appeals against Organized Crimes and Corruption, District Court Lushnje. Also during 2019 the project “Justice for All” from USAID started implementation in District Court Tirane, on creation of a friendly facilities for juveniles, in the penal section.
- ✓ Facilities in the Prosecutions office in Court of First Degree Elbasan, Shkodër, Durrës, Fier, Korçë, Berat dhe Tiranë have been adapted in 2019. Friendly facilities for juveniles are available in these institutions.
- ✓ Two police structures are designated to be built “Juvenile Interview Unit”, and the preparation and adaption for their reconstruction. The adaption of the Juvenile Interview Unit, is finished in:
 - Local Directorate of Police in Lezhe, The Police Station in Kurbin, with the support of World Vision;
 - Local Directorate of Police in Elbasan, with the support of the Swedish Program of Police in the Community.
- ✓ The Section for Protection and Promotion of Children’s Rights in the Institution of People’s Advocate, implementing the Strategy and Action Plan 2019 – 2022, for protection and propotion of children’s right, has predicted and works under the strategic objectives, and promoting a friendly justice for children.
- ✓ On the policies level, the Ministry of Health and Social Protection has aproved and is implementing the strategic document, National Agenda for Children’s Rights 2017 – 2020. This is the first political document consulted with children. Special attention in this document is given to prevention as a key strategy for children protection from all forms of violence, icluding the promotion of positive non violent parenting.
- ✓ The following meeting of the National Council on Children’s Right and Protection, presented the medium term monitorin report for 2017 – 2018, of the National Agenda for Children’s Rights 2017 – 2020, which reflects achievements, challenges and goals for future plans.
- ✓ The Decision no. 704, dated 21.10.2019 “National Action Plan for Protection of Children from Economic Exploitation, including Children in Street Situation 2019 – 2021” has been aproved in the meeting of the National Council on Children’s Right and Protection. The purpose of the plan is to guarantee the rights and protection of children exploitaed economically, including children in street situation, through prevetion, developing services and powering law implementation securing protection of children victims of economic exploitation.

- ✓ The Magistrate School during 2019 has organised 11 training activities. Seven training activities are organised in cooperation with SIDA Foundation (Swedish International Development Agency)
- ✓ 103 persons have been trained in the training activities organised by the Magistrate School (including the ones with SIDA). Specifically for juvenile cases they were trained as below:
 - 76 Magistrates of prosecutor profile currently in function;
 - 128 Magistrates of judge profil;
 - 18 graduated Magistrates (not in function at the time of the training);
 - 2 Councillors of the General Prosecution and
 - 7 Officer of Court Police;
- ✓ SIDA (Swedish International Development Agency) implementing the program “Albanian Swedish for Juvenile Penal Justice”, has trained 8 magistrates of prosecutor profile, for the Juvenile Penal Justice.
- ✓ Decision no.79, dated 30.05.2019, HCC establishes rules for appointing judges for trials of cases of juvenile justice. Also through this decision, assigns Court Councils to implement it and update the list of judges that specialize in the field of Juvenile Penal Justice, and thier constant training.
- ✓ During 2019 supported by the Swedish Project regarding the project “The Capacity Growth of the Albanian law enforcement institutions and courts for fulfillment of the juvenile justice standarts, an integrated approach of the justice chain. There has also been addition to te training curricula of prison staff that work with minors, like themes on motivational interview, RNR model (risk – needs – reaction), problem solving and social skills.
- ✓ The Agency for Quality Assurance in Pre – university Education has drafted 22 programs for base education in institutions of excecuting penal decisions for juveniles, respectively grades 1 – 5 and classes 6 -9. These programs are approved by MASR and are published in the ASCAP page.
- ✓ The Ministry of Justice has drafted a shared working plan with NGOs and other donnors who offer specialized services and trainings in the field of juvenal penal justice, to cover and reconcile all activities predicted in this strategy.
- ✓ As per above the People’s Advocate has signed an arrangement of cooperation with UNICEF, to monitor actions and non actions of competent bodies of administering juvenile penal justice to:
 - promote and monitor children’s rights from intitutions of the public administrate in central and local level.
 - Evaluation of implementation of recomandation of the People’s Advocate, addressed in the special report “ With the voice of juvenile deprived from freedom”, to monitor conditions and treatements of intitutions of deprived freedom with juvenile penal justice
 - Initiative of promotion and implementation of law no. 37/2017 “Juvenile Penal Justice Code” in practice, in some of the institutions that treat juveniles in conflict with law, deprived from freedom.

V. IMPLEMENTATION OF INTERNATIONAL PROJECTS AND PROGRAMS IN THE FIELD OF CRIMINAL JUSTICE FOR JUVENILES

During 2019, the Ministry of Justice continued to coordinate activities with International Organizations in the field of juvenile justice in order to implement relevant programs.

➤ UNICEF

UNICEF Regional Office, in cooperation with UNICEF Albania has completed the publication of the “Guide to Providing Legal Aid to Children”, the English version of which has been prepared in the Regional office of UNICEF. The English and Albanian version of the guide has been forwarded to the National Bar Association and UNICEF in Albania, in order to make it available to lawyers who handle cases involving juvenile. The guide can be used as a basic training of these lawyers from the Association. UNICEF in Albania has agreed in principle with the National Bar Association to support the training of juvenile lawyers, once the criteria and duration of the training program have been determined by the Ministry of Justice and the Chamber. UNICEF has made available, in the last quarter of 2019, in the Berat and Gjirokastra judicial districts, in partnership with Save the Children, two lawyers who will provide primary and secondary legal assistance to juveniles in contact / conflict with the law, even during 2020. In addition to meeting the needs of child-friendly legal aid, which are not covered by predominantly established advocates, lessons learned during this period (including those related to quality of service and proper planning of financial costs) will aim to improve of the professional legal aid framework in both its primary and secondary forms. UNICEF in Albania has advanced the procurement procedures for the works, furniture and equipment needed to create two child-friendly environments near the police stations in Berat and Gjirokastra, where juvenile in conflict or contact with the law will be interviewed. The establishment of these two facilities follows the standards set by the General Directorate of State Police and is being implemented, in consultation with both the State Police and the SIDA Project for Juvenile Justice, with a view to moving forward the same pattern of intervention. UNICEF has encouraged the decentralization of the investigation and trial of criminal cases involving juveniles, as defined by the CRPD. As a result of this advocacy, the HJC instructed the Councils of Courts with Instruction no. 79/30/05/2019 on Appointment to Courts of First Instance and Court of Appeal of General Jurisdiction of at least Three Juvenile Judges, when it is impossible to establish sections with at least 6 judges. A similar instruction should also be issued by the LCP in order to establish juvenile sections at each judicial district prosecutor's office. UNICEF has also encouraged the transfer of investigative and judicial files to new sections of the courts from each of the seven juvenile sections that existed prior to the adoption of the CRPD. This transfer would accelerate the reduction of time for investigations, juvenile court proceedings, contributing to ensuring a fair legal process.

UNICEF Albania has begun planning with the School of Magistrates to organize a training of trainers of various disciplines in the field of juvenile justice, the implementation of which is expected to take place during 2020. This program will also be accompanied by the preparation of relevant manuals / guides by the School, the implementation of some cascade training for professionals covered by the School, as well as a study visit to a similar training body,

especially the magistrates, in order for the School to make the necessary adjustments to its Initial Training Program, or Annual Continuing Training Calendars. UNICEF has also contracted two experts at the request of the General Directorate of Probation to train 75 staff at the institution on their cooperation with brokers and to monitor the victim-offender agreement (when at least one by the parties is a juvenile).

Qualification of these employees included a two-day training and a one-day workshop, the combination of which enabled the transfer and application of relevant knowledge, while also creating a network of communication and exchange of experience between local probation officers. In 2019, UNICEF in partnership with Save the Children conducted training of 32 professionals from different disciplines from the Berat and Gjirokastra judicial districts on inter-institutional cooperation on juvenile cases in contact/conflict with the law. The training familiarized participants with cross-sectoral interventions against minors in contact/conflict with the law, legal safeguards involving professionals of different disciplines, provision of services to the minor and/or his family, as well as inter-institutional interaction during each step of the case management. These professionals will be supported with technical assistance throughout 2020. UNICEF has prepared a draft guideline for inter-institutional/interdisciplinary cooperation in dealing with juvenile criminal cases (at local level). The draft guideline has been presented in two consultative meetings with representatives and professionals of institutions involved locally, in Berat and Gjirokastra, where UNICEF is modeling the implementation of juvenile justice standards. Sections of the draft roadmap dealing with coordinated case management and operationalization of inter-institutional cooperation have begun during the last quarter of 2019 to be tested by institutions administering juvenile justice in two judicial districts, Berat and Gjirokastra.

UNICEF has updated the Restorative Justice Handbook for Probation Officers and their cooperation with Intermediaries (drafted by UNICEF several years ago) reflecting the standards required by the Juvenile Justice Code. Also, as part of this Manual, UNICEF has supported the Directorate General of Probation to develop a Guide to Monitoring Victim-Abuse Agreement. UNICEF has supported the Ministry of Justice to build the prototype of the Integrated Criminal Justice Data System for Juveniles prior to the adoption of the CRPD. UNICEF assisted with the drafting of an Analysis Report, which served as a guide both for the adoption of the DCM on the System and as the basis for the necessary administrative steps between the Ministry of Justice and NAIS for the start of the second phase of intervention. UNICEF remains committed to supporting the full operationalization of the updated System in consultation with the Ministry of Justice, and NAIS.

