

# Legal Framework for the Protection of LGBT Adolescents from Violence and Discrimination in the Pre-University Education System in Albania

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## Abstract

*The Albanian Constitution guarantees equality before the law and the principle of non-discrimination to all citizens. In accordance with Article 18 of the Constitution, in early 2010, Albania approved the "Law for Protection from Discrimination."*

*The law extends its effects to LGBT teens in the pre-university educational system, who face on one side the dilemmas of disclosure of their sexual orientation or gender identity, while on the other hand face discrimination, violence, harassment and bullying from other teenagers, teachers or self-victimization. The law requires that central institutions, including the Ministry of Education, take steps towards the protection of human rights of adolescents and young LGBT, guaranteed by the Constitution of Albania.*

*In 2012 the Parliament passed the new bill "For Pre-University Education in Albania", but the protection of adolescents and youth from violence in the system found little reflection in the law. Pre-university education normative provisions contain little information on the complaint process and mechanisms that the educational system can use to protect LGBT teens from violence and discrimination. The question is whether the law on Education is in accordance with the principles of the Constitution.*

*The article looks into qualitative aspects of international law on human and children's rights, such as the Convention for the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Universal Declaration of Human Rights and the Constitution of Albania, to show the link between inter-sectionality the rights of adolescents with sexual rights for every human being and the importance of establishing effective complaint mechanisms for the protection of adolescents.*

**Key words:** Constitution, legal review, comparative law, human rights, children's rights, abuse, sexual rights, national laws, pre-university education, complaints mechanism, implementation, LGBT, ethical issues etc.

## **1. Introduction**

The aim of the paper is to identify and analyze ways the legislation and the regulations of the pre-university education system in Albania enable the establishment and functioning of the mechanism and treatment of complaints of LGBT adolescents and their protection from violence and discrimination. The analyses focus on and take into consideration the legal aspects of the protection of adolescents from violence and discrimination from a national and international law perspective, and specifically examines the functioning of the complaints mechanisms in the system. Finally, the paper proposes solutions for the protection of the wellbeing and the rights of the LGBT adolescents in the pre-university education system. The paper suggests that the system should become further responsible and accountable towards full implementation of the national anti-discrimination standards, by working to eliminate violence and discrimination, while promoting physical, moral, emotional and health well-being of LGBT adolescents in the pre-university system in Albania.

## **2. Violence against children and adolescents and its consequences**

A series of national and international studies, that have measured the prevalence, incidence and consequences of all forms of violence against children and adolescents, stress two main aspects: a) children who report that they are victims of violence show a range of effects on their health caused by violence when they grow up; b) children who are victims of one of the forms of violence tend to be victims of other forms of violence too.

Violence against children and young people is a global phenomenon and its consequences affect children's wellbeing worldwide. Although studies on the long-term consequences of violence on children and young people in Albania are lacking, the references and the results of the scientific studies widely accepted by the international scientific community are very important for Albania too.

In their analysis on the effects of violence on children when in the upbringing phase, Wefman and Stetler write: "The effect of child abuse on an adult's health is greater in studies with an exclusively female sample compared to the studies that include both sexes. This result should be interpreted with caution, because the gender composition of a study on child abuse does not reflect the prevalence of abuse on men and women in the total population. Although most meta-analysis studies include only women in their samples, men are just as likely as women to experience abuse, perhaps even more than women. Boys are more likely to be

victims of harsh physical abuse, psychological abuse and neglect, while girls are more likely to be victims of sexual abuse.”<sup>1</sup>

“Every form of abuse on a child can cause harmful and irreversible consequences; however, studies show that when perpetuated on regular bases, the child experiences severe consequences”<sup>2</sup>. “Child abuse and neglect can affect all areas of growth- physical, psychological, cognitive, and behavioral and social- that are often interrelated”<sup>3</sup>.

The few scientific studies in Albania on violence against children and adolescents indicate that "the most common forms of physical abuse at home and in school is smacking and specifically: one in two children are hit on the head and/or body at home, whereas one in three are attacked at school. This means that children experience violent physical acts at home rather than in the school environment.”<sup>4</sup>

Studies on violence against LGBT adolescents in Albania are almost nonexistent. Neither CRCA-BECAN<sup>5</sup> nor the HDC-UNICEF<sup>6</sup> researches on violence against children extended the field of research on violence related to sexual orientation and gender identity. Although both studies could indicate the prevalence and incidence of same-sex abuse among children, it was not their aim to explore homosexual violence versus heterosexual one, thus leaving space for new studies in the future .

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<sup>1</sup> Holly L. Wegman, Cinnamon Stetler, *A Meta-Analytic Review of the Effects of Childhood Abuse on Medical Outcomes in Adulthood*, American Psychological Association (<http://www2.furman.edu/academics/psychology/FacultyandStaff/Stetler/Documents/Wegman%20%20Stetler%202009.pdf>)

<sup>2</sup> Arata, C. M., Langhinrichsen-Rohling, J., Bowers, D., & O’Farrill-Swails, L. (2005). *Single versus multi-type maltreatment: An examination of the long-term effects of child abuse*, *Journal of Aggression, Maltreatment & Trauma*, 11(4), 29-52.

<sup>3</sup> Brown, J., Cohen, P., Johnson, J., & Smailles, E., *Childhood abuse and neglect: Specificity of effects on adolescent and young adult depression and suicidality*, *Journal of the American Academy of Child and Adolescent Psychiatry*, (1999).

<sup>4</sup> Adem Tamo, Theodhori Karaj, *Violence against children in Albania*, Human Development Centre, UNICEF, Tirana, 2006.

<sup>5</sup> Cenko E., Hazizaj A., Haxhiymeri E., Çoku B., *Violence against Children in Albania-Balkan Epidemiologic Study on Child Abuse and Neglect (B.E.C.A.N)*, CRCA Albania, Tirana, December 2013.

<sup>6</sup> Tamo A., Karaj Th., *Violence against children in Albania*, Human Development Centre, UNICEF, Tirana, 2006.

LGBT studies in other countries have shown that homophobia and sexual prejudice are perpetuated against LGBT adolescents on a daily basis.<sup>7</sup>In addition, a study on more than 200,000 students in California found that 7.5% of them are victims of bullying because of the rumor that ‘someone thought that they were gay or lesbian’.<sup>8</sup>Other studies in the field of psychology and education show that LGBT adolescents have higher tendency to suicide compared to heterosexual adolescents.<sup>9</sup>

Data gathered from the Survey on Dangerous Behavior amongst Youth in Massachusetts and Vermont; found that LGBT students had higher risk of experiencing violence and health threatening behavior, such as use of drugs and dangerous sexual relations. Other studies found that teens harassed because of their LGBT status were more prone to experience psychological anxiety<sup>10</sup>, depression, self-harm, or more frequent thoughts of committing suicide.<sup>11</sup>

In 2012 the Office of the Commissioner for the Protection from Discrimination in Albania conducted the first ever Survey on discrimination in schools, interviewing teachers and students of the pre-university education system in 6 districts of Albania. The results of the survey showed that both teachers and students to a certain extent agreed that sexual orientation and gender identity were both a strong ground for discrimination in school.<sup>12</sup>However, students report that sexual orientation is one of the main causes of discrimination (14 percent of pupils), while teachers do not consider this as one of the main factors, with only 7.8 percent citing it as a reason for discrimination.

Under international and national law it is the obligation of the state to take measures to protect every person from violence, to eliminate violence and to treat

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<sup>7</sup>Kosciw J., Diaz E., Greytak E., *The 2007 National School Climate Survey, The Experiences of Lesbian, Gay,*

*Bisexual and Transgender Youth in Our Nation’s Schools*, GLSEN 2008.

