



REPUBLIC OF ALBANIA

COOPERATION AGREEMENT

FOR

THE IMPLEMENTATION OF LAW NO. 9669, OF 18.12.2006

“ON MEASURES AGAINST VIOLENCE IN FAMILY RELATIONS”

(as amended)

Between

MINISTRY OF LABOUR, SOCIAL AFFAIRS AND EQUAL OPPORTUNITIES

No. _____ Prot.

MINISTRY OF INTERIOR

No. _____ Prot.

MINISTRY OF JUSTICE

No. _____ Prot.

MINISTRY OF HEALTH

No. _____ Prot

MINISTRY OF EDUCATION AND SCIENCE

No. _____ Prot.

Today, on this date of __/__/2010, between the Ministry of Labour, Social Affairs and Equal Opportunities, Ministry of Interior, Ministry of Justice, Ministry of Health and Ministry of Education and Science, hereinafter Parties, is hereby signed this Cooperation Agreement:

On the basis of articles 5, 6, 7 and 8 of Law No. 9669, of 18.12.2006 “On measures against violence in family relations” (as amended),

CHAPTER I

GENERAL PROVISIONS

Article 1

Purpose

The purpose of this Agreement is to express the Parties commitment to prevent and reduce domestic violence in all its forms through appropriate legal measures.

Article 2

Objective

The objective of this agreement is coordination of common efforts to ensure cooperation of the relevant structures of responsible authorities in implementing law no. 9669, of 18.12.2006 “On measures against violence in family relations” (as amended).

The further specific objective of this agreement is to recognize the role of the State Social Services in carrying out the mandates of the law and the role of the National Domestic Violence Center in implementing the law and to ensure cooperation in fully realizing the law.

CHAPTER II

PARTIES’ OBLIGATIONS

Article 3

Obligations of Ministry of Labour, Social Affairs and Equal Opportunities

Ministry of Labour, Social Affairs and Equal Opportunities, through its responsible unit “On measures against domestic violence” and with a view to implement its obligations as the lead responsible authority pursuant to law no. 9669, of 18.12.2006 “On measures against violence in family relations” (as amended), and through its Cooperation Agreement of 2008, emphasizes its commitment to:

Lead and coordinate efforts with all other line institutions for the implementation of this law.

To cooperate with local authorities on the set up of social and rehabilitation centres for domestic violence victims, perpetrators, and children who have been subjected to domestic violence or when their parents commit domestic violence offences against each other as well as to coordinate with the existing ones.

To license different NPOs that offer services to victims and perpetrators.

In recognition of that commitment, the MOLSAEO further commits to:

3.1 The establishment of the National Domestic Violence Center for shelter of victims of family violence;

3.2 Creation of Standards for the National Domestic Violence Center and for licensing of NPOs;

3.3 Passage of needed legislation to effectuate the law.

Article 4

Obligations of Ministry of Interior

Ministry of Interior, with a view to implement its obligations as line responsible authority pursuant to law no. 9669, of 18.12.2006 “On measures against violence in family relations” (as amended), and through its Cooperation Agreement of 2008, emphasizes its commitment to:

Through relevant structures at the Regional Police Departments to make sure that victims of domestic violence are sent to social and rehabilitation centres.

In recognition of that commitment, the Ministry of Interior further commits to:

- 4.1 Ensure that victims of violence, including in rural areas, will have transportation to a place of safety. This could include modification and enforcement of the existing law (Citation) that provides for free or half price fares on public transportation and private taxi’s for vulnerable citizens such as those with disabilities or the elderly.
- 4.2 Create a system of assignment of officers to life endangering cases of family violence;
- 4.3 Organize cooperation with the Police Directorate for every region where there is a domestic violence shelter;
- 4.4 Acknowledge that the National Center for Domestic Violence and other licensed shelters will work in close cooperation with the police directorate.

Article 5

Obligations of Ministry of Justice

Ministry of Justice, with a view to implement its obligations based on the law no. 9669, of 18.12.2006 “On measures against violence in family relations” (as amended), through its structures and through its Cooperation Agreement of 2008, emphasizes its commitment to:

Guarantee free legal assistance to victims of domestic violence, in cooperation with National Bar Association and Office of Judicial Administration.

In recognition of that commitment, the Ministry of Justice further commits to:

- 5.1 Provide the services of attorneys trained in domestic violence to the National Domestic Violence Center and other licensed shelters as needed on location;
- 5.2 Provide the services of a trained medico-legal expert to the National Domestic Violence Center and other licensed shelters as needed on location;

- 5.3 Ensure that bailiffs immediately serve protection orders or take appropriate action under existing legislation.

Article 6

Obligations of Ministry of Health

Ministry of Health, with a view to implement its obligations based on the law no. 9669, of 18.12.2006 “On measures against violence in family relations” (as amended), through its structures and through its Cooperation Agreement of 2008, emphasizes its commitment to:

Create the necessary capacities to offer ambulatory and hospital treatment of domestic violence victims.

Ensure that patients who have suffered from domestic violence obtain a special medical report.

Set up a special registry “On domestic violence cases” where victims of domestic violence, receiving treatment from hospital centres or health centres at the municipality and commune levels shall be registered.

Ensure that psychological help is offered to domestic violence victims at health service centres.

In recognition of that commitment, the Ministry of Health further commits to:

6.1 Ensure that victims of family violence are recognized as recipients of services under the law (Citation) mandating that those persons without health insurance receive health care receive free health care and that vulnerable persons, including victims of family violence, receive medical care on a priority basis without fee.

6.2 Provide the services of medical personnel trained in domestic violence to the National Center on Domestic Violence and other licensed shelters as needed on location.

Article 7

Obligations of Ministry of Education and Science

Ministry of Education and Science Ministria e Arsimit dhe Shkencës, as line responsible authority with a view to implement its obligations based on the law no. 9669, of 18.12.2006 “On measures against violence in family relations” (as amended), through its structures and through its Cooperation Agreement of 2008, emphasizes its commitment to implement the law.

In recognition of that commitment, the Ministry of Education and Science further commits to:

7.1 Provide that children of domestic violence victims who transfer schools shall receive immediate admission/enrollment into the new school and swift transfer of records to that new school.

7.2 Establish a process for male children older than 14 of the victim of family violence to reside in a dormitory at the nearest school to the domestic violence shelter where the victim is residing.

7.3 Ensure that any school does not reveal the location of the child to the abuser.

Article 8

Common obligations

Line responsible authorities, in implementation of their obligations pursuant to law no. 9669, of 18.12.2006 “On measures against violence in family relations” (as amended), and through its Cooperation Agreement of 2008, emphasizes its commitment to:

8.1 Respond to any report filed by the victim or other persons authorized by the law, for cases of violence or threat to use violence, including cases of violation of protection orders and emergency orders.

8.2 Establish a system to inform the victim or their representative of the measures taken;

8.3 Cooperate and coordinate with the National Referral Mechanism of Domestic Violence Cases;

8.4 Establish a data base of persons who receive reporting because of their function or authority to implement the law and fail to act in its implementation who are held administratively and/or criminally responsible under Article 248 and 251 of the Criminal Code.

Article 9

Final provisions

All disputes in relation to interpretation of the provisions of this Agreement shall be solved through negotiation between parties.

Article 10

Entry into force, Duration

This Agreement enters into force upon parties’ signature and is valid for an undetermined time.

Made in Tirana, on _____ 2010

For MOLSAEO

Minister

For Ministry of Interior

Minister

For Ministry of Justice

Minister

For Ministry of Health

Minister

For Ministry of Education and Science

Minister