In addition to the process of drafting and consulting the by-laws of the Juvenile Criminal Justice Code, UNICEF has supported the publication of a summary of the normative framework for juvenile criminal justice, which includes the Juvenile Criminal Justice Code (in Albanian and English). English) and all bylaws adopted in 2018 and 2019 for its implementation. This publication (in print and electronic format) will be forwarded to all institutions and organizations of professionals who participate in juvenile criminal justice processes, especially during various training sessions. UNICEF Albania has engaged in support of the Ministry of Justice, a high-level expert to assist, among others, with the regulatory framework of the Center for the Prevention of Juvenile and Youth Crime. UNICEF Albania has engaged in support of the Ministry of Justice, a high-level expert to assist among

other issues with the regulatory framework of the Minors and Juvenile Crime Prevention Center. In this context, UNICEF has also signed a partnership with Save the Children, to implement restorative justice and mediation programs, to advise parents and families, to put into practice the implementation of alternative avoidance and punishment measures, to reintegrate children's socio-economic, etc. A program that will be implemented for the next 18 months in Berat and Gjirokastra.

➤ **TERRE DES HOMMES**

It conducted the activity with the participation of 291 high school students and teachers in Tirana, Korça and Gjirokastra, who were informed and received the necessary knowledge about the principles of juvenile justice restoration. Another activity was the building of a local qualification on restorative approaches for juveniles in contact with the law in Tirana, Shkodra, Durres, Vlora, Korça and Gjirokastra, attended by around 133 participants. Terre des Hommes has completed the capacity building training of 20 mediators, is in the process of developing guides for police officers, psychologists and lawyers.

TERRE DES HOMMES in partnership with MDFM is in the process of drafting guides for lawyers and developing a training program for them. It has completed the drafting of a continuous training curriculum for judges and prosecutors on restorative justice and avoidance measures. This curriculum is included in the teaching program of the School of Magistrates for the academic year 2019-2020. It has completed the capacity building training of representatives of civil society organizations on restorative justice approaches, involving 18 organizations and increasing their capacities on restorative justice issues. It has completed the development of a reintegration model for children in conflict with the law. In this context, it handled 20-22 cases of children in conflict with the law, referred by the probation service, police, PMF and NGOs of which 5 cases were provided with employment and/or vocational training opportunities, and the drafting of the labor protocols for children in conflict/contact with the law.

It has also funded 10 local organizations for the implementation of short-term projects on the creation and implementation of programs/models within the framework of applying the principles of restorative justice. The projects are implemented in Tirana, Durres, Vlora, Gjirokastra and Shkodra. There are still two ongoing meetings to establish a network of organizations working in the field of restorative justice; organizing some online webinars for discussing and dealing with cases of children in contact/conflict with the law; organizing a training course for mediators at the national level.

➤ **WORLD VISION**

World Vision is in the process of building a juvenile friendly space at the Lezha Police Directorate. Thus, an agreement was signed with the Lezha Police Directorate on May 17, 2019. In terms of capacity building in the field of Juvenile Justice Specialists, World Vision has developed terms of reference for the development of training modules and training for 160 child protection professionals, including police officers as part of cross-sector technical groups; The training is scheduled to be offered in September 2019 to child protection professionals from 24 municipalities..

- 4 trainings with representatives of local structures that play an important role in the child protection system and other actors such as CPWs, social services, administrators, school psychologists, juvenile code policemen, on "Expanding access justice for children, young people and their families through free legal services "in Korça, Librazhd, Lezhe, Kurbin; that were done in the months of October - November 2019.
- 5 outreach meetings with high school students on legal education in Korca, Librazhd, Lezhe, Kurbin, Kamez were held during November-December 2019 as part of the World Vision project.

WV has finalized 4 juvenile friendly interviewing facilities, which are operational in Tirana (Police Station No. 6), Kamza (Police Station No. 5), Lezha and Kurbin. In October 2019, inaugurated friendly environment in Kurbin. WV is assisting with a team consisting of a Social Worker and Psychologist who will provide juvenile psychosocial support during the Interview at the Lezha and Kurbin Police Station from October 2019-2020.

➤ **ALBANIAN-SWEDEN JUVENILE CRIMINAL JUSTICE PROGRAM**

The Albanian-Swedish Program continued its work during 2019 providing its assistance by providing expertise for revising the internal regulation of the Kavaja Juvenile Institution; expertise on draft new bylaws and/or changes/nationals in legislation related to juvenile criminal justice; development of information material on the avoidance to be given to juvenile offenders, etc. In addition, with regard to improving the conditions for an improved organizational structure for juvenile justice, a seminar on risk and needs assessment and a sentence planning tool and preparation of models for non-compliance as well as compliance of liabilities followed.

In the context of enhancing the professionalism of staff in law enforcement agencies dealing with juvenile delinquency, a Curriculum for Scientific Interviewing Techniques for Interviewing Units has been developed, followed by trainings on the implementation of the Juvenile Justice Code, training for juveniles. Individual Assessment Report (IAR); motivational interviewing (MI) training, etc.

In terms of improving mechanisms for productive coordination between relevant juvenile justice actors, it has organized inter-institutional seminars on the role of each justice agency in juvenile cases, etc.

➤ **NETHERLANDS HELSINKI COMMITTEE**

The initiative of the Netherlands Helsinki Committee (NHC) in collaboration with the Albanian Helsinki Committee (AHC) aims to contribute to a reform of the prison system in Albania, Kosovo and Macedonia by improving the opportunities of juvenile inmates for successful reintegration into society by introducing formal working methods for prison staff and their integration into the official policies and curricula of the Educational Institutes, while at the same time strengthening the capacities of prison staff and representatives of the Ministry of Justice. Through this project, during 2019 trained civil society professionals who, for a 1-year pilot period, will provide artistic and sporting activities through the use of the COPOSO (Contributing Positively to the Society) method, with direct beneficiaries of juveniles convicted and detained in IRM Kavaja.

Also by experts from the University of Leiden, through the Social Climate Tool method, it has been possible to measure indicators of the work climate of the institution's staff, as well as the climate of juvenile life and education at IRM Kavaja. These indicators serve to identify key issues where institutional intervention is needed in order to improve the current situation. Actually they are working with the Faculty of Social Sciences, University of Tirana, to train teachers and students on the methods used and the development of juveniles accommodated in closed institutions such as IRM Kavaja.

➤ **CRCA / ECPAT ALBANIA**

Center for Children's Rights in Albania - CRCA / ECPAT Albania works to promote the protection and respect of the rights of children and young people. CRCA / ECPAT Albania for over 24 years in the field of juvenile justice, being one of the leading organizations in reforming the juvenile justice administration system since 1999. CRCA / ECPAT Albania, among others, also works to increase the participation of children and young people at national and local levels, through advocacy, policy and legislation improvement, capacity building, information and studies, and the creation of effective service models. social and community support for the care and protection of children and young people.

CRCA / ECPAT Albania has been implementing a two-year initiative in support of juvenile justice reform since 2019, called "Hope for Children and Youth in Conflict with the Law in Albania". The initiative aims to identify, develop and promote alternative, community-based services for children and young people in conflict with the law, in order to support their positive development, ensuring the functioning of the juvenile justice system. of child protection.

During 2019, a series of outreach meetings were held with representatives of various public institutions as well as representatives of civil society organizations focusing on their work on juvenile justice, including the organization of the 5th National Forum. "Justice, Education and Youth Participation in Decision Making", on 18 December 2019, with a special focus on juvenile justice and youth employment in conflict with the law, as a key point in facilitating their reintegration process in society.

During the year 2020 a series of activities are in progress to develop, essentially establishing a National Center for the Rehabilitation and Reintegration of Minors in Conflict with the Law; Providing free legal aid services; Identification of vocational courses and career / job orientation sessions; Supporting at least 40 public officials from the justice system, law enforcement, employment, social protection and children in the Tirana region; Drafting Manuals and Standard Procedures for the Prevention of Juvenile Crime and Coordination of Social Services Developed in Collaboration with At least 20 Representatives of the Justice and Social Services System in Albania; Informing at least 60 representatives of the justice and social welfare system on new procedures and practices in the field.

VI. CONCLUSIONS AND CHALLENGES

In order to improve the implementation and enhance the impact of the Action Plan, the important challenges for the following monitoring periods are:

- ❖ Sending information on financial disbursement for the activities foreseen in the strategy (by state institutions), as they affect the unrealistic reflection of the costs for implementation of the Strategy.
- ❖ Contributions sent by institutions should be in accordance with the format of the Action Plan.
- ❖ Ensure a comprehensive and transparent consultation process during the reporting, monitoring stages with responsible institutions and stakeholders.
- ❖ Strengthening inter-institutional coordination for the purpose of timely reporting according to the deadlines set in the DCM.