

Restorative Justice: Strategies for Change

Albania 2019-2023

Prepared by Albania Foundation for Conflict Resolution (AFCR)

A brief Introduction of Albania Strategy

The first Victim-Offender Mediation (VOM) Program in Albania was introduced in 2001, consisting of introductory sessions to School of Magistrates Students. An important element which contributed to the further development of RJ in Albania has been the long-term cooperation with the Norwegian colleagues, particularly with the National Norwegian Mediation Service. The program focused on promotion of the restorative justice concept, its philosophy and values, the areas of application, etc. Various components like promotion and awareness raising activities, workshops, conferences and trainings had a great impact in the legal changes, particularly reflected in the Code of Criminal Justice for Children (CCJC, approved in 2017), which contains a set of articles that regulate the referral mechanism, particularly by the prosecution and the court to restorative programs, applying VOM and family/group conferencing for minors and juveniles in conflict with the law.

Some projects have been undertaken with reference to the implementation of CCJC, aiming at increasing the awareness of stakeholders (institutions and the public); capacity building in the area of RJ, and increasing access to RJ programs for minors.

The necessity of a new strategic program to strengthen and consolidate RJ in Albania is emphasized in the Mapping of Criminal Justice in CEE in the lens of Restorative Justice, conducted by respective experts in October 2018-April 2019. The main interventions for Albania include supporting policy and law implementation, harmonization of legislation for implementation of restorative justice programs for adults and consolidation of existing services with resources.

The strategic program for Albania to strengthen RJ in Albania for the timeframe 2019-2023 will consist in the following main components:

1. Increase the access to restorative programs not only for minors and juveniles, but also for adults.
2. Legal improvements that would enable increased access to restorative programs, particularly amendments in the Criminal Procedural Code that would enhance the use of VOM and restorative justice instruments for the cases identified by the justice administration institution.
3. Support the consolidation of existing services with resources, infrastructure, but also by increasing the capacities of service providers (mediators) and quality of service and expand it throughout the country.

A reference document for the development of RJ strategy for change will be the Council of Europe Recommendation concerning restorative justice in criminal matters.

Activities for 2019-2020

1. Introduction of the RJ Strategy for Change to the institutional stakeholders (Ministry of Justice, the judiciary, probation service and prison system, police) as well as to civil society actors, educational and academic institutions, and to wider public (the first step will be the agreement on the strategy and the publication of the draft strategy on the web/social media (2019);
2. Establishment of working groups, according to the nature of strategic interventions, composed of experts of the area to contribute to the legal improvements for RJ, and awareness raising for RJ; presentation of the Mapping of Criminal Justice in the lens of Restorative Justice (Albania country report), (2019, 2020);
3. Collect information on the implementation of the case management through RJ and mediation for juveniles (2019, 2020);
4. Establish the RJ network at national level, using social media (Facebook) to publish, promote and invite stakeholders, mediators to gather support for the idea and philosophy (2019, 2020);
5. Training program for civil society representatives on RJ and mediation (2019);
6. Joint workshop – organized by the Association of Women Judges and the Albanian Foundation for Conflict Resolution and Reconciliation of Disputes – to promote and share information about RJ, instruments and principles and new developments for juveniles in Albania (based on the CCJCE; share good practices on the use of RJ and mediation (2020);
7. Publication and presentation of guidelines regarding the implementation of RJ and referral mechanisms that should be applied for RJ for juveniles, targeted respectively for lawyers, specialist of probation system, police officers and child protection professionals (2019-2020).