<sup>8</sup>O’Shaughnessy, Russell, Hecks, Calhoun, and Laube, *Safe Place to Learn, Consequences of Harassment Based on Actual or Perceived Sexual Orientation and Gender Non-Conformity and Steps for Making Schools Safer*. California Safe Schools Coalition and the 4-H Center for Youth Development, University of California, January, 2004 .

<sup>9</sup>Russell, S. T., & Joyner, K. (2001). Adolescent sexual orientation and suicide risk: Evidence from a national study. *American Journal of Public Health*, 91, 1276–1281.

<sup>10</sup>Swearer, S. M., Turner, R. K., Givens, J. E., & Pollack, W. S. “You’re so gay!” Do different forms of bullying matter for adolescent males? *School Psychology Review*, 37, (2008).

<sup>11</sup>Stephen T. Russell, Joseph Kosciw, Stacey Horn, Elizabeth Saewyc, *Safe Schools Policy for LGBTQ Students*, Social Policy Report, volume 24, number 4, 2010

<sup>12</sup> Survey: *How well is the Law for the Protection from Discrimination known and implemented by school administrators and how is it implemented by the teachers and students in schools*, Commissioner for Protection from Discrimination, Tirana 2012.

its victims through effective programs and to compensate the victims, setting their rights to the previous situation, whenever it is possible. The following is an overview and analysis of the national legislation and international standards on the rights of children.

### **3. The international legislation for the protection of adolescents from violence and discrimination.**

A number of laws and conventions have been ratified by Albania to protect the integrity of the physical, mental, and moral health of children and adolescents, including their protection from discrimination and the rights to education.

- **The Convention on the Rights of the Child (CRC)**<sup>13</sup> is one of the major international laws that further advances the protection and respect for the rights of children. The CRC is based upon four core principles: non-discrimination (Article 2), the best interest of the child (Article 3), survival and development of the child. (Article 6), and the participation of the child (Article 12)

- **The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**<sup>14</sup>, covers very important aspects of the rights of young teenage girls, concerning their physical integrity, protection from violence and discrimination, as well as protection mechanisms, etc.

- **European Convention on Human Rights**<sup>15</sup> of the Council of Europe in its Article 14 guarantees the protection from discrimination on grounds of sex or any other status.

- **Convention for the Protection of Children against Sexual Exploitation and Violence**<sup>16</sup> of the Council of Europe (otherwise known as Lanzarote Convention) in its Article 2 reinforces the principle of non-discrimination, which among other things includes sexual orientation.

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<sup>13</sup>*Convention on the Rights of the Child of the United Nations*, <http://conventions.coe.int/Treaty/en/Treaties/Html/005.htm>

<sup>14</sup>*The UN Convention on the Elimination of All Forms of Discrimination against Women* <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>

<sup>15</sup>*European Convention on Human Rights, European Court of Human Rights, Council of Europe*, [http://www.echr.coe.int/NR/rdonlyres/9D74A089-C364-456A-A23B-2C1B0725F73C/0/Convention\\_SQL.pdf](http://www.echr.coe.int/NR/rdonlyres/9D74A089-C364-456A-A23B-2C1B0725F73C/0/Convention_SQL.pdf)

<sup>16</sup>*Lanzarote Convention*, 25.10.2007 (<http://conventions.coe.int/Treaty/EN/treaties/html/201.htm> ). Ratified from the Albanian Parliament on 14.04.2009 and entered into force on 01.07.2010.

All the Conventions emphasize the enjoyment of equal rights and the effective exercise of the rights of each individual and require the State Parties to take measures that human rights and the rights of child become part of the domestic law, making them accessible to everyone.

#### **4. National legislation for the protection of adolescents from violence and discrimination.**

Albania has made considerable progress in the promotion of the new legislation in the protection of children's rights on the one hand and the protection of individuals from discrimination from the other.

- **The Constitution of Albania** in many of its articles guarantees the right of the child not to be discriminated against, the right to education, identity, and the protection from violence.<sup>17</sup> Article 18 guarantees equality before the law, and non-discrimination, Article 22 guarantees the freedom of expression. Article 54 guarantees the special protection that the state reserves for children and women, including the protection from abuse and neglect.

- **Law on Protection from Discrimination**<sup>18</sup> included in the Albanian legislation for the first time concepts such as "sexual orientation," "gender identity," "indirect discrimination" and "discrimination because of association." The law focuses on the prohibition of discrimination in the area of goods and services, employment and education. In three of its articles (Article 17-19) the Law focuses on the fundamental aspects enforcement of the law, such as: a) the prohibition of discrimination; b) implementation of interim measures of positive discrimination; and c) settings specific duties for the Ministry of Education and Heads of educational institutions to take measures to eliminate discrimination in schools.

- **Law on Child Protection Right**<sup>19</sup> is a new law that has added to the range of the national legislation for the protection of children's rights and aims to increase the applicability of the Convention on the Rights of the Child (CRC) in Albania. The object of the law is to define '... the rights and protections enjoyed by all

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<sup>17</sup> *Constitution of the Republic of Albania*, Official Publication Center, 2003.

<sup>18</sup> *Law no. 10221, dated 04.02.2010, "On Protection from Discrimination*, Official Gazette No. 15, 25 February 2010, published in Official Publication Center. <http://www.kmd.al/?fq=brenda&emri=Baza%20Ligjore&gj=gj1&kid=110&kidd=86>

<sup>19</sup> *Law no. 10 347, dated 4.11.2010, on Protection of Children's Rights in the Republic of Albania.*

children, accountability mechanisms that ensure effective implementation of protection of these rights, as well as special care for the child.”<sup>20</sup>

## **5. Law on Pre-University Education and complaints mechanism for the protection of LGBT adolescents from violence and discrimination**

### **5.1. The purpose of the Pre-University Education Law and its implementation**

According to the law the, educational system in Albania“aims to provide education to every individual in order to meet the challenges of the future, by being a responsible individual for the family, society and the nation, while in particular: ...to know, respect and protect our national identity and develop our cultural heritage and diversity.”<sup>21</sup>

Article 5 of the Law defines the fundamental principle of the right to education in Albania. One of the novelties of the law is that it regulates the issue of discrimination in schools, including sexual orientation in addition to many other forms. Article 5/comma 1 states: ‘The right to education in the Republic of Albania is guaranteed to the Albanian citizens, foreign ones and those without citizenship, without discrimination based on gender, race, colour, ethnicity, language, sexual orientation, political or religious convictions, economic or social status, age, residing location, disability or any other grounds provisioned in the Albanian legislation.’

Article 6 describes the principles of the law and it is visibly build based on the four pillars of the Convention on the Rights of the Child of the UN: the best interest of child; survival and development; child participation and non-discrimination.

Paragraph 3 of Article 6, states: “The system offers protection to children and teachers against actions or omission, which may cause discrimination, maltreatment or moral harm.”

The law establishes a vertical management structure: Minister-Education Inspectorate- Local Educational Unit-National Council of Education-Educational Institution. The Minister, in addition to the other tasks specified in this law: issue

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<sup>20</sup>Article 1, Law No. 10 347, dated 4.11.2010 Law on Child Protection.

<sup>21</sup> Article 3, Law Nr.69/2012 On Pre-University Education System In The Republic of Albania (*translation made by the author of the paper*)

orders and instructions for implementing this law; approve the model regulation of the educational institutions etc.<sup>22</sup>

The State Inspectorate of Education<sup>23</sup>, among others, has as main functions: evaluating the quality of the service of educational institutions and local educational units; checking out the compliance of the activity of the educational institutions and local educational units with the effective legal requirements; informing the Minister, local educational units and institutions for findings of educational inspections, as well as making them public etc.

The role of the National Council of Pre-University Education<sup>24</sup> focuses on, among other duties, drafting strategies, national programs and legal acts; draft-budget for pre-university education; further issues of educational policies, upon the request of the Minister etc.

The Local Educational Units<sup>25</sup> have the following duties: a) implement the National Strategy of Pre-University Education; b) support the educational institutions for the continuous improvement of the quality of educational service.

The Educational Institution<sup>26</sup> shall be tasked with ensuring the friendly environment for the students and opportunities so that every student may demonstrate, develop and implement his potential in accordance with this law. The educational institution shall function in accordance with its internal standing rules, which shall be in compliance with this law and other effective legal acts and be approved by the head of the respective local educational unit.

## **5.2 The complaints procedure and mechanisms for the protection of LGBT adolescents from violence and discrimination**

When it comes to the legislation on pre-university education, Albania has not only been improving and renewing itself with new notions, but the family and the society has undergone a reform, including a wider acceptance of new social values for the respect of the individual and his rights. Moreover, the scientific advancement in the study of human sexuality, the strengthening of the individual's status in the family as well as the depreciation of the hetero-normativity, may lead adolescents to live openly with their sexual orientation or gender identity.

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<sup>22</sup> Article 26, Law Nr.69/2012 On Pre-University Education System In The Republic of Albania (*translation made by the author of the paper*)

<sup>23</sup> Article 27, *idem*

<sup>24</sup> Article 29, *idem*

<sup>25</sup> Article 30, *idem*

<sup>26</sup> Article 32, *idem*

Despite the fact that children and adolescents have little or no legal ability to, neither domestic nor the international law make a difference or discriminate the fact of being a minor, in terms of the effective exercise or enjoyment of equal rights like adults, with exceptions related to certain civil and political rights such as the right to vote etc. Furthermore human rights laws establish special protection for children and sanctions against all those actions or non-actions that do not respect human rights.

An important question that surfaces is whether children have sexual rights, and, in that case, at what age can they enjoy these rights. According to a number of laws each individual has sexual rights at the moment they are born, and this is reflected both in international law (CRC, CEDAW, etc.) as well as in domestic law (Constitution, Penal Code, the Law on the Rights of the Child). Children and adolescents because of their age and their constitution are protected from sexual violence, exposure or their use for purposes of sexual exploitation. The violation of these rights produces a series of legal consequences. With reference to sexual orientation and gender identity, the Law on Protection against Discrimination and the Law on Secondary Education, guarantee, regardless of age, the right of every individual the enjoyment of their right to express their sexual orientation and gender identity. Hence, it can be stated that international and domestic law manifestly protect the sexual rights of every person who has limited legal capacity or are not yet entitled to it.

The Law on Pre-University Education in Albania, in its entirety, seems to create an effective mechanism for the protection of children and adolescents in general, from violence and discrimination, as provided for in Article 6 (General Principles) to ensure a) the best interests of the child; b) the protection of children's rights; c) protection from discrimination and violence; d) inclusion; f) quality education; e) accountability.

The Law on Education establishes The Commission of Ethics and Conduct (CEC) as the responsible authority within the school for handling complaints and proposing measures against offenders. CEC is the only mechanism for the review of student and teachers complaints. The law does not provide any reference to Commission's number of members probably because the legislator supposed the issues could be resolved through the Minister of Education.

The CEC<sup>27</sup> is composed of parents, teachers and students. It has the duty to consider students, parents, and the educational institutions staff complaints

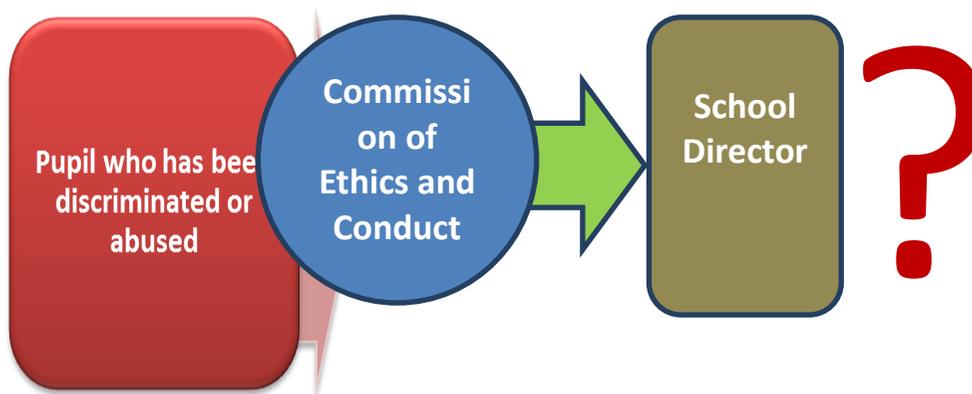
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<sup>27</sup>Article 33, Law Nr.69/2012 On Pre-University Education System In The Republic Of Albania

regarding the violations of the ethical norms and behavior and then consequently propose to the director of the school the relevant measures to be undertaken.

The Law does not regulate the modalities of the complaints or the forms of complaints made by students regarding violence, discrimination or the violation of individual rights. Article 6 states that every student has the right to appeal. This implies that every student should directly address CEC orally, in a written form or through his legal guardian or attorney. The law, although not explicitly denying, seems not to give importance to the procedure of communication of the complaint from student to teacher. It neither assigns the teacher any institutional or legal obligation for the initial management of student's complaints, with only exception the teachers who will be members of the CEC.

**Diagram1: THE COMPLAINT MECHANISM IN THE PRE-UNIVERSITY EDUCATION SYSTEM**



As you can see in Diagram 1, CEC has the obligation to propose appropriate measures of punishment or sanctions the person who commits a violation regarding ethics and conduct.

The law does not define the purpose of the implementation of the measure and moreover does not determine (list) the measures to be implemented in the future. This creates confusion in the law's enforcement measures, due to the fact that most of the officials are not law professionals but public bureaucrats from the educational system.

The complaints mechanism, schematized above, entitles the Director to decide upon the appropriate measures to eradicate negative conducts and inappropriate ethical behavior in the school.

### **5.3. Does the law protect LGBT adolescents from prejudicial and discriminatory attitudes?**

The composition of the CEC with teachers, parents and students, especially in the current atmosphere of prejudice and discrimination that is often accompanied by violence against the LGBT adolescents tends to inhibit every teenager from complaining to a commission that does not guarantee the privacy and full protection of the adolescents rights.

The purpose of the law is not simply to act as an archetype a social human behaviour, but also to ensure that the institutions and the mechanisms of the enforcement of the law are able to take actions towards the protection of adolescents in an equal and non-discriminatory way.

The Convention on the Rights of the Child (Article 19 of the CRC) requires State Parties to take legislative, administrative, social and educational measures to protect children from all forms of violence. The Committee on the Rights of the Child in its General Comment No.13 recommends that the measures should include procedures for the reporting, referral and the investigation and handling of the cases of violence against children.<sup>28</sup>

The lack of an effective complaints mechanism associated with policies and regulations for the protection of children from violence and discrimination for the reasons mentioned in Article 5 of the Law for the Pre-University Education and the Law for the Protection from Discrimination are indicators that the legislator was not sufficiently focused on the protection of children from violence and discrimination, which are two factors that most of all affect the physical and mental health of adolescents and their wellbeing.

Prejudice and discrimination not only make a difference for students as individuals, but most of all they shape the cultural environment of the school and threaten the effectiveness of the educational institutions<sup>29</sup>.

As the Law states, it is the duty and responsibility of the educational system to resolve the complaints that concern the system and its various components,

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<sup>28</sup> General comment No. 13 (2011), The right of the child to freedom from all forms of violence, [http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13\\_en.pdf](http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13_en.pdf)

<sup>29</sup>Stephen T. Russell, Joseph Kosciw, Stacey Horn, Elizabeth Saewyc, *Safe Schools Policy for LGBTQ Students*, Social Policy Report, volume 24, number 4, 2010

before these complaints are transmitted to the independent bodies for human rights or the Court. If every complaint would end up in the complaint system of the two independent institutions (The Ombudsman or the Commissioner against Discrimination in Albania), this would expose the Pre-University Educational Institutions and the whole system to case filings of moral, social and financial indemnity, from the victims of violence and discrimination.

Children's rights are universal rights and equally enjoyable from all children and adolescents in the pre-university educational system, which derive from the Constitution of the Republic of Albania, as well as from the Convention of the Rights of Child and other international laws. After analyzing the constituent elements of the Law for the Pre-University Educational System and its complaints mechanisms, we could conclude that the law *per se* does not build a secure, fair and effective mechanism for the handling of complaints regarding violence and discrimination of adolescents, due to sexual orientation. This law should a) guarantee the teenager's privacy; b) ensure the welfare and safety of his / her physical and emotional state; c) eliminating human rights violations, violent or discriminatory behavior; d) reward the student for the damage he has experienced, and finally; e) to take measures for the rehabilitation and correction of behavior and violent and/or discriminatory behavior.

Finally, the Law for the Pre-University Educational System fails to ensure that all LGBT adolescents enjoy the same and equal rights as their peer students. Due to the lack of an appropriate mechanism and policies to protect the rights of adolescents, the law lacks provisions and could lead to distinctions, exclusions, restrictions or differential treatment of LGBT adolescents with respect to heterosexual peers. Hence, it may prevent these adolescents from exercising their fundamental rights in the same way as other adolescents.

## **6. Conclusions and recommendations**

a) Albania lacks real research studies on the consequences of violence and discrimination among adolescents because of their sexual orientation and gender identity. The need for studies on a large scale of the population is necessary to observe the incidence and prevalence of violence and discrimination on these grounds, as well as the main modalities which violence and discrimination manifests itself against LGBT adolescents;

b) The improvements in the national legislation is creating positive premises for the protection of LGBT adolescents, and all adolescents in general, from violent,

prejudicial and discriminatory attitudes and behaviors. In this regard, the existence of the right to complain to the Ombudsman, the Commissioner for Protection from Discrimination or to the National Agency for Children are of vital importance for many teens and young LGBT people seeking protection and restoration of their violated rights.

c) Domestic legislation in its entirety complies with international laws. However, much remains to be done in terms of their full implementation by the judicial, educational and social protection system.

d) The Law for the Pre-University Educational System, despite the inclusion of new terms for the protection of children from violence and discrimination, including sexual orientation, lacks an internal structure that guarantees the examination on the basis of clear criteria and procedures to safeguard the privacy rights of children and protection of the interests of the child, creates the possibility of a big gap in the protection of LGBT adolescents from violence and discrimination. In this regard, the State Party must see as a priority the strengthening of the mechanism of child protection and adolescents by means of a thorough review of some articles of the law, including the initiation of policies, procedures and regulations for the protection of LGBT adolescents from violence, prejudicial and discriminatory attitudes.

e) The Law for the Pre-University Educational System in Albania does not introduce a comprehensive and effective mechanism for the reviewing of the mechanisms to protect adolescents from violence, discrimination and violation of their individual rights. This lack creates the possibility for failing to protect the universal rights of children and adolescents, according to the principles of the CRC and the Constitution of Albania. The lack of effective implementing of the law on one hand, and the increased risk of violence against children and young people within schools due to the lack of procedures and measures that educational institution must take to eliminate violence and discrimination on the other, may lead to a failure in the protection of the adolescents' basic human rights.

f) It is recommended that every educational institution, public or private, should adopt its 'zero-tolerance' policy to violence and discrimination against LGBT adolescents, in addition to including the employment of officials such as the Children's Rights Official in the School. This should be done not only to enable each individual to develop his intellectual and physical potential, but also to avoid long-term consequences of violence and discrimination.

g) Training, information and the approval of Model Regulations such as "Safe and Friendly Schools" can be used to promote and facilitate the implementation of laws and help in changing attitudes of the teaching bodies towards LGBT

adolescents and among their peer, including collaboration with LGBT youth groups or civil society organizations.

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