

TOPIC: WOMEN'S RIGHTS, DOMESTIC VIOLENCE AS A GLOBAL PHENOMENON

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As we all know, domestic violence is not something innate or unique to Albania. It is considered an old wound of society, often still unhealed, which has resisted the development that society has made throughout the world, not leaving behind the democratic development of Albanian society. In this unwanted reality, it is inevitable that every day marks another victim—a woman, mother, wife, or sister!

Beyond the numerous questions that never receive answers about other family members, the arrest and corresponding punishment of the perpetrator, in Albanian society, it is preferred to provide ideas, factual circumstances conveyed accurately or not, and an in-depth biography of the victim or perpetrator.

It is said that Mahatma Gandhi once stated, "The roots of violence are: wealth without work, pleasure without conscience, knowledge without character, business without morality, science without humanity, worship without sacrifice, and politics without principles."

In this sense, the causes that bring violence are numerous. The ongoing fight against this phenomenon is important.

Supporting women, strengthening their position in society, strongly activating their role, including them in decision-making, and making them key factors for the development of the country should be a priority for every current and future government.

Albania today has made significant progress in adopting relevant laws for the treatment of cases of domestic violence, by-laws, and referral mechanisms, with the aim of isolating and minimizing cases of domestic violence.

ABSTRACT:

Democracy has created new opportunities and possibilities for advancing the role of women in society. The spaces of freedom in our country have expanded. Statistics show that today over 4 million women in the world are victims of serious acts of violence - by lovers - or spouses. Democracy has created new opportunities and possibilities for advancing the role of women in society. The spaces of freedom in our country have expanded.

KEYWORDS:

Democracy, the role of women, the impact of violence, the protection of women's rights, phenomena, multidisciplinary tables, professions, relevant institutions.

THEORETICAL ANALYSIS:

In this sense, Law No. 9669, dated 18.12.2006, entitled: "On measures against violence in family relationships" (amended by Law No. 9914, dated 12.5.2008, No. 10 329, dated 30.9.2010, 47/2018, dated 23.7.2018) (updated) in Article 1 states that:

"This law aims to:

1. Prevent and reduce domestic violence in all its forms through appropriate legal measures and other necessary measures.
2. Guarantee the protection of family members who are victims of domestic violence by legal and other necessary measures, paying special attention to children, the elderly, and persons with disabilities, as well as every individual subject to this law, according to Article 3, who presents special protection needs."

While in Article 2, this provision entitled "Object" states that:

"This law has as its object:

- a) The creation of a coordinated network of institutions responsible for the protection, support, and rehabilitation of victims, alleviation of the consequences, and prevention of domestic violence.
- b) The orientation of the work for the creation of structures and bodies responsible at the central and local levels for the support of victims and the prevention of domestic violence.
- c) The strengthening of the judicial system for taking protective measures against domestic violence.
- d) The provision/guarantee for victims of domestic violence of a fast, unconditional, and simple service in accordance with the law, at the court or other competent bodies for the implementation of the law."

While in Article 130/a of the Criminal Code, this provision entitled "Domestic Violence" (Added by Law No. 23/2012, dated 1.3.2012; amended in the last paragraph by Law No. 144, dated 2.5.2013, amended by Law No. 35/2020, dated 16.4.2020), it is determined that:

"Baiting, as well as any other act of physical or psychological violence, against a person who is a spouse, ex-spouse, cohabitant or former cohabitant, close relative (pre-born, post-born, brothers, sisters, uncles, aunts, nephews, nieces, children of brothers and sisters), or close relative (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, stepson, stepmother), or in relation to or former intimate relationship with the perpetrator of the criminal offense, resulting in the violation of his physical, psychosocial, and economic integrity, is punishable by imprisonment of up to three years.

A serious threat of murder or serious injury against a person who is a spouse, ex-spouse, cohabitant or former cohabitant, close relative (pre-born, post-born, brothers, sisters, uncles, aunts, nephews, nieces, children of brothers and sisters), or close relative (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, stepfather, stepmother), or in a relationship or former intimate relationship with the perpetrator of the criminal offense, resulting in the violation of his psychological integrity, is punishable by imprisonment of up to four years.

Intentional injury to a person who is a spouse, ex-spouse, cohabitant or former cohabitant, next of kin (pre-born, post-born, sibling, sister, uncle, aunt, nephew, niece, children of brothers and sisters), or close in-law (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, stepfather, stepmother), or in a relationship or former intimate relationship with the perpetrator

of the criminal offense, resulting in the violation of his psychological integrity, is punishable by imprisonment of up to four years.

Intentional injury to a person who is a spouse, ex-spouse, cohabitant or former cohabitant, close relative (firstborn, secondborn, brothers, sisters, uncles, aunts, nephews, nieces, children of brothers and sisters), or close relative (father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, stepfather, stepmother), or in a relationship or former intimate relationship with the perpetrator of the criminal offense, which has caused temporary incapacity for work for more than nine days, is punishable by imprisonment of up to five years.

These same acts, committed repeatedly or in the presence of children, are punishable by one to five years of imprisonment."

CONCLUSIONS:

I think that the aforementioned law and the amendments to the Criminal Code have consistently brought about a limitation of domestic violence. There is a general commitment by society as a whole to reporting domestic violence. Similarly, there is a commitment by state police structures and various civil society organizations to support persons harmed by domestic violence. However, there is still a lot of work to be done. We are giving some of our opinions on the limitation of domestic violence.

RECOMMENDATIONS:

- Civil society and the community as a whole should report every case of domestic violence because these cases are often heard from different layers of society that are considered internal family matters.
- The legislation has room for improvement by increasing the minimum sentences for persons who commit domestic violence.

Courts should apply the highest margin of punishment provided by the law on domestic I've corrected the grammar mistakes while keeping the text unchanged:

