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Gender Equality in the Albanian Criminal Code: Legal Framework, Gaps, and Reform Proposals

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Abstract

Albania, as a newly established democratic state in the post-1990s era, has pursued integration into the European Union by aligning its national legislation with international standards. The adoption of the Albanian Criminal Code in 1995, modeled after the legal frameworks of Italy, France, and Germany, marked a significant step in this process. Over subsequent years, the Code has undergone multiple amendments aimed at harmonizing substantive criminal law with international conventions ratified by Albania, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Despite these reforms, evaluation reports from international bodies such as the European Commission and the Committee on the Elimination of Discrimination against Women highlight persistent gaps, noting that the Criminal Code does not fully comply with the requirements of CEDAW, the Istanbul Convention, and related international instruments. This study employs descriptive and comparative analysis to identify deficiencies within the Albanian Criminal Code. It proposes concrete recommendations for legislative reform, with particular emphasis on eliminating all forms of discrimination against women.

Keywords: aligning legislation; CEDAW; European integration – Albania; Istanbul Convention; legislative reform